

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

Lincoln County, Oregon

08/26/2022 02:02:40 PM

2022-08288

DOC-WVR/REM

Cnt=1 Pgs=2 Stn=12

\$10.00 \$11.00 \$60.00 \$10.00 \$7.00 - Total = \$98.00



00220568202200082880020022

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 Stephen Aaron Butcher ("Owner").

RECITALS

- A. Owner desires to reconfigure the properties identified Tax Lots 6000, 6200, 6300 and 6400 of Lincoln County Assessor's Map Map 11-11-08-CA. They are further identified as Lots 1, 10, 11 and 12 of Block 1, *Plan of Newport, Oregon* recorded on August 18, 1875 in Lincoln County Plat Book 1, Page 2. The property described in this section will be referred to as "the Property."
- B. Pursuant to Newport Municipal Code (NMC) Chapter 13.05.095(A)(4), an applicant must sign a consent to participate in sewer, water, or street local improvement districts that subject lots would be a part of once those districts are formed. The consent shall be a separate document recorded on the lots or parcels subject to the partition.

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 sewer, water, and street local improvements related to SW Abbey Street and SW 12th Street.
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 12th day of August, 2022

(signatures on the following page)

CITY OF NEWPORT

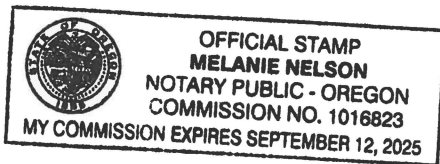
Spencer Nebel
Spencer Nebel

OWNER

Stephen Aaron Butcher
Stephen Aaron Butcher

STATE OF OREGON)
) ss.
County of Lincoln)

This instrument was acknowledged before me on August 12, 2022 by
Spencer Nebel, as City Manager for the City of Newport.



Melanie Nelson
Notary Public – State of Oregon

STATE OF Oregon)
) ss.
County of Lincoln)

This instrument was acknowledged before me on August 26th, 2022 by
Stephen Aaron Butcher, Owner.

Gary Lane Jones
Notary Public – State of Oregon

