

**Before the Board of County Commissioners for Linn County, Oregon**

In the matter of annexation of property to the  
Lebanon Rural Fire Protection District.

Petition for Annexation of a Single Parcel of  
Land (ORS 198.857)

Pursuant to ORS 198.857, we, the undersigned owners of the land proposed for annexation, hereby petition and request that the Linn County Board of Commissioners initiate proceedings and approve a change of organization for the annexation of the real property described on page 2 to the Lebanon Rural Fire Protection District.

In accordance with the provisions of Chapter 198 of the Oregon Revised Statutes (Special Districts Generally), the following information is provided by the petitioners:

1. The district affected by this petition and its principal act is as follows:
  - District Name: Lebanon Rural Fire Protection District
  - Principal Act: 478
2. The principal county, as defined in ORS 198.705(16), is: Linn County
  - Other affected counties are: \_\_\_\_\_
3. The proposed annexation includes the territory described on page 2 and has been approved and endorsed by the district named on page 5.
4. The proposed change of organization is the annexation of the property described on page 2 to the existing district.
5. As indicated beside each signature below, the signers of this petition are owners of the land proposed for annexation to the district.
6. The petitioners request that proceedings be initiated for the proposed annexation pursuant to ORS 198.857.
7. It is proposed that the proposed annexation be subject to the following terms and conditions:

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**Description of Area to Be Annexed**

This is a legal description and must be completed and signed by a professional land surveyor. If the description is too lengthy to fit in the space provided, it may be attached as an exhibit. Be sure to also include a map of the territory to be annexed.

\_\_\_\_\_  
See Attached Deed/Legal  
\_\_\_\_\_  
Map  
\_\_\_\_\_

**Certificate of Surveyor**

The undersigned, an Oregon Registered Professional Land Surveyor, certifies that the attached legal description complies with the requirements of ORS 308.225(2)(b).

Signature: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Registration Number: \_\_\_\_\_

The Linn County Board of Commissioners will hear and decide only on the boundary described in the petition, subject to any modifications they may make. After their decision, they will file the final approval with the Department of Revenue, the Secretary of State, the County Assessor, and the County Clerk. State statutes require that the description comply with the following provisions.

ORS 308.225 establishes the requirements for descriptions of the area to be annexed:

- A. Except as is otherwise provided in sub-paragraph (B) of this paragraph, the legal description of the boundary change shall consist of a series of courses in which the first course shall start at a point of beginning and the final course shall end at the point of beginning. Each course shall be identified by bearings and distances and, when available, refer to deed lines, deed corners and other monuments, or in lieu of bearings and distances, be identified by reference to:
  - I. Township, range, section, or section subdivision lines of the US Rectangular Survey system.
  - II. Survey center line or right of way lines of public roads, streets, or highways.
  - III. Ordinary high water or ordinary low water of tidal lands.
  - IV. Right of way lines of railroads.
  - V. Any line identified on the plat of any recorded subdivision defined in ORS 92.010.
  - VI. Donation land claims.
  - VII. Line of ordinary high water and line of ordinary low water of rivers and streams, as defined in ORS 274.005, or the thread of rivers and streams.
  
- B. In lieu of the requirements of sub-paragraph (A) of this paragraph, boundary change areas conforming to areas of the US Rectangular Survey may be described by township, section, quarter-section, or quarter-quarter section. If the areas conform to subdivision lots and blocks, they may be described by lot and block description.

**Petitioner's Signature Page**

In witness whereof we have signed this petition on the date indicated. Unless otherwise indicated, acres owned are in Linn County and in the territory subject to this petition. Include the following information: 1) Date of signing, 2) the number of acres of land owned by the signer in the territory to be annexed, and the county if other than Linn County, next to your signature.

Property Address	Acres Owned
<u>30349 Ty Valley Rd.</u>	<u>1.11</u>
<u>Lebanon Oregon</u>	

Signature	Print Name	Date Signed
<u>Howard Beachy</u>	<u>Howard Beachy</u>	<u>10 / 1 / 25</u>

Property Address	Acres Owned
_____	_____
_____	

Signature	Print Name	Date Signed
_____	_____	<u> / / </u>

Property Address	Acres Owned
_____	_____
_____	

Signature	Print Name	Date Signed
_____	_____	<u> / / </u>

**Approval of Petition by District Board**

Pursuant to a resolution of the Board of Directors of the Lebanon Rural Fire Protection District, the property described on page 2 is hereby endorsed and approved for annexation to the Lebanon Rural Fire Protection District.

Dated \_\_\_\_\_, day of \_\_\_\_\_, 20\_\_\_\_,

By: \_\_\_\_\_

\_\_\_\_\_

**When you have completed all sections, return this to the Linn County Clerk's Office to be reviewed and offered for filing.**

## Sample Legal Property Descriptions

### Sample 1:

. . . the following described property, situated in the Parish of Vernon, Louisiana, to-wit:-

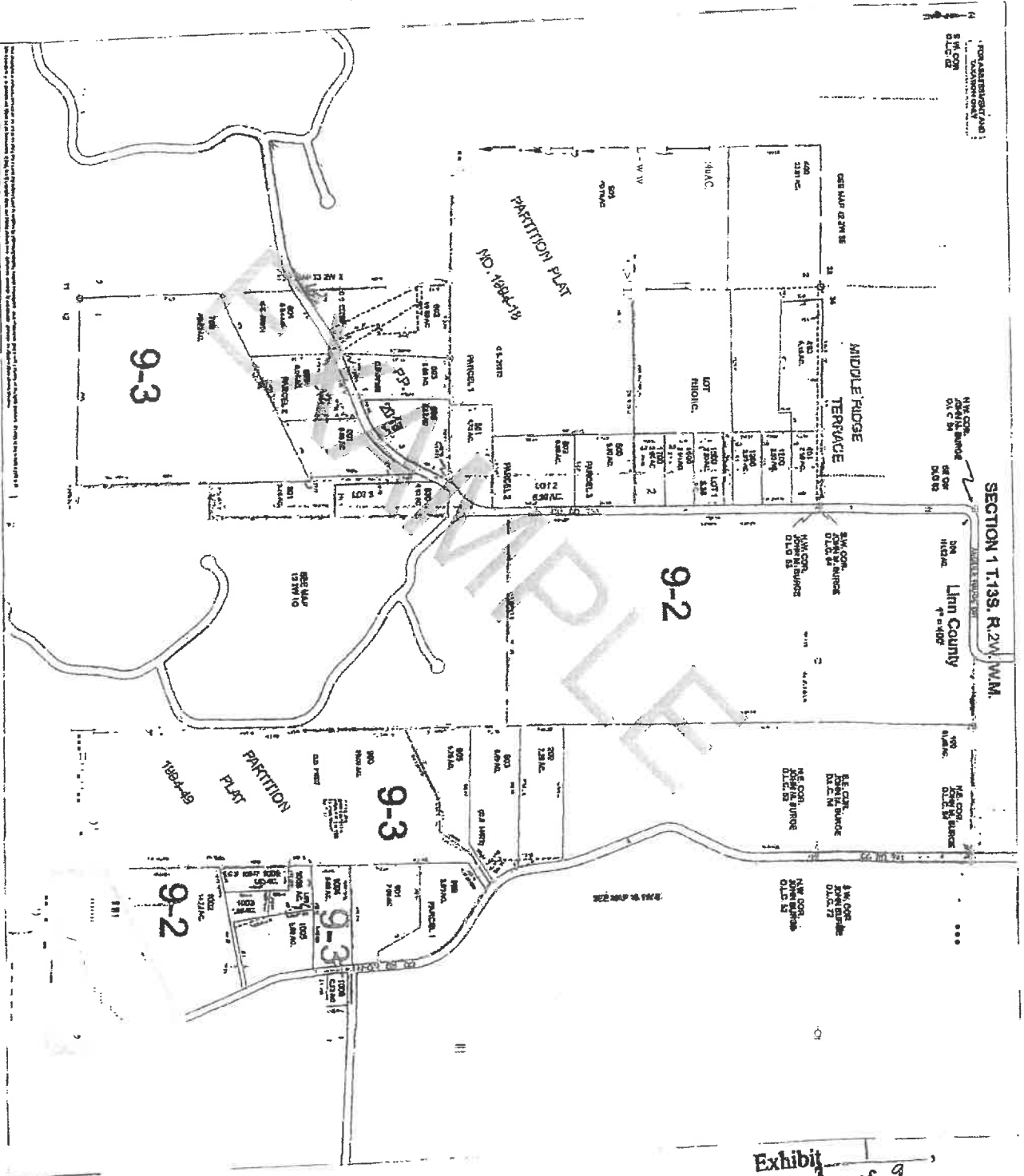
Southwest quarter of Southwest quarter (SW  $\frac{1}{4}$  of SW  $\frac{1}{4}$ ) and West Half of Southeast quarter of Southwest quarter (W $\frac{1}{2}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section Eleven (11), Township Four (4) North of Range Eight (8) West, containing sixty (60) acres of land, more or less, together with the residence, garage, barns and garden used by J. H. Kurth, Jr. for the past ten (10) years, and also the garage building now being used as a pipe storage room, but there is excepted from this sale all other buildings and improvements on said property which are expressly reserved by the vendor.

### Sample 2:

A certain tract of land situated in the Parish of Assumption, State of Louisiana, on the right descending bank of Bayou Lafourche, and forming part of the Trinity Plantation, and having a front on the public road of Bayou Lafourche of Two Hundred Eight and 70/100 (208.70') feet with the same width in the rear, and running back from said public road, between parallel lines, the upper line of said lot measuring Nine Hundred and Eighty-two (982') feet in length; the starting point of said lower line from Bayou Lafourche beginning a distance of Nine Hundred and Eighty-two (982') feet from the lower line of Trinity Plantation, and which property is fully described on a plan of survey made by J. Martin Rhodes, C. E., on February 8, 1909, and annexed to and made part of an act of sale from **Walter Guion**, et als, to **George Seth Guion** on **February 16, 1909**; together with all buildings and improvements thereon and all rights, ways, privileges and servitudes thereto appertaining and belonging.

### Sample 3:

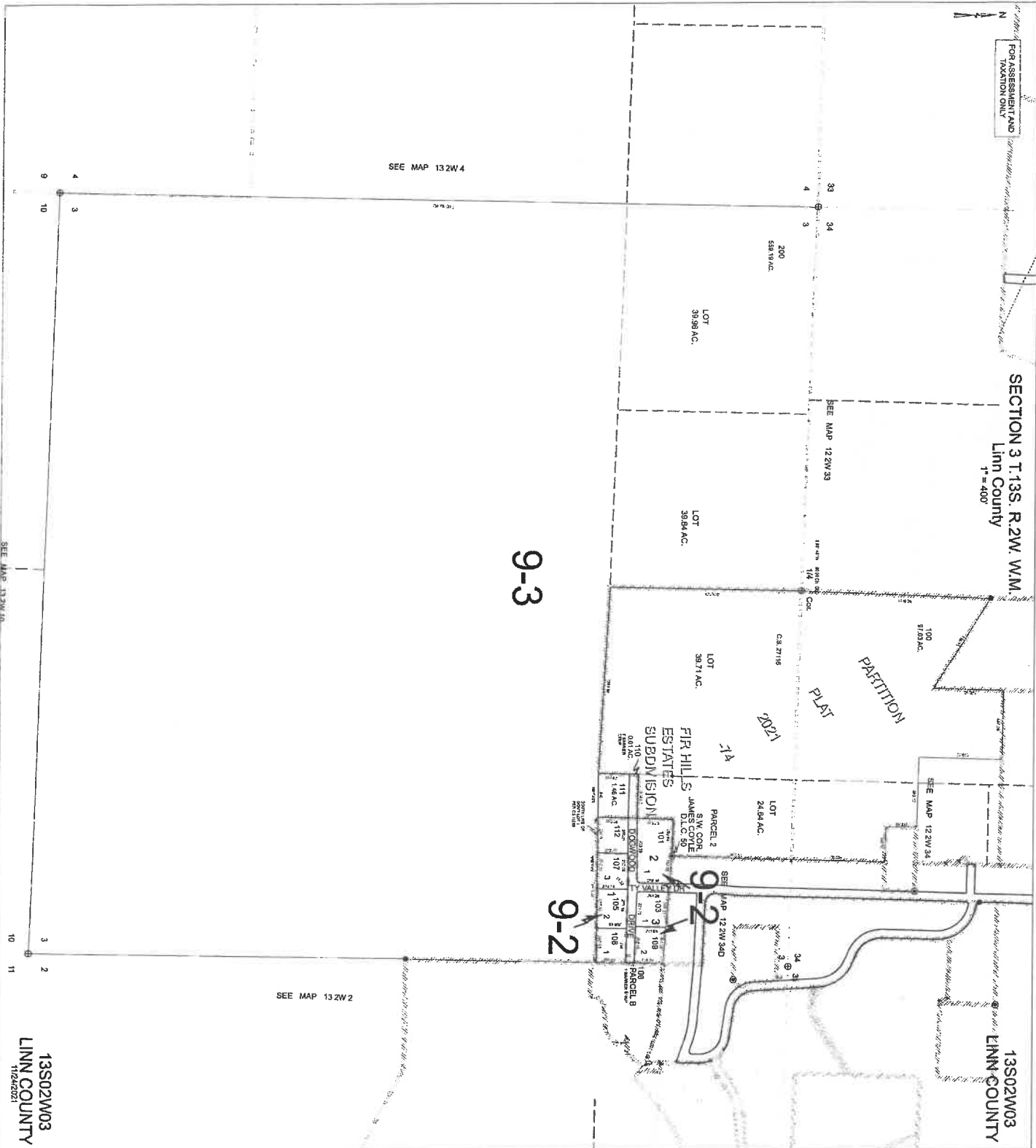
Lots 6, 7, and the South  $\frac{1}{2}$  of Lot 3, West 60 feet of South  $\frac{1}{2}$  of Lot 4, West 60 feet of Lot 5 and Lot 8, Block 20, OLD SURVEY, Leesville, Vernon Parish, Louisiana.



FOR ASSESSMENT AND TAXATION ONLY

SECTION 3 T.13S. R.2W. WM.  
Linn County  
T = 400

13S02W03  
LINN COUNTY



9-3

9-2

SEE MAP 132W 33

SEE MAP 132W 34

SEE MAP 132W 34

SEE MAP 132W 2

SEE MAP 132W 1A

13S02W03  
LINN COUNTY  
11/24/2021

Fidelity National Title # 10-24272

RECORDING REQUESTED BY:  
Fidelity National Title Company of Oregon  
GRANTOR'S NAME:  
Tyerone F. Hardy and April D. Hardy as tenants  
by the entirety  
GRANTEE'S NAME:  
Howard Beachy  
SEND TAX STATEMENTS TO:  
Howard Beachy  
30349 Ty Valley Road  
Lebanon, OR 97355  
AFTER RECORDING RETURN TO:  
Howard Beachy  
30349 Ty Valley Road  
Lebanon, OR 97355

LINN COUNTY, OREGON  
D-WD  
2010-08815  
Cnt=1 Stn=7 S. WILSON 05/28/2010 11:47:38 AM  
\$5.00 \$11.00 \$15.00 \$9.00 \$10.00  
\$50.00



I, Steve Druckenmiller, County Clerk for Linn County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.  
Steve Druckenmiller - County Clerk



SPACE ABOVE THIS LINE FOR RECORDER'S USE

**STATUTORY WARRANTY DEED**

Tyerone F. Hardy and April D. Hardy as tenants by the entirety, Grantor, conveys and warrants to

Howard Beachy, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Linn, State of Oregon:

Lot 1, Block 3, FIR HILL ESTATES SUBDIVISION, Linn County, Oregon

**Subject to and excepting:**

Current taxes, assessments, reservations in patents, and all agreements, easements, right-of-way, encumbrances, liens, setback lines, reservations, powers of special districts, covenants, conditions and restrictions as may appear of record.

**BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.**

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS \$221,000.00. (See ORS 93.030)

DATED: May 24, 2010

*Tyerone F. Hardy*  
Tyerone F. Hardy  
*By April D. Hardy, his attorney in fact*  
By April D. Hardy, his attorney in fact  
*April D. Hardy*  
April D. Hardy

State of OREGON  
COUNTY of LINN

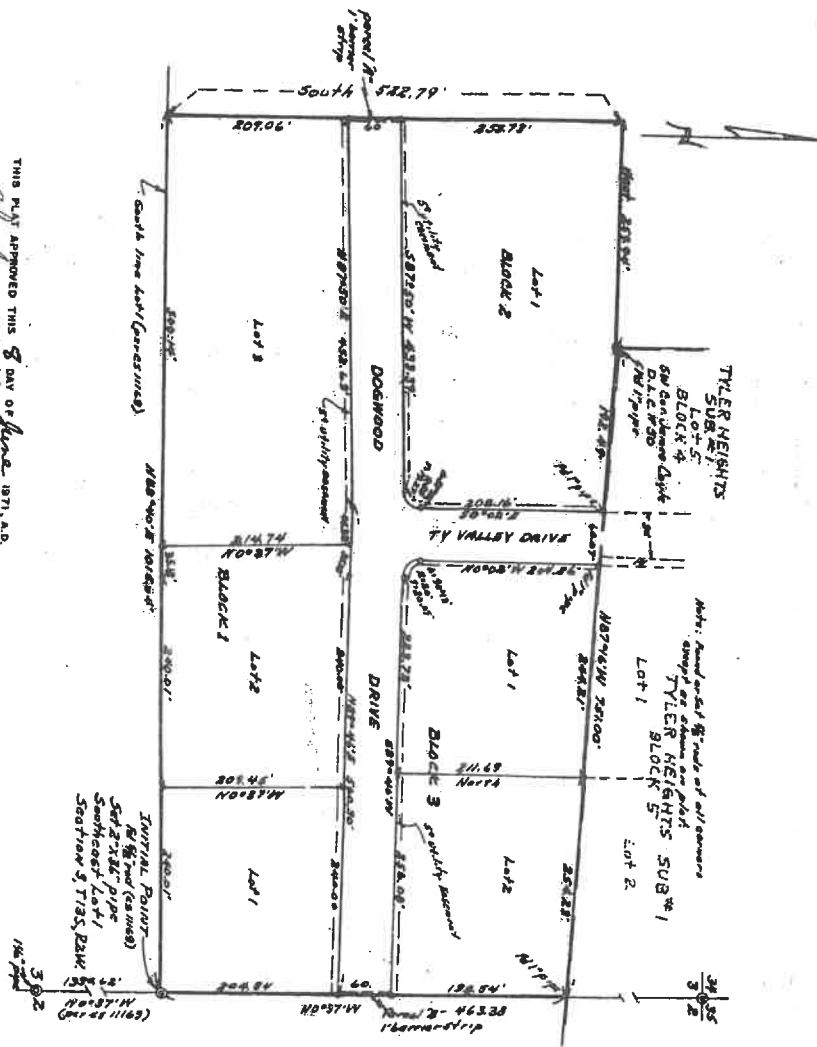
This instrument was acknowledged before me on MAY 24, 2010  
by APRIL D. HARDY, individually and as attorney in fact for Tyerone F. Hardy

*Notary Signature*  
Notary Public - State of Oregon  
My commission expires: 3/9/13



**FIR HILLS ESTATES SUBDIVISION**  
**NE1/4 NE1/4 SEC. 3, T13S, R2W, WM, LINN COUNTY, ORE.**  
 SCALE 1" = 100'

**PLAT VOL. 14**



THIS PLAT APPROVED THIS 8 DAY OF June, 1971, A.D.  
 CHAIRMAN, LINN COUNTY PLANNING COMMISSION  
 THIS PLAT APPROVED THIS 28th DAY OF July, 1971, A.D.  
 COUNTY SURVEYOR  
 COUNTY ENGINEER  
 COUNTY ASSESSOR  
 COUNTY SHERIFF

I HEREBY CERTIFY THAT ALL TAXES ON THE WITHIN DESCRIBED PROPERTY ARE PAID AS OF THIS 28th DAY OF July, 1971, A.D.  
 COUNTY SHERIFF  
 COUNTY ENGINEER  
 COUNTY ASSESSOR  
 COUNTY SHERIFF

KNOW ALL MEN BY THESE PRESENTS: THAT WE, SUTTON L. McCallie and Betty J. McCallie, husband and wife, and John Hendricks and Nancy B. Hendricks, husband and wife, have this day made and subscribed, made, executed and delivered, the foregoing plat and subdivision map, consisting of lots, blocks and streets, and dedicated to the public forever, the streets as shown are hereby dedicated, set apart and dedicated to the public forever, and that the streets as shown are hereby dedicated, set apart and dedicated to the public forever, and that the utility easements as shown on this plat shall be common to all persons whom we have set out upon this 1st day of June, 1971, A.D.

*Sutton L. McCallie*  
*Betty J. McCallie*  
*John Hendricks*  
*Nancy B. Hendricks*

STATE OF OREGON  
 COUNTY OF LINN  
 ON THIS 1st DAY OF JUNE, 1971, A.D., PERSONALLY APPEARED BEFORE ME, A NOTARY PUBLIC, FOR AND IN SAID COUNTY, THE WITHIN NAMED SUTTON L. McCallie, Betty J. McCallie, John Hendricks and Nancy B. Hendricks, husband and wife, and JOHN HENDRICKS and NANCY B. HENDRICKS, husband and wife, and the identical persons described in and who executed the foregoing plat, dedication and who proposed the same to be that they executed the same freely and voluntarily for the uses and purposes therein named.

*Sutton L. McCallie*  
*Betty J. McCallie*  
*John Hendricks*  
*Nancy B. Hendricks*

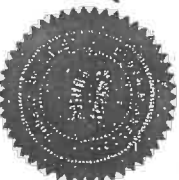
**SURVEYOR'S CERTIFICATE**

STATE OF OREGON  
 COUNTY OF LINN  
 B. OSBURN SHAW BEING FIRST ONLY SWORN, SAY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS THE LANDS AS REPRESENTED IN THIS PLAT AND THAT I HAVE SET THE INITIAL POINT BEING THE INITIAL POINT OF SAID SECTION 3, T13S, R2W, WM, LINN COUNTY, OREGON. THE LAND INCLUDED IN THIS SUBDIVISION IS AS PER THE BEGINNING AT SAID INITIAL POINT, BEING THE INITIAL POINT OF SAID SECTION 3, T13S, R2W, WM, LINN COUNTY, OREGON. THE SOUTH LINE OF THE JAMES CORLE D.L.C. NO. 20, ALONG THE EAST LINE OF SAID SECTION 3, 482.36 FEET TO THE SOUTHWEST CORNER OF SAID D.L.C. NO. 20, THENCE S 89° 05' 10" E, ALONG SAID SOUTH LINE, 781.00 FEET TO THE SOUTHWEST CORNER OF SAID D.L.C. NO. 20, THENCE S 89° 05' 10" E, 1018.45 FEET TO THE POINT OF BEGINNING.

REGISTERED  
**OREGON  
 LAND SURVEYOR**  
 B. OSBURN SHAW  
 OCTOBER 4 1957  
 431

*B. Osburn Shaw*  
 OREGON REGISTERED LAND SURVEYOR

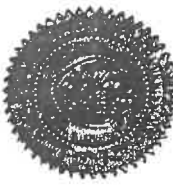
SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 1st DAY OF JUNE, 1971, A.D.  
 NOTARY PUBLIC FOR OREGON  
 My Commission Expires 6-30-73



THIS PLAT APPROVED BY ORDER OF THE COUNTY BOARD OF COMMISSIONERS OF LINN COUNTY, OREGON, MADE AND ENTERED THIS 28th DAY OF July, 1971, A.D.  
 CHAIRMAN, BOARD OF COMMISSIONERS  
 COUNTY COMMISSIONERS  
 COUNTY COMMISSIONERS

328820

I, DEL. W. MILEY, HEREBY CERTIFY THAT THE WITHIN WAS RECEIVED AND COPY RECORDED BY ME IN LINN COUNTY RECORDS, BOOK OF PLATS VOLUME 14, PAGE 28 ON THIS 28th DAY OF July, 1971, A.D. AT 1:50 O'CLOCK P.M.  
 DEPUTY



1/4

CON.

C.S. 27116

PLAT

2021

71x

LOT  
39.71 AC.

LOT  
24.64 AC.

FIR HILLS  
ESTATES  
SUBDIVISION

PARCEL 2  
S.W. COR.  
JAMES COYLE  
D.L.C. 50

110  
0.01 AC.  
1 BARBER STRIP

111  
1.46 AC.

112

107

105

108

106

101

2

3

1

2

102

1

3

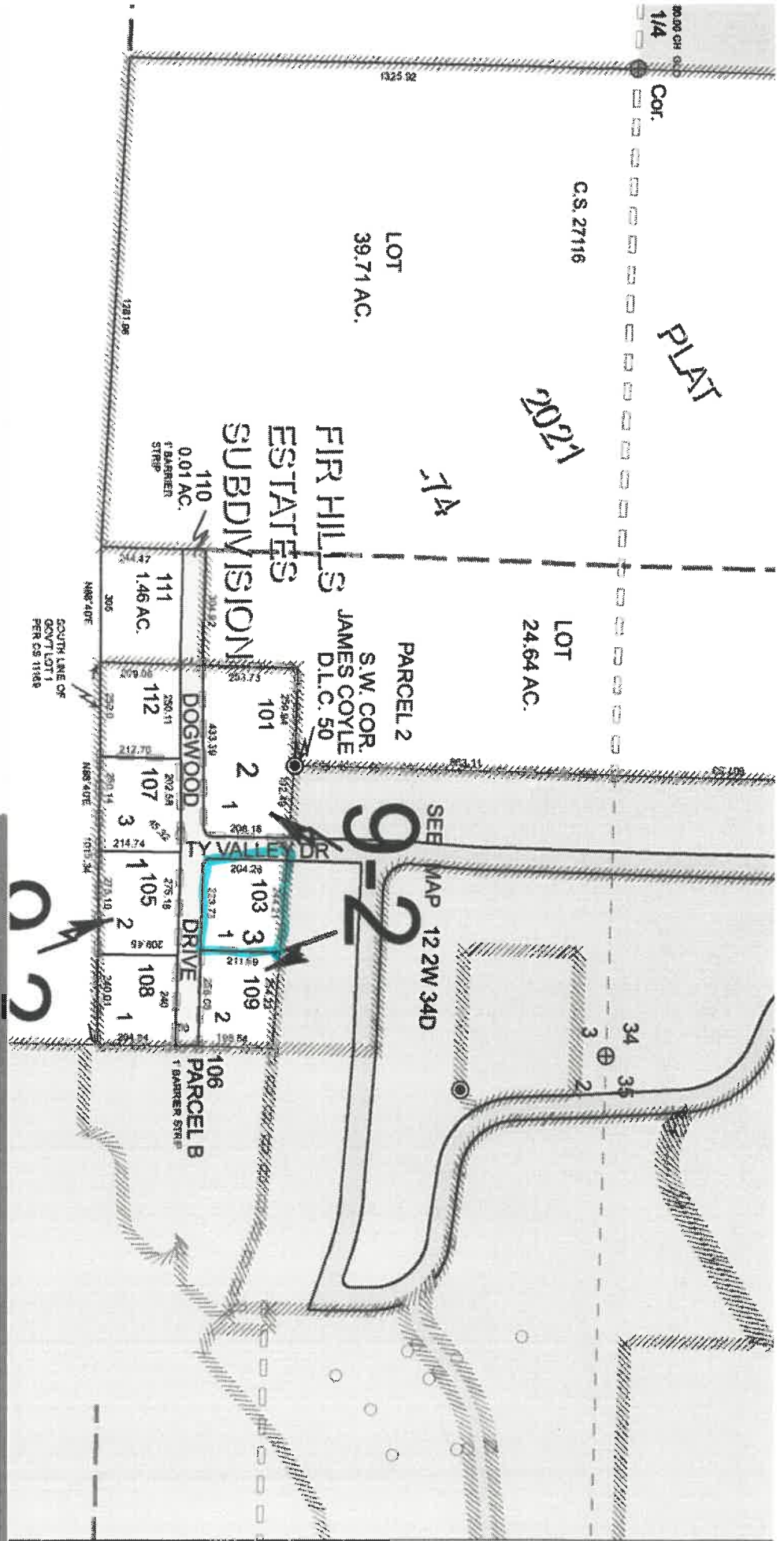
109

2

SOUTH LINE OF  
CONT. LOT 1  
PER C.S. 1168

SEE  
MAP 12 2W 34D  
9-2

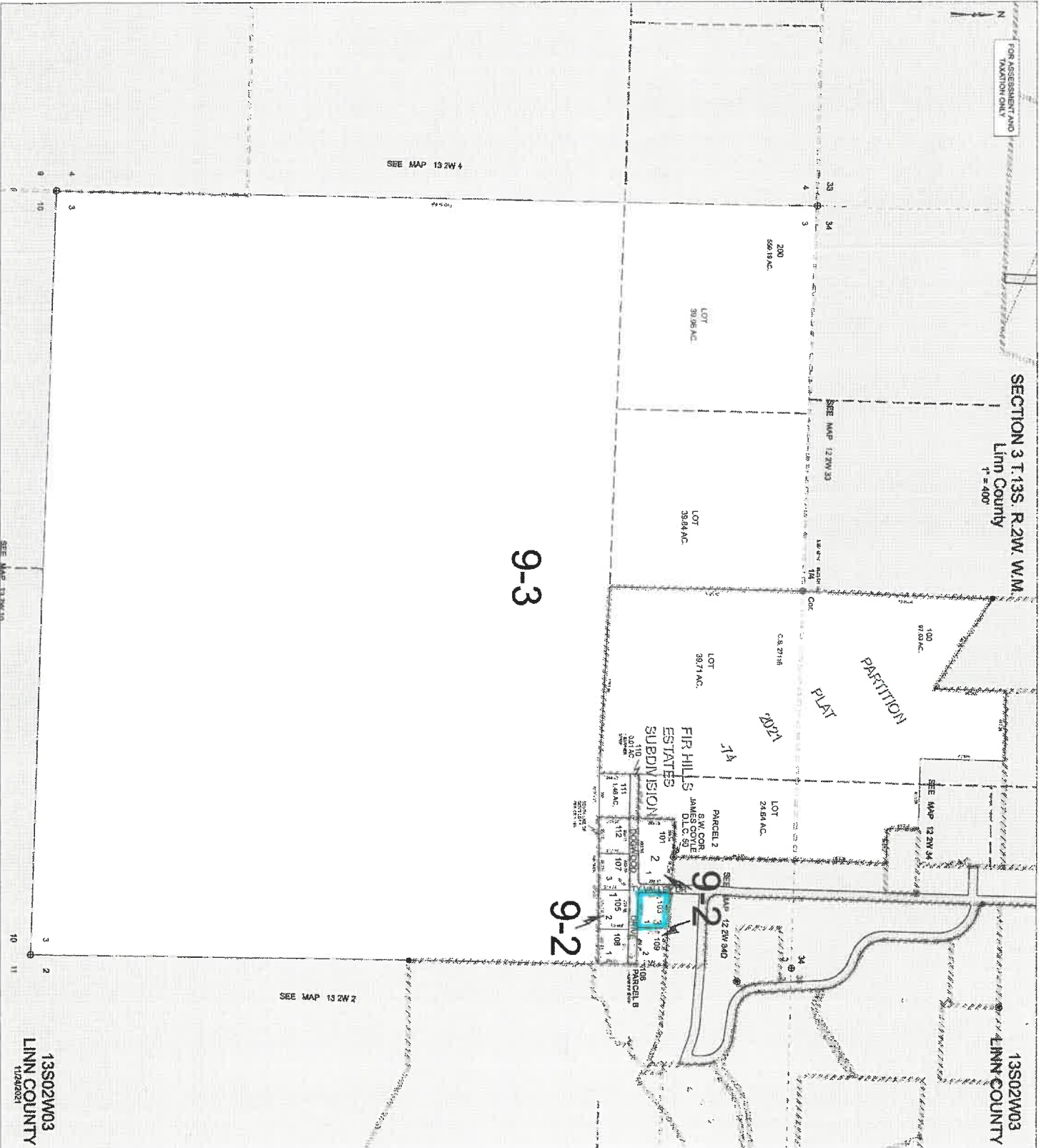
34  
35



FOR ASSESSMENT AND TAXATION ONLY

SECTION 3 T.13S. R.2W. W.M.  
Linn County  
1" = 400'

13S02W03  
LINN COUNTY



9-3

9-2

13S02W03  
LINN COUNTY  
13S02W03