

NON-REMONSTRANCE AGREEMENT

This agreement is entered into this 14th day of June, 1999, by and between the City of Klamath Falls and Richard Schmerbach, Owner:

WHEREAS, Owner is the owner of the following property:

1916 Vine Street, Map and Tax Account Number 3809-33BD-5900, in the Industrial Addition Subdivision (the "Property");

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

Construction of sidewalks to City design standards along Richmond Street.

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:

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 an LID.
2. The City agrees that an 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: [Signature]

Dated: 6/14/99

OWNER

[Signature]
4887 W. 3rd St.
Klamath Falls, Or.

97601

After recording, return to:
City Planning Department
226 South 5th Street
Klamath Falls, OR 97601

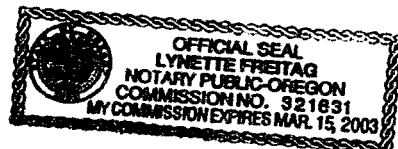
Witnessing or Attesting a Signature

State of OREGON
County of KLAMATH

Signed or attested before me on 14th June, 1999 by Richard Schmerbach

[Signature]
Notary Public State of Oregon

My commission expires 03-15-03



State of Oregon, County of Klamath
Recorded 6/1/99, at 1:10 p.m.
In Vol. M99 Page 23345
Linda Smith,
County Clerk Fee \$ 10