

## MEMORANDUM OF ANNEXATION AGREEMENT

BE IT REMEMBERED, on the 17th day of September, 1993, the City of Klamath Falls, an Oregon municipal corporation (CITY), and Albertson's, Inc., P.O. Box 20, Boise, ID, (OWNER) entered into an Annexation Agreement committing the following-described real property situated in Klamath County, Oregon, to possible future annexation to the City:

See Exhibit "A" attached hereto.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this 17th day of September, 1993.

CITY OF KLAMATH FALLS

By: James R. Keller  
City Manager

ALBERTSON'S, INC., a Delaware  
corporation

By: William H. Arnold  
Title: Vice President, Real Estate Law

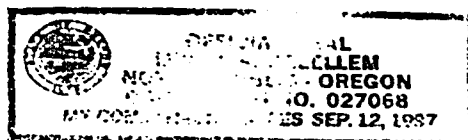
Attest: Traci R. Brace  
City Recorder, Deputy

Attest: Kaye L. O'Riordan  
Title: Corporate Secretary

STATE OF OREGON )  
COUNTY OF KLAMATH ) ss.

On the 5th day of October, 1993, personally appeared James R. Keller and Traci R. Brace 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:



Lyndee L. DeZellene  
Notary Public for Oregon  
My Commission Expires: 9/12/97

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

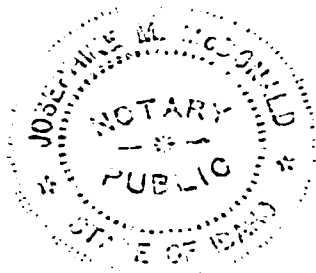
STATE OF IDAHO           )  
                                  ) ss.  
County of Ada            )

On this 17th day of September, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared **William H. Arnold and Kaye L. O'Riordan**, to me known to be the Vice President, Real Estate Law, and the Corporate Secretary, respectively, of **Albertson's, Inc.**, the corporation that executed the foregoing instrument, and acknowledged to me that the said instrument is the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute the said instrument.

WITNESS MY HAND and official seal hereto affixed the day, month and year in this certificate first above written.

My commission expires:

2-01-99



Josephine M. McDonald  
Notary Public in and for the  
State of Idaho.  
Residing at Nampa, Idaho.



## EXHIBIT "A"

28121

## PARCEL 1:

A tract of land situated in Lots 1 through 8 of Block 1 and Lots 1, 2, 3, 8 and 9 of Block 2 of BAILEY TRACTS NO. 2, a duly recorded subdivision, and in the NE 1/4 SE 1/4 of Section 2, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the Northeast corner of Lot 1, Block 1 of said BAILEY TRACTS NO. 2, being on the Southerly right of way line of South Sixth Street; thence North 89 degrees 43' 42" West, along said Southerly right of way line, 560.00 feet to the Northwest corner of Lot 8, Block 1 of said BAILEY TRACTS NO. 2; thence South 00 degrees 17' 12" West 266.00 feet to the Southwest corner of said Lot 8; thence South 83 degrees 33' 31" West 77.36 feet to the Southwest corner of Lot 9, Block 1 of said BAILEY TRACTS NO. 2, being on the Easterly right of way line of Homedale Road; thence South 00 degrees 17' 12" West along said Easterly right of way line, 35.24 feet to a point on the West line of Lot 9, Block 2 of said BAILEY TRACTS NO. 2; thence North 83 degrees 33' 31" East 96.45 feet to a point on the Northerly line of Lot 8 of said Block 2; thence along the Northerly line of said Block 2, South 66 degrees 29' 10" East 57.79 feet, South 59 degrees 19' 49" East 81.02 feet, South 59 degrees 57' 23" East 80.55 feet, South 66 degrees 30' 44" East 76.10 feet, and South 82 degrees 23' 40" East 70.49 feet to the Northwest corner of Lot 3, Block 2 of said BAILEY TRACTS NO. 2; thence North 88 degrees 54' 32" East 442.90 feet to a point from which the Southwest corner of that tract of land described in Deed Volume M-90 at Page 2677 of the Klamath County Deed Records bears North 00 degrees 00' 26" East 176.64 feet and the East quarter corner of said Section 2 bears North 42 degrees 38' 05" East 637.81 feet; thence North 00 degrees 00' 26" East 431.28 feet to the Northwest corner of said tract of land described in Deed Volume M-90 at Page 2677, being on the Southerly right of way line of South Sixth Street; thence North 89 degrees 43' 42" West 232.41 feet to the point of beginning.

CODE 41 MAP 3909-2DA TL 1300  
 CODE 41 MAP 3909-2DA TL 1700  
 CODE 41 MAP 3909-1DA TL 1000 (Covers additional property)  
 CODE 41 MAP 3909-2DA TL 1200  
 CODE 41 MAP 3909-2DA TL 800  
 CODE 41 MAP 3909-2DA TL 900  
 CODE 41 MAP 3909-2DA TL 1501  
 CODE 41 MAP 3909-2DA TL 1400  
 CODE 41 MAP 3909-2DA TL 1500

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of City of Klamath Falls the 26th day  
 of Oct. A.D. 19 93 at 11:44 o'clock A.M. and duly recorded in Vol. M93  
 of Deeds on Page 28119

FEE \$20.00

Evelyn Biehn County Clerk

By Caroline Mullins