

FOR COMMISSIONER FISH

532

After recording return to:
City of Portland
Office of Transportation
Street Systems Management
1120 SW 5th Avenue, Room 800
Portland, Oregon 97204-1971

Recorded in MULTNOMAH COUNTY, OREGON
C. Swick, Deputy Clerk
D79 1
Total : 16.00
2005-134824 07/21/2005 12:30:40pm
ATKLM

R894613950
EAD

4125
2005-108635-000-00-RS

3727 SW Vacuna St. Portland, OR 97219

8847

STREET WAIVER

The undersigned own the following described real property located in the City of Portland, Multnomah County, Oregon:

LOT 5, 05-106261 PR (L27 & 28 & W 25' OF 23-26 BLK 72 WEST PORTLAND -OLD)
2005003959 WD (WARRANTY DEED)

The undersigned owner(s) wishing to divide the above described property or construct a building on the property and in lieu of improving the adjacent streets, as required by City Code, does (do) hereby agree that the property shall be counted in favor of any street improvement planned by the City of Portland and designed to benefit this property.

It is understood that the Portland City Council, in its discretion, may initiate a Local Improvement District(LID), providing for the construction of a fully improved street 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.

The owner(s) may enter testimony into the record in favor or in opposition to the formation of the LID, however, opposition testimony shall not be counted as a remonstrance to the formation of the district. The owner(s) may testify in favor or in opposition to the amount of the assessment or the method of apportionment.

This agreement is for the benefit of the City of Portland and is intended to run with the above described land and bind all subsequent purchasers.

DATED this 28 day of 3, 2005.

INTEX CONSTRUCTION

Joseph Bauschett (Sign)
Joseph Bauschett (Sign)

Corporate Acknowledgment

State of Oregon

County of Multnomah

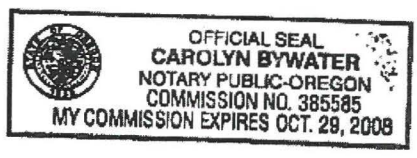
This instrument was acknowledged before me on March 28, 2005

by Joseph Paul Bauschett

as owner of property at 3727 SW Vacuna St (B)
Intex Const

Carolyn Bywater
Notary Public

My commission expires 10-29-08



NOTE FROM JIM BRALY: THIS DOCUMENT WAS NOT DISCLOSED TO US. IT WAS RECORDED 4 MONTHS BEFORE WE BOUGHT OUR HOUSE ON 3727 SW VACUNA STREET.

May 30

Parsons, Susan

From: Jim Braly <jimbraly@gmail.com>
Sent: Friday, April 6, 2018 5:37 PM
To: Parsons, Susan
Subject: appearing before the council?

Hello, Susan,

I would like to address the council on an issue that affects dozens of my neighbors, and perhaps many other home buyers in Portland. We have just found out recently that our house has a "Waiver of Remonstrance" that makes us responsible for maintaining the unimproved street in front of our house. This was not disclosed to us by the title company, the home builder (to whom the waiver was granted), or the real estate agent who represented us, and we never were presented with a document that spelled out this financial liability. It surprises me that this is supposedly a valid, binding document.

I would like to bring this to the council members' attention and urge them to consider some rule or regulation that would make such a disclosure mandatory.

How does a citizen get on the calendar to speak to the council?

Best regards,

Jim Braly

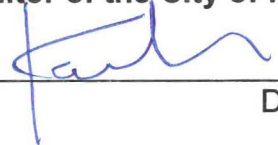
Request of Jim Braly to address Council regarding Waiver of
Remonstrance (Communication)

MAY 30 2018

PLACED ON FILE

Filed MAY 22 2018

MARY HULL CABALLERO
Auditor of the City of Portland

By  Deputy

COMMISSIONERS VOTED AS FOLLOWS:		
	YEAS	NAYS
1. Fritz		
2. Fish		
3. Saltzman		
4. Eudaly		
Wheeler		