

MEMORANDUM OF ANNEXATION AGREEMENT

BE IT REMEMBERED, on the 23rd day of march, 2001, the City of Klamath Falls, an Oregon municipal corporation (CITY), and WESGO PARTNERSHIP, (OWNER) entered into an Annexation Agreement committing Tract 1357, real property situated in Klamath County, Oregon, to possible future annexation to the City.

Said Annexation Agreement includes a request to rezone the property following annexation.

IN WITNESS WHEREOF, the parties have hereunto set their hands this 7 day of march, 2001.

CITY OF KLAMATH FALLS

OWNER, WESGO PARTNERSHIP

By: [Signature]
City Manager

By: [Signature]
Mel Stewart, General Partner

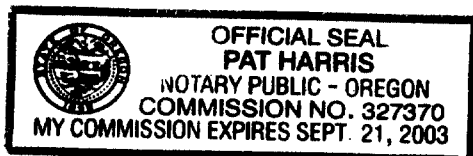
Attest: [Signature]
Deputy City Recorder

✓ By: [Signature]
Ben Menold, General Partner

STATE OF OREGON
COUNTY OF KLAMATH } ss.

On the 13th day of February, 2001, personally appeared Jeff Ball and Shirley Kappas, who, each being first duly sworn, did say that the former is the City Manager and the latter is the Deputy City Recorder of the City of Klamath Falls, an Oregon municipal corporation, and that the instrument was signed on behalf of said municipal corporation; and each of them acknowledged said instrument to be its voluntary act and deed.

BEFORE ME:

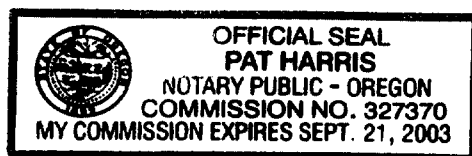


[Signature]
Notary Public for Oregon
My Commission Expires: 9-21-2003

STATE OF OREGON
COUNTY OF KLAMATH } ss

On the 23 day of march, 2001, personally appeared Mel Stewart and acknowledged said instrument to be his voluntary act and deed.

BEFORE ME:

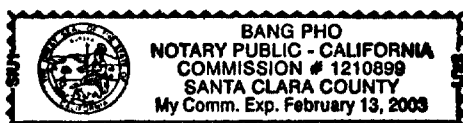


[Signature]
Notary Public for Oregon
My Commission Expires: 9-21-2003

↓ STATE OF CALIFORNIA
COUNTY OF Santa Clara } ss

On the 7 day of march, 2001, personally appeared Ben Menold and acknowledged said instrument to be his voluntary act and deed.

BEFORE ME: Ben Menold



[Signature]
Notary Public for California
My Commission Expires: Feb. 13, 2003

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

WAIVER

This Agreement is made this 23rd day of March, 2001, by and between the City of Klamath Falls, an Oregon municipal corporation (CITY), and WESGO PARTNERSHIP, (OWNER).

WITNESSETH

Pursuant to ORS 222.173 OWNER and CITY hereby waive the one-year time limit on the consent to annex contained in the agreement dated this date between the parties hereto. It is the intent and desire of the parties hereto that said consent to annex shall run with the land and be effective until such date as annexation may occur.

CITY OF KLAMATH FALLS

By: [Signature]
City Manager

Attest: [Signature]
Deputy City Recorder

OWNER, WESGO PARTNERSHIP

By: [Signature]
Mel Stewart

x By: [Signature]
Ben Menold

State of Oregon, County of Klamath
Recorded 05/17/01, at 3:02 p.m.
In Vol. M01 Page 22844
Linda Smith,
County Clerk Fee \$ 26.00