

After recording, return to:
City of Sherwood
20 NW Washington St.
Sherwood, OR 97140

RECEIVED
APR 15 2004
BY: *DM*

Washington County, Oregon 2004-033940
04/02/2004 10:58:49 AM
D-R/B Cnt=1 Stn=6 J GREGORY
\$20.00 \$6.00 \$11.00 - Total = \$37.00



00557522200400339400040043

I, Jerry Hanson, Director of Assessment and Taxation and Ex-Officio County Clerk for Washington County, Oregon, do hereby certify that the within instrument of writing was received and recorded in the book of records of said county.

Jerry Hanson
Jerry R. Hanson, Director of Assessment and Taxation, Ex-Officio County Clerk



NONREMONSTRANCE AGREEMENT

This agreement made this 29th day of March, 2004, by and between the City of Sherwood, an Oregon municipal corporation, "City," and Thomas K. Miller and Charleen K. Miller, "Owners," Owners of the following described real property, to-wit:

See attached Exhibit "A," legal description

WITNESSETH

WHEREAS, Thomas K. Miller and Charleen K. Miller have applied to City for approval with respect to the property partition of the subject property,

WHEREAS, approval has now been conditioned upon Owners' execution of this Nonremonstrance Agreement in order to insure that Owners will not object to future street and utility improvements; now, therefore,

In consideration of approval by City of the application referenced above, the undersigned owners do hereby promise and agree as follows:

1. The undersigned hereby fully and completely waive the right to remonstrate against the formation of a Local Improvement District or other similar mechanism to fund any street, right of way or utility improvements adjacent to or benefiting the subject property. The undersigned hereby fully and completely waive the right to challenge the assessment of the cost of said improvements against benefited properties, including the subject property.
2. The undersigned further promises, agrees, declares and dedicates that the agreement set forth above and the promises contained herein do constitute a covenant and restriction henceforth running with the land described above and shall henceforth be binding upon the undersigned, their heirs, successors or assigns and directs that this agreement shall be filed for record in the deed records of the appropriate county as affecting the title to the property described on the attached Exhibit "A," legal description.



2004-33940

IN WITNESS WHEREOF, the Owners have executed the above as of the date first above written.

DATED April 2, 2004

Thomas K. Miller
Thomas K. Miller

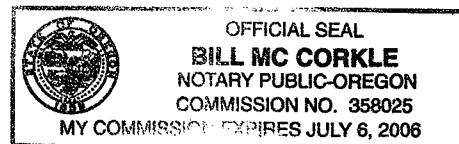
DATED April 3, 2004

Charleen K. Miller
Charleen K. Miller

STATE OF OREGON, COUNTY OF WASHINGTON, ss.

The foregoing instrument was acknowledged before me on April 2, 2004, by Thomas K. Miller.

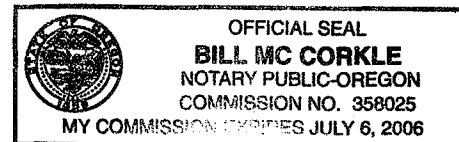
Bill Mc Corkle
NOTARY PUBLIC—OREGON



STATE OF OREGON, COUNTY OF WASHINGTON, ss.

The foregoing instrument was acknowledged before me on April 2, 2004, by Charleen K. Miller.

Bill Mc Corkle
NOTARY PUBLIC—OREGON



Date Commission Expires: July 06, 2006

APPROVED AND ACCEPTED:

David L. Wechner

By: David L. Wechner, AICP, Planning Director of the City of Sherwood.



STATE OF OREGON, COUNTY OF WASHINGTON, ss.

The foregoing instrument was acknowledged before me on March 29, 2004,
by DAVE Wechner as Planning Director
of the City of Sherwood.

Sylvia Murphy
NOTARY PUBLIC—OREGON

Date Commission Expires: 4.28.06

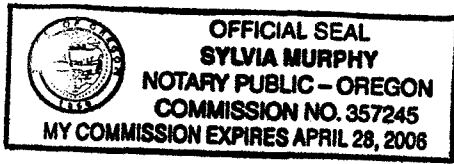




Exhibit "A"

THAT TRACT OF LAND CONVEYED TO THOMAS M. MILLER AND CHARLEEN K. MILLER BY DEED RECORDED IN DOCUMENT NO. 2002-34603, WASHINGTON COUNTY DEED RECORDS, SITUATED IN THE NORTHWEST ONE-QUARTER OF SECTION 32, TOWNSHIP 2 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, CITY OF SHERWOOD, COUNTY OF WASHINGTON, STATE OF OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INITIAL POINT, BEING A SET 5/8" X 30" IRON ROD MARKING THE SOUTHEAST CORNER OF SAID MILLER TRACT, ALSO BEING THE NORTHEAST CORNER OF LOT 31 OF THE DULY RECORDED PLAT OF "SHERWOOD HIGHLANDS NO. 1", WASHINGTON COUNTY PLAT RECORDS, FROM WHICH A FOUND 5/8" IRON ROD AT THE SOUTHEAST CORNER OF LOT 28 OF SAID PLAT BEARS SOUTH 00°34'09" EAST A DISTANCE OF 315.95 FEET; THENCE NORTH 42°50'07" WEST, ALONG THE NORTHEASTERLY LINE OF SAID PLAT AND THE SOUTHWESTERLY LINE OF SAID MILLER TRACT, 279.98 FEET TO THE SOUTHWEST CORNER OF SAID MILLER TRACT, ALSO BEING A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF S.E. WILLAMETTE STREET (40.00 FEET WIDE ADJACENT TO SAID MILLER TRACT); THENCE NORTH 47°21'09" EAST, ALONG SAID RIGHT-OF-WAY LINE AND THE NORTHWESTERLY LINE OF SAID MILLER TRACT, 75.00 FEET TO THE NORTHWEST CORNER OF SAID MILLER TRACT; THENCE SOUTH 42°50'07" EAST, ALONG THE NORTHEASTERLY LINE OF SAID MILLER TRACT, 197.21 FEET TO THE NORTHEAST CORNER THEREOF, ALSO BEING A POINT ON SAID EAST LINE OF THE NORTHWEST CORNER OF SECTION 32; THENCE SOUTH 00°34'09" EAST, ALONG SAID EAST LINE AND THE EAST LINE OF SAID MILLER TRACT, 111.51 FEET TO THE INITIAL POINT.

CONTAINING 17,895 SQUARE FEET.