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State of Oregon, County of Klamath
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Linda Smith, County Clerk
Fee \$ 21.00 # of Pgs 1

LOCAL IMPROVEMENT CONTRACT
City of Klamath Falls, Oregon

This Agreement is entered into this 9 day of Sept 2003, by and between the City of Klamath Falls (City) and Jim R. & Marybeth Hines, Owner (s).

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

A parcel of land situated in the NW ¼ NW ¼ of Section 3, Township 39 South, Range 9 E.W.M., more particularly described as follows: Commencing at an iron pin on the Northerly right-of-way line of South Sixth Street which bears S. 0°00'30" E. a distance of 826.8 feet and S. 55°52'30" E. a distance of 475.2 feet from the iron pin monument marking the Northwest corner of said Section 3. Said beginning point also being the Southwesterly corner of parcel described in Deed Volume M69 page 4221, Deed records of Klamath County, Oregon, thence N. 34°07'30" E. along the Northwesterly line of the last mentioned parcel a distance of 175 feet to the Southerly right-of-way line of Pershing Way, thence along said right-of-way line, N. 55°52'30" W. a distance of 142.04 feet to a point; thence S. 34°07'30" W. a distance of 175.0 feet to the Northerly line of South Sixth Street, thence along said right-of-way, S. 55°52'30" a distance of 142.04 feet, more or less, to the point of beginning; Map and Tax Lot Number R-3909-003BB-01500-000; and

WHEREAS, Owner has submitted to City an application for Design Review and presently desires to develop the Property, which will contribute to the need for, as well as benefit from, the following improvements:

Construction, to City design standards, of street curbs, gutters and sidewalks along Pershing Way; and

WHEREAS, a condition of the Owner's land use approval from City for the development of the Property is Owner's agreement to construct and pay for said future improvements;

NOW THEREFORE,

THE PARTIES HERETO AGREE AS FOLLOWS:

1. City agrees to defer requiring Owner to construct the improvements at this time; Owner agrees that in the event, and at such time as, any land use or development action is undertaken on the property that would trigger the requirement of the installation of street curbs, gutters and sidewalks (such as a Design Review or Conditional Use Permit), installation of all deferred improvements will be required at that time.
2. This agreement shall run with the Property and shall bind and inure to Owner's successors in interest.

CITY OF KLAMATH FALLS

By: _____
Attest: _____
Dated: _____

OWNER
Jim R. Hines
Marybeth Hines
Dated: 9/9/03

STATE OF OREGON)
County of Klamath) ss.

This instrument was acknowledged before me this 9th day of September, 2003, by Angela Robison

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

NOTARY PUBLIC FOR OREGON
My commission expires:

