

RECORDING COVER SHEET

ORS 205.234

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ODOT. Any error in this cover
sheet DOES NOT affect the transaction(s) contained in the
instrument itself.



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04/22/2019 09:36:52 AM

Fee: \$97.00

Reference: **Case #19CV15095**

Please print or type information.

1. AFTER RECORDING RETURN TO –

Required by ORS 205.180(4) & 205.238:

Name: **OREGON DEPT. OF TRANSPORTATION**

Address: **RIGHT OF WAY SECTION**

4040 FAIRVIEW INDUSTRIAL DRIVE SE MS #2

City, ST Zip: **SALEM OR 97302-1142**

2. TITLE(S) OF THE TRANSACTION(S) – Required by ORS 205.234(1)(a)

Note: "Transaction" means any action required or permitted by law to be recorded, including, but not limited to, any transfer, encumbrance or release affecting title to or an interest in real property. Enter descriptive title for the instrument:

Document Title(s): **NOTICE OF PENDENCY OF AN ACTION**

3. DIRECT PARTY / GRANTOR Names and Addresses – Required by ORS 205.234(1)(b)

Grantor Name & Address: **DANIEL E. BAILEY; DAN BAILEY CONSTRUCTION LLC, an
Oregon limited liability company; SUSAN MARIE STEVENSON;
and unknown heirs and devisees of LLOYD D. STEVENSON**

4. INDIRECT PARTY / GRANTEE Names and Addresses – Required by ORS 205.234(1)(b)

Grantee Name & Address: **STATE OF OREGON, by and through its DEPARTMENT OF
TRANSPORTATION**

**5. For an instrument conveying or contracting to convey fee title,
the information required by ORS 93.260:**

**UNTIL A CHANGE IS REQUESTED, ALL
TAX STATEMENTS SHALL BE SENT TO
THE FOLLOWING ADDRESS:**

Name: **OREGON DEPT. OF
TRANSPORTATION**

Address: **RIGHT OF WAY SECTION
4040 FAIRVIEW INDUSTRIAL DRIVE
SE MS #2**

City, ST Zip: **SALEM OR 97302-1142**

**6. TRUE AND ACTUAL CONSIDERATION –
Required by ORS 93.030 for an instrument conveying
or contracting to convey fee title or any memorandum
of such instrument:**

\$ **N/A**

**7. TAX ACCOUNT NUMBER OF THE PROPERTY if the instrument creates a lien or other interest that
could be subject to tax foreclosure. – Required by ORS 312.125(4)(b)(B)**

Tax Acct. No.: **R566444**

NOTICE OF PENDENCY
OF AN ACTION

Pursuant to ORS 93.740, the undersigned states:

1. As plaintiff, State of Oregon, by and through its Department of Transportation, has filed an action in the Circuit Court for Klamath County, State of Oregon;
2. The defendants are:
DANIEL E. BAILEY; DAN BAILEY CONSTRUCTION LLC, an Oregon limited liability company; SUSAN MARIE STEVENSON; and unknown heirs and devisees of LLOYD D. STEVENSON
3. The object of the action is: To acquire interest(s) in the property described below by Eminent Domain;
4. The description of the real property to be affected is as set out in the Exhibit A attached hereto and by this reference made a part hereof;

DATED this 9 day of April, 2019.

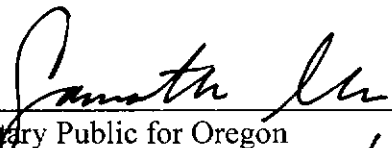

J. NICOLE DEFEVER
Assistant Attorney General

Name: STATE OF OREGON, by and through its
DEPARTMENT OF TRANSPORTATION, by
J. Nicole DeFever
Assistant Attorney General
Address: 100 SW Market Street
Portland, OR 97201
Phone No.: (971) 673-1880

STATE OF OREGON, County of Multnomah

The foregoing instrument was acknowledged before me this 9 day of April, 2019, by
J. Nicole DeFever.




Notary Public for Oregon
My Commission Expires 11/19/21

After Recording Return To:
Oregon Department of Transportation
Right of Way Section – Condemnation Unit
4040 Fairview Industrial Dr SE, MS#2
Salem OR 97302-1142

Parcel 1 – Fee

A parcel of land lying in Lots 1, 2 and 3 of Hager Acres, Klamath County, Oregon and being a portion of that property described in that Statutory Warranty Deed to Daniel H. Bailey recorded August 5, 2013 as Instrument No. 2013-008840, Klamath County Record of Deeds; the said parcel being that portion of said property included in a strip of land variable in width, lying on the Westerly side of the center line of the relocated Klamath Falls-Malin Highway, which center line is described as follows:

Beginning at Engineer's center line Station "KFM" 205+00.00, said station being 552.55 feet North and 1.96 feet West of the East quarter corner of Section 12, Township 39 South, Range 9 East, W.M.; thence South 00°10'11" East 552.00 feet; thence South 00° 20' 16" West 948.00 feet to Engineer's Station "KFM" 220+00.00 on said center line.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Westerly Side of Center Line
209+10.00		212+60.00	46.00 in a straight line to 44.00

Bearings are based upon the Oregon Coordinate Reference System (O.C.R.S.), Bend-Klamath Falls Zone, NAD 83(2011) Epoch 2010.00.

This parcel of land contains 2,710 square feet, more or less.

Parcel 2 – Temporary Easement For Work Area (3 years or duration of Project, whichever is sooner)

A parcel of land lying in Lots 1, 2 and 3 of Hager Acres, Klamath County, Oregon and being a portion of that property described in that Statutory Warranty Deed to Daniel H. Bailey recorded August 5, 2013 as Instrument No. 2013-008840, Klamath County Record of Deeds; the said parcel being that portion of said property included in a strip of land variable in width, lying on the Westerly side of the center line of the relocated Klamath Falls-Malin Highway, which center line is described in Parcel 1.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Westerly Side of Center Line
209+10.00		212+55.00	51.00 in a straight line to 49.00

EXCEPT therefrom Parcel 1.

This parcel of land contains 892 square feet, more or less.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

DIGITALLY SIGNED Aug 14 2018 3:40 PM

OREGON
NOVEMBER 10, 2010
TIMOTHY JOHN HUTCHISON
72563

EXPIRES 6/30/19