



925 S. Main Street
Lebanon, Oregon 97355

TEL: 541.258.4918
www.ci.lebanon.or.us

MEMORANDUM

Engineering Services

To: Ron Whitlatch, PE
Engineering Services Director

Date: March 26, 2024

From: Shana Olson
Project Manager

Subject: Easement – Airport Rd Storage

The attached easement for public access and dedication is to be presented for City Council approval. This easement is for the access to new construction water main with hydrants through the project.

Staff recommendation is to approve the easement dedication and authorize the Interim City Manager to sign it.

THE CITY THAT FRIENDLINESS BUILT



EASEMENT FOR PUBLIC ACCESS AND UTILITIES

THIS AGREEMENT, made and entered into this 6th day of March, 2024 by and between Timbermill Self Storage, LLC, (Address): 225 E Airport Rd, Lebanon OR 97355, herein called **Grantors**, and the **CITY OF LEBANON** (Address): 925 Main Street, Lebanon, Oregon 97355, a Municipal corporation, herein called "**City**."

WITNESSETH:

That for and in consideration of the total compensation to be paid by the City, the Grantor does bargain, sell, convey and transfer unto the City of Lebanon, a perpetual and permanent easement and right-of-way, including the right to enter upon the real property hereinafter described and to maintain and repair public utilities for the purpose of conveying public utilities services over, across, through and under the lands hereinafter described, together with the right to excavate and refill ditches and/or trenches for the location of the said public utilities and the further right to remove trees, bushes, under-growth and other obstructions interfering with the location and maintenance of the said public utilities.

This agreement is subject to the following terms and conditions:

1. The right-of-way hereby granted is described as follows:

SEE "EXHIBIT A" ATTACHED
2. The permanent easement described herein grants to the City and to its successors, assigns, authorized agents or contractors, the perpetual right to enter upon said easement at any time that it may see fit for construction, maintenance, evaluation and/or repair purposes.
3. The easement granted is in consideration of \$0.00, the receipt of which is hereby acknowledged, and in further consideration of the public improvements to be placed upon said property and the benefits Grantor may obtain therefrom. Nothing herein shall reduce or limit grantor's obligation to pay any costs or assessments which may result from the improvements.
4. The Grantor does hereby covenant with the City that Grantor is lawfully seized and possessed of the real property above described, has a good and lawful right to convey it or any part thereof, and will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.
5. Upon performing any maintenance, the City will make reasonable efforts to return the site to its original condition.
6. No permanent structure shall be constructed on this easement.

IN WITNESS WHEREOF, we have set our hands hereto this 6th day of March, 2024

STATE OF OREGON)
County of Linn)ss.
City of Lebanon)

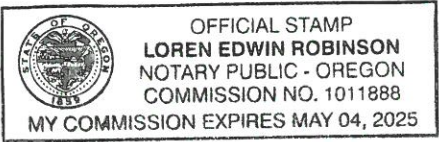
Timbermill Self Storage LLC by E Investments LLC by Eric Swanson
[Signature]

GRANTOR(S)

On the 6th day of March, 2024 personally appeared the within named Eric Swanson who acknowledged the foregoing instrument to be a voluntary act and deed.

BEFORE ME: [Signature]
NOTARY PUBLIC FOR OREGON

Commission Expires: May 4, 2025



IN WITNESS WHEREOF, we have set our hands hereto this _____ day of _____, 2023

STATE OF OREGON)
County of Linn)ss.
City of Lebanon)

By: Ron Whitlatch, Interim City Manager

GRANTEES

On the _____ day of _____, 2023 personally appeared who being duly sworn, did say that the above is the city Manager for the City of Lebanon, a Municipal Corporation, and that the seal affixed to the foregoing instrument was signed and sealed in behalf of said corporation by authority of its City Council, which accepted this easement on the _____ day of _____

BEFORE ME: _____
NOTARY PUBLIC FOR OREGON

Commission expires: _____

AREA RESERVED
FOR USE BY
LINN COUNTY RECORDER

EXHIBIT A

PUBLIC UTILITY EASEMENT

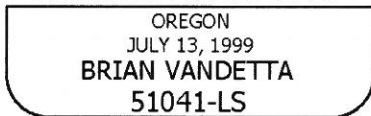
AN AREA OF LAND IN THE EAST HALF OF SECTION 14, TOWNSHIP 12 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, LINN COUNTY, OREGON MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE LAND DESCRIBED IN LINN COUNTY DEED VOLUME 851 PAGE 574; THENCE SOUTH 89°37'35" WEST FOR A DISTANCE OF 62.92 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 89°37'35" WEST FOR A DISTANCE OF 330.31 FEET; THENCE SOUTH 00°22'25" EAST FOR A DISTANCE OF 8.85 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY OF AIRPORT ROAD; THENCE ALONG THE ARC OF A 437.00 FOOT RADIUS CURVE TO THE LEFT FOR A DISTANCE OF 10.60 FEET (CHORD BEARS NORTH 70°59'57" WEST FOR A DISTANCE OF 10.60 FEET); THENCE, LEAVING SAID RIGHT-OF-WAY, NORTH 00°22'25" WEST FOR A DISTANCE OF 20.34 FEET; THENCE NORTH 89°37'35" EAST FOR A DISTANCE OF 176.32 FEET; THENCE NORTH 00°15'38" WEST FOR A DISTANCE OF 144.75 FEET; THENCE SOUTH 89°44'22" WEST FOR A DISTANCE OF 4.25 FEET; THENCE NORTH 00°15'38" WEST FOR A DISTANCE OF 10.00 FEET; THENCE NORTH 89°44'22" EAST FOR A DISTANCE OF 19.25 FEET; THENCE SOUTH 00°15'38" EAST FOR A DISTANCE OF 154.72 FEET; THENCE NORTH 89°37'35" EAST FOR A DISTANCE OF 148.99 FEET; THENCE SOUTH 00°22'25" EAST FOR A DISTANCE OF 15.00 FEET TO THE TRUE POINT OF BEGINNING.

THE ABOVE DESCRIBED AREA CONTAINS ±7,538.89 SQUARE FEET. SEE "EXHIBIT B" FOR A MAP OF THE DESCRIBED AREA.



Brian Vandetta
2024.02.15 11:42:23-08'00'



EXPIRES 06-30-2024

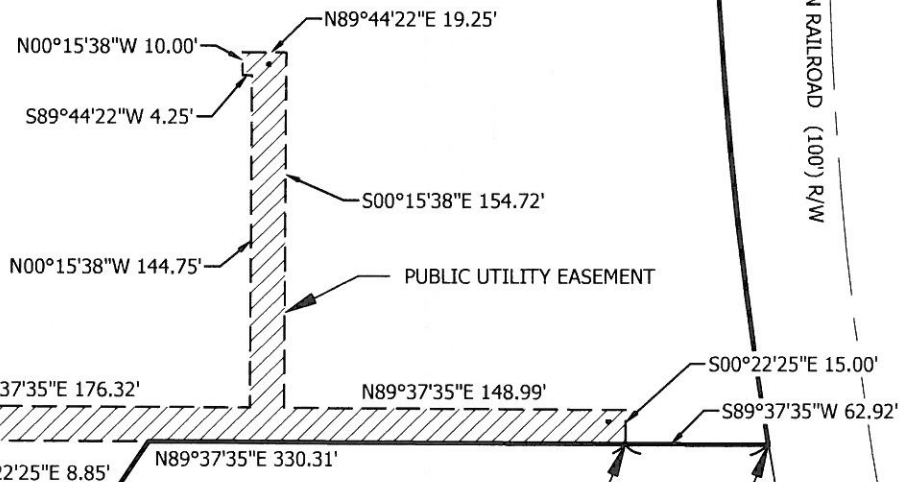
SAFEWAY STORES
TAX LOT 9000
MAP 12S02W14BC

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Brian Vandetta
2024.02.15 11:45:03-08'00'

OREGON
JULY 13, 1999
BRIAN VANDETTA
51041-LS
EXPIRES 06-30-2024

LT HOLDINGS, LLC
DEED VOLUME 851, PAGE 574
TAX LOT 9100
MAP 12S02W14BC



LEGEND

Δ	DELTA
L	LINE
LC	LINE CHORD
R/W	RIGHT OF WAY
R	RADIUS
—	BOUNDARY LINE
- - -	EASEMENT LINE
---	LOT LINE



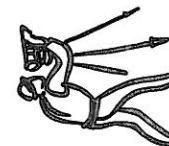
SCALE: 1" = 80'



UDELL ENGINEERING
AND
LAND SURVEYING, LLC
63 EAST ASH ST.
LEBANON, OREGON, 97355
541-451-5125

EXHIBIT "B"
LT HOLDINGS, LLC
PUBLIC WATERLINE EASEMENT
LEBANON, OREGON

Date 02/06/2024
Project 19-332 LT HOLDINGS
AIRPORT RD STORAGE
Drawn by ATN, NDI
Checked by BSV



SHEET 1
of

SCALE: AS NOTED