

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



06/30/2020 09:44:49 AM

Fee: \$87.00

MEMORANDUM OF CONSENT TO ANNEXATION AGREEMENT

BE IT REMEMBERED, on the 23rd day of June 2020, the City of Klamath Falls, an Oregon municipal corporation (CITY), and Klamath Falls BTS Retail, LLC (OWNER), entered into an irrevocable Consent to Annexation Agreement committing the real property, known as *Dollar General*, 5927 S. 6th Street (Tax Lot #R-3909-001BC-03500-000), more particularly described and depicted on the attached Exhibit "A," which is incorporated by reference 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 23rd day of June 2020.

CITY OF KLAMATH FALLS

City Manager

PROPERTY OWNER

James A. Strauss, Authorized Signatory of
Klamath Falls BTS Retail, LLC

Attest:

City Recorder

STATE OF OREGON)

)ss.

COUNTY OF KLAMATH)

On the 29th day of June 2020, personally appeared Nathan Cherpeski and Nickole Barrington, 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: 9-9-23

STATE OF OHIO)

)ss.

County of Cuyahoga)

On the 23rd day of June 2020, (Property Owner) James A. Strauss, authorized signatory of Klamath Falls BTS Retail, LLC, personally appeared to sign this instrument and he acknowledged said instrument was signed by his voluntary act and deed.



LOLA CORRIGAN
Notary Public, State of Ohio
My Commission Expires
June 24, 2022

BEFORE ME:

Notary Public for Ohio
My Commission Expires: 6/24/22

EXHIBIT A

The following described real property situate in Klamath County, Oregon:

Beginning at a point 528 feet East of an iron pin driven into the ground just inside the fence corner at the Southwest corner of the NW 1/4 of Section 1, Township 39 South, Range 9 East of the Willamette Meridian, on the property of Otis V. Saylor being the Southwest corner of said property abutting on the Dalles-California Highway; thence North 330 feet; thence East 132 feet; thence South 330 feet; thence West 132 feet to the point of beginning.

Beginning at a point 462 feet East of an iron pin driven into the ground just inside of the fence corner at the Southwest corner of NW 1/4 of Section 1, Township 39 South, Range 9 East of the Willamette Meridian on the property of Otis V. Saylor, being the Southwest corner of said property abutting on the Dalles-California Highway; thence North 330 feet to a point; thence East 66 feet to a point; thence South 330 feet to a point; thence West 66 feet to the point of beginning.

SAVING AND EXCEPTING therefrom any portion lying within the highway right of way as contained in Warranty Deed recorded June 23, 1964 in Volume 354, page 75, Deed records of Klamath County, Oregon. ALSO SAVING AND EXCEPTING THEREFROM all that portion in favor of the State of Oregon, by and through its Department of Transportation by Stipulated General Judgment, Case No. 1301596CV, recorded January 14, 2014, Instrument No. 2014-000339.

