

After recording please mail to:
Community Development Department
City of Newport
169 SW Coast Hwy
Newport, OR 97365

Lincoln County, Oregon
06/20/2016 03:10:28 PM
DOC-WVR/REM
\$10.00 \$11.00 \$20.00 \$10.00 \$7.00 - Total=\$58.00

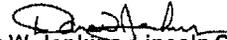
2016-05760

Cnt=1 Pgs=2 Stn=20



00121134201600057600020026

I, Dana W. Jenkins, County Clerk, do hereby certify that the within instrument was recorded in the Lincoln County Book of Records on the above date and time. WITNESS my hand and seal of said office affixed.


Dana W. Jenkins, Lincoln County Clerk



**LAND IMPROVEMENT
WAIVER OF REMONSTRANCE**

THIS AGREEMENT, is between the City of Newport ("City") and Brian Haggerty ("Owner").

RECITALS

- A. Owner desires to construct improvements on the property located at 5711 NW Gladys St. that is currently identified as Tax Lot 09400 of Assessor's Map 10-11-29-BB; and further described as:

NORTH AVENUE ADDN., BLOCK 1, LOT 9 & PTN VAC ST, DOC 201200468

The property described in this section will be referred to as the "Property."

- B. Pursuant to Newport Municipal Code (NMC) Chapter 14.44.050(B), a non-remonstrance agreement for street, sidewalk, and storm water is required to be executed as part of the building permit process for the Property.

TERMS OF AGREEMENT

1. This Agreement is a covenant running with the Property and binding on Owner and Owner's successors in interest. This Agreement affects the title to and the rights to possession of the Property. All of the terms, conditions, requirements, obligations and agreements in this document (the "requirements") shall run with the land and shall be binding upon, and inure to the benefit of, Owners and their successors in interest, including all future owners of any portion of the Property.
2. Owner will participate in any local improvement district or districts formed for the construction of street, sidewalk, and storm water that the subject parcel would be part of.
3. The City Engineer may commence proceedings for a local improvement district or districts as authorized by Newport Municipal Code Chapter 12.05.
4. Owner's execution of this agreement shall be equivalent to the submission of a petition to form a local improvement district and shall constitute a waiver of any right to remonstrate against the formation of the local improvement district. However, nothing herein contained is intended to limit the right of Owner to contest, in the manner provided by law, the formula or method by which such costs are allocated to benefited properties.

DATED this 17th day of March, 2016.

(signatures on following page)

CITY OF NEWPORT

D. Nebel
By: Spencer Nebel
City Manager

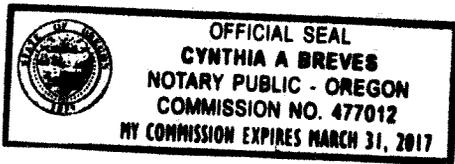
OWNER(S)

Brian Haggerty
Brian Haggerty

STATE OF OREGON)
) ss.
County of Lincoln)

This instrument was acknowledged before me on March 17, 2016 by Spencer Nebel, as City Manager for the City of Newport.

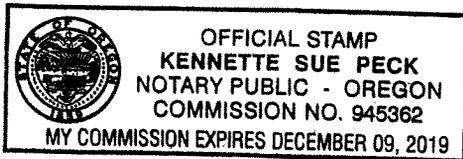
Cynthia A. Breves
Notary Public – State of Oregon



STATE OF OREGON)
) ss.
County of Lincoln)

This instrument was acknowledged before me on June 20, 2016 by Brian Haggerty, owner.

Kennette Sue Peck
Notary Public – State of Oregon



NOTARY PUBLIC
STATE OF MICHIGAN
COMMISSION EXPIRES MARCH 31, 2011
JAMES A. BROWN
10000
10000

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STATE OF MICHIGAN
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