

NON-REMONSTRANCE AGREEMENT

This Agreement is entered into this 14th day of April, 1998, by and between the City of Klamath Falls and Ron Heckenlivley, Owner.

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

3004 Butte Street, Lot 17, Block 13, Stewart Lenox Addition, Tax Account Number R-3909-7BD-2200 (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:

Construction of curbs, sidewalks and gutters to City design standards; 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: Diana WilsonAttest: S. J. SANDRA ZAVIDADated: 5/4/98

OWNER

Ron HeckenlivleyDated: 4-14-98

After Recording Return to:

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

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of City Planning Dept. the 5th day
of May, A.D., 19 98 at 1:17 o'clock P. M., and duly recorded in Vol. M98
of Deeds on Page 15035

FEE \$10.00

By Bernetha G. Letsch, County Clerk