

4127

This Agreement is between the City of Redmond, a municipal corporation in the State of Oregon, hereinafter referred to as the "City" and DONALD F. YEAGER ET AL hereinafter referred to as the "Owner".

WITNESSETH:

WHEREAS, the owner has had property annexed to the City of Redmond subsequent to the formation of LID 76-1; and

WHEREAS, upon annexation, the owner is responsible for payment to the City for sewer assessments in the amount of \$ 807.34; and

WHEREAS, the owner has asked to make payments pursuant to the provisions of Redmond Resolution No. 128;

NOW, THEREFORE, the Parties hereto agree as follows:

1. The owner hereby acknowledges an assessment in the amount of \$ 807.34 for the property described in exhibit "A" which is attached hereto and incorporated by reference.
2. It is understood by and between the parties that this assessment has been recorded in the lien docket for the City of Redmond. Interest on the assessment shall accrue at a rate of ten percent (10%) per annum beginning on the sixtieth (60th) day following annexation by the City Council.
3. Except as provided for in Section 4, the owner hereby agrees to pay the assessment(s) plus any interest that accrues in the following manner:
  - a. If a portion of the property annexed is sold or partitioned, the owner shall pay the percentage (%) of the assessment plus interest that the property sold or partitioned represents; or
  - b. If all or a portion of the property annexed is affected by an application for sewer and water service or a building permit, the owner shall pay the percentage (%) of the assessment plus interest that the property affected represents; or
  - c. If application is made for a multi-family complex, planned unit development or mobile home park is made, the owner shall pay the percentage (%) of the assessment plus interest that the property affected within each phase of said development represents at the time that phase is approved for development.

It is understood by and between the parties that if the owner sells the entire parcel, the assessments shall not be due.

4. Notwithstanding the schedule set forth in section 3, the assessment plus any interest that has accrued shall be paid in its entirety

within a ten year period from the date of this agreement.

5. So long as the owner complies with the provisions of sections (3) and (4), the City shall not enforce the assessment lien. If the owner fails to pay any assessment in accordance with the provisions of this agreement, the City may, at its option, enforce the lien in the manner provided for by law.

DATED this 2 day of July, 1981.

CITY OF REDMOND

OWNER

By: Mary C. Peterson

By: Donald Yeager

By: John E. Peterson

By: \_\_\_\_\_

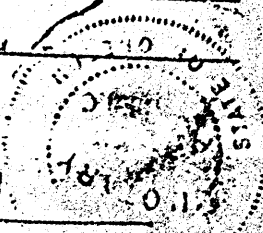
State of Oregon )  
County of Deschutes ) ss

Personally appeared Donald Yeager

who acknowledged execution of this instrument to be h  
voluntary act and deed.

Mary D. Daniel  
Notary Public for the State of Oregon

My Commission Expires: 1/8/83



Legal Description

A parcel of land located in the Westerly half of the Westerly half of Section 20, T15S, R13E of the Willamette Meridian, Deschutes County, Oregon being more particularly described as follows:

Beginning at the Northeast corner of the Southwest quarter of the Northwest quarter of said Section 20; thence N 89°59'41" W along the North line of said Southwest quarter of the Northwest quarter, 1326.58 feet to the Northwest corner of said Southwest quarter of the Northwest quarter; thence S 00°13'00" W along the West line of said Southwest quarter of the Northwest quarter, 1230.64 feet to the centerline of COI Lateral "C-1"; thence Easterly and Southerly along the centerline of said COI Lateral "C-1", the course of which is described as N 85°42'50" E, 3.91 feet; S 78°58'50" E, 65.43 feet; S 51°23'40" E, 53.98 feet; S 41°20'15" E, 84.16 feet; S 37°12'15" E, 134.82 feet; S 41°43'40" E, 49.36 feet to a point; thence N 47°37'59" E, 238.23 feet to the South line of said Southwest quarter of the Northwest quarter; thence N 89°33'54" E along said South line, 268.20 feet; thence S 48°57'44" E, 212.70 feet; thence S 41°15'42" W, 486.84 feet to the centerline of COI Lateral "C-1"; thence Easterly and Southerly along the centerline of said COI Lateral "C-1", the course of which is described as S 67°39'40" E, 85.10 feet; S 56°27'17" E, 130.98 feet; S 41°20'44" E, 91.82 feet; S 43°47'19" E, 74.85 feet; S 59°50'02" E, 6.64 feet to a point; thence N 75°20'36" E, 441.60 feet to the East line of the Northwest quarter of the Southwest quarter of said Section 20; thence N 00°39'03" W along said East line, 657.18 feet to the Northeast corner of said Northwest quarter of the Southwest quarter; thence N 00°24'38" W along the East line of the Southwest quarter of the Northwest quarter of said Section 20, 1316.67 feet to the point of beginning.

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## STATE OF OREGON

County of Deschutes

I hereby certify that the within instrument of writing was received for Record the 21 day of Aug AD. 19 81 at 1235 o'clock P M. and recorded in Book 346 on Page 246 Records of Deeds

ROSEMARY PATTERSON

County Clerk

By Rhonda Lang Deputy