

'05 FEB 11 AM 9:26

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

State of Oregon, County of Klamath  
Recorded 02/11/05 9:26 a m  
Vol M05 Pg 09649-50  
Linda Smith, County Clerk  
Fee \$ 26.00 # of Pgs 2

## MEMORANDUM OF ANNEXATION AGREEMENT

BE IT REMEMBERED, on the 27<sup>th</sup> day of January, 2005, the City of Klamath Falls, an Oregon municipal corporation (CITY), and W. C. Heidinger and Ronda Heidinger and Charles E. Whiting (OWNERS), entered into an irrevocable Annexation Agreement committing the real property, described in Exhibit "A" attached hereto, which Exhibit is hereby incorporated herein, 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 27<sup>th</sup> day of January, 2005.

CITY OF KLAMATH FALLS

City Manager

Attest:

City Recorder

OWNERS,

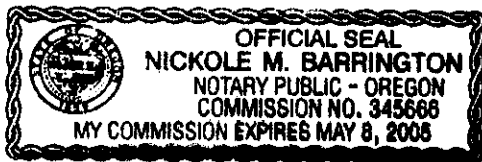
W. C. Heidinger

Ronda Heidinger

Charles E. Whiting

STATE OF OREGON )  
 ) ss.  
COUNTY OF KLAMATH )

On the 8<sup>th</sup> day of February, 2005, 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.



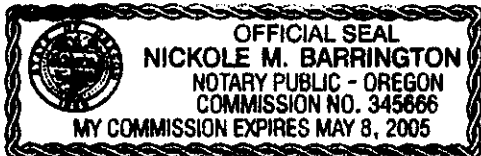
BEFORE ME:

Notary Public for Oregon

My Commission Expires: 5-8-2005

STATE OF OREGON )  
 ) ss.  
County of Klamath )

On the 27<sup>th</sup> day of January, 2005, W. C. Heidinger and Ronda Hedinger personally appeared and they acknowledged that said instrument was signed and to be their voluntary act and deed.



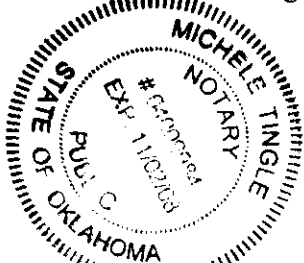
BEFORE ME:

Notary Public for Oregon

My Commission Expires: 5-8-2005

STATE OF Oklahoma )  
 ) ss.  
County of Murray )

On the 1st day of February, 2005, Charles E. Whiting personally appeared and he acknowledged that said instrument was signed and to be his voluntary act and deed.



BEFORE ME:

Notary Public for Chickasaw Nation N.S.

My Commission Expires: 11-02-08

Jan 26 05 10:25a

W. C. Heidinger

541-273-5893

p.2

'04 NOV 16 AM 10:51

Vol M04 Page 78754

State of Oregon, County of Klamath  
 Recorded 11/16/04 10:51 a m  
 Vol M04 Pg 78754  
 Linda Smith, County Clerk  
 Fee \$ 21<sup>00</sup> # of Pgs 1

After Recording Return to:

W.C HEIDINGER and RONDA HEIDINGER and CHARLES E. WHITING

1100 Timberline Lane  
Klamath Falls, OR 97601

Until a change is requested all tax statements

Shall be sent to the following address:

W.C HEIDINGER and RONDA HEIDINGER and CHARLES E. WHITING

Same as Above

Aspen: 58626AF  
**WARRANTY DEED**  
 (INDIVIDUAL)

GLENN C. MILLER AND GLENN C. MILLER TRUSTEE UNDER THE TESTAMENTARY TRUST OF MARION ANDERSON MILLER, herein called grantor, convey(s) to W. C. HEIDINGER AND RONDA HEIDINGER, HUSBAND AND WIFE AND CHARLES E. WHITING, ALL WITH FULL RIGHTS OF SURVIVORSHIP, all that real property situated in the County of KLAMATH, State of Oregon, described as:

A tract of land situated in the NW 1/4 NW 1/4 of Section 1, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at a point on the Westerly right of way line of Patterson Street, from which the Northwest 1/16 corner of said Section 1 bears South 89° 50' 00" East 30.00 feet and South 00° 10' 00" West 62.05 feet; thence North 89° 51' 43" West 267.20 feet; thence North 00° 18' 37" East 640.90 feet; thence South 89° 41' 23" East 265.60 feet to a point on the said Westerly right of way line; thence South 00° 10' 00" West 640.10 feet to the point of beginning, with bearings based on record of Survey 5679 on file at the office of the Klamath County Surveyors.

and covenant(s) that grantor is the owner of the above described property free of all encumbrances except covenants, conditions, restrictions, reservations, rights, rights of way and easements of record, if any, and apparent upon the land, contracts and/or liens for irrigation and/or drainage

and will warrant and defend the same against all persons who may lawfully claim the same, except as shown above.

The true and actual consideration for this transfer is \$65,000.00.

(here comply with the requirements of ORS 93.930)

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Dated 11-15-04

THE TESTAMENTARY TRUST OF MARION ANDERSON MILLER

Glenn C. Miller  
 GLENN C. MILLER, INDIVIDUAL

Glenn C. Miller  
 GLENN C. MILLER, TRUSTEE

STATE OF OREGON, County of Klamath)

**Exhibit "A" page 1**