

NON-REMONSTRANCE AGREEMENT

This Agreement is entered into this 29th day of October 1999, by and between the City of Klamath Falls, and Klamath Youth Development Center, 88 Iowa Street, Klamath Falls, OR 97601, Owner.

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

88 Iowa Street
Lots 2 and 3, Block 35, Tax Account Number, 3809-30AA-3100
Buena Vista Addition
Klamath Falls, Oregon 97601

(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, to City of Klamath Falls Design Standards, of curbs, gutters and sidewalks along Iowa Street as it abuts the subject property.

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 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 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 insure to Owner's successors in interest.

CITY OF KLAMATH FALLS

OWNER

By: Sandra ZaidaMichael GardnerAttest: Sandra ZaidaDated: 10/29/99Dated: 10-29-99

After Recording Return to:

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

State of Oregon, County of Klamath
Recorded 11/01/99, at 8:24 a.m.
In Vol. M99 Page 43503
Linda Smith,
County Clerk Fee \$ 10.00

Attn:

\$10.00 each