

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



01831609201300413930040048

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 7th DAY OF May, 2013

Fee Stubblefield 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 15677 SW Oregon Street, Sherwood, Washington County, Oregon, 97140, and more particularly described as:

The Springs Living at 15677 SW Oregon Street, Sherwood, OR 97140. A legal description and map of the legal description are attached as Exhibit A.

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 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 and Map of Legal Description; and Exhibit B – 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.

[Signature]
Fee Stubblefield, Owner

5-7-13
Date

STATE OF OREGON)
) ss.
County of Yamhill)

Subscribed and sworn to before me this 7th day of May, 2013.

Kathleen D. Williams
Notary Public for Oregon

[Signature]
Robert Galati
City Engineer
City of Sherwood

5.3.13
Date



[Signature]
Joseph Gall, ICMA-CM
City Manager
City of Sherwood

5/6/13
Date

RECORD OF SURVEY

31872

WASHINGTON COUNTY
SURVEYOR'S OFFICE
ACCEPTED FOR FILING
10-23-12

FOR DLA PIPER LLP
LOCATED IN THE NW 1/4 OF SECTION 32 AND SW 1/4 OF
SECTION 29, IN T. 2 S., R. 1 W. OF THE WILLAMETTE MERIDIAN,
CITY OF SHERWOOD, WASHINGTON COUNTY, OREGON
SEPTEMBER 18, 2012

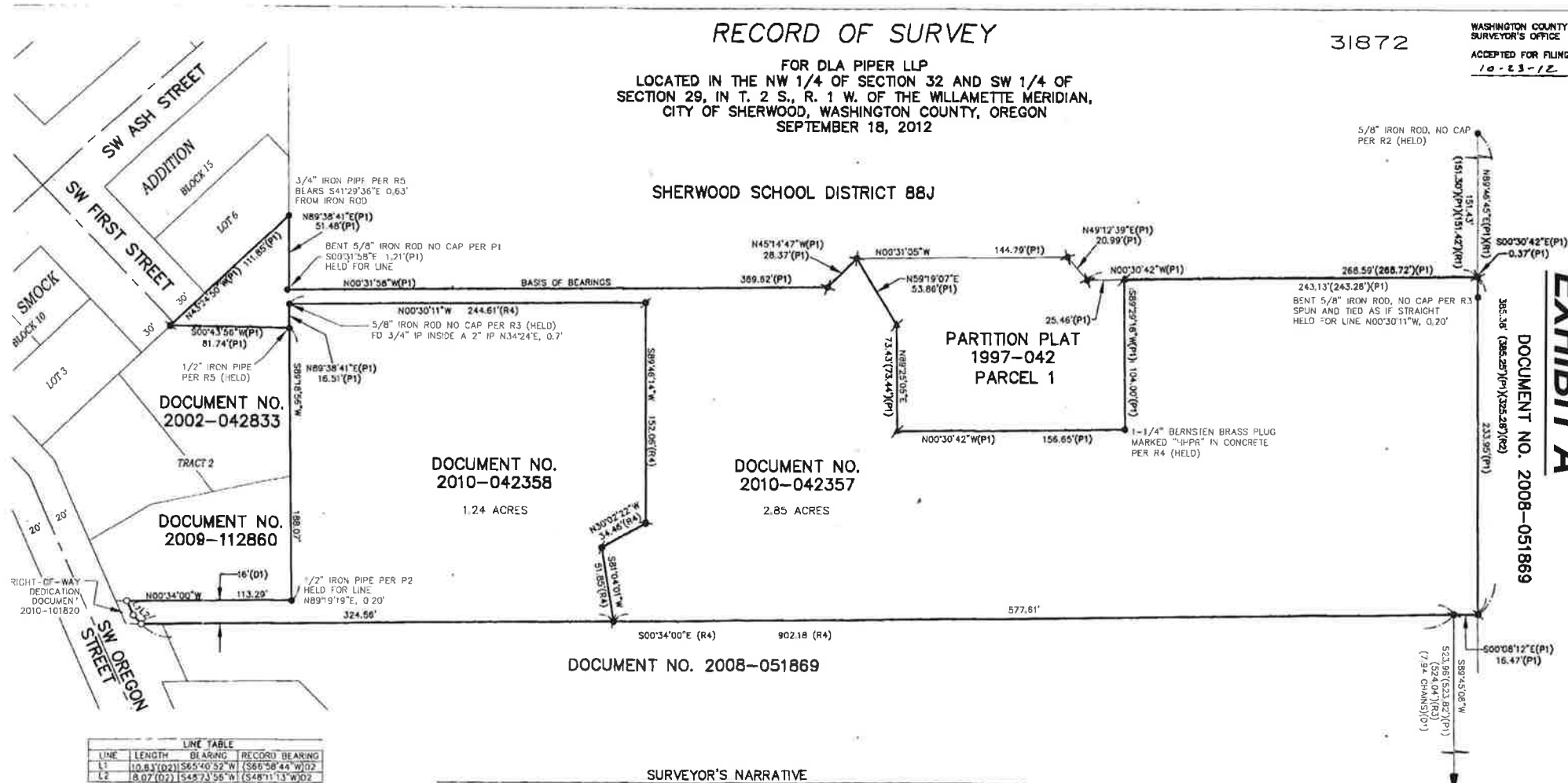


EXHIBIT A

DOCUMENT NO. 2008-051869

LINE	LENGTH	BEARING	RECORD	BEARING
L1	10.63(02)	S44°40'52"W	(S45°58'44"W)R2	
L2	8.07(02)	S44°23'55"W	(S48°11'13"W)R2	

- LEGEND**
- - DENOTES SET 5/8" X 30" IRON ROD WITH AN ORANGE PLASTIC CAP INSCRIBED "HHPR NO. 1 SET SEP-EMBCR 17, 2012"
 - - DENOTES FOUND 5/8" X 30" IRON ROD WITH AN ORANGE PLASTIC CAP INSCRIBED "HHPR INC.", SET IN SN 31445. (HELD)
 - ▲ - DENOTES FOUND 5/8" IRON ROD WITH A YELLOW PLASTIC CAP INSCRIBED "PLS 1678" SET IN PARTITION PLAT 1997-042 (HELD UNLESS OTHERWISE NOTED)
 - ✱ - DENOTES FOUND 5/8" IRON ROD WITH A YELLOW PLASTIC CAP INSCRIBED "PLS 1678" SET IN SN 25676. (HELD UNLESS OTHERWISE NOTED)
 - - DENOTES MONUMENT FOUND AS NOTED
 - W/OPC - DENOTES WITH AN ORANGE PLASTIC CAP
 - W/YPC - DENOTES WITH A YELLOW PLASTIC CAP
 - SN - DENOTES SURVEY NUMBER, WASHINGTON COUNTY SURVEY RECORDS
 - NRF - DENOTES NO RECORD FOUND

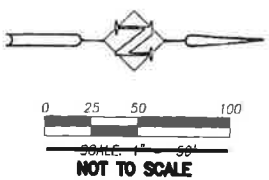
SURVEYOR'S NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO MONUMENT THE BOUNDARY LINES OF BOTH THOSE STATUTORY WARRANTY DEEDS RECORDED AS DOCUMENT NO. 2010-042357 AND NO. 2010-042358. THIS SURVEY WILL ALSO MONUMENT A RIGHT OF WAY DEDICATION OF THE MOST SOUTHERLY SOUTHEASTERLY BOUNDARY LINES OF DOCUMENT NO. 2010-042358.

THE BOUNDARY LINES WERE ALL HELD PER THE RECORD OF SURVEY SN31445 FILED ON JUNE 8, 2010 ON FILE IN THE WASHINGTON COUNTY SURVEYOR'S OFFICE. ALONG SW OREGON STREET, THE NORTH BOUNDARY LINE OF DOCUMENT NO. 2010-101820 WAS ESTABLISHED BY HOLDING RECORD DISTANCE FROM RIGHT-OF-WAY DETERMINED BY SAID SURVEY SN31445 AND HOLDING A DISTANCE/DISTANCE INTERSECTION OF L1 AND L2. THE SOUTHERLY WEST LINE OF DOCUMENT NO. 2010-042357 WAS HELD AS THE BASIS OF BEARINGS FOR THIS SURVEY.

RECORD DATA

- P1 - DENOTES RECORD DATA PER PARTITION PLAT '997-042
- P2 - DENOTES RECORD DATA PER PLAT OF "SMOCK ADDITION TO SHERWOOD"
- R1 - DENOTES RECORD DATA PER SURVEY NUMBER 25,676
- R2 - DENOTES RECORD DATA PER SURVEY NUMBER 19,613
- R3 - DENOTES RECORD DATA PER SURVEY NUMBER 18,900
- R4 - DENOTES RECORD DATA PER SURVEY NUMBER 31,445
- R5 - DENOTES RECORD DATA PER SURVEY NUMBER 4,559
- D1 - DENOTES RECORD STATUTORY WARRANTY DEED 2001-095212 WASHINGTON COUNTY DEED RECORDS.
- D2 - DENOTES RECORD DATA PER DEDICATION DEED 2010-101820 WASHINGTON COUNTY DEED RECORDS.

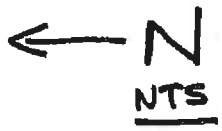


FOUND 2" BRASS DISK IN CONCRETE IN A TREE STUMP PER B.T. BOOK 2 PAGE 105 AND 106



SURVEY PREPARED BY:
HHPR Harper Houf Peterson Righellis Inc.
205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171
DLA-04

RENEWAL DATE 6-30-2013



- SITE PLAN -

EXHIBIT 'B'

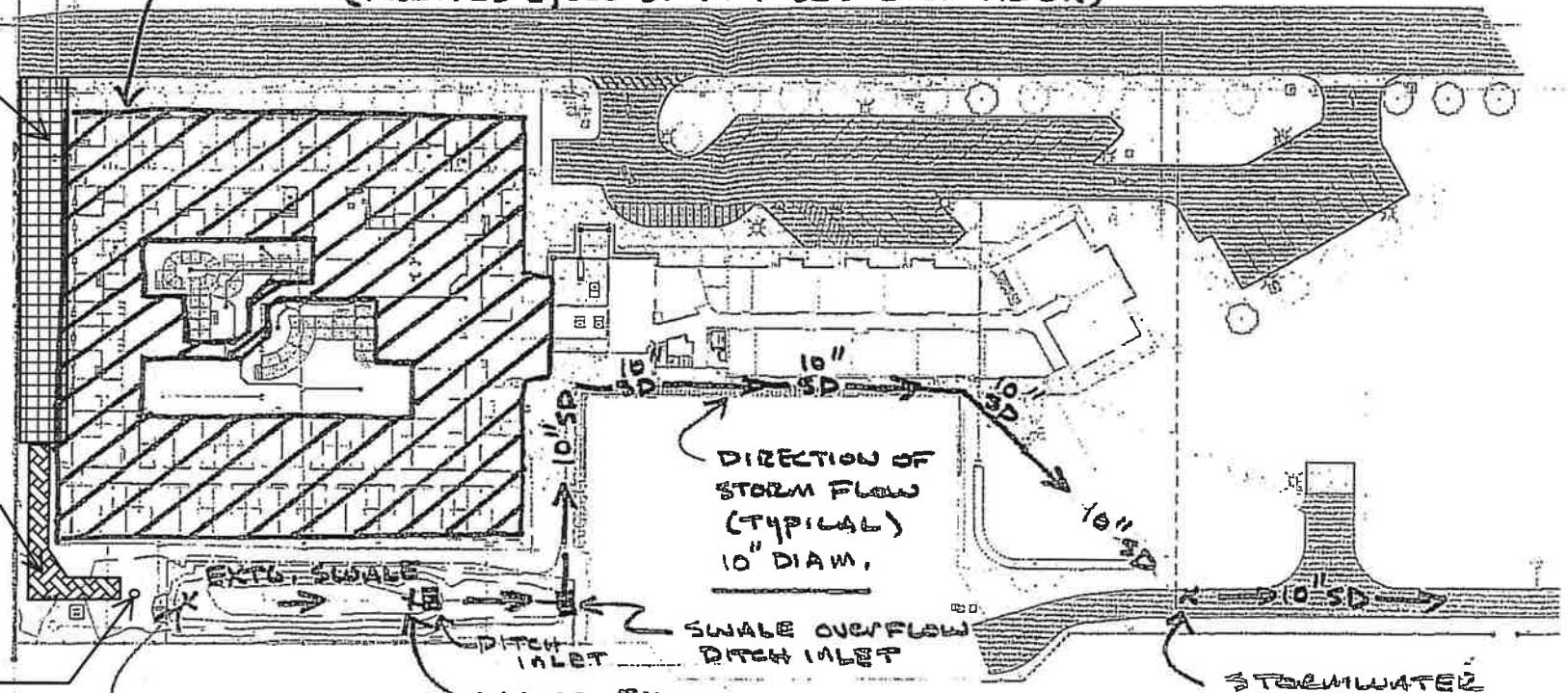
- SHOWS STORMWATER TREATMENT LOCATION, CONTRIBUTING BUILDING ROOF AREA AND DISCHARGE CONVEYANCE LOCATION. -

(31,250 SF)
PORTION OF EXTB
BLDG ROOF CONTRIBUTING
TO EXTB. SWALE
(INCLUDES 2,000 SF PROPOSED ROOF AREA)

Existing Fire Lane

New access road within 10' of the center of the existing manhole lid. 12' wide typical. 15' wide at corners. Support a 10,000 # load

Existing manhole



STORMWATER ENTERS SWALE HERE

WATER EXITS SWALE HERE AND ENTERS INTO EXTB. CONVEYANCE SYSTEM

STORMWATER CONTINUES TO TRAVEL NORTH WHERE IT ENTERS PUBLIC CONVEYANCE SYSTEM ON SW OREGON ST

EXHIBIT 'B'