

AFTER RECORDING RETURN TO:

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

Map No.: 32E16BB
Tax Lots : 0300 and 4001
Planning No.: TP 13-0 2/ CN 13-16

Grantor: Waddell, Mike S.

**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 Kinslie Heights Subdivision

Oregon City Planning File No. TP 13-02 / CN 13-16

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, Map, 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 ____ day of March, 2014; 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



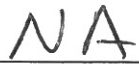
(Signature No. 1)

(Corporation/Partnership Name)

Mike S. Waddell

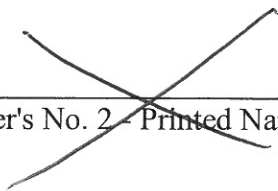
(Signer's No. 1 - Printed Name)

(Signature No. 1)



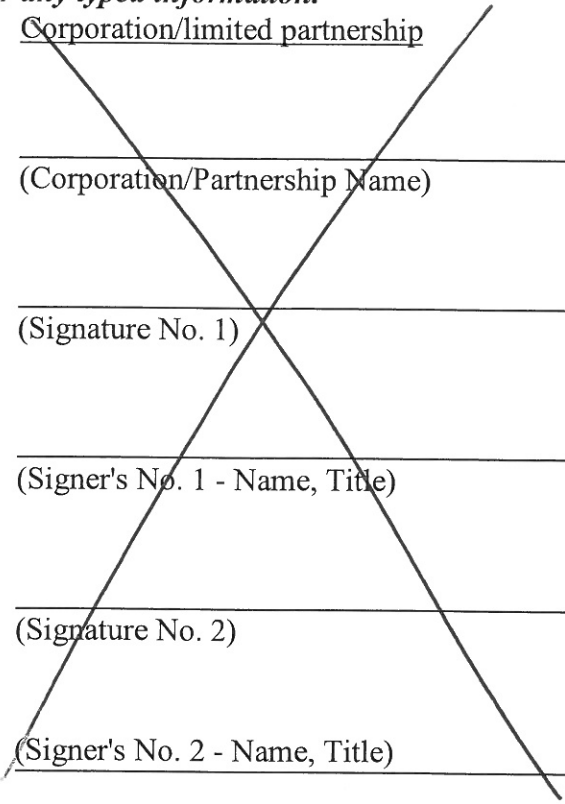
(Signature No. 2)

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



(Signer's No. 2 - Printed Name)

(Signature No. 2)



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

(if executed by a corporation affix corporate seal below)

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

Personal Acknowledgment

STATE OF OREGON)
) ss.
County of Clackamas)

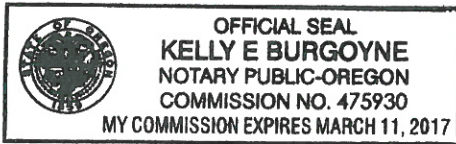
On this 27th day of March, 2014,
before me, Kelly E. Burgoyne, the
undersigned Notary Public, personally appeared

Mike S. Waddell,
_____,
_____ and

acknowledged the foregoing instrument to be
his/her voluntary act and deed.

Kelly E. Burgoyne
NOTARY PUBLIC FOR OREGON

My Commission Expires: March 11, 2017
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

Corporate Acknowledgment

STATE OF OREGON)
) ss.
County of _____)

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: _____
Stamp seal below

EXHIBIT "A"
(Land Description Map Tax and Account)

PARCEL I:

A TRACT OF LAND SITUATED IN THE ROBERT CAUFIELD AND THE ANDREW HOOD DONATION LAND CLAIM OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF CLACKAMAS AND STATE OF OREGON, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT NORTH 88°54' WEST 2594.5 FEET, NORTH 0°36' EAST 1651.2 FEET, NORTH 87°22' EAST 563.3 FEET, NORTH 87°47' EAST 557.7 FEET AND NORTH 75°45' EAST 1047.76 FEET FROM THE SOUTHEAST CORNER OF THE ROBERT CAUFIELD DONATION LAND CLAIM NO. 53, SAID POINT BEING ON THE NORTH LINE OF THAT TRACT CONVEYED TO ASHLEY GREENE IN BOOK 468, PAGE 603, CLACKAMAS COUNTY DEED RECORDS; THENCE SOUTH 28°08'20" EAST 380.00 FEET TO THE TRUE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED; THENCE CONTINUING SOUTH 28°08'20" EAST 215.92 FEET; THENCE NORTH 75°45' EAST 427.73 FEET TO A POINT ON THE WESTERLY EDGE OF STATE HIGHWAY NO. 213; THENCE NORTH 28°08'20" WEST ALONG SAID ROAD 50.00 FEET TO A POINT OF CURVE; THENCE ALONG THE RADIUS OF 11,459.16 FEET A DISTANCE OF 144.06 FEET; THENCE SOUTH 61°47'45" WEST 175.00 FEET; THENCE NORTH 28°12'15" WEST 125.00 FEET; THENCE SOUTH 61°47'45" WEST 238.91 FEET TO THE POINT OF BEGINNING.

EXCEPTING THAT PORTION OF LAND CONVEYED TO THE STATE OF OREGON, BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION, BY DEED RECORDED DECEMBER 18, 2006 AS FEE NO. 2006 116027 AND RE-RECORDED ON FEBRUARY 22, 2007 AS FEE NO. 2007 015355.

PARCEL II:

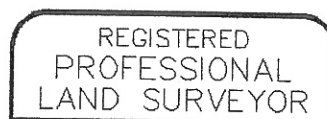
A TRACT OF LAND APPROXIMATELY 10 FEET WIDE AND APPROXIMATELY 239 FEET LONG, LOCATED IN THE ROBERT CAUFIELD DONATION LAND CLAIM, NO. 53, IN THE NORTHWEST ONE-QUARTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF CLACKAMAS AND STATE OF OREGON, AND BEING A PORTION OF PARCEL "B" AS SHOWN ON THE PLAT OF CANYON RIDGE, PLAT NO. 2475, PLAT RECORDS OF CLACKAMAS COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF SAID PARCEL "B" THAT ABUTS THAT CERTAIN TRACT OF LAND CONVEYED TO PAUL H. REEDER BY DEED RECORDED UNDER FEE NO. 96-9304, DEED RECORDS OF CLACKAMAS COUNTY, AND LIES EAST OF THE NORTHERLY EXTENSION OF THE WEST LINE OF SAID REEDER TRACT AND ALSO LIES WEST OF THE NORTHERLY EXTENSION OF THE MOST NORTHERLY EAST LINE OF SAID REEDER TRACT.

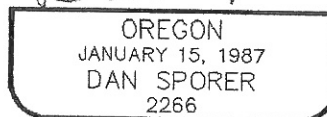
EXHIBIT "A1"
(Land Description Map Tax and Account)

(continue)

SAID ABOVE DESCRIBED PREMISES AS THE EASTERLY 413.06 FEET OF PARCEL "B", CANYON RIDGE, IN CLACKAMAS COUNTY, AS CUT OFF BY A LINE DRAWN PARALLEL WITH THE EASTERLY LINE THEREOF, EXCEPTING THEREFROM THE EASTERLY 174.31 FEET OF SAID PARCEL "B".



Dan Sporer



EXP: 06/30/2014

