

2006-021248

Klamath County, Oregon



10/23/2006 02:33:29 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 19th day of October, 2006, the City of Klamath Falls, an Oregon municipal corporation (CITY), and ASPEN BUILDERS AND CONTRACTORS, LLC (OWNER), entered into an irrevocable Annexation Agreement committing the real property, known as Credenda Subdivision, 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 13th day of October, 2006.

CITY OF KLAMATH FALLS

[Signature]
 City Manager

**OWNER, ASPEN BUILDERS AND
 CONTRACTORS, LLC**

[Signature]
 Annie Nyars, Controller

Attest:

[Signature]
 City Recorder

STATE OF OREGON)
 ss.
 COUNTY OF KLAMATH)

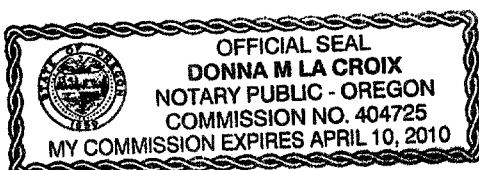
On the 19th day of October, 2006, personally appeared Jeffrey D. Ball and Elisa D. Olson, who, each being first duly sworn, did say that the former is the City Manager and the latter is the City Recorder of the City of Klamath Falls, an Oregon municipal corporation, and that the instrument was signed on behalf of said municipal corporation; and each of them acknowledged said instrument to be its voluntary act and deed.



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

STATE OF OREGON)
)ss.
 County of Deschutes)

On the 13th day of October, 2006, Annie Nyars personally appeared and being first duly sworn, did say that she was the representative for Aspen Builders and Contractors, LLC, that the instrument was signed on behalf of the said LLC, and that she 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: April 10, 2010

EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL 1:

Beginning at a point from which the Northeast corner of the Northwest quarter of the Southeast quarter of Section 1, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, bears East 490 feet distant; thence, South 557 and 114/469ths feet; thence West 469 feet; thence North 557 and 114/469ths feet; thence East 469 feet to the point of beginning.

Tax Account No: 3909-001DB-00200-000

Key No: 510174

PARCEL 2:

The South half of the South half of the Southwest quarter of the Northeast quarter of Section 1, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, less the Easterly 490 feet thereof.

Tax Account No: 3909-001AC-04700-000

Key No: 504886

PARCEL 3:

A tract of land situated in the SW1/4NE1/4 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 South line of the SW1/4NE1/4 of said Section 1, said point being Westerly a distance of 490 feet from the Southeast corner of the SW1/4NE1/4 of said Section 1; thence Northerly along a line 490 feet from and parallel to the East line of said SW1/4NE1/4 to a point on the North line of the S1/2S1/2SW1/4NE1/4 of said Section 1; thence Southeasterly on a straight line to the point of intersection of the Northeasterly right of way line of the Enterprise Irrigation District Canal and the South line of the SW1/4NE1/4 of Section 1; thence Westerly to the point of beginning.

Tax Account No: 3909-001AC-04600-000

Key No: 504948