



CERTIFICATE

*State of Oregon*

OFFICE OF THE SECRETARY OF STATE  
Corporation Division

*I, KATE BROWN, Secretary of State of Oregon, and Custodian of the Seal of said State, do hereby certify:*

*That the attached copy of the  
Articles of Incorporation*

*filed on*

*January 6, 1978*

*for*

**XXII A H2O DISTRICT IMPROVEMENT COMPANY**

*is a true copy of the original document  
that has been filed with this office.*



*In Testimony Whereof, I have hereunto set  
my hand and affixed hereto the Seal of the  
State of Oregon.*

KATE BROWN, Secretary of State

By

Marilyn R. Smith

September 17, 2009

FILE NO. 5893  
**FILED**  
IN THE OFFICE OF THE CORPORATION  
COMMISSIONER OF THE STATE OF OREGON  
JAN 6 1978  
FRANK J. HEALY  
CORPORATION COMMISSIONER

XXII A H2O DISTRICT IMPROVEMENT COMPANY

ARTICLES OF INCORPORATION

We, PRESTON S. ACKLEY, ROBERT K. RUSSELL and F. H. McCOMBS are hereunto subscribed, do hereby associate ourselves together for the purpose of forming a Corporation under and pursuant to Oregon Revised Statutes, Chapter 554, for the formation of Corporations for the purpose of irrigating and draining land, furnishing same with water for domestic use and protecting same by flood control, and for that purpose we hereby make, execute and adopt the following Articles of Incorporation in triplicate:

ARTICLE I

The name assumed by this Corporation and by which it shall be known is XXII A H2O DISTRICT IMPROVEMENT COMPANY, and its duration shall be perpetual.

ARTICLE II

That the particular land to be improved and which is improved by the works of the Corporation, and the names of the respective owners as shown by the Records of this County and the total number of acres are as follows:

ALL IN KLAMATH COUNTY, OREGON:

PARCEL 1: Lot 16 and the Easterly 30 feet of Lot 15, LAKEWOOD HEIGHTS; containing .71 acre the owners of which are Preston S. and Betty J. Ackley, 2699 Lakeshore Drive, Klamath Falls, Oregon 97601.

PARCEL 2: A portion of Lot 22, LAKEWOOD HEIGHTS, more particularly described as follows: Beginning at a point on the Westerly lot line of Lot 22 from which the Northwest corner of said lot bears North 33°58' West a distance of 33 feet; thence South 33°58' East 12 feet; thence leaving the Westerly lot line North 54°54' East 110.50 feet; thence South 61°05'12" West, 111.34 feet to the point of beginning; containing .02 acre the owners of which are James and Marilyn Novak, 2543 Lakeshore Drive, Klamath Falls, Oregon 97601.

PARCEL 3: Lot 22, LAKEWOOD HEIGHTS, save and excepting the following: Beginning at the Northwest corner of Lot 22 of Lakewood Heights; thence North 72°14' East along the Northerly boundary of same, 121.4 feet; thence South 7°10' East, 10.0 feet; thence South 54°54' West, 110.5 feet to the Westerly boundary of aforesaid Lot 22; thence North 35°58' West along the boundary 45.0 feet more or less to the point of beginning; containing .68 acre the owners of which are James F. and Marilyn L. Novak, 2543 Lakeshore Drive, Klamath Falls, Oregon 97601.

PARCEL 4: A portion of Lot 22, LAKEWOOD HEIGHTS, more particularly described as follows: Beginning at the Northwest corner

1 of Lot 22 of Lakewood Heights; thence North 72°14' East along the  
2 Northerly boundary of same 121.4 feet; thence South 7°10' East 10.0  
3 feet; thence South 54°54' West 110.5 feet to West boundary of afore-  
said Lot 22; thence North 35°58' West along the boundary 45.0 feet more  
4 or less to the point of beginning;  
5 containing .06 acre  
the owners of which are F. H. and Helen McCornack,  
2571 Lakeshore Drive, Klamath Falls, Oregon 97601.

6 PARCEL 5: Lot 23, LAKEWOOD HEIGHTS;  
7 containing .46 acre  
the owner of which is Douglas L. Gallup,  
2531 Lakeshore Drive, Klamath Falls, Oregon 97601.

8 PARCEL 6: Lots 20 and 21, LAKEWOOD HEIGHTS;  
9 containing 1.74 acres  
the owner of which is F. H. McCornack,  
2571 Lakeshore Drive, Klamath Falls, Oregon 97601.

10 PARCEL 7: Lot 43, LAKEWOOD HEIGHTS;  
11 containing .22 acre  
the owners of which are F. H. and Helen M. McCornack,  
12 2571 Lakeshore Drive, Klamath Falls, Oregon 97601.

13 PARCEL 8: A portion of Lot 29, LAKEWOOD HEIGHTS, more particularly de-  
14 scribed as follows: Beginning at a point on the Southwest-  
erly boundary line of Lot 29 in Lakewood Heights, which point is 143.2  
15 feet Northwesterly from the most Southerly corner of said Lot 29; thence  
Northwesterly along said boundary line a distance of 47.8 feet to an  
16 iron pin at the most Westerly corner of the said Lot 29; thence North  
69°24' East a distance of 138.6 feet to the most Northerly corner of  
17 said Lot 29; thence Southeasterly along the Westerly right of way line  
of Secondary Highway No. 421, 42.13 feet; thence Southwesterly in a  
18 straight line to the point of beginning, said tract being approximately  
the Northwesterly one-half of Northwesterly one-half of Tract 29, Lake-  
19 wood Heights in Section 23, Twp. 38 S., R. 8, E.W.M.;  
containing .14 acre  
20 the owners of which are Marl E. and Beverly Steidle,  
2417 Lakeshore Drive, Klamath Falls, Oregon 97601.

21 PARCEL 9: Lots 50 and 51, LAKEWOOD HEIGHTS;  
22 containing .42 acre  
the owners of which are Jerry L. and Jacquelyn Killingsworth,  
23 2497 Lakeshore Drive, Klamath Falls, Oregon 97601.

24 PARCEL 10: A portion of Lot 28, LAKEWOOD HEIGHTS, more particularly de-  
scribed as follows: Beginning at an iron pin which marks  
25 the most Southerly corner of Lot 28 and the most Westerly corner of Lot  
29; thence North 29°57' West 72.7 feet to an iron pin; thence North  
26 68°00' East 159.3 feet to an iron pin on the Westerly right of way line  
of Secondary Highway 421; thence Southerly following Westerly right of  
27 way line of said Highway 421 along the arc of a 6°45' curve to the left  
74.8 feet to an iron pin which marks the corner between Lots 28 and 29;  
28 thence South 69°24' West 138.6 feet more or less to the point of beginning;  
containing .25 acre  
29 the owners of which are Marl E. and Beverly Steidle,  
2417 Lakeshore Drive, Klamath Falls, Oregon 97601.

30 PARCEL 11: A portion of Lot 28, LAKEWOOD HEIGHTS, more particularly de-  
scribed as follows: Beginning at a point which marks the  
31 most Westerly corner of Lot 28 and the most Southerly corner of Lot 27;  
thence North 75°50' East along the line between Lots 27 and 28 176.7  
32 feet to a point on the Westerly right of way line of Highway No. 421

1 which marks the most Easterly corner of Lot 28; thence South 9°55' East  
2 along said right of way line 46.5 feet; thence continuing along said  
3 right of way line following the arc of a 6°45' curve to the left 18.5  
4 feet; thence South 68°00' West 159.3 feet; thence North 23°28' West  
5 87.8 feet more or less to the point of beginning; less road right of  
6 way;

7 containing .29 acre  
8 the owners of which are Marl E. and Beverly Steidle,  
9 2417 Lakeshore Drive, Klamath Falls, Oregon 97601.

10 PARCEL 12: A portion of Lot 27, LAKEWOOD HEIGHTS, more particularly de-  
11 scribed as follows: Beginning at an iron pin which marks the  
12 most Southerly corner of Lot 27 and the most Westerly corner of Lot 28;  
13 thence North 23°28' West 69.4 feet to a point; thence North 60°10' East  
14 79.2 feet to a point; thence South 35°28' East 95.5 feet to an iron pin  
15 on the line between Lots 27 and 28; thence South 75°50' West along the  
16 line between Lots 27 and 28 98.8 feet more or less to the point of beginning;  
17 containing .16 acre  
18 the owners of which are Marl E. Steidle and Beverly G. Steidle,  
19 2417 Lakeshore Drive, Klamath Falls, Oregon 97601.

20 PARCEL 13: A portion of Lot 27, LAKEWOOD HEIGHTS, more particularly de-  
21 scribed as follows: Beginning at an iron pin on the Westerly  
22 right of way line of Secondary Highway 421 which marks the corner com-  
23 mon to Lots 26 and 27, Lakewood Heights; thence following the Westerly  
24 right of way line of said Highway 421 Southerly along the arc of a 15°06'  
25 curve to the right 74.6 feet to an iron pin; thence South 59°35' West 82.1  
26 feet to an iron pin; thence North 35°28' West 66.9 feet to an iron pin  
27 on the line between Lots 26 and 27; thence North 60°10' East along the  
28 line between Lots 26 and 27 95.1 feet more or less to the point of beginning;  
29 containing .14 acre  
30 the owners of which are Robert K. and Wanda Russell,  
31 2451 Lakeshore Drive, Klamath Falls, Oregon 97601.

32 PARCEL 14: A portion of Lot 26, LAKEWOOD HEIGHTS, more particularly de-  
described as follows: Beginning at a point on the Westerly  
right of way line of Highway No. 421 which point is also the most North-  
erly corner of Lot 26; thence South 34°07' East along said right of way  
line 85 feet; thence South 58°27' West 118.6 feet; thence North 52°32'  
West 35 feet; thence North 4°50' East 66 feet; thence North 53°21' East  
80 feet more or less to the point of beginning;  
containing .22 acre  
the owners of which are Robert K. and Wanda Russell,  
2451 Lakeshore Drive, Klamath Falls, Oregon 97601.

PARCEL 15: A portion of Lot 26, LAKEWOOD HEIGHTS, more particularly  
described as follows: Beginning on the Westerly right of  
way line of Secondary Highway No. 421 in Sec. 23, Twp. 38 S., R. 8,  
E.W.M. which lies South 34°07' East 85 feet from the most Northerly cor-  
ner of Lot 26 of Lakewood Heights and running thence; continuing South  
34°07' East along the Westerly right of way line of Secondary Highway  
No. 421 74.4 feet; thence following the arc of a 15°06' curve to the  
right 10.2 feet; thence South 60°10' West along line between Lots 26  
and 27 of Lakewood Heights 95.1 feet; thence North 52°32' East 85.7 feet;  
thence North 58°27' East 118.6 feet more or less to the point of beginning;  
containing .22 acre  
the owners of which are Robert K. and Wanda Russell,  
2451 Lakeshore Drive, Klamath Falls, Oregon 97601.

PARCEL 16: The Northwesterly 60 feet of Lot 24, LAKEWOOD HEIGHTS;  
containing .22 acre  
the owners of which are Lloyd C. and Ann H. Prock,  
2515 Lakeshore Drive, Klamath Falls, Oregon 97601.

1 PARCEL 17: Lot 24, LAKEWOOD HEIGHTS, less the Northwesterly 60 feet;  
2 containing .22 acre  
3 the owner of which is Lloyd C. Prock,  
4 2515 Lakeshore Drive, Klamath Falls, Oregon 97601.

5 PARCEL 18: Lot 29, LAKEWOOD HEIGHTS, save and excepting the following:  
6 Beginning at a point on the Southwesterly boundary line of  
7 Lot 29 in Lakewood Heights, which point is 143.2 feet Northwesterly from  
8 the most Southerly corner of said Lot 29; thence Northwesterly along  
9 said boundary line a distance of 47.8 feet to an iron pin at the most  
10 Westerly corner of the said Lot 29; thence North 69°24' East a distance  
11 of 138.6 feet to the most Northerly corner of said Lot 29; thence South-  
12 easterly along the Westerly right of way line of Secondary Highway No.  
13 421, 42.13 feet; thence Southwesterly in a straight line to the point  
14 of beginning, said tract being approximately the Northwesterly one-half  
15 of Northwesterly one-half of Tract 29, Lakewood Heights in Section 23,  
16 Twp. 38 S., R. 8, E.W.M.;  
17 containing .39 acre  
18 the owners of which are Ronald T. and Barbara G. Williams,  
19 2375 Lakeshore Drive, Klamath Falls, Oregon 97601.

20 PARCEL 19: Lot 30, LAKEWOOD HEIGHTS;  
21 containing .38 acre  
22 the owners of which are Ronald T. and Barbara G. Williams,  
23 2375 Lakeshore Drive, Klamath Falls, Oregon 97601.

24 and comprising a total of 6.94 acres in XXII A H20 District Improvement  
25 Company.

### 26 ARTICLE III

27 The purpose and intent of this Corporation is to furnish said land with  
28 water for domestic use, including the up-keep, operation and maintenance of the  
29 pumping plant and works already installed and the delivery of water therefrom to  
30 the property line of the various tracts of land hereinbefore described.

### 31 ARTICLE IV

32 There shall be nine Directors of this Corporation, and the names and addresses of those first holding office as Directors are:

33 Preston S. Ackley  
34 2699 Lakeshore Drive  
35 Klamath Falls, Oregon 97601

Marl E. Steidle  
2417 Lakeshore Drive  
Klamath Falls, Oregon 97601

36 James Novak  
37 2543 Lakeshore Drive  
38 Klamath Falls, Oregon 97601

Robert K. Russell  
2451 Lakeshore Drive  
Klamath Falls, Oregon 97601

39 F. H. McCornack  
40 2571 Lakeshore Drive  
41 Klamath Falls, Oregon 97601

Lloyd C. Prock  
2515 Lakeshore Drive  
Klamath Falls, Oregon 97601

42 Douglas L. Gallup  
43 2531 Lakeshore Drive  
44 Klamath Falls, Oregon 97601

Ronald T. Williams  
2375 Lakeshore Drive  
Klamath Falls, Oregon 97601

45 Jerry L. Killingsworth  
46 2497 Lakeshore Drive  
47 Klamath Falls, Oregon 97601

1 and successors of said Directors shall be elected annually on the second Tuesday  
2 of January by majority vote of the members of this Corporation.

3 ARTICLE V

4 The location of the principal office of this Corporation shall be at Klamath  
5 Falls, Oregon. The office of the Corporation shall be at 2571 Lakeshore Drive,  
6 Klamath Falls, Oregon, and the registered agent at said address shall be F. H.  
7 McCornack.

8 ARTICLE VI

9 This Corporation is not organized for the purpose of profit to the Corpora-  
10 tion or to its members other than from the benefits to accrue from such improve-  
11 ments and operation and maintenance hereinafter named.

12 ARTICLE VII

13 That the proposed improvement is for sanitary purposes and that such pro-  
14 posed improvement will be conducive to the public health and utility and public  
15 benefit.

16 ARTICLE VIII

17 The benefits of such proposed improvement will exceed the damage to be done,  
18 and that the best interests of the lands herein-described and of the owners of  
19 such land as a whole and of the public at large will be promoted by the formula-  
20 tion and proposed improvement and operation of this District.

21 ARTICLE IX

22 The formation of this Corporate District, pursuant to the terms of Oregon  
23 Revised Statutes, Section 554.010 to 554.340, is a proper and advantageous method  
24 of accomplishing the improvement and protection of the lands described herein.

25 ARTICLE X

26 All revenue and income of this Corporation from whatsoever source shall be  
27 received, held, used and expended exclusively for payment of the cost and expense  
28 of such improvements and the maintenance of same and the payment of indebtedness,  
29 interest, cost and expense of the Corporation incurred therefor, and for the op-  
30 eration, maintenance and necessary expense of this Corporation in the conduct of  
31 its business for the purposes thereof as herein stated, according to law.

32 ARTICLE XI

1 Neither this Corporation nor its members shall profit from the business of  
2 this Corporation, other than from said benefits of improvement of said land here-  
3 in named, for which the Corporation is formed.

4 ARTICLE XII

5 It is the intention and desire of all persons owning or having any interest  
6 in say of the lands herein-described to organize this Corporation as a public  
7 corporation of the State of Oregon under the provisions of Oregon Revised Sta-  
8 tutes, Section 554.010 to 554.340, with the rights and privileges of a public  
9 corporation, all persons interested in said lands unanimously consenting there-  
10 to, and that for the purpose named all of said landowners and persons having any  
11 interest in any of said lands do hereby consent and join in this Corporation by  
12 subscribing their respective names hereto.

13 IN WITNESS WHEREOF, we have hereunto subscribed our names in triplicate this  
14 29th day of December, 1977.

15 Preston S. Ackley  
16 Preston S. Ackley

17 Betty J. Ackley  
18 Betty J. Ackley

19 F. H. McCornack  
20 F. H. McCornack

21 Helen M. McCornack  
22 Helen McCornack

23 Robert K. Russell  
24 Robert K. Russell

25 Wanda Russell  
26 Wanda Russell

27 Ronald T. Williams  
28 Ronald T. Williams

29 Barbara G. Williams  
30 Barbara G. Williams

James Novak  
James Novak

Marilynn Novak  
Marilynn Novak

Douglas L. Gallup  
Douglas L. Gallup

Jerry L. Killingsworth  
Jerry L. Killingsworth

Jacquelyn Killingsworth  
Jacquelyn Killingsworth

Marl E. Steidle  
Marl E. Steidle

Beverly Steidle  
Beverly Steidle

Lloyd C. Prock  
Lloyd C. Prock

Ann H. Prock  
Ann H. Prock



1 STATE OF OREGON )  
2 ) SS  
3 County of Klamath )

4 On this 3 day of ~~December~~ <sup>January</sup>, 1978, before me, the undersigned, a Notary  
5 Public in and for said County and State, personally appeared the within-named  
6 Preston S. Ackley and Betty J. Ackley, James Novak and Marilyn Novak, F. H.  
7 McCornack and Helen McCornack, Douglas L. Gallup, Jerry L. Killingsworth and  
8 Jacquelyn Killingsworth, Marl E. Steidle and Beverly Steidle, Robert K. Russell  
9 and Wanda Russell, Lloyd C. Prock and Ann H. Prock, and Ronald T. Williams and  
10 Barbara G. Williams, who are known to me to be the identical individuals described  
11 in and who executed the foregoing instrument and acknowledged to me that they  
12 executed the same freely and voluntarily.

13 IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal the day  
14 and year first in this, my certificate, written.

William L. Sisemore  
Notary Public for Oregon

15 (SEAL)  
16 My Commission Expires:

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STATE OF OREGON )  
County of Klamath ) SS

33 We, Preston S. Ackley, Robert K. Russell and F. H. McCornack, being first  
34 duly and severally sworn, say, and each for himself says:

35 I have read the foregoing Articles of Incorporation and know its contents  
36 and believe the allegations thereof to be true.

Preston S. Ackley  
Preston S. Ackley  
Robert K. Russell  
Robert K. Russell  
F. H. McCornack  
F. H. McCornack

37 Subscribed and Sworn to before me this 3 day of ~~December~~ <sup>January</sup>, 1978

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William L. Sisemore  
Notary Public for Oregon

101 (SEAL)  
102 My Commission Expires: 12/8/1978