



925 S. Main Street
Lebanon, Oregon 97355

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

MEMORANDUM

Engineering Services

To: Ron Whitlatch, PE
City Manager &
Engineering Services Director

Date: October 28, 2024

From: Shana Olson
Project Manager

Subject: Irrevocable Petition for Public
Improvements Dedication – W Sherman St

The attached irrevocable petition is to be presented for approval at the next City Council meeting.

The petition is for the future public street improvements along W Sherman Street.

Staff's recommendation is to approve the irrevocable petition and authorize the City Manager to sign it.

IRREVOCABLE PETITION FOR PUBLIC IMPROVEMENTS

Date: AUGUST 30TH, 2024

PETITIONER(S): R&D Gray Inc

ADDRESS: 30787 SW Larson Rd
Lebanon, Or 97355

Petitioners are the owner(s) of the following described real property:

See Exhibit "A"

Said property is currently Tax Lot 5200 of Linn County Assessor's map 12 S -- 2 W -- 10 CA.
Said property is presently assigned the mail address as 852 & 854 W Sherman St Lebanon OR 97355

Petitioner hereby irrevocably petitions the City of Lebanon (925 Main St., Lebanon, Oregon) to initiate the following local improvements in accordance with the standard specifications of the City:

City standard public street, curb, gutter, driveway, and along W Sherman Street.

This petition is presented to the City of Lebanon so that Petitioner's property may be developed and receive municipal services from the City which will directly benefit Petitioner's property and shall remain in force and effect for 20 years from the date hereof.

It is understood by Petitioner that:

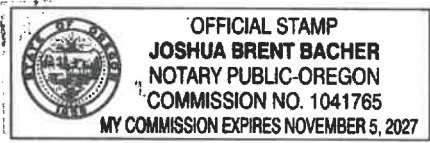
1. The cost of the improvements shall be borne by the benefited property in accordance with state law, the Charter of the City of Lebanon and its ordinances and policies.
2. The City in its sole discretion may initiate the construction of all or part of the local improvements requested or may join all or part of Petitioner's property with other property when creating a local improvement assessment district.
3. Petitioner and Petitioner's heirs, assigns and successors in interest in the property shall be bound by this irrevocable petition which will run with the property and will be recorded by the City in the deed records of Linn County.
4. Petitioner declares that the public improvements herein sought will directly benefit the described property and will directly benefit the City through improvements to the public way and public utilities serving the property and other properties in the vicinity.
5. Petitioner shall not challenge the formation of a local improvement assessment district by the City and in any proceedings therein will acknowledge this petition of requested to do so by the City.
6. If the City is required to file an action in any court of competent jurisdiction to enforce the language in this petition or to prohibit the violation of any of the covenants contained herein, the prevailing party shall be entitled to recover reasonable attorney fees and costs and disbursements if litigation at trial or on appeal.
7. In construing this petition singular words include the plural.

AREA RESERVED
FOR USE BY
LINN COUNTY RECORDER

PETITIONER(S): X *[Signature]* Randy Gray
X Secretary

STATE OF OREGON)
) ss.
COUNTY OF LINN)

On the 30TH day of AUGUST, 20 24, personally appeared the above
named RANDY GRAY who acknowledged the foregoing
instrument to be his/her voluntary act and deed.



BEFORE ME: *[Signature]*
Notary Public for Oregon
My Commission Expires: NOVEMBER 5, 2027

CITY OF LEBANON

By: _____
Ron Whitlatch, Interim City Manager

STATE OF OREGON)
) ss.
COUNTY OF LINN)

On the _____ day of _____, 20 _____, personally appeared, who each being
duly sworn, did say that the above is 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 irrevocable petition on the _____ day of _____, 2023, and
who acknowledge said instrument to be a voluntary act and deed.

BEFORE ME: _____
Notary Public for Oregon
My Commission Expires:

Exhibit A

N.E. 1/4 S.W. 1/4 SEC. 10 T. 12S. R. 2W. W.M.
Linn County
1" = 300'

12S02W10CA
LEBANON
Classified Nos
2291
670

FOR ASSESSMENT AND
TAXATION ONLY



SEE MAP 12 2W 10CB

SEE MAP 12 2W 10CB

SEE MAP 12 2W 10BD

SEE MAP 12 2W 10DB

SEE MAP 12 2W 10DB

SEE MAP 12 2W 10CB

12S02W10CA
LEBANON
12/12/2023