

2020-010302

Klamath County, Oregon

RECORDING COVER SHEET

ORS 205.234

This cover sheet has been prepared by
ODOT. Any error in this cover
sheet DOES NOT affect the transaction(s) contained in the
instrument itself.



00264027202000103020030039

08/18/2020 11:08:21 AM

Fee: \$92.00

Reference: Case #20CV27274

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 / DEFENDANT Names and Addresses – Required by ORS 205.234(1)(b)

Defendant Name & Address: JELD-WEN INC; and UNION PACIFIC RAILROAD COMPANY

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

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

4040 Fairview Ind. Drive SE, MS#2, Salem OR 97302

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)

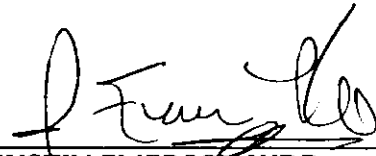
Tax Acct. No.: 421715 & 898771 & 430992

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: **JELD-WEN INC.**, a Delaware corporation; and **UNION PACIFIC RAILROAD COMPANY**, a Delaware corporation
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 11 day of August, 2020.


JUSTIN EMERSON KIDD
Assistant Attorney General

Name: STATE OF OREGON, by and through its
DEPARTMENT OF TRANSPORTATION, by

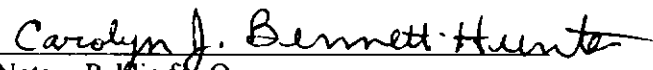
Justin Emerson Kidd
Assistant Attorney General

Address: 1162 Court Street NE
Salem OR 97301-4096

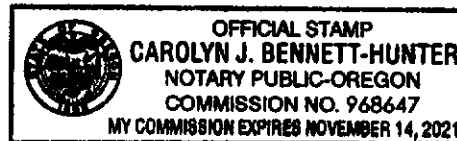
Phone No.: (503) 947-4700

STATE OF OREGON, County of Marion

The foregoing instrument was acknowledged before me this 11 day of August, 2020, by
Justin Emerson Kidd.


Notary Public for Oregon
My Commission Expires 11-14-21

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



Fee

A parcel of land lying in Lot 3 of Section 13, T 38 S, R 8 E and Lots 1, 2, 3, 4, 5, 6 and 7 of Section 18, T 38 S, R 9 E, W.M., Klamath County, Oregon and being a portion of that property described in that Statutory Warranty Deed to Jeld-Wen, inc., an Oregon Corporation, recorded November 9, 2006 as Instrument No. 2006-022491 and being a portion of that property described in that Statutory Warranty Deed to Jeld-Wen Inc., a Delaware corporation, recorded July 12, 2016 as Instrument No. 2016-007354, both of Klamath County Record of Deeds; the said parcel being that portion of said property lying Northerly and Northwesterly of the following described line:

Commencing at a point on the South line of the N½S½ of Section 18, T 38 S, R 9 E, W.M., Klamath County, Oregon, said point being on the Northeasterly line of that property, designated as Tract 1 and described in Land Partition 23-14, recorded April 9, 2015 as Instrument No. 2015-003299, Klamath County Record of Deeds; thence along said Northeasterly line, South 50°39'17" East 364.84 feet to the point of beginning; thence leaving said Easterly line, North 75°57'26" West 312.37 feet; thence West 537.63 feet; thence South 54°33'45" West 2,000.00 feet.

Bearings are based upon the Oregon Coordinate Reference System, Bend-Klamath Falls Zone, NAD83 (2011) epoch 2010.00.

This parcel of land contains 45.48 acres, more or less.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

DIGITALLY SIGNED Nov 14 2019 3:00 PM

OREGON
NOVEMBER 10, 2010
TIMOTHY JOHN HUTCHISON
72563

RENEWALS: 6/30/2021