

After recording please mail to:  
Community Development Department  
City of Newport  
169 SW Coast Hwy  
Newport, OR 97365

Lincoln County, Oregon  
08/06/2019 09:48:38 AM  
DOC-WVR/REM  
2019-07389  
Cnt=1 Pgs=2 Stn=19  
\$10.00 \$11.00 \$60.00 \$10.00 \$7.00 - Total = \$98.00



I, Dana W. Jenkins, County Clerk, do hereby certify that the within instrument was recorded in the Lincoln County Book of Records on the above date and time. WITNESS my hand and seal of said office affixed.

*Dana W. Jenkins*  
Dana W. Jenkins, Lincoln County Clerk



### LAND IMPROVEMENT WAIVER OF REMONSTRANCE

THIS AGREEMENT, is between the City of Newport ("City") and the Catherine A Kraemer Living Trust, Catherine A and Alan J Kraemer, Trustees ("Owner").

#### RECITALS

- A. Owner desires to construct improvements on the property that is currently identified as 405 NW 55<sup>th</sup> Street (Tax Lot 1900 of Assessor's Map 10-11-29-BC), and further described as:
- Lot 1, Block 58, Agate Beach No. 2, in the City of Newport, County of Lincoln, State of Oregon.
- The property described in this section will be referred to as the "Property."
- B. Pursuant to Newport Municipal Code (NMC) Chapter 14.44.050(B), a non-remonstrance agreement for street, sidewalk, and storm water is required to be executed as part of the building permit process for the Property.

#### TERMS OF AGREEMENT

1. This Agreement is a covenant running with the Property and binding on Owner and Owner's successors in interest. This Agreement affects the title to and the rights to possession of the Property. All of the terms, conditions, requirements, obligations and agreements in this document (the "requirements") shall run with the land and shall be binding upon, and inure to the benefit of, Owners and their successors in interest, including all future owners of any portion of the Property.
2. Owner will participate in any local improvement district or districts formed for the construction of street, sidewalk, and storm water that the subject parcel would be part of.
3. The City Engineer may commence proceedings for a local improvement district or districts as authorized by Newport Municipal Code Chapter 12.05.
4. Owner's execution of this agreement shall be equivalent to the submission of a petition to form a local improvement district and shall constitute a waiver of any right to remonstrate against the formation of the local improvement district. However, nothing herein contained is intended to limit the right of Owner to contest, in the manner provided by law, the formula or method by which such costs are allocated to benefited properties.

DATED this 19 day of July, 2019.

(signatures on following page)

CITY OF NEWPORT

*Spencer Nebel*

By: Spencer Nebel  
City Manager

OWNER(S)

*Alan J. Kraemer*

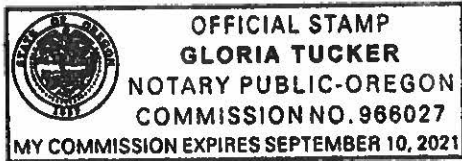
Alan J Kraemer Trustee

*Catherine A. Kraemer*

Catherine A Kraemer, Trustee

STATE OF OREGON )  
County of Lincoln ) ss.

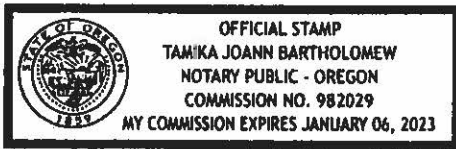
This instrument was acknowledged before me on July 19, 2019 by Spencer Nebel, as City Manager for the City of Newport.



*Gloria Tucker*  
Notary Public - State of Oregon

STATE OF Oregon )  
County of Marion ) ss.

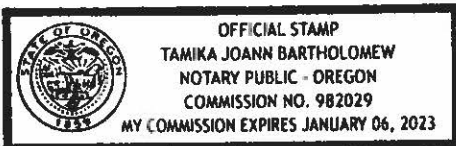
This instrument was acknowledged before me on July 31<sup>st</sup>, 2019 by Catherine A Kraemer, owner.



*Tamika Joann Bartholomew*  
Notary Public - State of Oregon

STATE OF Oregon )  
County of Marion ) ss.

This instrument was acknowledged before me on July 31<sup>st</sup>, 2019 by Alan J Kraemer, owner.



*Tamika Joann Bartholomew*  
Notary Public - State of Oregon