M06-05599

Klamath County, Oregon 03/27/2006 10:41:40 AM Pages 2 Fee: \$26.00

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

MEMORANDUM OF ANNEXATION AGREEMENT

BE IT REMEMBERED, on the 27th day of March, 2006, the City of Klamath Falls, an Oregon municipal corporation (CITY), and Gallica Four/KF 24, LLC (OWNER), entered into an irrevocable Annexation Agreement committing the real property, known as tax account numbers R-3909-011BD-00800-000, R-3909-011AC-04100-000 and R-3909-011DB-00100-000 and legally described in Exhibit "A" 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 <u>27th</u> day of March, 2006.

CITY OF KLAMATH FALLS

City Manager

Attest:
City Recorder

STATE OF OREGON

ss.

COUNTY OF KLAMATH)

OWNER - GALLICA FOUR/KF 24, LLC

David W. Sturdevant Title: Managing Member

On the 11th day of March, 2006, 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.

OFFICIAL SEAL
NICKOLE M. BARRINGTON
NOTARY PUBLIC - OREGON
COMMISSION NO. 392235
MY COMMISSION EXPIRES MAY 08, 2009

BEFORE ME:

Notary Public for Oregon

My Commission Expires: 5-8-2009

STATE OF OREGON)

Deschutes) ss.

County of Klamath)

On the _______day of March, 2006, David W. Sturdevant personally appeared and being first duly sworn, did say that he is the managing member for Gallica Four/KF 24, LLC, that the instrument was signed on behalf of the said Corporation, and that he was authorized to sign this instrument on behalf of said Corporation; and acknowledged said instrument to be its voluntary act and deed.

OFFICIAL SEAL
CARLA J CAHAIL
NOTARY PUBLIC-OREGON
COMMISSION NO. 395376
MY COMMISSION EXPIRES SEPT. 27, 2009

Notary Public for Oryon

My Commission Expires: 9-27-09

LEGAL DESCRIPTION

PARCEL 1:

Lot 8 in Block 3 of CASCADE PARK, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Tax Account No:

3909-011BD-00800-000

Key No: 552413

PARCEL 2:

The N 1/2 N 1/2 NW 1/4 SE 1/4, SW 1/4 NE 1/4, Section 11, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, lying South and West of the U.S.R.S. Main Irrigation Canal and lying East of the U.S.B.R. A-2 1/2 Lateral. EXCEPTING THEREFROM that part of the above described tract lying within Homedale Road.

Tax Account No:

3909-011AC-04100-000

Tax Account No:

3909-011DB-00100-000

Key No: 549464 Key No: 557418

Exhibit "A"