

37854

## MEMORANDUM OF ANNEXATION AGREEMENT

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BE IT REMEMBERED, on the 13th day of November, 1991, the City of Klamath Falls, an Oregon municipal corporation (CITY), and Wal-Mart Stores, Inc., (OWNER) entered into an Annexation Agreement committing the following-described real property situated in Klamath County, Oregon, to possible future annexation to the City:

A tract of land situated in Lots 1, 2 and 3, Block 1, of Tract 1080 Washburn Park, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, and the SE1/4 of Section 9, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the Northeast corner of said Lot 2; thence along the boundaries of said Lots 2 and 1; South 00°02'00" East 173.36 feet, along the arc of a spiral curve to the right (the long chord of which bears South 15°23'31" West 89.18 feet) 89.79 feet, along the arc of a curve to the right (radius = 532.96 feet  $\theta$  = 50°35'30" and the long chord bears South 45°15'45" West 455.46 feet) 470.60 feet, along the arc of a spiral curve to the right (the long chord of which bears South 84°01'29" West 384.34 feet) 386.00 feet, North 89°26'30" West 40.35 feet to the Southwest corner of said Lot 2, and which the Southwest corner of said Lot 1 bears North 89°26'30" West 260.00 feet; thence North 00°07'15" West, parallel to the West line of said Lot 4, 619.18 feet to a point on the North line of said Lot 1; thence continuing North 00°07'15" West 32.00 feet; thence South 89°25'35" East 359.98 feet to a point on the West line of said Lot 3; thence North 89°58'00" East 771.06 feet to a point on the East line of said Lot 3; thence South 00°02'00" East 32.00 feet to the point of beginning, with bearings based on said Tract 1080 Washburn Park.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this 13th day of November, 1991.

CITY OF KLAMATH FALLS

By: James R. Keller

City Manager

WAL-MART STORES, INC.

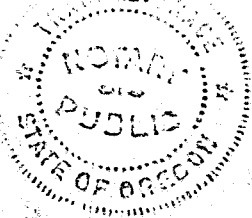
By: [Signature]Title: Asst. Vice President of Real EstateAttest: Elisa D. Fritz

City Recorder

Attest: Cal OuryTitle: Asst. SecretarySTATE OF OREGON )  
COUNTY OF KLAMATH ) ss.

On the 13th day of November, 1991, personally appeared James R. Keller and Elisa D. Fritz who, each being first duly sworn, did say that the former is the City Manager and the latter is the City Recorder of the City of Klamath Falls, an Oregon municipal corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that the instrument was signed and sealed on behalf of said municipal corporation; and each of them acknowledged said instrument to be its voluntary act and deed.

BEFORE ME:



Traci R. Brice  
Notary Public for Oregon  
My Commission Expires: 03-13-93

STATE OF ARKANSAS  
COUNTY OF BENTON } ss.

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On the 1<sup>st</sup> day of November, 1991, personally appeared Michael R. Nelson and Carl Ownbey, who, each being first duly sworn, did say that the former is the Assistant V.P. of Real Estate and the latter is the Assistant Secretary of the Wal-Mart Stores, Inc., and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that the instrument was signed and sealed on behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

BEFORE ME:

[Signature]  
Notary Public for ARKANSAS  
My Commission Expires: \_\_\_\_\_

MY COMMISSION EXPIRES 9/25/93



STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of City of Klamath Falls  
of Nov. A.D., 19 91 at 9:51 o'clock A M., and duly recorded in Vol. M91  
of Deeds on Page 24751  
FEE \$33.00  
Evelyn Biehn, County Clerk  
By [Signature]

AFTER RECORDING RETURN TO:  
Klamath Falls City Recorder  
P.O. Box 237  
Klamath Falls, OR 97601