

AFTER RECORDING RETURN TO:

City Recorder
City of Oregon City
P.O. Box 3040
Oregon City, Oregon 97045-0304

Map No.: 22E21DC & 22E28AB
Tax Lots : 01300, 01600 & 01600
Planning No.: TP 14-01

Grantor: ICON CONSTRUCTION & DEVELOPMENT, LLC

**RESTRICTIVE COVENANT NON-REMONSTRANCE AGREEMENT
(PURSUANT TO CITY OF OREGON CITY ORDINANCE NO. 00-1014)**

The undersigned legal owners of the property described below (the "Property") hereby waive any and all right to remonstrate against the formation of a Local Improvement District (LID) by the City of Oregon City (City) for the purpose of making sanitary sewer, storm sewer, water or street improvements that benefit the Property and assessing the cost to benefited properties pursuant to the City's capital improvement regulations in effect at the time of such improvement. This non-remonstrance agreement is executed in consideration of not being required by the City to make the above-mentioned improvements at this time as a condition of land use approval of the SUNNYBROOK RIDGE SUBDIVISION

Oregon City Planning File No. TP 14-01

For the purpose of this Covenant:

"Sanitary Sewer Improvements" includes pipelines or conduits and all other structures, devices, appurtenances and facilities used in collecting or conducting wastes to an ultimate point for treatment or disposal.

"Storm Sewer Improvements" includes pipelines, swales, detention or retention devices or conduits and all other structures, devices, appurtenances and facilities used in collecting or conducting storm water flow to an ultimate point for treatment or disposal.

"Water Improvements" includes pipelines, conduits, meters, hydrants and all other structures, devices, appurtenances and facilities used in collecting, treating or conveying drinking water from a source of supply to water consumers and other water users.

"Street Improvements" includes streets, sidewalks, curbs, gutters, street lighting and all other structures, devices, appurtenances, facilities and improvements used to serve cars, bicycles, pedestrians and other modes of transportation and conveyance.

"Right to remonstrate against the formation of an LID" refers solely to a property owner's right under the City Charter and Code to be counted as part of an extraordinary majority of property owners that can, in certain circumstances, suspend proceedings on the formation of an LID. The waiver of this right herein does not limit or otherwise restrict the ability of a property owner bound by this covenant to appear at any of the required public hearings and testify

regarding the formation of the LID, whether the boundaries include all benefited property, the equity of the assessment formula, the scope and nature of the project or of the final assessment, or any other issue regarding the LID.

This covenant shall run with the land and be binding upon the undersigned and upon all subsequent owners of property.

The property subject to this covenant is described as follows:

-- SEE ATTACHED EXHIBITS "A" (Legal Description) and "B" (Survey, Plat, etc) --

In construing this covenant and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

IN WITNESS WHEREOF, the GRANTOR has executed this instrument this 31 day of August, 2015; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

NOTICE: No stamp or corporate seal is allowed over any typed information.

Individuals, general partnerships

Corporation/limited partnership



(Signature No. 1)

(Corporation/Partnership Name)

(Signer's No. 1 - Printed Name)

(Signature No. 1)

Mark Handris

(Signature No. 2)

(Signer's No. 1 - Name, Title)

(Signer's No. 2 - Printed Name)

(Signature No. 2)

(Signature No. 3)

(Signer's No. 2 - Name, Title)

(Signer's No. 3 - Printed Name)

(Signature No. 3)

(if executed by a corporation affix corporate seal below)

(Signer's No. 3 - Name, Title)

NOTICE TO NOTARIES: No notary stamp or corporate seal is allowed over any typed information.

Personal Acknowledgment
STATE OF OREGON)
) ss.
County of Clackamas)

Corporate Acknowledgment
STATE OF OREGON)
) ss.
County of _____)

On this 31st day of August, 2015,
before me, Jennie Engen-Lucas, the
undersigned Notary Public, personally appeared
Mark Hardris,
_____,
_____ and
acknowledged the foregoing instrument to be
his/her voluntary act and deed.

On this _____ day of _____, 20____,
before me, _____, the
undersigned Notary Public, personally appeared

_____ and
_____ who
being duly sworn, each for himself/herself and not
one for the other did say that the former is the
_____ president
and that the latter is the _____ secretary of
_____, a
corporation, and that the seal affixed to the
foregoing instrument was signed and sealed in
behalf of said corporation by authority of its
board of directors; and each of them
acknowledged said instrument to be its voluntary
act and deed.

NOTARY PUBLIC FOR OREGON

My Commission Expires: March 19, 2019
Stamp seal below



Jennie Engen-Lucas

NOTARY PUBLIC FOR OREGON

My Commission Expires: _____
Stamp seal below

(Grantor's Name and Address)

City of Oregon City
P.O. Box 3040
625 Center Street
Oregon City, OR 97045-0304
(Grantee's Name and Address)

Accepted on behalf of the City of Oregon City on the condition that the Restrictive Covenant Non-Remonstrance agreement granted is free and clear from any taxes, liens, and encumbrances.

Mayor

City Recorder

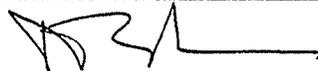
LEGAL DESCRIPTION

A TRACT OF LAND IN SECTIONS 21 AND 28, T.2S., R.2E., W.M., CITY OF OREGON CITY, CLACKAMAS COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INITIAL POINT, SAID POINT BEING A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP MARKED "COMPASS ENGINEERING", FOUND AT THE SOUTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED IN DOCUMENT NO. 2014-027735, CLACKAMAS COUNTY DEED RECORDS, SAID POINT BEING N66°45'02"W, 28.90 FEET FROM AT 5/8 INCH IRON ROD WITH A RED PLASTIC CAP MARKED "CENTERLINE CONCEPTS, INC." FOUND AT THE NORTHWEST CORNER OF PARTITION PLAT NO. 2015-024, CLACKAMAS COUNTY PLAT RECORDS; THENCE N66°45'02"W ALONG THE SOUTH LINE OF SAID DOCUMENT NO. 2014-027735 TRACT 456.85 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE N00°08'12"W ALONG THE WEST LINE OF SAID DOCUMENT NO. 2014-027735 TRACT 440.47 FEET TO THE NORTHWEST CORNER THEREOF, BEING ON THE SOUTH LINE OF PARCEL 2 OF PARTITION PLAT NO. 1999-106, CLACKAMAS COUNTY PLAT RECORDS; THENCE N89°08'33"W ALONG SAID SOUTH LINE 92.39 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE N00°23'47"W ALONG THE WEST LINE OF SAID PARCEL 2, 271.99 FEET TO THE SOUTH LINE OF "SUNNYBROOK ESTATES" (PLAT NO. 4204), CLACKAMAS COUNTY PLAT RECORDS; THENCE ALONG SAID SOUTH LINE, ALONG A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 126.08 FEET, THROUGH A CENTRAL ANGLE OF 23°30'34" (THE CHORD OF WHICH BEARS S77°10'27"E 51.37 FEET), AN ARC DISTANCE OF 51.73 FEET TO A POINT OF REVERSE CURVE; THENCE ALONG A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 125.00 FEET, THROUGH A CENTRAL ANGLE OF 21°25'13" (THE CHORD OF WHICH BEARS S76°07'47"E 46.46 FEET), AN ARC DISTANCE OF 46.73 FEET TO A POINT OF REVERSE CURVE; THENCE ALONG A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 14.51 FEET, THROUGH A CENTRAL ANGLE OF 86°48'34" (THE CHORD OF WHICH BEARS S43°26'06"E 19.93 FEET), AN ARC DISTANCE OF 21.98 FEET TO A POINT OF NON-TANGENCY; THENCE S00°01'29"E CONTINUING ALONG SAID SOUTH LINE 1.86 FEET; THENCE N89°58'31"E CONTINUING ALONG SAID SOUTH LINE 53.00 FEET TO A POINT OF CURVATURE; THENCE CONTINUING ALONG SAID SOUTH LINE, ALONG A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 14.50 FEET, THROUGH A CENTRAL ANGLE OF 90°07'17" (THE CHORD OF WHICH BEARS S45°01'23"E 20.53 FEET), AN ARC DISTANCE OF 22.81 FEET TO A POINT OF TANGENCY; THENCE S89°54'58"E CONTINUING ALONG SAID SOUTH LINE 166.47 FEET TO A POINT OF CURVATURE; THENCE ALONG A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 14.50 FEET, THROUGH A CENTRAL ANGLE OF 95°52'59" (THE CHORD OF WHICH BEARS S41°58'29"E 21.53 FEET), AN ARC DISTANCE OF 24.27 FEET TO A POINT OF NON-TANGENCY; THENCE S84°01'29"E CONTINUING ALONG SAID SOUTH LINE 53.00 FEET; THENCE N05°58'31"E CONTINUING ALONG SAID SOUTH LINE 8.46 FEET TO A POINT OF CURVATURE; THENCE ALONG A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 14.50 FEET, THROUGH A CENTRAL ANGLE OF 84°06'31" (THE CHORD OF WHICH BEARS N48°01'46"E 19.43 FEET), AN ARC DISTANCE OF 21.29 FEET TO A POINT OF TANGENCY; THENCE S89°54'58"E CONTINUING ALONG SAID SOUTH LINE 89.52 FEET TO THE EAST LINE OF SAID PARCEL 2; THENCE S00°00'52"E ALONG SAID EAST LINE, AND THE EAST LINE OF SAID DOCUMENT NO. 2014-027735 TRACT 869.34 FEET TO THE INITIAL POINT, CONTAINING 8.09 ACRES, MORE OR LESS.

03 SEP 15

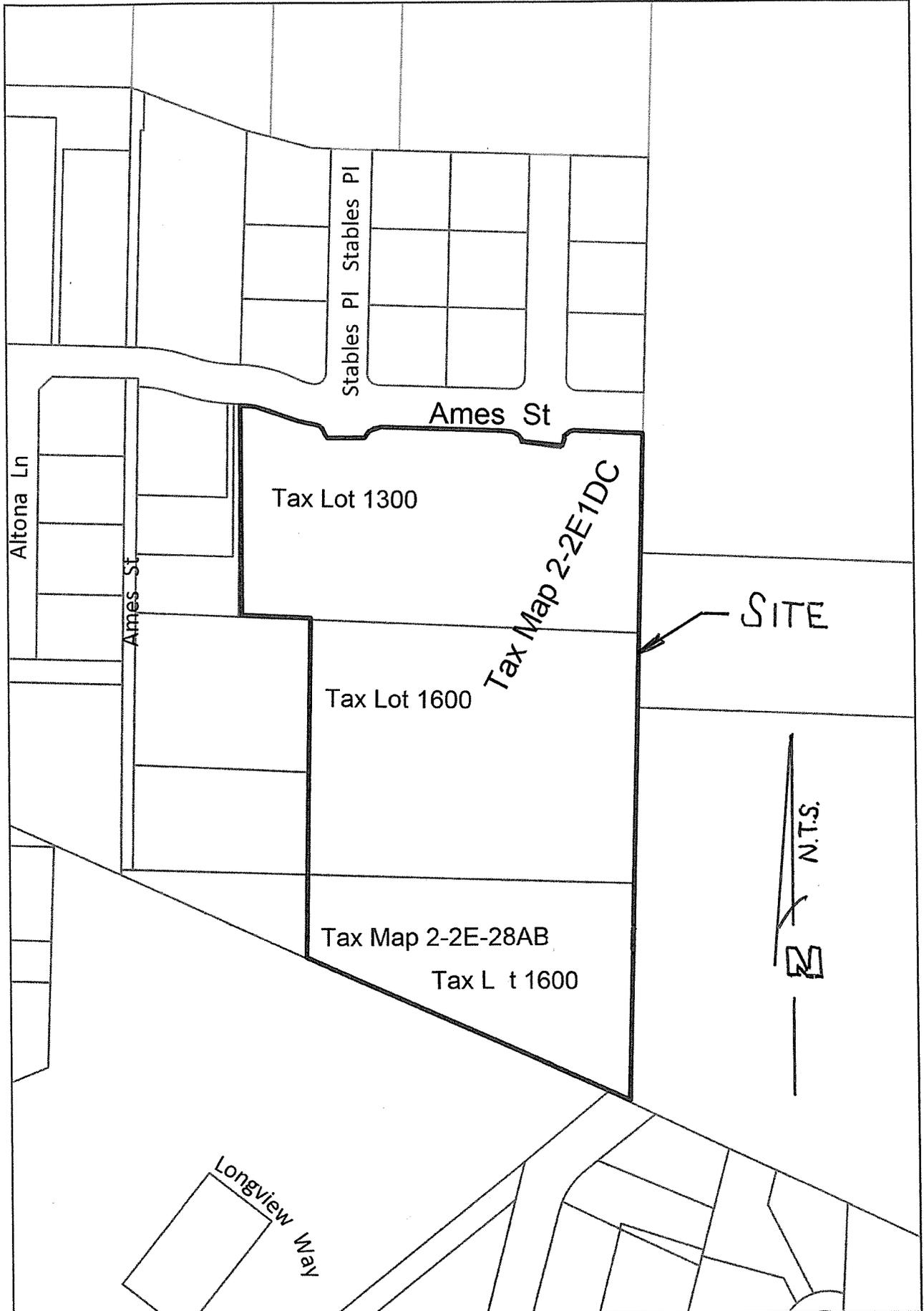
REGISTERED
PROFESSIONAL
LAND SURVEYOR



OREGON
JULY 13, 2004
TOBY G. BOLDEN
60377LS

RENEWS: 31 DEC 15

EXHIBIT "A"



Stables Pl Stables Pl

Ames St

Altona Ln

Ames St

Tax Lot 1300

Tax Lot 1600

Tax Map 2-2E1DC

SITE

Tax Map 2-2E-28AB

Tax L t 1600



Longview Way