

Irrevocable Petition for Public Improvements

M 285644-08

Date: 6-29, 192000

COPY

3516

PETITIONER(S):

Petitioner is the owner of the following described real property:

See attached legal description incorporated as Exhibit A.

Petitioner hereby irrevocably petitions the City of Corvallis to initiate the following local improvements in accordance with the standard specifications of the City:

Street improvements along the full property frontage on SW Secher Lane to City standards, including paving, curb, gutter, drainage and sidewalks.

This petition is presented to the City so that Petitioner's property may be developed and receive municipal services from the City which will directly benefit Petitioner's property.

It is understood by Petitioner that:

- 1. The cost of the improvements shall be borne by the benefitted property in accordance with state law, the Charter of the City of Corvallis 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 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 Petitioner in the deed records of Benton County.
4. Petitioner declares that the public improvements herein sought will directly benefit the described property.
5. Petitioner shall not challenge the formation of a local improvement district and assessment of Petitioner's property by City and in any proceedings therein will acknowledge this petition if requested to do so by 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 of litigation at trial or on appeal.
7. In construing this petition singular words include the plural.

PETITIONER(S) Eric O Carlson, Carolyn B Lochert POA M284401

STATE OF OREGON)
) ss.
County of Benton)

Before me appeared the above named Eric O Carlson and acknowledged the foregoing instrument to be his/her voluntary act and deed on this 29 day of JUNE, 192000

Before me appeared the above named Eric O Carlson POA for Carolyn B Lochert and acknowledged the foregoing instrument to be his/her voluntary act and deed on this 29 day of JUNE, 192000

Notary Public for Oregon
My Commission Expires: 12-23-2003

STATE OF OREGON)
) ss.
County of Benton)



Before me appeared _____ and _____, who being sworn that they are the president and secretary, respectively, of the Corporation, and that the seal affixed hereto is its seal, and that this instrument was voluntarily signed and sealed in behalf of the Corporation by authority of its Board of Directors on this _____ day of _____, 19____.

Notary Public for Oregon
My Commission Expires: _____

Approved As To Form
City Attorney

Exhibit A

BEGINNING AT THE INITIAL POINT, A 5/8 INCH IRON ROD LOCATED AT THE SOUTHWEST CORNER OF THAT PROPERTY DEEDED TO MARY SECHER AND DESCRIBED IN BENTON COUNTY DEED RECORD BOOK 170, PAGE 702; THENCE NORTH 0°03'44" EAST 145.85 FEET TO THE SOUTH LINE OF THAT PROPERTY DEEDED TO DONALD AND ELIZABETH RUSSELL AND DESCRIBED IN BENTON COUNTY DEED RECORD BOOK 186, PAGE 396; THENCE ALONG SAID RUSSELL SOUTH LINE NORTH 89°46'42" EAST 99.90 FEET TO A 3/4 INCH IRON PIPE ON THE WEST LINE OF THAT PROPERTY DEEDED TO ARNOLD AND PHYLLIS SECHER AND DESCRIBED IN BENTON COUNTY DEED RECORD BOOK 174, PAGE 59; THENCE ALONG SAID WEST LINE SOUTH 0°01'48" EAST 39.18 FEET TO A 5/8 INCH IRON ROD AT THE SOUTHWEST CORNER OF SAID ARNOLD AND PHYLLIS SECHER PROPERTY; THENCE ALONG THE SOUTH LINE OF SAID ARNOLD AND PHYLLIS SECHER PROPERTY AND ALONG THE SOUTH LINE OF THAT SECOND TRACT OF PROPERTY DEEDED TO META GEISTER AND DESCRIBED IN BENTON COUNTY DEED RECORD BOOK 169, PAGE 351 NORTH 89°47'33" EAST 272.93 FEET TO A 5/8 INCH IRON ROD ON A WEST LINE OF THAT PROPERTY DEEDED TO NORTHFORK FINANCIAL, L.L.C., AND DESCRIBED IN BENTON COUNTY MICROFILM RECORD M-276494-99; THENCE ALONG SAID NORTHFORK FINANCIAL, L.L.C., WEST LINE SOUTH 0°02'29" WEST 106.58 FEET TO A 5/8 INCH IRON ROD ON THE NORTH LINE OF THAT RIGHT-OF-WAY DEEDED TO THE CITY OF CORVALLIS AND DESCRIBED IN BENTON COUNTY MICROFILM RECORD M-31274-81; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE SOUTH 89°46'32" WEST 372.94 FEET TO THE INITIAL POINT.

STATE OF OREGON } ss.
County of Benton } **281392**

I hereby certify that the within instrument was received for record

#11:04 '00JUN29

AND ASSIGNED **M285644** 2000

In the microfilm records of said county

Witness My Hand and Seal of County Affixed
JOHN K. ANDERSON
County Administrative Officer

By  Deputy
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