

## NON-REMONSTRANCE AGREEMENT

This Agreement is entered into this 31st, day of March, 1998, by and between the City of Klamath Falls and Marvin Schenck, Owner.

WHEREAS, Owner is the owner of the following described property:

240 Spring Street, Lots 4,5,6 (A&B), Block 2, Rail Road Addition, Tax Account Number R-3809-33BB-01000 (the "Property"); and

WHEREAS, Owner desires to develop the Property, which development will contribute to the need for, as well as benefit from, the following improvements:

Five foot (5') wide sidewalks abutting Spring and/or Market Streets. Refer to City Planning Land Use File 1-DR-98; and

WHEREAS, a condition of the Owner's land use approval from City for development of the Property is agreement to participate in the cost of said future improvements; NOW THEREFORE,

## THE PARTIES HERETO AGREE AS FOLLOWS:

1. In the event City initiate formation of a Local Improvement District for the funding and construction of the improvements designated above, Owner agrees to not remonstrate against the formation of such a LID.
2. City agrees that a LID assessment levied against Owner's property shall not exceed the benefit conferred upon the property.
3. This agreement shall run with the Property and shall bind and inure to Owner's successors in interest.

## CITY OF KLAMATH FALLS

By: [Signature]Attest: Orish WilsonDated: 3-26-98

## OWNER

[Signature]Dated: 3-26-98

## After Recording Return to:

City Planning Department  
226 South 5th Street  
Klamath Falls, OR 97601

STATE OF OREGON,  
County of Klamath ss.

Filed for record at request of:

City of Klamath Falls

on this 31st day of March A.D., 1998  
at 11:17 o'clock A M. and duly recorded  
in Vol. 1198 of Deeds Page 10292

Bernetha G. Letsch, County Clerk

By [Signature]

Fee, \$5.00

Deputy.

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call  
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