

1 **EXHIBIT 4**
2 (661-010-0068)

3
4 **BEFORE THE LAND USE BOARD OF APPEALS**
5 **OF THE STATE OF OREGON**

6
7 Jane Smith,)
8)
9 Petitioner,)
10)
11 vs.) LUBA No. _____
12)
13 Willamette County,)
14)
15 Respondent.)

16 **UNDERTAKING ON STAY**

17 **I.**

18 Whereas, Jane Smith, the petitioner above named, has applied to the Land
19 Use Board of Appeals for an order staying execution of that land use decision or
20 limited land use decision described as [DESCRIBE LAND USE DECISION OR
21 LIMITED LAND USE DECISION]; and

22 **II.**

23 Whereas, the Land Use Board of Appeals entered an order dated
24 [INDICATE DATE] staying said land use decision or limited land use decision
25 pursuant to ORS 197.845, subject to filing an undertaking with the Land Use
26 Board of Appeals in the principal amount of \$_____.

27 **III.**

28 Now, therefore, we [INDICATE PETITIONER'S NAME(S)], the above-

1 named petitioner, as principal, and [INDICATE SURETY NAME], a
2 [INDICATE STATE OF INCORPORATION] corporation qualified by law to
3 issue surety insurance as defined in ORS 731.186, as surety, hereby undertake
4 that petitioner will pay all reasonable attorney's fees and actual damages which
5 may be awarded by the Land Use Board of Appeals in the event the land use
6 decision or limited land use decision above described shall be affirmed, but not
7 to exceed the sum of \$_____.

8 IV.

9 The condition of this obligation is that if the land use decision or limited
10 land use decision above described is not affirmed, then this obligation shall be
11 null and void; otherwise it shall remain in full force and effect.

12 Dated this ____ day of _____, 20__.

13
14 _____
15 Principal

16
17 _____
18 Surety

19
20 [Add Certificates of Filing and Service on separate page. See Exhibits 5 & 6.]

21