

MEMORANDUM OF ANNEXATION AGREEMENT

BE IT REMEMBERED, on the 25th day of October, 2004, the City of Klamath Falls, an Oregon municipal corporation (CITY), and Dan Martin Construction, Inc. (OWNER), entered into an irrevocable Annexation Agreement committing the following-described real property* situated in Klamath County, 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 25th day of October, 2004.

CITY OF KLAMATH FALLS

B.

City Manager

OWNER, DAN MARTIN CONSTRUCTION, INC.

Dan Martin, President

Attest:

City Recorder

STATE OF OREGON)

SS

COUNTY OF KLAMATH)

On the 25th day of October, 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.

BEFORE ME:



Shirley F. Kazzo
Notary Public for Oregon
My Commission Expires: 2-10-05

STATE OF OREGON)

SS

COUNTY OF KLAMATH)

On the 19th day of October, 2004, personally appeared Dan Martin as President for Dan Martin Construction, Inc. and acknowledged said instrument was signed on behalf of said corporation and was its voluntary act and deed.

BEFORE ME:



Shirley F. Kappas
Notary Public for Oregon
My Commission Expires: 9-10-09

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

***Parcel 1: Parcel 2 of Land Partition 3-93 as filed in the Klamath County Clerk's Office, being situate in the E1/2 of the NW1/4 of Section 12, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon,**

Parcel 2: The Easterly 16 feet of Parcel 1 of Land Partition 3-93, situated in the E1/2 of the NW 1/4 of Section 12, Township 39 South, Range 9 East of the Willamette Meridian, County of Klamath, State of Oregon.

State of Oregon, County of Klamath
Recorded 11/10/04 1:40 P m
Vol M04 Pg 77606
Linda Smith, County Clerk
Fee \$ 21.00 # of Pgs 1