

## MEMORANDUM OF ANNEXATION AGREEMENT

BE IT REMEMBERED, on the 17 day of May, 2004, the City of Klamath Falls, an Oregon municipal corporation (CITY), and Jerry O. Anderson, Trustee under Anderson Loving (SIC) Trust, dated October 16, 1990 (OWNER), entered into an irrevocable Annexation Agreement committing the following-described real property:

Beginning at an iron pin which is 30 feet North and 30 feet East of a brass plug marking the intersection of the centerline of the Klamath Falls-Lakeview Highway and a county road to the North and South along the section line between Sections 1 and 2, Township 39 South, Range 9 East of the Willamette Meridian; thence East 1320.0 feet to an iron pipe marking the East boundary of a North-South county road (Patterson St.) and the South boundary of a county road (Simmers Ave.) to the East; thence along the South boundary of said county road to the East, North 88 degrees 55' East 1037.0 feet to a point; thence North 0 degrees 03' East 791.1 feet to an iron pipe which is the true point of beginning of this description; thence South 88 degrees 55' West 95.0 feet to an iron pipe; thence South 88 degrees 55' West 20.3 feet to a point on the centerline of the Enterprise Irrigation District Canal; thence along the said centerline of said canal, South 34 degrees 53' East 9.3 feet; thence South 63 degrees 21' East 29.2 feet; thence South 33 degrees 55 1/2' East 34.2 feet; thence South 12 degrees 16' East 186.9 feet; thence South 27 degrees 25' East, 53.8 feet to a point; thence leaving the centerline of the Enterprise Irrigation District Canal North 0 degrees 03' East 281.5 feet, more or less, to the true point of beginning, and lying in the SE 1/4 NW 1/4 Section 1, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon,

to possible future annexation to the City. Said Annexation Agreement is irrevocable, includes a request to rezone the property following annexation, and is binding upon OWNER and all successive owners of all or part of said Property.

IN WITNESS WHEREOF, the parties have hereunto set their hands this 17th day of May, 2004.

CITY OF KLAMATH FALLS

JERRY O. ANDERSON, TRUSTEE  
UNDER ANDERSON LOVING (SIC) TRUST  
DATED OCTOBER 16, 1990

By: [Signature]  
City Manager

[Signature]  
Trustee

Attest: [Signature]  
City Recorder

STATE OF OREGON  
COUNTY OF KLAMATH } ss.

On the 17th day of May, 2004, personally appeared Jeffrey D. Ball and Elisa D. Olson, 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 instrument was signed on behalf of said municipal corporation; and each of them acknowledged said instrument to be its voluntary act and deed.



[Signature]  
Notary Public for Oregon  
My Commission Expires: 9-10-05

STATE OF OREGON  
COUNTY OF KLAMATH } ss

On the 17th day of May, 2004, personally appeared Jerry O. Anderson, Trustee under Anderson Loving Trust dated October 16, 1990, and acknowledged said instrument to be his voluntary act and deed and further acknowledging that the instrument was signed on behalf of said Trust.

BEFORE ME:



[Signature]  
Notary Public for Oregon  
My Commission Expires: 3-27-2008

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

State of Oregon, County of Klamath  
Recorded 06/10/2004 2:54 p.m.  
Vol M04 Pg 37273  
Linda Smith, County Clerk  
Fee \$ 21.00 # of Pgs 1