

WAIVER OF RIGHTS TO REMONSTRANCE
FOR PUBLIC IMPROVEMENTS

CITY OF NEWBERG
CITY RECORDER INDEX NO. 1359

KNOW ALL MEN BY THESE PRESENTS, that the City of Newberg, a municipal corporation of the State of Oregon, hereinafter known as "City", and NSP Development, Inc. by A. Paul Brenneke, President, 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:

Emery Orchards No. 3
A subdivision located in the Richard Everest Donation Land Claim
In the northeast quarter of Section 20,
Township 3 South, Range 2 West, Willamette Meridian
City of Newberg, Yamhill County, Oregon
As Recorded in Platbook 4, Page 1 of Yamhill County Plat Records

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.

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 14th day of July, 1994.

NSP DEVELOPMENT, INC.

By: [Signature]
A. Paul Brenneke, President

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

This instrument was acknowledged before me this 14th day of July, 1994, by A. Paul Brenneke.



[Signature]
Notary Public for Oregon
My Commission Expires: 10-16-95

CITY OF NEWBERG:

ACCEPTED AS TO FORM:

By: [Signature]
Duane Cole - City Manager

By: [Signature]
Terrence D. Mahr - City Attorney

Grantor: A. Paul Brenneke, President
NSP Development, Inc.
2214 SW Hoffman
Portland OR 97201
Grantee: City of Newberg
414 E. First Street
Newberg OR 97132

Return to Grantee after recording
c/o Newberg City Attorney, File No: S-6-93
NSP DEVELOPMENT, INC
ATTN: MARTY SURBY
PO Box 6059
PORTLAND, OR 97228

Recorded in Yamhill County, Oregon
CHARLES STERN, COUNTY CLERK
15.00
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