

Tax Statements to be sent to:
St Francis Catholic Church
15651 SW Oregon Street
Sherwood, OR 97140



0148754220100041908006060
I, Richard Hobernicht, 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 Hobernicht, Director of Assessment and
Taxation, Ex-Officio County Clerk

After recording, please return to:
City of Sherwood
Engineering Department
22560 SW Pine St
Sherwood, OR 97140

**PRIVATE STORMWATER FACILITY
ACCESS & MAINTENANCE COVENANT**

THIS 26th DAY OF April, 2010

St Francis Catholic Church is the Owner and/or Developer ("Owner") of the real property subject to this Private Stormwater Facility Access and Maintenance Covenant ("Covenant"), commonly known as 15651 SW Oregon Street, Sherwood, Washington County, Oregon, 97140, and more particularly described as:

St Francis Catholic Church and School Gymnasium Addition Revised Site Plan Phase II, 15651 SW Oregon Street, Sherwood, Oregon, 97140

In consideration of the City of Sherwood approving the installation of a private stormwater facility located on this site, Owner and his/her/its successors in interest to title, hereby accept and bind themselves to the terms and conditions contained in this Covenant and the City of Sherwood Construction Standards, as those standards exist on the effective date of this Covenant and as they may be updated in the future.

This Covenant runs with the real property described herein, and shall bind and obligate any future successors in title to Owner. In the absence of privity of estate, Owner intends to create an equitable servitude. This Covenant is perpetual in nature, and may only be modified in writing, with consent by the current Owner and approval by the City of Sherwood. It is within the City's sole discretion to approve any proposed amendment or modification to this Covenant.

Owner agrees to allow City to access the property on each and every occasion as necessary to verify compliance with the terms and conditions of this Covenant.

As a condition precedent to the effectiveness of this Covenant, Owner shall provide the City with manufacturer's recommendations for the maintenance of the storm filter system.

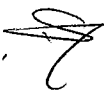
Owner shall provide annual reports documenting its compliance with the engineer's or manufacturers recommended maintenance requirements for the private stormwater facility and any applicable City of Sherwood Construction Standards. Maintenance of the system and compliance with the engineer's or manufacturer's recommendations regarding maintenance and the City's Construction Standards is the Owner's sole responsibility. Without limitation, Owner is fully responsible for all costs associated with maintaining the system. The first report shall be due exactly one year from the Engineering Department's acceptance of the improvements.

Any default by the Owner in regard to the agreed upon maintenance practices and schedule gives the City of Sherwood all repair and replacement rights with the Owner agreeing to reimburse the City for all costs including but not limited to materials, labor, equipment and administrative fees as determined at the time of services. If full reimbursement is not made within 30 days of the City's demand, City may place and record a lien against the real property described above for the costs City incurred in maintaining the system, including all design costs and other related costs incurred by the City. Owner waives any objection it may legally possess to the City placing a lien on its property. Repair and replacement rights become effective thirty (30) days after the required annual maintenance report is due.

Owner accepts that the City of Sherwood may charge a nominal administrative fee for monitoring and record keeping when such fee is adopted by City Council.

Owner warrants that he/she/it has fee title to the property and has the full authority to execute this Covenant.

Attached hereto are Exhibit A – Legal Description; Exhibit B – Map of Legal Description; and Exhibit C – A site plan showing the storm water treatment facility location, the source of run-off entering the facility, and where storm water will be discharged after leaving the facility.

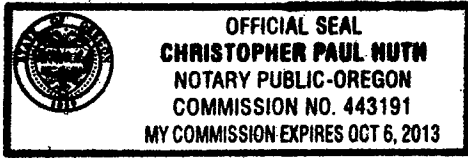
Thomas McCarthy 

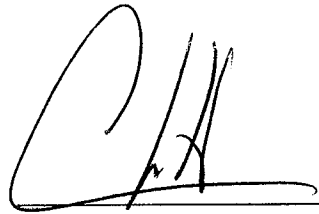
Signature of Owner

4/26/2010
Date

STATE OF OREGON)
) ss.
County of Washington)

Subscribed and sworn to before me this 26 day of April, 2010.






Notary Public for Oregon



Tom Pessemier
Community Development Director
City of Sherwood

May 5, 2010
Date



Jim Patterson
City Manager
City of Sherwood

5-5-2010
Date

**ENGINEERING PLANNING
FORESTRY**

13910 S.W. Galbreath Dr., Suite 100
Sherwood, Oregon 97140
Phone: (503) 925-8799
Fax: (503) 925-8969



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AKS Group of Companies:
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REDMOND, OREGON
VANCOUVER, WASHINGTON
www.aks-eng.com

EXHIBIT A

Legal Description
Private Stormwater Facility

A portion of Document Number 2008-051869, located in the Southwest One-Quarter of Section 29, Township 2 South, Range 1 West, Willamette Meridian, City of Sherwood, Washington County, Oregon, and being more particularly described as follows:

Beginning at the South One-Quarter Corner of Section 29, thence along the south line of said Section 29 South 89°46'19" West 35.00 feet to the True Point of Beginning on the westerly right-of-way line of SW Adams Avenue (35.00 feet right-of-way width); thence continuing along said south line of Section 29 South 89°46'19" West 150.00 feet to a point; thence North 00°51'02" West 120.00 feet to a point; thence North 89°46'19" East 150.00 feet to a point on the westerly right-of-way line of SW Adams Avenue (35.00 feet right-of-way width); thence along said westerly right-of-way line South 00°51'02" East 120.00 feet to the True Point of Beginning.

The above described tract of land contains 17,999 square feet, more or less. The Basis of Bearings is per Washington County Survey Number 19,613.

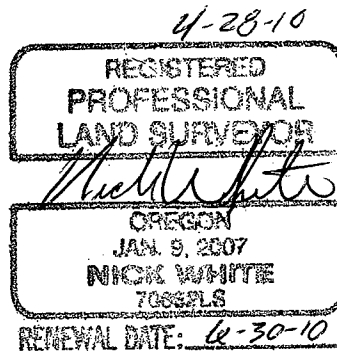
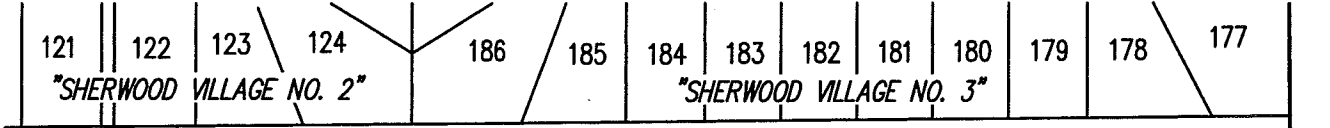


EXHIBIT B

MAP OF PRIVATE STORMWATER FACILITY

A PORTION OF DOCUMENT NUMBER 2008-051869, LOCATED IN THE SOUTHWEST 1/4 OF SEC. 29, T2S, R1W, W.M., CITY OF SHERWOOD, WASHINGTON COUNTY, OREGON

SCALE 1" = 150 FEET



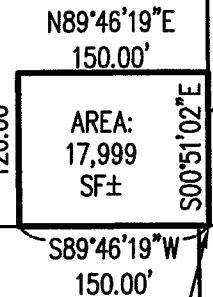
DOCUMENT NUMBER
2008-051869



PREPARED FOR
SODERSTROM ARCHITECTS, PC
1200 NW NAITO PARKWAY SUITE 410
PORTLAND, OR 97209

THE BASIS OF BEARINGS IS PER
WASHINGTON COUNTY SURVEY
NUMBER 19,613.

SECTION 29
SECTION 32



TRUE POINT OF BEGINNING

POINT OF BEGINNING
SOUTH 1/4 CORNER
SECTION 29

SW ADAMS AVENUE

35'
S89°46'19"W 35.00'

43'

4-28-10

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JANUARY 9, 2007
NICK WHITE
70652LS

RENEWS: 6/30/10

JOB NAME: ST FRANCIS SCH

JOB NUMBER: 1912

DRAWN BY: MSK

CHECKED BY: NSW

DWG NO.: 1912EXH

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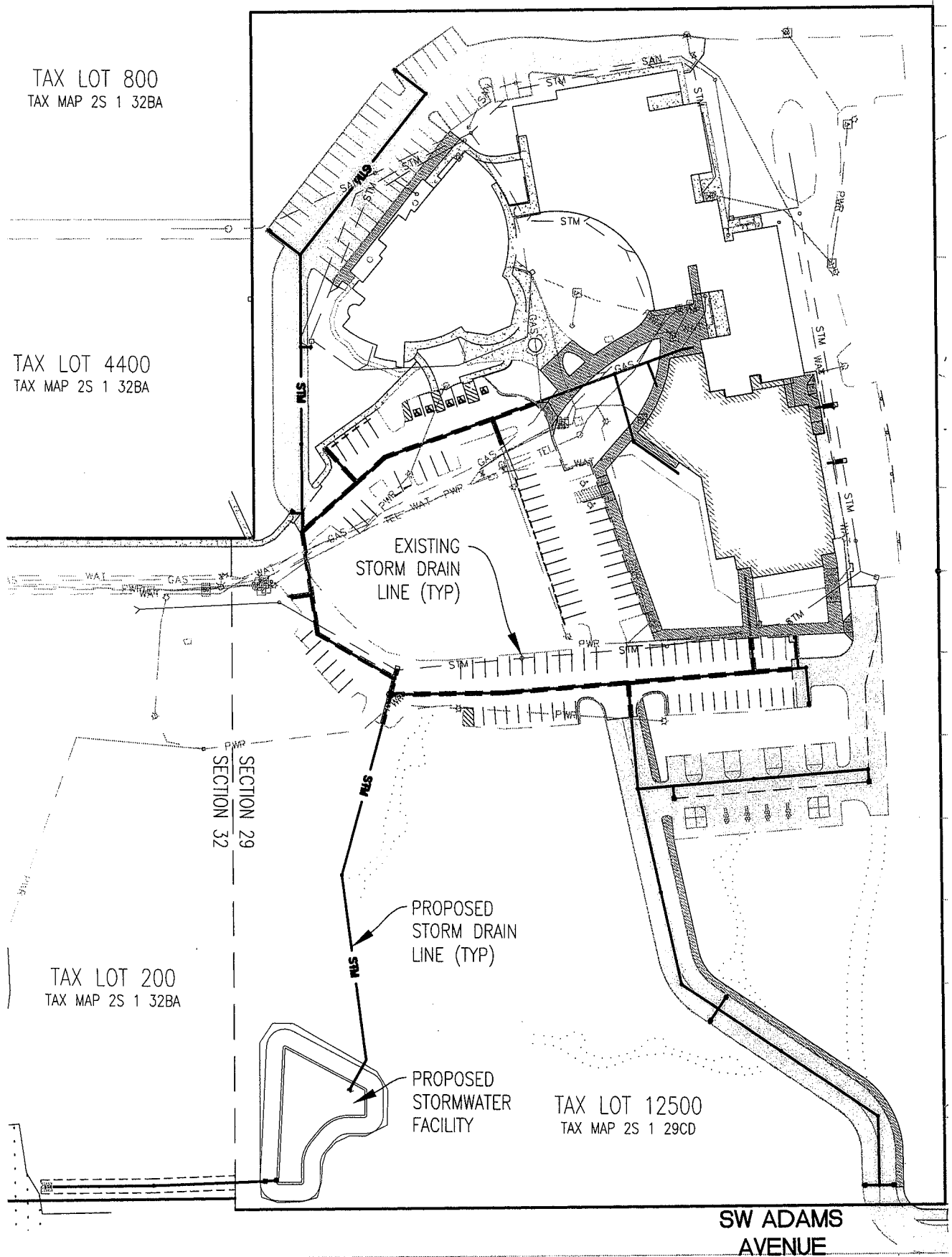


LICENSED IN OR & WA

13910 SW GALBREATH
DRIVE, SUITE 100
SHERWOOD, OR 97140
PHONE: (503) 925-8799
FAX: (503) 925-8969

OFFICES LOCATED IN REDMOND, OR & VANCOUVER, WA

EXHIBIT C



SCALE 1" = 100 FEET



5-3-10



RENEWAL DATE: 6/30/11

JOB NAME: ST. FRANCIS PHASE II
JOB NUMBER: 1912
DRAWN BY: ARC
CHECKED BY: AHH
DWG NO.: 1912 EXHIBIT C

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