

**City of Klamath Falls
NON-REMONSTRANCE AGREEMENT**

This agreement is entered into this 29th day of September, 1999, by and between the City of Klamath Falls and Joe or Jill Frodsham, Owner:

WHEREAS, Owner is the owner of the following property:

601 S. 5th Street, Map and Tax Lot Number 3809-32AD-6600, in the Klamath Addition (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 S. 5th Street and sidewalks and curbs along Willow Avenue.

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: 11/24/99

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

OWNER

[Signature]
[Signature]
10/25/99

State of Oregon, County of Klamath
Recorded 11/29/99, at 8:39 a. m.
In Vol. M99 Page 46870
Linda Smith,
County Clerk Fee \$ 10