

2006-017972

Klamath County, Oregon



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09/06/2006 02:25:24 PM

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 6th day of September, 2006, the City of Klamath Falls, an Oregon municipal corporation (CITY), and Capri Properties, LLC (OWNER), entered into an irrevocable Annexation Agreement committing the real property 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 6th day of September, 2006.

CITY OF KLAMATH FALLS

[Signature]
City Manager

OWNER CAPRI PROPERTIES LLC

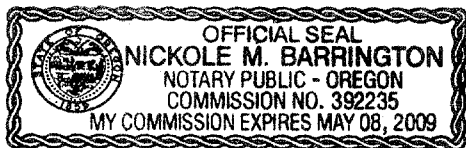
[Signature]
Tim Amuchastegui

Attest:

[Signature]
Deputy City Recorder

STATE OF OREGON)
)ss.
COUNTY OF KLAMATH)

On the 6th day of September, 2006, personally appeared Jeffrey D. 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.

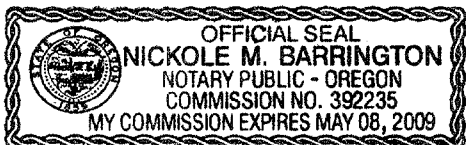


BEFORE ME:

[Signature]
Notary Public for Oregon
My Commission Expires: 5-8-2009

STATE OF OREGON)
)ss.
County of Klamath)

On the 6th day of September, 2006, Tim Amuchastegui personally appeared and being first duly sworn, did say that he was the representative for Capri Properties, LLC, that the instrument was signed on behalf of the said LLC, and that he was authorized to sign this instrument on behalf of said LLC; and acknowledged said instrument to be its voluntary act and deed.



BEFORE ME:

[Signature]
Notary Public for Oregon
My Commission Expires: 5-8-2009

Exhibit "A"

LEGAL DESCRIPTION OF:

PARCEL 2 OF TENTATIVE LAND PARTITION 82-06

A Parcel of land being in Tracts 13 and 14 of the "Supplemental Plat of Altamont Ranch Tracts", Situated in the SW1/4 SW1/4 of Section 10, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Commencing at the southeast corner of that property adjusted by "Property Line adjustment 2-96", as filed at the Klamath County Surveyors office; said point being marked by a 5/8" rebar with a yellow plastic cap marked "tru-line surveying", said point also being on the southerly line of said tract 14; thence along said southerly line, South 89°17'06" East, 125.43 feet to the TRUE POINT OF BEGINNING; thence North 21°34'45" East, 190.79 feet; thence North 18°06'03" East, 195.81 feet; thence North 01°00'39" East, 293.92 feet to the southerly Right-of-Way line of Bristol Avenue; thence along said southerly Right-of-Way line, South 88°56'38" East, 262.75 feet to a point of curvature; thence leaving said southerly Right-of-Way line, along the arc of a 2377.39 foot radius curve to the right, through a central angle of 16°23'04" (the long chord of which bears South 14°40'39" West, 677.53 feet) an arc distance of 679.84 feet to the southerly line of said Tract 14; thence along said southerly line, North 89°17'06" West, 227.24 feet to the POINT OF BEGINNING.

Containing 3.51 acres.