



MEMORANDUM

Engineering Services
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Date: August 24, 2026

To: Shana Olson, Development Services Director

From: Kolson Shanks, Project Manager

Subject: Application for Vacation of Public Land - Walker Road and Airway Road Rights-of-Way

BACKGROUND

The City has received an application to vacate a portion of public right-of-way (ROW) on Walker and Airway Roads. The subject ROW was previously dedicated through Linn County Deed Records, Volume 294, Pages 755 and 757, and Volume 296, Page 833.

The application was submitted by Matthew Conser, owner of properties adjacent to the proposed vacation area. A vicinity map, legal description, application materials, and documentation of property owner consent are included for Council's review. Written consent has been obtained from all adjacent landowners and from owners representing at least two-thirds of the affected property by area, in accordance with Oregon Revised Statutes.

The proposed vacation is intended to facilitate a previously approved planned development for a new subdivision. Additionally, with the proposed realignment of 12th Street, Walker Road, and Soltz Hill Road, the existing ROW will no longer be needed for transportation purposes. State law requires a public hearing prior to final action on the vacation request.

RECOMMENDATION

Present the attached application and supporting exhibits for the proposed vacation of public right-of-way to City Council and recommend authorization to proceed with the process, including conducting the required public hearing and adopting the Ordinance for vacating the subject rights-of-way.



City of Lebanon Engineering
925 Main Street, Lebanon, Oregon 97355
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APPLICATION FOR VACATION OF PUBLIC LAND

Applicant	Matthew Conser dba Stoltz Hill MJC LLC Et Al		
Address	1010 Airport Road SE, Albany, OR 97322	Phone	(541) 619-8004
Public Land Proposed for Vacation:	Walker Road and Airway Road street sections		
	(name of street or location)		

SUBMITTALS REQUIRED

- ☒ 1. Petition for adjoining property owners.
- ☒ 2. Legal description of area to be vacated.
- ☒ 3. Vacation Fee of \$750 (Easement) \$1,200 (Street/Alley)

This application STARTS the vacation process required by ORS 271. The final decision as to whether or not to vacate will be made by the Lebanon City Council, after providing Public Notice and conducting a Public Hearing.

Because of the notice and advertising requirements in ORS 271, allow for a minimum of two months from the submittal of the application to recording of the vacation.

Matthew Conser (Apr 2, 2026 19:18:25 EDT)

Signature of Applicant

04/02/2026

Date

Conser Emerald Crossing Street Vacation App Narr

Final Audit Report

2026-04-02

Created:	2026-04-02
By:	Laura LaRoque (laura@pathfinderlanduse.com)
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"Conser Emerald Crossing Street Vacation App Narr" History

-  Document created by Laura LaRoque (laura@pathfinderlanduse.com)
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STREET VACATION APPLICATION NARRATIVE
WALKER ROAD AND AIRWAY ROAD RIGHT-OF-WAY VACATION

1 APPLICATION SUMMARY

Submitted to:	City of Lebanon Planning Division 925 S Main Street, Lebanon, Oregon 97355 541-258-4906 / cdc@lebanonoregon.gov
Owner/Applicant:	Stoltz Hill MJC LLC ET AL 1010 Airport Rd. SE, Albany, OR 97322 Matthew Conser (541) 619-8004 / mjconser1981@gmail.com
Applicant's Representative:	Pathfinder Land Use Consulting, LLC P.O. Box 484, Lebanon, OR 97355 Laura LaRoque (503) 501-7197 / laura@pathfinderlanduse.com
Civil Engineering:	Udell Engineering and Land Survey, LLC 63 E. Ash Street, Lebanon, OR 97355 Brian Vandetta (541) 451-5125 / brian@udelleng.com

2 PROJECT INFORMATION

Location:	Walker Road and Airway Road rights-of-way within Township 12 South, Range 2 West, Section 16
Tax Lots:	12S-02W-16 TL 2301, 2300, & 2305
Request:	Vacation of approximately 3.096 acres of public right-of-way

3 REQUEST

The applicant requests approval of a street vacation to vacate portions of the Walker Road and Airway Road rights-of-way within the project area. The proposed vacation is submitted concurrently with the Emerald Crossing Planned Development and Tentative Subdivision applications and is necessary to facilitate the proposed development.

The location and extent of the proposed vacation are shown on the submitted plans and legal description (Exhibits).

4 EXISTING CONDITIONS

The subject rights-of-way are currently unimproved and do not function as active components of the City's transportation network.

The Walker Road and Airway Road segments within the project area have not been constructed to City street standards and are not currently used for vehicular travel. As such, the right-of-way does not provide an existing transportation function.

The vacation area contains approximately 3,096 acres of right-of-way.

The surrounding area consists of a mix of residential, institutional, and undeveloped land transitioning to urban development consistent with the City's Comprehensive Plan.

5 PURPOSE AND NEED

The proposed street vacation is necessary to facilitate the Emerald Crossing Planned Development, which is currently under review by the City. The Planned Development establishes a coordinated and integrated system of streets, accessways, utilities, and pedestrian connections that differs from the existing right-of-way configuration.

The existing Walker Road and Airway Road rights-of-way reflect legacy alignments that are not consistent with the proposed development layout or current City standards. The proposed vacation allows for:

- Development of a comprehensive internal street network designed to current City standards;
- Efficient lot layout and block configuration;
- Integration of multimodal facilities, including pedestrian and shared-use connections; and
- Preservation and coordination of public utilities through dedicated easements.

LDC Chapter 16.12 (Planned Development) provides a framework for flexible street design where a superior and coordinated development pattern is achieved. The proposed street vacation facilitates the street layout under review through the Planned Development application.

The vacation does not eliminate necessary transportation facilities; rather, it replaces outdated or misaligned right-of-way with a planned and fully functional street system that better serves the site and surrounding area.

6 RELATIONSHIP TO PLANNED DEVELOPMENT

The proposed street vacation is submitted concurrently with the Emerald Crossing Planned Development and Tentative Subdivision applications.

Street vacation is necessary to accommodate the circulation system proposed under the Planned Development. Conversely, Planned Development relies on the vacation of the subject right-of-way to achieve its coordinated design.

Approval of the street vacation can be conditioned to occur concurrently with or after approval and development of the Planned Development. If the Planned Development is not approved or does not proceed, the basis for the street vacation would not be present.

7 ACCESS AND CIRCULATION

The proposed vacation will not result in the loss or impairment of legal access to any property.

All affected parcels will retain legal and practical access through public streets and/or recorded easements. Access easements will be established as necessary to maintain access to affected parcels, and the Planned Development provides a coordinated internal street network designed to ensure safe and efficient circulation.

8 PUBLIC UTILITIES AND EASEMENTS

Existing public utilities will be preserved through the reservation of easements as part of the vacation process.

The proposed vacation includes reservation of a 20-foot public access and utility easement over existing infrastructure, including the westside interceptor sewer, ensuring continued public access and maintenance.

9 PUBLIC INTEREST

Approval of the proposed street vacation is in the public interest, as it facilitates implementation of a coordinated land use plan and results in a more efficient and functional public infrastructure system.

The proposed street vacation:

- Facilitates master-planned development;
- Eliminates unimproved and inefficient right-of-way and allows for development of infrastructure built to current City standards;
- Maintains and enhances access, connectivity, and circulation;
- Preserves public utilities through dedicated easements; and
- Supports orderly urban development consistent with the Comprehensive Plan.

10 CONSISTENCY WITH APPLICABLE LAW

A. ORS CHAPTER 271

The proposed street vacation complies with the requirements of ORS Chapter 271. The application includes the required petition, legal description, and exhibits, and will follow all notice and public hearing procedures. The City has authority to vacate the subject right-of-way pursuant to ORS 271.140.

B. LEBANON DEVELOPMENT CODE

1) Planned Development (LDC Chapter 16.12)

The proposed street vacation facilitates the Planned Development under review and allows flexibility from standard street layouts to achieve a coordinated and efficient design.

2) Transportation and Circulation (LDC Chapter 16.21)

The proposed vacation does not adversely affect the transportation system. The Planned Development provides a replacement street network that maintains connectivity and meets City standards.

3) Access Requirements (LDC Chapter 16.21)

All affected properties retain adequate access through public streets and/or recorded easements.

4) PUBLIC IMPROVEMENTS AND UTILITIES (LDC CHAPTER 16.15)

Public utilities are preserved through the reservation of easements, ensuring continued service and maintenance access.

C. TRANSPORTATION SYSTEM PLAN (2018)

The proposed street vacation is consistent with the City of Lebanon Transportation System Plan in that:

- The subject right-of-way is not identified as an arterial or collector facility necessary to serve the City's planned transportation network;
- The Planned Development provides a replacement street system consistent with City standards;
- Connectivity is maintained through an integrated street and pedestrian network; and
- The proposal results in a more efficient and functional transportation system.

The proposed street vacation does not conflict with any applicable Comprehensive Plan policies, development code provisions, or adopted transportation planning documents.

11 PROPERTY OWNERSHIP AND REVERSION

Upon approval, the vacated right-of-way will revert to abutting property owners in accordance with ORS 271.150.

The distribution of vacated areas and affected properties is shown on the submitted plans.

12 CONCLUSION

The proposed vacation of portions of Walker Road and Airway Road is necessary to facilitate the Emerald Crossing Planned Development currently under review by the City and represents a logical and efficient reconfiguration of the local street system.

The request:

- Facilitates a coordinated Planned Development design;
- Maintains access and connectivity;
- Preserves public utilities through easements;
- Replaces outdated right-of-way with infrastructure meeting current standards; and
- Serves the public interest.

The applicant has demonstrated that the proposed street vacation is consistent with applicable state law and local regulations, will not adversely affect public access or transportation facilities, and is necessary to facilitate the Planned Development.

Based on the foregoing, the applicant respectfully requests approval of the proposed street vacation.

13 EXHIBITS

- A. Exhibit A - Legal Description, dated April 2, 2026
- B. Exhibit B - Vacation Exhibit Map, dated April 2, 2026
- C. Exhibit C – Petition Signatures, dated April 7 and April 30, 2026

Walker Road and Airway Road Street Vacation

Legal Description

A portion of Walker Road and Airway Road in the SW ¼ of Section 15 and the SE ¼ of Section 16 in Township 12 South, Range 2 West of the Willamette Meridian, City of Lebanon, Linn County, State of Oregon more particularly described as follows:

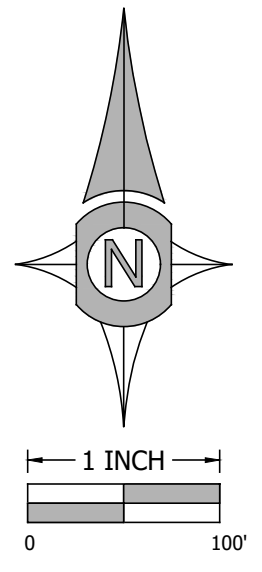
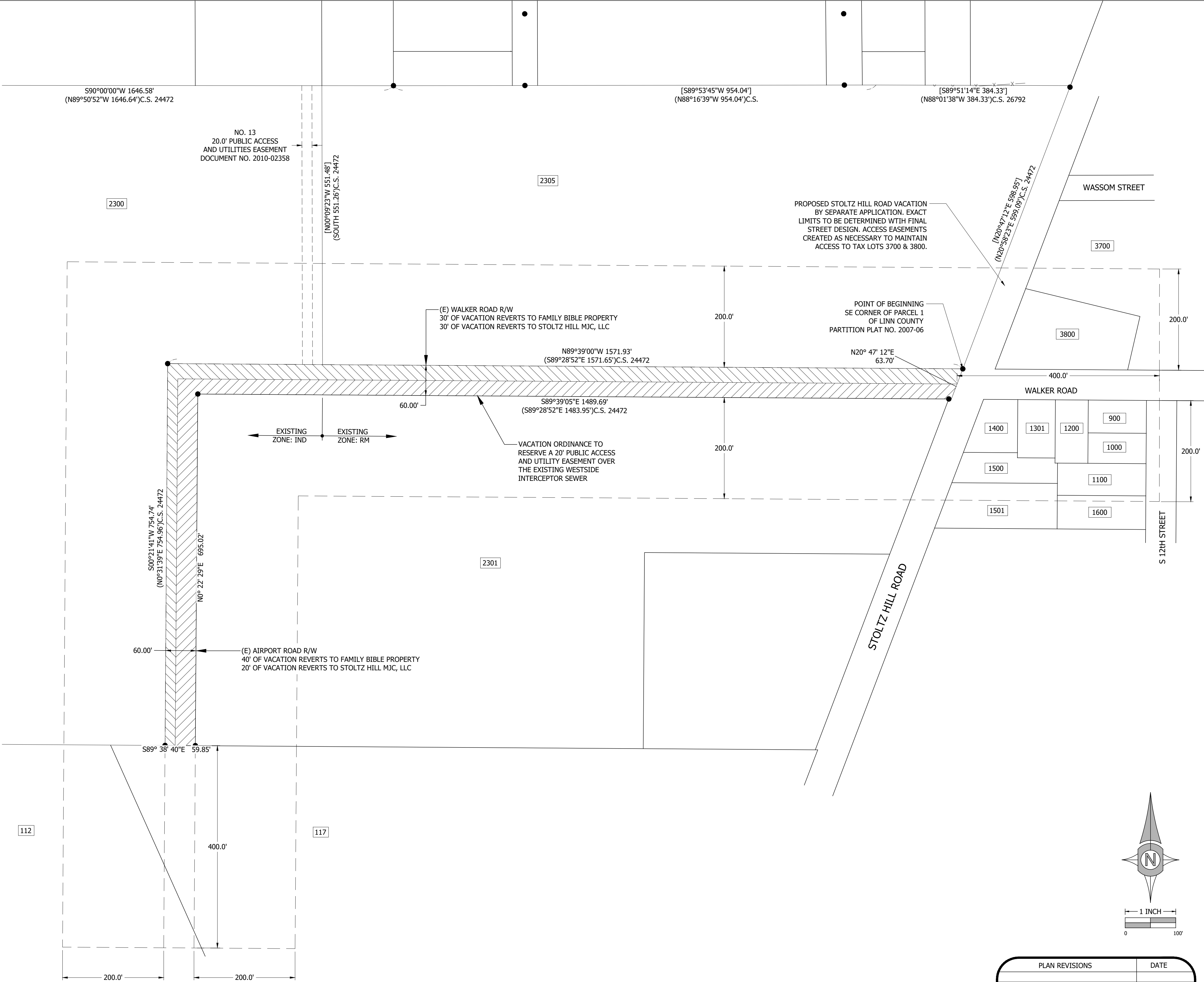
Beginning at a 5/8-inch iron rod on the west right of way of Stoltz Hill Road and also marking the southeast corner of Parcel 1 of Linn County Partition Plat No. 2007-06; thence leaving said right of way, North 89°39'00" West 1571.93 feet to a 5/8-inch iron rod; thence South 00°21'41" West 754.74 feet to a 5/8-inch iron rod; thence South 89°38'40" East 59.85 feet to a point; thence North 00°22'29" East 695.02 feet to a 5/8-inch iron rod; thence South 89°39'05" East 1489.69 feet to a point on the said west right of way of Stoltz Hill Road; thence North 20°47'12" East 63.70 feet to the point of beginning.

Contains 3.096 acres±

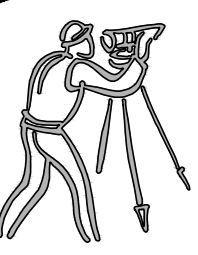


AFFECTED PROPERTY TABLE			
LOT NUMBER	OWNER	AREA OF PROPERTY AFFECTED	PERCENT OF AFFECTED AREA
112	ROCKHILL, LLC AND 4L VENTURES, LLC TAX LOT 112 MAP 12S02W21 NO ADDRESS	1.55 AC±	5.68%
117	JOHN & MOLLY MARTENEY TAX LOT 117 MAP 12S02W21 2884 STOLTZ HILL ROAD	2.12 AC±	7.77%
900	SAXTON, DARRELL TAX LOT 900 MAP 12S02W22BB 2610 S 12th STREET	0.16 AC±	0.59%
1000	DONALD W & CAROL E MCCLURE FAMILY TRUST TAX LOT 1000 MAP 12S02W22BB 2618 S 12th STREET	0.16 AC±	0.59%
1100	NEUHAUS FAMILY TRUST TAX LOT 1100 MAP 12S02W22BB 2638 S 12th STREET	0.26 AC±	0.95%
1200	TOPP, CASEY & JANESEA TAX LOT 1200 MAP 12S02W22BB 1201 WALKER ROAD	0.19 AC±	0.70%
1301	WHITTIER, MELVIN & KAREN TAX LOT 1301 MAP 12S02W22BB 1227 WALKER ROAD	0.19 AC±	0.70%
1400	MIKITCHENKO PETER F & VALENTINA N TAX LOT 1400 MAP 12S02W22BB 2611 STOLTZ HILL ROAD	0.21 AC	0.77%
1500	HIGHSMITH JERRY & LINDA TAX LOT 1500 MAP 12S02W22BB 2655 STOLTZ HILL ROAD	0.25 AC	0.92%
1501	BOLMAN, JILL & BRIAN TAX LOT 1501 MAP 12S02W22BB 2671 STOLTZ HILL ROAD	0.17 AC±	0.62%
1600	HOLT LIVING TRUST TAX LOT 1600 MAP 12S02W22BB 2650 S 12th STREET	0.04 AC±	0.15%
2300	STOLTZ HILL MJC, LLC TAX LOT 2300 MAP 12S02W16 NO ADDRESS	5.78 AC±	21.18%
2301	COMMUNITY BIBLE CHURCH OF LEBANON TAX LOT 2301 MAP 12S02W16 2600 STOLTZ HILL ROAD	8.91 AC±	32.64%
2305	STOLTZ HILL MJC, LLC TAX LOT 2305 MAP 12S02W16 NO ADDRESS	5.98 AC±	21.90%
3700	JEFFREY & JONI HORACK TAX LOT 3700 MAP 12S02W15CD 2515 STOLTZ HILL ROAD	0.55 AC±	2.02%
3800	WESTERHAM TURNER STEVEN ESTATE TAX LOT 3800 MAP 12S02W15CD 2555 STOLTZ HILL ROAD	0.77 AC	2.82%

TOTAL AREA
AFFECTED BY VACATION = 27.29 AC±



PLAN REVISIONS	DATE


CLIENT:
STOLTZ HILL MJC, LLC
1010 AIRPORT ROAD SE
ALBANY, OREGON
(541) 791-9310

**UDELL ENGINEERING
AND
LAND SURVEYING, LLC**
63 EAST ASH ST.
LEBANON, OREGON 97355
(541) 451-5125 PH.
(541) 451-1366 FAX

PROPOSED STREET VACATION
PLANNED DEVELOPMENT/
TENTATIVE SUBDIVISION
EMERALD CROSSING
MAP 12S-2W-16 TAX LOTS 2300 & 2305
LEBANON, OREGON

DATE:
APRIL 2, 2026
PROJECT:
24-098 CONSER STOLTZ HILL
DRAWN BY:
MLM
CHECKED BY:
BSV

THIS MAP WAS
PREPARED FOR
PLANNING
PURPOSES ONLY

Sheet **C1.1**
SCALE: SEE BARSCALE

PETITION FOR STREET VACATION
Walker Road and Airway Road Right-of-Way Vacation
City of Lebanon, Oregon

I. PETITION STATEMENT

We, the undersigned property owners, hereby petition the City of Lebanon to vacate portions of the Walker Road and Airway Road rights-of-way located within Township 12 South, Range 2 West, Sections 15 and 16, Linn County, Oregon.

The proposed vacation area is more particularly described in Exhibit A (Legal Description) and depicted in Exhibit B (Vacation Exhibit Map).

This petition is submitted pursuant to ORS 271.080.

II. PROPERTY OWNER SIGNATURES

The following property owners are identified based on the submitted exhibit map and affected property table.

SIGNATURE TABLE

Tax Lot Map No.	Property Owner Name	Mailing Address	Signature	Date
2300 12S-02W-16	Stoltz Hill MJC, LLC	No Address	<i>Matthew J. Conser</i>	<i>04/02/2026</i>
2305 12S-02W-16	Stoltz Hill MJC, LLC	No Address	<i>[Signature]</i>	<i>04/02/2026</i>
2301 12S-02W-16	Community Bible Church of Lebanon	2600 Stoltz Hill Road	<i>[Signature]</i>	<i>4/30/2026</i>
1400 12S-02W-22BB	Mikitchenko, Peter F. & Valentina N.	2611 Stoltz Hill Road		
3800 12S-02W-15CD	Westerham Turner Steven Estate	2555 Stoltz Hill Road		
3700 12S-02W-15CD	Jeffrey & Joni Horack	2515 Stoltz Hill Road		
117 12S-02W-21	John & Molly Marteney	2884 Stoltz Hill Road		
112 12S-02W-21	Rockhill, LLC & 4L Ventures, LLC	No Address		

Tax Lot Map No.	Property Owner Name	Mailing Address	Signature	Date
1500	12S-02W-22BB Highsmith, Jerry & Linda	2655 Stoltz Hill Road		
1501	12S-02W-22BB Bolman, Jill & Brian	2671 Stoltz Hill Road		
1301	12S-02W-22BB Whittier, Melvin & Karen	1227 Walker Road		
1200	12S-02W-22BB Topp, Casey & Janessa	1201 Walker Road		
900	12S-02W-22BB Saxton, Darrell	2610 S 12th Street		
1000	12S-02W-22BB Donald W. & Carol E. McClure Family Trust	2618 S 12th Street		
1100	12S-02W-22BB Neuhaus Family Trust	2638 S 12th Street		
1600	12S-02W-22BB Holt Living Trust	2650 S 12th Street		

III. SIGNATURE CERTIFICATION

Each undersigned property owner certifies that:

1. They are the legal owner or authorized representative of the property identified above;
2. They have reviewed the proposed street vacation and associated exhibits;
3. They consent to the proposed vacation of the subject right-of-way; and
4. They understand that the vacated right-of-way will revert to abutting property owners in accordance with ORS 271.150, unless otherwise provided by law.