



## Legislation Details (With Text)

**File #:** PUB 16-016    **Version:** 1    **Name:** Ed's Orchard NRA  
**Type:** Non-Remonstrance    **Status:** Consent Agenda  
**File created:** 9/23/2016    **In control:** City Commission  
**On agenda:** 10/5/2016    **Final action:**  
**Title:** Restrictive Covenant Non-Remonstrance Agreement for the Ed's Orchard Subdivision Project (Planning File No. TP15-07)  
**Sponsors:** John Lewis  
**Indexes:**  
**Code sections:**

**Attachments:** 1. Staff Report, 2. Restrictive Covenant Non-Remonstrance Agreement, 3. Area Map

Date	Ver.	Action By	Action	Result
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Restrictive Covenant Non-Remonstrance Agreement for the Ed's Orchard Subdivision Project (Planning File No. TP15-07)

### **RECOMMENDED ACTION (Motion):**

Adopt the Restrictive Covenant Non-Remonstrance Agreement for the Ed's Orchard subdivision project and authorize the Mayor and City Recorder to execute this document.

### **BACKGROUND:**

In accordance with Oregon City Municipal Code 16.12.095, at the time of land division, applicants shall execute a binding agreement to not remonstrate against the formation of a local improvement district (LID) for improvements that benefit the applicant's property. Specifically identified in the OCMC are transportation, stormwater, sanitary sewer, water and sidewalk system improvements.

A Restrictive Covenant Non-Remonstrance Agreement provides a waiver of any and all rights to remonstrate against the formation of a Local Improvement District by the City of Oregon City for the purpose of making various improvements.

More specifically and under this action, the Restrictive Covenant Non-Remonstrance Agreement attached to this report serves as the binding agreement preventing the applicants from remonstrating against the formation of an LID by the City for the purpose of making public improvements for the project identified as the Ed's Orchard subdivision project (TP15-07), Tax Map 3-1E-12D Tax Lot 1701 and Tax Map 3-2E07C Tax Lot 1002 and 1003.

### **ATTACHMENTS:**

- 1) Restrictive Covenant Non-Remonstrance Agreement for the Ed's Orchard Subdivision Project
- 2) Area Map