

WAIVER OF RIGHTS TO REMONSTRANCE
FOR PUBLIC IMPROVEMENTS

KNOW ALL MEN BY THESE PRESENTS, that the City of Newberg, a municipal corporation of the State of Oregon, hereinafter known as "City", and USHIO, the owners of the real property herein described, hereinafter referred to as "Owners", make the following agreement. The real property located in the City of Newberg, Yamhill County, Oregon is more fully described as follows:

A tract of land situated in the Northeast 1/4 of Section 17, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, described as follows: (continued)

That the said real property is held upon the condition that in the event any streets, future streets, or public utilities, or any part thereof abutting upon said lots are constructed or improved in accordance with certain practices of the City upon petition of the property owners or upon resolution by the Council, no remonstrance to said proposed street or municipal utility improvements shall be made and such remonstrance is hereby waived.

The City and Owners agree that the Owners of said real property shall connect to said City public sewer system and pay all construction, connection, and system development charges in accordance with City standards and ordinances at such time as the City's sewer system is constructed to be within 100 feet of the subject property and the City so requests that the owners connect to said system.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

This agreement shall be binding upon the undersigned, who are the legal owners of the real property described above, and shall binding upon their heirs, assigns, and legal representatives.

IN WITNESS WHEREOF, we have executed said document on this 24 day of ~~December~~, ~~1993~~. 24th day of May, 1994.

OWNERS:

CITY OF NEWBERG:

By: [Signature]
SHOJI KURIHARA

By: [Signature]

By: _____

Recorded in Official Yamhill County Records
CHARLES STERN, COUNTY CLERK



20.00

199410563 4:30pm 07/01/94

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STATE OF OREGON)
City of Newberg) ss.
COUNTY OF YAMHILL)

This instrument was acknowledged before me this 24 day of May, 1994 by

(SEAL)



OFFICIAL SEAL
LISA E. ANDERSON
NOTARY PUBLIC - OREGON
COMMISSION NO. 003245
MY COMMISSION EXPIRES DEC. 3, 1994

[Signature]
Notary Public for Oregon

My Commission Expires: 12-3-94

Grantor: Ushio Oregon
2050 Mountainview Drive
Newberg OR 97132

Grantee: City of Newberg
414 E. First Street
Newberg OR 97132

Return to Grantee after recording
c/o Newberg City Attorney, File No: DR-33-94

5311P0729

NORTHWEST TITLE COMPANY

BEGINNING at a point in the center of County Road No. 58 (Mountain View Drive), on the Section line between Section 8 and 17, marking the Northwest corner of that tract of land conveyed to Frank H. Lockyear by deed recorded March 4, 1966 in Film Volume 51, Page 253, Deed Records for Yamhill County, Oregon, which point is recorded as being 244.20 feet West of an angle corner in the West line of the Solomon Heater Donation Land Claim No. 48, said point also bears 1372.80 feet West of an iron pipe marking the Southeast corner of the William Wallace Donation Land Claim; thence West along said Section line, 425.50 feet to the Initial Point of MEADS PARK SUBDIVISION as platted and recorded in Volume 7, Page 45, Book of Town Plats for Yamhill County, Oregon; thence South 00° 00' 39" West along the East Boundary of said Subdivision, and the Southerly extension thereof, a distance of 1147.93 feet to a 5/8 inch iron rod; thence South 88° 33' 39" East a distance of 425.85 feet to an iron rod on the West line of said Lockyear Tract; thence North along said West line, a distance of 1158.62 feet to the point of beginning.

Subject to the rights of the Public in and to that portion lying within County Road No. 58.