

AFTER RECORDING RETURN TO:

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

Map No.: 32E08A
Tax Lots: 1900
Planning No.: MP 16-01/NR 16-03

Grantor: Cory Smith & Shannon Smith

**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 2-Lot Partition at 13834 Lazy Creek Lane.

Oregon City Planning File No. MP 16-01
MP-01/NR 16-03

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 June 22 day of, 2017; 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

Cory Smith
(Signature No. 1)

Cory Smith
(Signer's No. 1 – Printed Name)

Shannon Smith
(Signature No. 2)

SHANNON SMITH
(Signer's No. 2 – Printed Name)

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

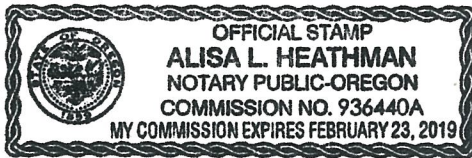
Personal Acknowledgement

STATE OF OREGON)
) ss.
County of Clackamas)

On this 22 day of June, 2017,
before me, Alisa L. Heathman,
the undersigned Notary Public, personal appeared
Cory Smith,
Shannon Smith,
and acknowledged the foregoing instrument to be
his/her voluntary act and deed.

NOTARY PUBLIC FOR OREGON

My Commission Expires: 02-23-2019
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



CENTERLINE CONCEPTS
LAND SURVEYING, INC.

19376 Molalla Avenue, Suite 120, Oregon City, OR 97045
P. 503-650-0188 F. 503-650-0189

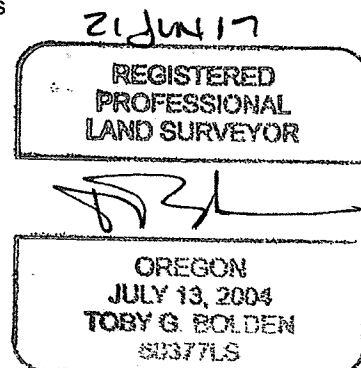
Exhibit "A"
Legal Description

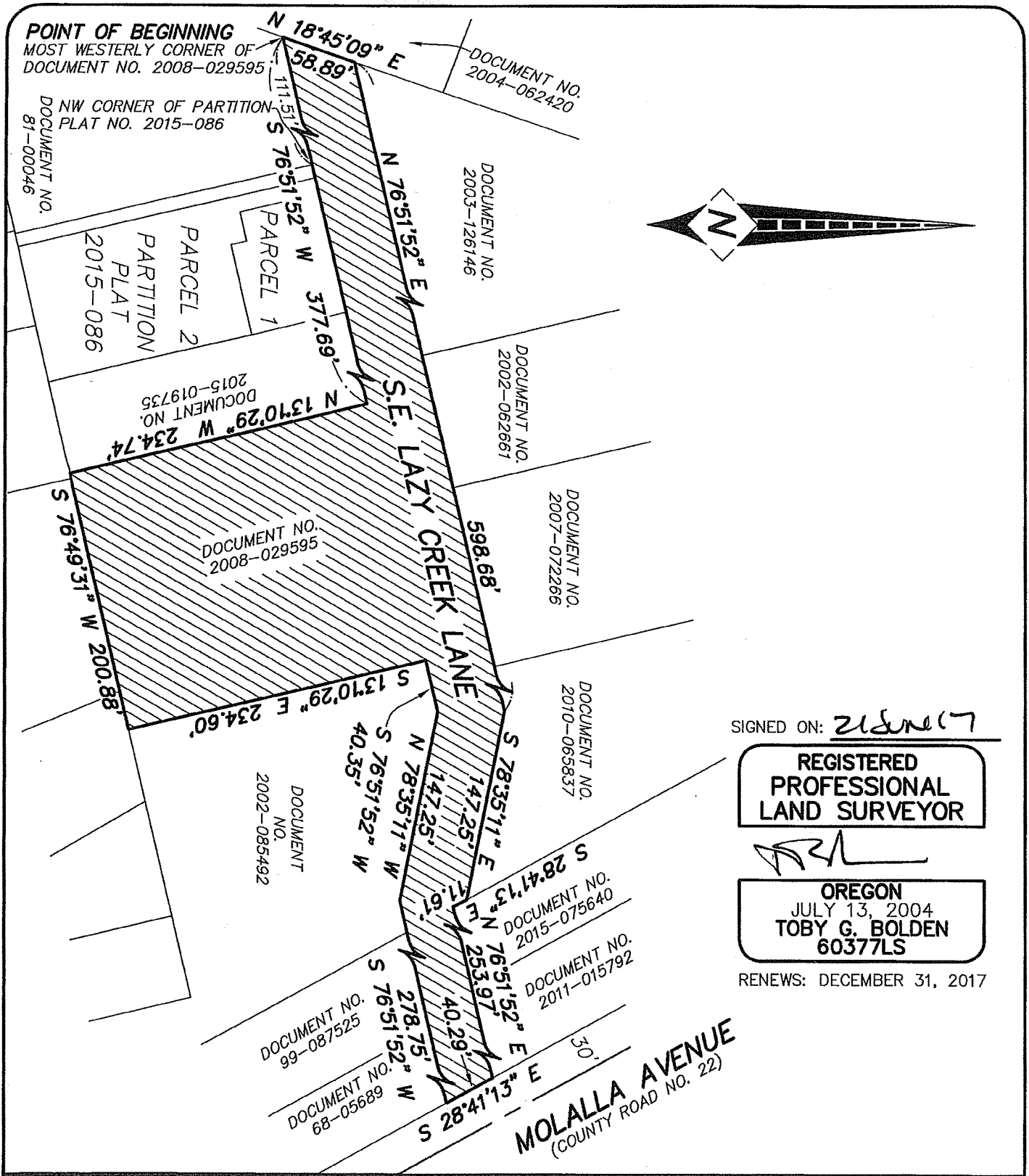
A Tract of land being all of that tract of land described in Deed Document No. 2008-029595, Deed records of Clackamas County, located in the northeast one-quarter of Section 8, Township 3 South, Range 2 East of the Willamette Meridian, City of Oregon City, County of Clackamas, State of Oregon, being more particularly described as follows:

BEGINNING at the most Westerly corner of that tract of land described in Deed Document No. 2008-029595, Deed records of Clackamas County, being South 76°51'52" West, 111.51 feet from the northwest corner of Partition Plat No. 2015-086, Plat records of Clackamas County; thence along the easterly line of that tract of land described in Deed Document No. 2004-062420, Deed records of Clackamas County, North 18°45'09" East, 58.89 feet to the southerly line of that tract of land described in Deed Document No. 2003-126146, Deed records of Clackamas County; thence along said southerly line and the southerly line of the tracts of land described in Deed Document No. 2002-062661, Deed Document No. 2007-072266 and Deed Document No. 2010-065837, Deed records of Clackamas County, North 76°51'52" East, 598.68 feet to an angle point; thence continuing along the southerly line of said Document No. 2010-065837 tract, South 78°35'11" East, 147.25 feet to the westerly line of that tract of land described in Deed Document No. 2015-075640, Deed records of Clackamas County; thence along said westerly line, South 28°41'13" East, 11.61 feet to the southerly line of said Document No. 2015-075640; thence along said southerly line and the southerly line of that tract of land described in Deed Document No. 2011-015792, Deed records of Clackamas County, North 76°51'52" East, 253.97 feet to the westerly right of way line of Molalla Avenue, being 30.00 feet westerly of centerline; thence along said right of way line parallel with said centerline, South 28°41'13" East, 40.29 feet to the northerly line of that tract of land described in Deed Document No. 99-087525, Deed records of Clackamas County; thence along said northerly line and the northerly line of those tracts of land described in Deed Document No. 68-05689 and Deed Document No. 2002-085492, Deed records of Clackamas County, South 76°51'52" West, 278.75 feet to an angle point; thence continuing along the northerly line of said Document No. 2002-085492 tract, North 78°35'11" West, 147.25 feet to an angle point; thence continuing along the northerly line of said Document No. 2002-085492 tract, South 76°51'52" West, 40.35 feet to the westerly line of said Document No. 2002-085492; thence along said westerly line, South 13°10'29" East, 234.60 feet to the northerly line of the Plat of "Land's End", Plat records of Clackamas County; thence along said northerly line South 76°49'31" West, 200.88 feet to the easterly line of that tract of land described in Deed Document No. 2015-019735, Deed records of Clackamas County; thence along said easterly line, North 13°10'29" West, 234.74 feet to the northerly line of said Document No. 2015-019735; thence along said northerly line and the northerly line of Partition Plat No. 2015-086, Plat records of Clackamas County, and the northerly line of that tract of land described in Deed Document No. 81-00046, Deed records of Clackamas County, South 76°51'52" West, 377.69 feet to the **POINT OF BEGINNING**.

Contains 95,418 Square feet.

This description is based on Survey No. 27701, Clackamas County Survey Records, and by this reference is made a part hereto.





CLIENT: CORY SMITH
 ORIG. DATE: 6-21-2017
 DRAWN BY: JL
 SHEET No. 1 OF 1

EXHIBIT "B"
DOCUMENT NO. 2008-029595
 CITY OF OREGON CITY, CLACKAMAS COUNTY, OREGON
 SCALE: 1"=100'

CENTERLINE CONCEPTS
LAND SURVEYING, INC.
 19376 MOLALLA AVE., SUITE 120
 OREGON CITY, OREGON 97045
 PHONE 503.650.0188 FAX 503.650.0189