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Type of recorded document (i.e., easement, right-of-way, etc.):

DATED: _____

AFTER RECORDING RETURN TO:

City of Sherwood
City Recorder's Office
22560 SW Pine Street
Sherwood, OR 97140

Washington County, Oregon 2006-110847
09/18/2006 10:33:24 AM
D-R&O Cnt=1 Stn=21 RECORDS1
\$25.00 \$6.00 \$11.00 - Total = \$42.00



01011089200601108470050052

I, Richard Hobemicht, 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.

Richard W. Hobemicht
Richard W. Hobemicht, Director of Assessment and
Taxation, Ex-Officio County Clerk





RESOLUTION 2006-050

A RESOLUTION PROCLAIMING ANNEXATION OF 10.36 ACRES OF LAND WITH A ZONING DESIGNATION OF VERY LOW DENSITY RESIDENTIAL (VLDR).

WHEREAS, the Sherwood City Council previously passed Resolution 2006-008 that approved annexation proposal AN-05-01 and called for Sherwood voters to approve the annexation;

WHEREAS, on May 16, 2006 Sherwood voters approved the annexation;

WHEREAS, Resolution 2006-008 required the annexed property's owners to agree in writing to the VLDR zoning designation and to waive in writing any existing or future Ballot Measure 37 (M37) claims prior to the annexation taking effect;

WHEREAS, the property owners have so agreed and waived.

NOW, THEREFORE, THE CITY OF SHERWOOD RESOLVES AS FOLLOWS:

Section 1. The annexation is effective upon this resolution's passage.

Section 2. The annexed property's legal description is attached as Exhibit A.

Section 3. The City Council directs staff to amend the city limits boundary and zoning map accordingly, to file the appropriate records with the Secretary of State pursuant to ORS 222.177 and to record the executed M37 waiver with Washington County.

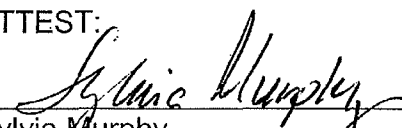
Section 4. This resolution is effective upon its passage by the Council and execution by the Mayor.

Duly passed by the City Council this 15th day of August 2006.



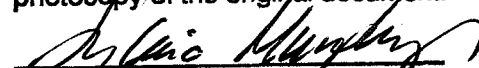
Keith S. Mays, Mayor

ATTEST:



Sylvia Murphy

I certify this is a true and correct
photocopy of the original document.



Sylvia Murphy, City Recorder

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City of Sherwood
Planning Department
22560 SW Pine St.
Sherwood, OR 97140

WAIVER OF MEASURE 37 RIGHTS

Background

1. The undersigned, Paula Yuzon and Dennis Yuzon (Owners) proposed certain real property be annexed into the City of Sherwood (City), as represented in City File No. ANN 05-01 (the "Annexation").
2. The real property proposed for Annexation (Property) is described in Exhibit A, attached and incorporated by reference.
3. Under Ballot Measure 37 (M37), codified at ORS 197.352, under certain circumstances a property owner may seek compensation if a land use regulation reduces the fair market value of his property. In lieu of compensation a public entity may waive the regulation's applicability.
4. The City Council reviewed and approved File No. ANN 01-05 and adopted Resolution No. 2006-008 which, among other things, called for an election in the City to approve or reject the Annexation and, if approved, required Owners to waive all existing and future M37 claims prior to the Annexation being effective.
5. The Annexation was approved by the voters on May 16, 2006.

NOW, THEREFORE, the Owners warrant that they possess fee simple title to the Property and as an inducement to City to proceed with the Annexation of the Property, and acknowledging that the Property's Annexation will increase its value and allow it to receive services that would be otherwise unavailable, covenant as follows:

1. Owners, their heirs, devisees, executors, administrators, successors and assigns waive and are estopped from asserting against the City any present or future claims for compensation or waiver from City land use regulations that exist upon the effective date of the Annexation arising under or granted by M 37, or similar claims that may accrue under future legislation or that may arise out of this document which may exist against City, its officers, agents, employees and assigns now or in the future.
2. This document binds the Owners' heirs, devisees, executors and administrators, successors in interest and assigns and will run with the land and will be recorded with Washington County.
3. This document is executed freely and without duress or influence. Owners acknowledge that they have had the opportunity to obtain legal advice prior to signing this document and have either sought and received that advice or have

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independently elected not to seek legal advice prior to signing this document.
Owners recognize that this document may affect their legal rights.

- 4. This document is to be construed liberally should its terms ever be disputed.
- 5. If a party brings legal action to enforce this document's terms, the prevailing party is entitled to recover from the losing party its reasonable costs, fees and disbursements, including attorneys fees.
- 6. This document's effectiveness is contingent upon final annexation of the Property by City.

SIGNED this 8th day of August, 2006 by:

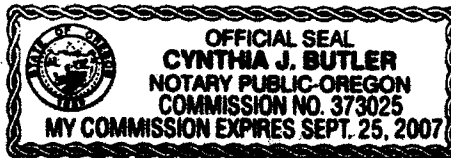
Paula Yuzon
Paula Yuzon, Owner

Dennis Yuzon
Dennis Yuzon, Owner

STATE OF OREGON)
) ss.
County of Washington)

This instrument was acknowledged before me on this 8th day of August, 2006, by Paula Yuzon.

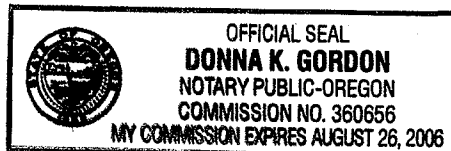
Cynthia Butler
Notary Public for Oregon
My Commission expires: September 25, 2007



STATE OF OREGON)
) ss.
County of Washington)
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This instrument was acknowledged before me on this 8th day of August, 2006, by Dennis Yuzon.

Donna K. Gordon
Notary Public for Oregon
My Commission expires: 08/26/2006



Yuzon Annexation

Exhibit A

Beginning at an iron rod on the East line of the Northwest one-quarter of the Southwest one-quarter of Section 33, Township 2 South, Range 1 West, Willamette Meridian, Washington County, Oregon, which bears North $0^{\circ} 45' 56''$ West, 874.54 feet from the Southeast corner of said Northwest one-quarter; thence continuing North $0^{\circ} 45' 56''$ West, 440.0 feet to the Northeast corner of said Northwest one-quarter; thence South $89^{\circ} 29' 17''$ West along the North line of said Northwest one-quarter, 580.0 feet to an iron rod; thence South $05^{\circ} 53' 10''$ West, 863.26 feet to an iron rod; thence North $65^{\circ} 41' 52''$ West, 679.60 feet to an iron rod on the Easterly line of County Road No. 2257, (S.W. Murdock Road); thence South $21^{\circ} 09' 26''$ West along said Easterly line, 50.07 feet to an iron rod; thence South $65^{\circ} 41' 52''$ East, 700.25 feet to an iron rod; thence North $54^{\circ} 34' 40''$ East, 826.66 feet to the place of beginning.

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