

AFTER RECORDING RETURN TO:

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

Map No.: 32E08A
Tax Lots: 2100
Planning No.: TP 16-02

Grantor: Dane Ellis

**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 5-Lot Subdivision at 13918 Lazy Creek Lane.

Oregon City Planning File No. TP 16-02

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:

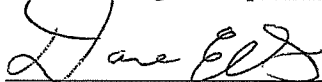
-- SEE ATTACHED EXHIBITS "A" (Legal Description) and "B" (Survey, Plat, etc) --

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.

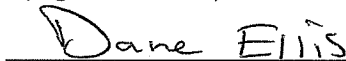
IN WITNESS WHEREOF, the GRANTOR has executed this instrument this 22nd day of, 2017; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

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

Individuals, general partnerships



(Signature No. 1)



(Signer's No. 1 – Printed Name)

(Signature No. 2)

(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)

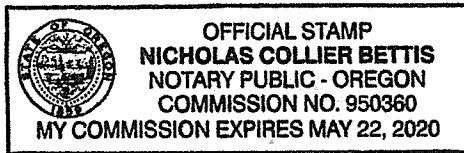
On this 22nd day of June, 2017,
before me, Nicholas C. Bettis,
the undersigned Notary Public, personal appeared
Dane Ellis,

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



NOTARY PUBLIC FOR OREGON

My Commission Expires: May 22, 2020
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.

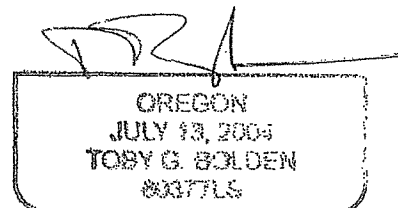
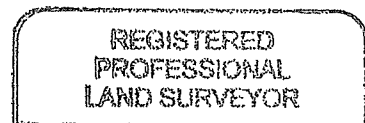
19376 Molalla Avenue, Suite 120, Oregon City, OR 97045
P. 503-650-0188 F. 503-650-0189

Exhibit "A"
Legal Description

A TRACT OF LAND BEING A PORTION OF THAT TRACT OF LAND DESCRIBED IN DEED DOCUMENT NO. 2016-043162, DEED RECORDS OF CLACKAMAS COUNTY IN THE N.E. 1/4 OF SECTION 8, T.3S., R.2E., W.M., CITY OF OREGON CITY, CLACKAMAS COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED RECORDED AS DOCUMENT NO. 2016-043162, DEED RECORDS OF CLACKAMAS COUNTY, BEING NORTH 68°06'28" EAST, 344.97 FEET FROM THE NORTHWEST CORNER OF LOT 5 OF THE PLAT OF "LANDS END" (PLAT NO. 3508), CLACKAMAS COUNTY PLAT RECORDS; THENCE, ALONG THE MOST NORTHERLY EAST LINE OF THAT TRACT OF LAND DESCRIBED IN DEED RECORDED AS DOCUMENT NO. 68-005689, DEED RECORDS OF CLACKAMAS COUNTY, NORTH 28°35'44" WEST, 125.46 FEET TO THE SOUTH LINE OF S.E. LAZY CREEK LANE, A VARIABLE WIDTH EASEMENT OVER A PORTION OF THAT TRACT OF LAND DESCRIBED IN DEED RECORDED AS DOCUMENT NO. 2008-029595, DEED RECORDS OF CLACKAMAS COUNTY; THENCE, ALONG SAID LINE, NORTH 76°51'52" EAST, 164.76 FEET TO THE WEST RIGHT OF WAY LINE OF MOLALLA AVENUE, AKA MARKET ROAD NO. 22, AKA STATE HIGHWAY 213, BEING 40.00 FEET WEST OF THE CENTERLINE AS ESTABLISHED IN DEED RECORDED AS DOCUMENT NO. 83-41644, DEED RECORDS OF CLACKAMAS COUNTY; THENCE, ALONG SAID WEST RIGHT OF WAY LINE, SOUTH 28°41'13" EAST, 8.70 FEET TO A POINT OF CURVATURE; THENCE, ALONG THE ARC OF A 612.96 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 9°44'06", AN ARC LENGTH OF 104.15 FEET (CHORD OF WHICH BEARS SOUTH 33°33'16" EAST 104.02 FEET) TO THE MOST EASTERLY NORTH LINE OF THAT TRACT OF LAND DESCRIBED IN SAID DEED RECORDED AS DOCUMENT NO. 68-005689; THENCE, ALONG SAID MOST EASTERLY NORTH LINE, SOUTH 71°48'08" WEST, 170.61 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 19,057 SQUARE FEET.



RENEWS: 31 DEC 17

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD
C1	104.15'	612.96'	9°44'06"	S 33°33'16" E	104.02'

S.E. LAZY CREEK LANE
38.81' WIDE PRIVATE LANE
ENT PER DOCUMENT
200595

LAZY CREEK
38.81' WIDE PRIVATE LANE
EASEMENT PER DOCUMENT
NO. 2008-029595

MOLALLA AVENUE
(MARKET ROAD NO. 22)
(STATE HIGHWAY 213)

N 76°51'52" E 164.76'

S 28°41'13" E
8.70'

C1 L=104.15

DOCUMENT NO.
2016-043162

DOCUMENT NO.
68-005689

125.46

S 71°48'08" W

170.61

344.97'
N 68°06'28" E

NORTHWEST
-CORNER OF LOT 5
"LAND'S END"

**POINT OF
BEGINNING**
SW CORNER
DOCUMENT NO.
2016-043162

DOCUMENT NO.
68-005689

SIGNED ON: 16 May 17

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 13, 2004
TOBY G. BOLDEN
60377LS

RENEWS: DECEMBER 31, 2017

CLIENT: **DANE ELLIS**
 ORIG. DATE: **MAY 15, 2017**
 DRAWN BY: **JL**
 SHEET No. **1 OF 1**

EXHIBIT "B"
DOCUMENT NO. 2016-043162
CITY OF OREGON CITY, CLACKAMAS COUNTY, OREGON
SCALE: 1"=30'



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