



925 S. Main Street  
Lebanon, Oregon 97355

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

# MEMORANDUM

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*Engineering Services*

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

From: Shana Olson   
Project Manager

Subject: Easement – Black Rock Apartments

Date: March 3, 2025

The attached public utility easement for public access and dedication is to be presented for City Council approval. This easement is for the newly constructed franchise utilities.

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

EASEMENT FOR PUBLIC ACCESS AND UTILITIES

THIS AGREEMENT, made and entered into this 31 day of October, 2024 by and between Quality Plus Interiors, LLC C/O Lazar Kalugin, (Address): 1802 Centennial St Woodburn, OR 97071, 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
SEE "EXHIBIT B" 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 31 day of October, 2024.

IN WITNESS WHEREOF, we have set our hands hereto this \_\_\_ day of \_\_\_, 2024

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

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

[Handwritten signature of Lazar Kalugin]

By: Ron Whitlatch, City Manager

Lazar Kalugin
President of Quality Plus Interior, LLC
GRANTOR(S)

GRANTEES

On the 31 day of October, 2024 personally appeared the within named Lazar Kalugin who acknowledged the foregoing instrument to be a voluntary act and deed.

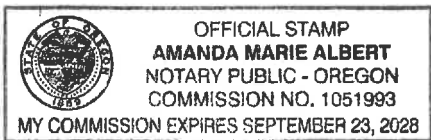
On the \_\_\_ day of \_\_\_, 2024 personally appeared who being duly sworn, did say that the above is the city Manager for the City of Lebanon, a Municipal Corporation, and that the seal affixed to the foregoing instrument was signed and sealed in behalf of said corporation by authority of its City Council, which accepted this easement on the \_\_\_ day of \_\_\_

BEFORE ME: [Handwritten signature of Amanda Albert]
NOTARY PUBLIC FOR OREGON

BEFORE ME: \_\_\_\_\_
NOTARY PUBLIC FOR OREGON

Commission Expires: September 23, 2028

Commission expires: \_\_\_\_\_



Legal Description  
Exhibit "A"

An area of land located in the Southeast ¼ of Section 15, Township 12 South, Range 2 West, of the Willamette Meridian in City of Lebanon, Linn County, State of Oregon and being more specifically described as follows:

Beginning at the Southeast corner of Area A, Linn County survey 27566 along the westerly right-of-way of Second St; thence Northerly along said right-of-way North 07°01'17" West 10.02 feet; thence leaving said right-of-way, South 86°21'13" West 160.79 feet; thence North 03°27'07" West 72.00 feet; thence South 86°21'13" West 10.00 feet; thence South 03°27'07" East 82.00 feet to the Southerly line of said Area A; thence along said Southerly line North 86°21'13" East 171.42 feet to the point of beginning.

The above-described area contains 2431 square feet. See exhibit "B" for a map of the described area.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Brian Vandetta*

OREGON  
JULY 13, 1999  
BRIAN VANDETTA  
51041-LS

RENEWAL JUNE 30, 2026

Udell Engineering & Land Surveying, LLC  
63 East Ash Street, Lebanon, OR 97355  
Ph: 541-451-5125 • Fax: 541-451-1366

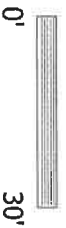
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AIRPORT RD (R/W VARIES)

FUTURE R/W DEDICATION



SCALE: 1" = 30'



2ND ST (60' R/W)

HARDING DAVID W &  
GLEDHILL WANDA L  
MAP 12S-02W-15DA  
LOT 02300

LEAL AUSTIN  
MAP 12S-02W-15DA  
LOT 02303

S86°21'13"W 10.00'

S03°27'07"E 82.00'

N03°27'07"W 72.00'

EASEMENT AREA 2431 SF

QUALITY PLUS INTERIORS, LLC

MAP 12S-02W-15DA  
LOT 02100

LINN COUNTY SURVEY 27566

S86°21'13"W 160.79'

N86°21'13"E 171.42'

SPURGEON JEANNETTE L  
MAP 12S-02W-15DA  
LOT 02400

POINT OF BEGINNING  
SE CORNER OF AREA A  
LINN COUNTY SURVEY 27566

N07°01'17"W 10.02'

EXHIBIT "B" PUE MAP  
QPI BLACKROCK APARTMENTS  
12S-02W-15DA 2100  
LEBANON, OREGON

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

Date 09/24/2024  
Project 22-197  
QPI APARTMENT  
Drawn by NDJ  
Checked by BSV



SHEET 1  
of 1  
SCALE: AS NOTED