

NON-REMONSTRANCE AGREEMENT

This agreement is entered into this 16th day of December 1998, by and between the City of Klamath Falls and Dale Bowles, Owner.

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

1850 Main Street, Map and tax account number 3809-33BA-3900, lots 32-39, block 22, Industrial Addition (the "Property"); and

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

Construction of curbs, sidewalks and gutters to City design standards on Martin Street

Reduction in the eastern most driveway width on Martin Street by either decreasing the width to one 30' wide driveway or by creating two 20' wide driveways); and

WHEREAS, a condition of the Owner's land use approval from the City for use 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 the City initiates formation of a Local Improvement District (LID) for the funding and construction of the improvements designated above, Owner agrees to not remonstrate against the formation of such a LID.
2. The 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] SANDRA ZAIDA

Attest: [Signature]

Dated: 16 DECEMBER 98

OWNER

[Signature]
DALE K. Bowles

Dated: 12/16/98

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 18th day of December A.D., 1998
at 2:19 o'clock P.M. and duly recorded
in Vol. M98 of Deeds Page 46415
Bernetha G. Letsch, County Clerk

By [Signature]
Fee, \$10.00 Deputy