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MEMORANDUM

City Manager's Office

Date: February 17, 2026

To: Mayor Jackola and City Council
From: Ron Whitlatch, City Manager
Subject: Third Street Statutory Warranty Deed Approval

Introduction

This item was brought before the City Council on January 14, 2026, and approved. However, due to an access easement issue, the Statutory Warranty Deed has been updated to include an access easement to Tax Lot 5500.

In conjunction with the sale of the Santiam Travel Station property, the City is addressing ownership of a portion of what is commonly referred to as Third Street. As part of this process, the City will issue a Statutory Warranty Deed for the easterly 37 feet of the area currently identified as Third Street. The attached Statutory Warranty Deed pertains solely to this easterly 37-foot portion and is necessary to ensure a clear title before closing on the property sale.

Background

Staff has been working with the owner of Tax Lot 5500 (see exhibit map) to provide an access easement to an existing driveway prior to completing the sale of the Santiam Travel Station and what was formerly Third Street. The property owner of 5500 has refused to sign an easement for access. The attached Statutory Warranty Deed has been updated to include the easement so that access, as it currently exists, can be retained.

As a general practice, a jurisdiction vacates a public right-of-way when it is no longer needed for public use. During the initial review associated with the proposed vacation of Third Street related to the property sale, staff identified a discrepancy in the historic records.

Further research conducted by City staff, Udell Engineering, and the City Attorney's Office determined that the easterly 37 feet of Third Street, located between Grant Street and Sherman Street, was never formally dedicated or accepted as a public right-of-way.

Because this portion of Third Street was never established as a right-of-way, it is considered real property owned by the City rather than a public right-of-way. As a result, a formal street vacation process is not required.

Recording the attached Statutory Warranty Deed will formally convey this portion of the property. It must be completed before the Santiam Travel Station sale closes to ensure accurate and complete property records. It should also be noted that the City will retain a Public Utility Easement over the entire portion of this property to maintain existing public utilities.

Recommendation

Staff recommends that the City Council approve the updated attached Statutory Warranty Deed authorizing conveyance of the easterly 37 feet of Third Street as part of the sale of the Santiam Travel Station property.