

WAIVER OF RIGHTS TO REMONSTRANCE  
FOR STREET OR MUNICIPAL UTILITY 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 Hewitson I Investments by Charles E Hewitson, (title) President, the owner(s) 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:

Lot 7, Block 1 FLIGHTWAY INDUSTRIAL PARK, in the City of Newberg, Yamhill County, State of Oregon.

The City and Owners agree that the above-described real property is held and shall be transferred, sold, and conveyed upon the condition that in the event Highway 219, future streets or public utilities, or any part thereof abutting the site, 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, I/we have hereunto set our hands and seals this 14 day of June, 1996.

HEWITSON I INVESTMENTS

By: (Name) Charles E Hewitson  
(Title) President

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

This instrument was acknowledged before me on the 14<sup>th</sup> day of June, 1996, by Charles Hewitson (title) President for Hewitson I Investments.



Linda Lowe  
Notary Public for Oregon  
My Commission Expires: 12/20/99

CITY OF NEWBERG

ACCEPTED AS TO FORM:

By: Duane R. Cole  
Duane R. Cole - City Manager

By: Terrence D. Mahr  
Terrence D. Mahr - City Attorney

Grantor: Hewitson I Investments  
125 S. Elliott Rd.  
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-62-96

Edward C. Hewitson  
125 S. Elliott Rd  
Newberg, OR 97132

Recorded in Official Yamhill County Records  
CHARLES STERN, COUNTY CLERK



199609813 11:30am 06/20/96

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