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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



Tax Statements to be sent to:
Sherwood Senior Living, LLC
10305 SW Park Way, Suite 204
Portland, OR 97225

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

**PRIVATE STORMWATER FACILITY
ACCESS & MAINTENANCE COVENANT**

THIS 3rd DAY OF JUNE, 2019

Sherwood Senior Living, LLC, a Delaware limited liability company 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 16872 SW Edy Road, Sherwood, Washington County, Oregon, 97140, and more particularly described as:

See Exhibit "A" for legal description and Exhibit "B" for map of legal description.

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 then-current Owner and approval by the City of Sherwood. It is within the City's sole discretion whether to approve any proposed amendment or modification to this Covenant.

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

Owner shall provide the City with manufacturer's recommendations for the maintenance of the storm treatment 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 thirty (30) calendar 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.

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.

By: Rembold Properties, LLC, it's Managing Member

Kira D. Cadon, it's Authorized Agent

Owner's Name (Printed)

Kira D Cadon

Owner's Signature

6/3/19

Date

STATE OF OREGON)

) ss.

County of Washington)

On this 3 day of June, 2019, before me, a notary public in and for said County and State, personally appeared Kira D Cadon known to me to be their person whose names subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

Anne Marie Floersch

Notary Public for Oregon

My Commission Expires: April 12, 2021

Bob J Galati

Robert Galati
City Engineer
City of Sherwood

6/10/19

Date

Joseph Gall

Joseph Gall, ICMA-CM
City Manager
City of Sherwood

6/10/19

Date

Josh Jan

Approved as to form: City Attorney



EXHIBIT A

LEGAL DESCRIPTION:
SUBJECT PROPERTY
MAY 21, 2019

REAL PROPERTY IN THE COUNTY OF WASHINGTON, STATE OF OREGON,
DESCRIBED AS FOLLOWS:

TRACT I:

PARCEL 2, PARTITION PLAT NO. 2003-055, RECORDED AS DOCUMENT NO.
2003114241 IN COUNTY OF WASHINGTON, STATE OF OREGON.

TOGETHER WITH THAT PORTION OF THE NORTHWEST QUARTER AND
NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 30,
TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHERNMOST CORNER OF PARCEL 2;

THENCE NORTH 46°46'25" EAST, 66.81 FEET ALONG THE SOUTHEASTERLY LINE
OF SAID PARCEL 2;

THENCE NORTH 43°13'35" WEST, 49.22 FEET;

THENCE NORTH 01°15'32" EAST, 16.81 FEET;

THENCE NORTH 43°44'28" WEST, 117.52 FEET;

THENCE NORTH 46°15'32" EAST, 32.00 FEET;

THENCE NORTH 43°44'28" WEST, 18.50 FEET;

THENCE NORTH 43°15'47" WEST, 93.34 FEET TO A POINT ON A NON-TANGENT
CURVE, THE RADIUS OF WHICH BEARS NORTH 52°07'02" WEST;

THENCE NORTHEASTERLY ALONG THE ARC OF A CURVE CONCAVE TO THE
NORTHWEST, HAVING A RADIUS OF 150.00 FEET, THROUGH A CENTRAL ANGLE
OF 27°39'03", ARC LENGTH OF 72.39 FEET, CHORD BEARING OF NORTH
24°03'26" EAST AND A CHORD DISTANCE OF 71.69 FEET TO A POINT OF
REVERSE CURVATURE;

THENCE NORTHERLY ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A
RADIUS OF 150.00 FEET, THROUGH A CENTRAL ANGLE OF 21°20'04", ARC
LENGTH OF 55.85 FEET, CHORD BEARING OF NORTH 20°53'57" EAST AND A
CHORD DISTANCE OF 55.53 FEET TO THE NORTHEASTERLY LINE OF SAID
PARCEL 2 AND THE **TRUE POINT OF BEGINNING**;

THENCE CONTINUING NORTHEASTERLY ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 150.00 FEET, THROUGH A CENTRAL ANGLE OF 06°09'55", ARC LENGTH OF 16.14 FEET, CHORD BEARING OF NORTH 34°38'56" EAST AND A CHORD DISTANCE OF 16.13 FEET;

THENCE NORTH 37°43'54" EAST, 192.76 FEET TO THE SOUTHWESTERLY MARGIN OF SOUTHWEST EDY ROAD, BEING TO A POINT ON A NON-TANGENT CURVE, THE RADIUS OF WHICH BEARS SOUTH 36°43'58" WEST;

THENCE WESTERLY ALONG SAID SOUTHWESTERLY MARGIN, ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 655.00 FEET, THROUGH A CENTRAL ANGLE OF 37°00'47", ARC LENGTH OF 415.81 FEET, CHORD BEARING OF NORTH 71°46'25" WEST AND A CHORD DISTANCE OF 415.81 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 89°32'44" WEST, 16.62 FEET TO THE NORTHEAST CORNER OF SAID PARCEL 2;

THENCE SOUTH 43°53'38" EAST, 410.26 FEET ALONG SAID NORTHEASTERLY LINE OF SAID PARCEL 2 TO THE **TRUE POINT OF BEGINNING**.

EXCEPT THAT PORTION OF PARCEL 2, PARTITION PLAT NO. 2003-055, RECORDED AS DOCUMENT NO. 2003114241 IN THE COUNTY OF WASHINGTON, STATE OF OREGON, BEING A PORTION OF NORTHWEST QUARTER AND NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHERNMOST CORNER OF SAID PARCEL 2;

THENCE NORTH 46°46'25" EAST, 66.81 FEET ALONG THE SOUTHEASTERLY LINE OF SAID PARCEL 2 TO THE **TRUE POINT OF BEGINNING**;

THENCE NORTH 43°13'35" WEST, 49.22 FEET;

THENCE NORTH 01°15'32" EAST, 16.81 FEET;

THENCE NORTH 43°44'28" WEST, 117.52 FEET;

THENCE NORTH 46°15'32" EAST, 32.00 FEET;

THENCE NORTH 43°44'28" WEST, 18.50 FEET;

THENCE NORTH 43°15'47" WEST, 93.34 FEET TO A POINT ON A NON-TANGENT CURVE, THE RADIUS OF WHICH BEARS NORTH 52°07'02" WEST;

THENCE NORTHEASTERLY ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 150.00 FEET, THROUGH A CENTRAL ANGLE OF 27°39'03", ARC LENGTH OF 72.39 FEET, CHORD BEARING OF NORTH

24°03'26" EAST AND A CHORD DISTANCE OF 71.69 FEET TO A POINT OF REVERSE CURVATURE;

THENCE NORTHERLY ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 150.00 FEET, THROUGH A CENTRAL ANGLE OF 21°20'04", ARC LENGTH OF 55.85 FEET, CHORD BEARING OF NORTH 20°53'57" EAST AND A CHORD DISTANCE OF 55.53 FEET TO THE NORTHEASTERLY LINE OF SAID PARCEL 2;

THENCE SOUTH 43°53'38" EAST, 342.80 FEET ALONG SAID NORTHEASTERLY LINE TO THE EASTERNMOST CORNER OF SAID PARCEL 2;

THENCE SOUTH 46°46'25" WEST, 162.58 FEET ALONG SAID SOUTHEASTERLY LINE TO THE **TRUE POINT OF BEGINNING**.

ALSO **EXCEPT** THAT PORTION OF PARCEL 2, PARTITION PLAT NO. 2003-055, RECORDED AS DOCUMENT NO. 2003114241 IN THE COUNTY OF WASHINGTON, STATE OF OREGON, BEING A PORTION OF NORTHWEST QUARTER AND NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHERNMOST CORNER OF SAID PARCEL 2;

THENCE NORTH 46°46'25" EAST, 66.81 FEET ALONG THE SOUTHEASTERLY LINE OF SAID PARCEL 2;

THENCE NORTH 43°13'35" WEST, 49.22 FEET;

THENCE NORTH 01°15'32" EAST, 16.81 FEET;

THENCE NORTH 43°44'28" WEST, 117.52 FEET;

THENCE NORTH 46°15'32" EAST, 32.00 FEET;

THENCE NORTH 43°44'28" WEST, 18.50 FEET;

THENCE NORTH 43°15'47" WEST, 93.34 FEET;

THENCE SOUTH 38°26'33" WEST, 91.21 FEET;

THENCE NORTH 43°13'34" WEST, 201.37 FEET;

THENCE SOUTH 46°46'26" WEST, 23.41 FEET TO THE SOUTHWESTERLY LINE OF SAID PARCEL 2;

THENCE SOUTH 43°44'46" EAST, 479.03 FEET ALONG SAID SOUTHWESTERLY LINE TO THE **POINT OF BEGINNING**.

TRACT II:

TOGETHER WITH EASEMENTS, APPURTENANT TO AND FOR THE BENEFIT OF TRACT I, FOR PRIVATE ROADWAY AND PARKING AS SET FORTH IN DECLARATION OF EASEMENTS AND RESTRICTIVE COVENANTS DATED JULY 25, 2017 AND RECORDED JULY 26, 2017 AS INSTRUMENT NO. 2017-059133.

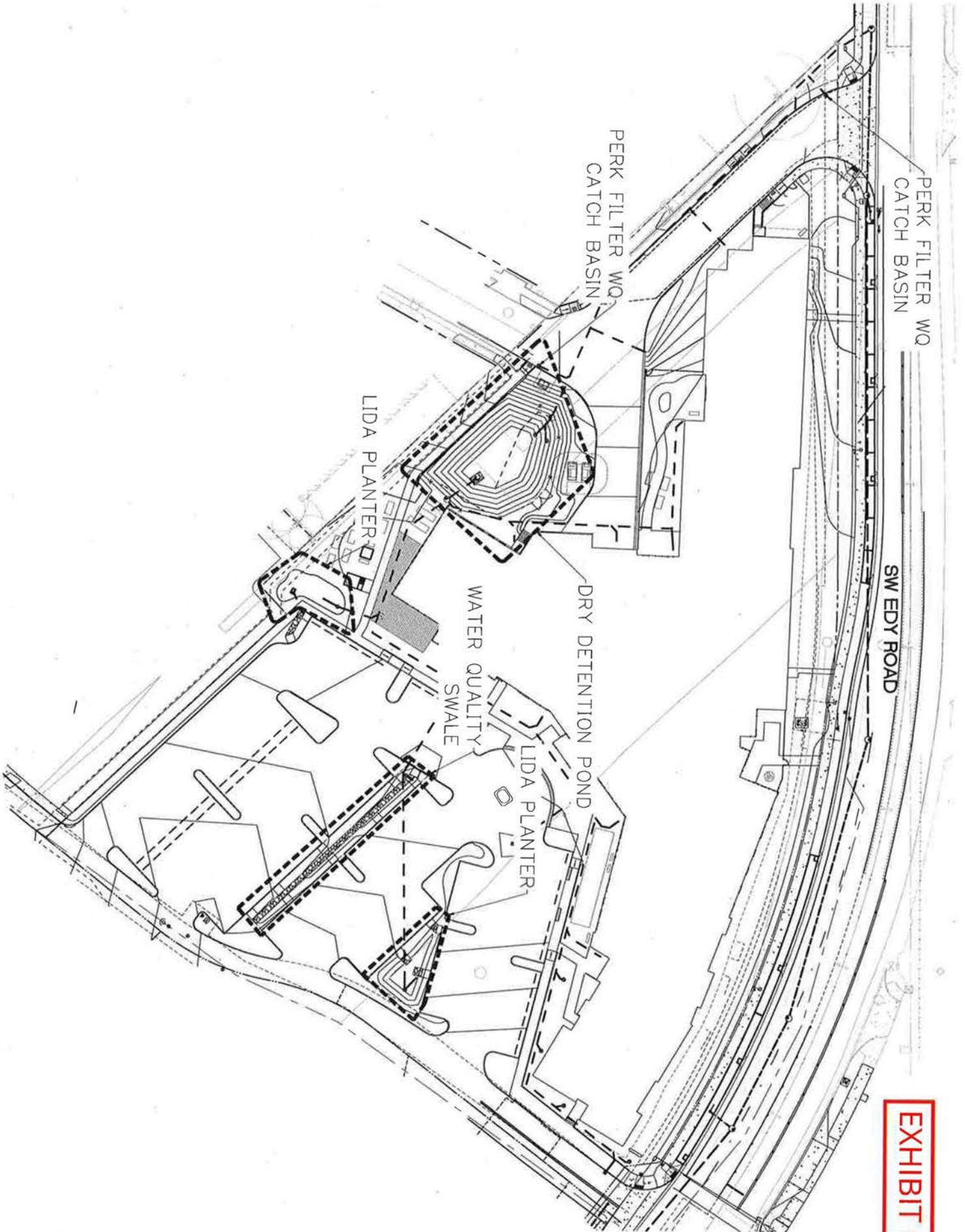


EXHIBIT C