

**A G R E E M E N T  
WAIVING OF RIGHT OF REMONSTRANCE  
FOR STORM SEWER DRAINAGE SYSTEM**

THIS AGREEMENT AND WAIVER is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

This Agreement and Waiver is for the benefit of the parties hereto and the City of Durham, Oregon.

The undersigned, \_\_\_\_\_, being the legal fee simple owner(s) of the Real Property hereinafter described and desiring to construct a building upon, or otherwise improve said property, does (do) hereby agree that said Real Property shall be counted in favor of any storm sewer improvements planned by or on behalf of the City of Durham and designed to serve this property. Further, the undersigned agree(s) not to remonstrate against storm sewer improvements and the assessment of Real Property for its proportionate share of the cost thereof.

It is understood that the Durham City Council, in its discretion, may initiate (or cause to be initiated) a Local Improvement District (L. I. D.) providing for the construction of storm sewers at such time as a majority of the owners of property in this area either sign waivers similar to this one, or petition the City for such an improvement, or at such time that it is determined that a storm sewer is required for the health and safety of the public.

It is hereby intended that this Agreement and Waiver shall be binding on ourselves and all subsequent owners of the hereinafter described Real Property, as well as any of the aforesaid's heirs, successors, assignees, or purchasers of the hereinafter described property, and shall burden and run with the title to the said property.

In the event any legal action is necessary to enforce the terms of this Agreement, the prevailing party shall be entitled to recover its cost and reasonable attorney fees.

This Agreement and Waiver shall immediately be recorded in the Deeds Records of WASHINGTON COUNTY.

The Real Property subject to this Agreement and Waiver of Remonstrance is particularly described as follows, to-wit:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

( supply legal description of real property here )

DONE AND DATED THIS \_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

\_\_\_\_\_  
( Name of Organization)

BY: \_\_\_\_\_ TITLE: \_\_\_\_\_

BY: \_\_\_\_\_ TITLE: \_\_\_\_\_

STATE OF OREGON                    )  
  )  
COUNTY OF WASHINGTON         )

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_, personally appeared before me the above named \_\_\_\_\_ and, being first duly sworn, did say that he / she is of \_\_\_\_\_ and he / she signed the foregoing \_\_\_\_\_ on behalf of said corporation by authority of its Board of Directors

\_\_\_\_\_  
Notary Public for the State of Oregon  
My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
(Affix Notary Seal)