

Tax Statements to be sent to:

Duck Country Apartments LLC
PO Box 490
Enterprise, OR 97828

Chrisman Development and Management, Inc.
PO Box 490
Enterprise, OR 97828

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

Washington County, Oregon
06/19/2012 02:31:25 PM
D-IRUL Cnt=1 Stn=29 RECORDS1
\$25.00 \$5.00 \$11.00 \$15.00 \$20.00 - Total = \$76.00



01717810201200497630050057

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



**PRIVATE STORMWATER FACILITY
ACCESS & MAINTENANCE COVENANT**

THIS 31st DAY OF May, 2012

Duck Country Apartments LLC and Chrisman Development and Management, Inc. are the Owner and Developer, respectively, of the real property subject to this Private Stormwater Facility Access and Maintenance Covenant ("Covenant"), commonly known as Linnwood Apartments, Sherwood, Washington County, Oregon, 97140, and more particularly described as:

Linnwood Apartments, 23455 SW Main St., Sherwood, OR 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.

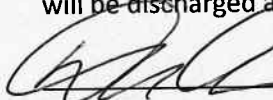
Owner shall provide annual reports documenting its compliance with the engineer's or manufacturers recommended maintenance requirements for the private stormwater facility and any applicable City of Sherwood Construction Standards. Maintenance of the system and compliance with the engineer's or manufacturer's 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.



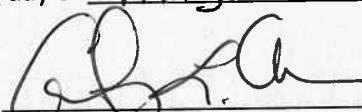
Doug Chrisman
Member, Duck Country Apartments LLC
President of Chrisman Development & Management, Inc

05/31/2012

Date

STATE OF OREGON)
) ss.
County of Willowa)

Subscribed and sworn to before me this 31st day of May, 2012.



Notary Public for Oregon



Robert Galati
City Engineer
City of Sherwood

6.4.12

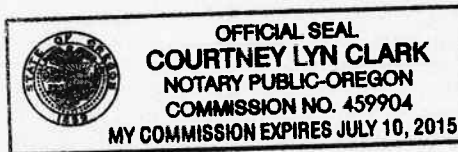
Date



Tom Pessemier
City Manager Pro Tem
City of Sherwood

June 6, 2012

Date



**ENGINEERING PLANNING
FORESTRY**

13910 S.W. Galbreath Dr., Suite 100
Sherwood, Oregon 97140
Phone: (503) 925-8799
Fax: (503) 925-8969
AKS Job No. 2902



**LANDSCAPE ARCHITECTURE
SURVEYING**

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

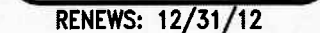
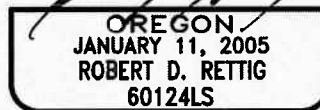
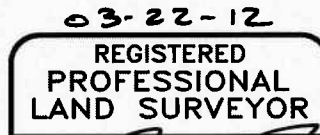
EXHIBIT A

Storm Drainage Easement

A tract of land located in the Southwest One-Quarter of Section 32, Township 2 South, Range 1 West, Willamette Meridian, City of Sherwood, Washington County, Oregon and being more particularly described as follows:

Beginning at the northwest corner of Lot 34 of the Plat of "Crestwood Heights", thence North $47^{\circ}36'54''$ West 111.07 feet to the southeast corner of that tract of land conveyed to Duck Country Apartments, LLC in Document Number 2012-013161, Washington County deed records, said point being at the intersection of the westerly right-of-way line of SW Main Street (30.00 feet from centerline) and the northerly right-of-way line of SW Sunset Boulevard (35.00 feet from centerline); thence along said northerly right-of-way line, South $89^{\circ}53'09''$ West 195.84 feet to the True Point of Beginning; thence continuing along said northerly right-of-way line South $89^{\circ}53'09''$ West 36.00 feet to the southwest corner of the Duck Country Apartment tract; thence along the west line thereof, North $00^{\circ}27'44''$ West 20.00 feet to a point; thence along a line parallel to and 20.00 feet northerly of said northerly right-of-way line, North $89^{\circ}53'09''$ East 36.00 feet to a point; thence along a line parallel to and 36.00 feet easterly of the west line of the Duck Country Apartment tract, South $00^{\circ}27'44''$ East 20.00 feet to the True Point of Beginning.

The above described tract of land contains 720 square feet, more or less.



RENEWS: 12/31/12

EXHIBIT B

MAP OF STORM DRAINAGE EASEMENT
 LOCATED IN THE SOUTHWEST 1/4 OF SECTION 32,
 TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,
 CITY OF SHERWOOD, WASHINGTON COUNTY, OREGON

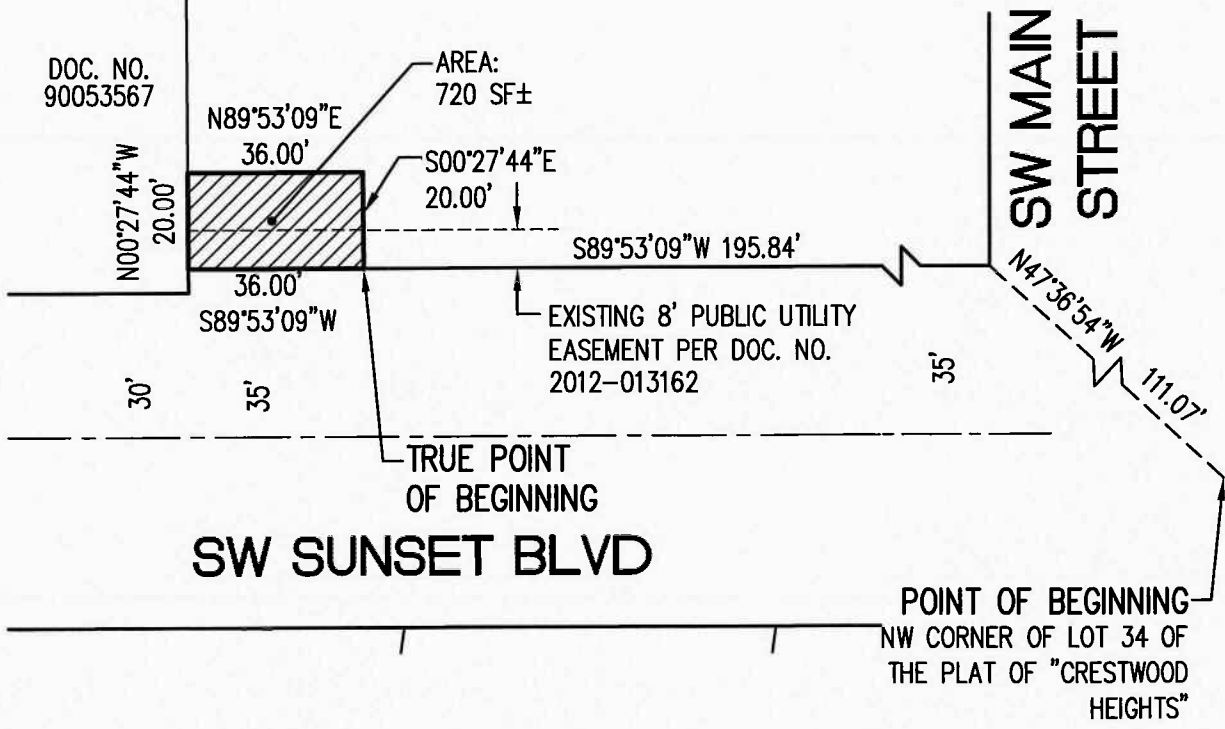
PREPARED FOR

CHRISMAN DEVELOPMENT AND MANAGEMENT
 301 WEST MAIN STREET
 ENTERPRISE, OR 97828

SCALE 1" = 40 FEET



DOC. NO. 2012-013161



03-22-12

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

OREGON
 JANUARY 11, 2005
 ROBERT D. RETTIG
 60124LS
 RENEWS: 12/31/12

JOB NAME:	LINWOOD APARTMENTS
JOB NUMBER:	2902
DRAWN BY:	MSK
CHECKED BY:	RDR
DWG NO.:	120611_2902EXB

ENGINEERING • PLANNING • LANDSCAPE ARCHITECTURE
 FORESTRY • SURVEYING

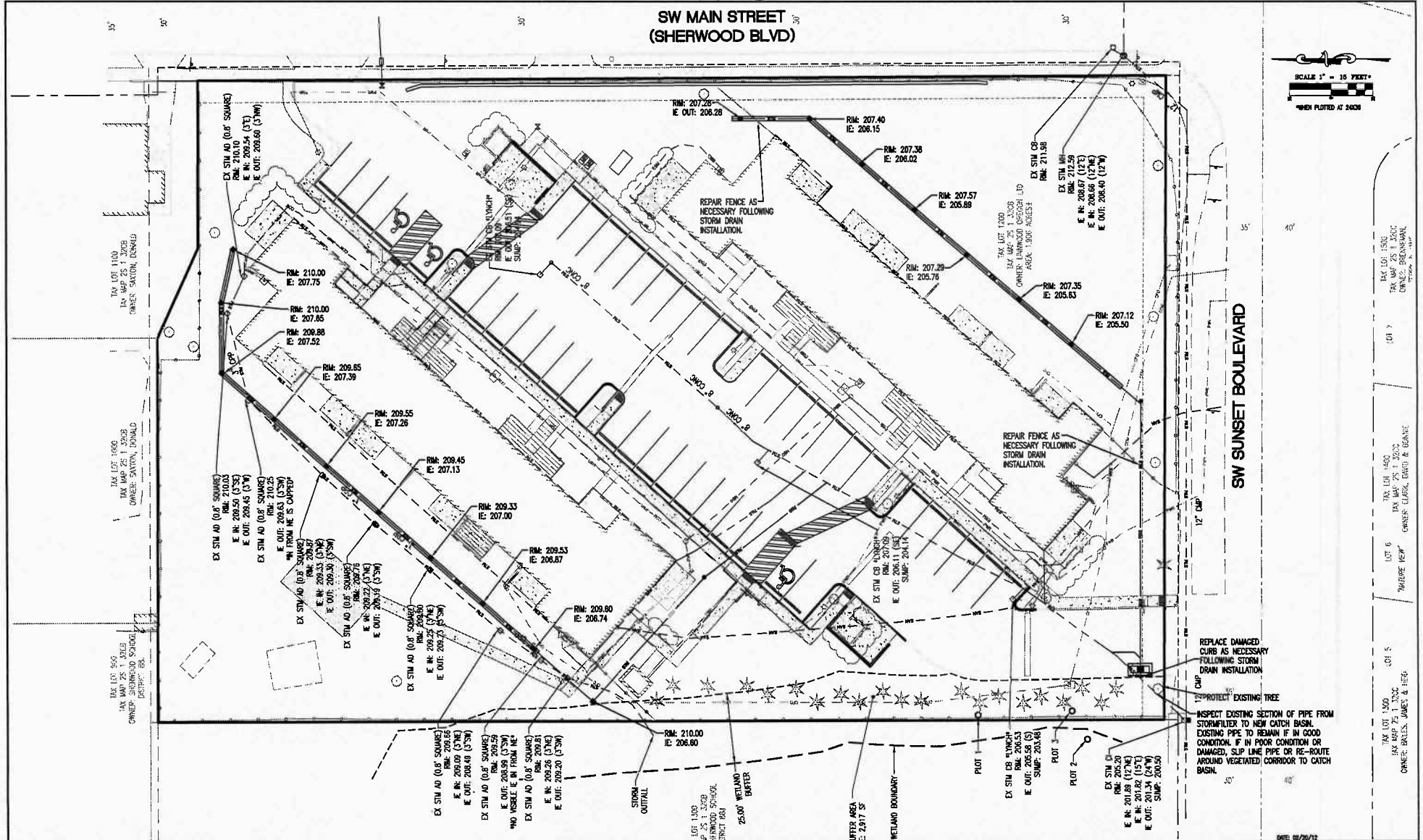
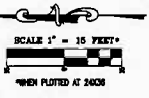


LICENSED IN OR & WA
 13910 SW GALBREATH
 DRIVE, SUITE 100
 SHERWOOD, OR 97140
 PHONE: (503) 925-8799
 FAX: (503) 925-8969

OFFICES LOCATED IN SALEM, OR & VANCOUVER, WA

EXHIBIT C

SW MAIN STREET (SHERWOOD BLVD)



TAX LOT 1150
TAX MAP 25 1 302B
OWNER: SUTTON, DONALD

TAX LOT 1060
TAX MAP 25 1 302B
OWNER: SUTTON, DONALD

TAX LOT 950
TAX MAP 25 1 302B
OWNER: SUTTON, DONALD

TAX LOT 1200
TAX MAP 25 1 302B
OWNER: LINWOOD APARTMENTS LTD
AREA: 1,500 SQUARE FEET

TAX LOT 1080
TAX MAP 25 1 302C
OWNER: BRENNAN, TERRY

TAX LOT 1090
TAX MAP 25 1 302C
OWNER: CLARK, RANDY & LEANNE

TAX LOT 1070
TAX MAP 25 1 302C
OWNER: WILSON, JAMES & HEIDI

TAX LOT 1050
TAX MAP 25 1 302C
OWNER: WILSON, JAMES & HEIDI

SW SUNSET BOULEVARD

REPLACE DAMAGED CURB AS NECESSARY FOLLOWING STORM DRAIN INSTALLATION

PROTECT EXISTING TREE

INSPECT EXISTING SECTION OF PIPE FROM STORMPILER TO NEW CATCH BASIN. EXISTING PIPE TO REMAIN IF IN GOOD CONDITION. IF IN POOR CONDITION OR DAMAGED, SLIP LINE PIPE OR RE-ROUTE AROUND VEGETATED CORRIDOR TO CATCH BASIN.

REVISIONS:

EXHIBIT C

ENGINEERING • PLANNING SURVEYING • FORESTRY

AKS
ARCHITECTS & ENGINEERS

1370 SW GALELATH DR., SUITE 100
SHERWOOD, OR 97140
PHONE: (503) 838-8700
FAX: (503) 833-6866

Office Located In:
SHERWOOD, OREGON
REDFORD, OREGON
HUNTERD, WASHINGTON
SEASIDE, OREGON

PROJECT NO.	NO.	DATE	BY
NO.	NO.	NO.	NO.
PREPARED FOR:	CHRISMAN DEVELOPMENT AND MANAGEMENT 301 WEST MAIN STREET SHERWOOD, OR 97140 PHONE: (503) 426-4865		

LINWOOD APARTMENTS
SITE MODIFICATIONS

SHERWOOD OREGON

WASHINGTON COUNTY TAX MAP 25 1 302B

JOB NUMBER
2922

SHEET
C300