

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 02-039

Authorizing Grant of a Right of Way Easement to PacifiCorp, a Corporation in the State of Oregon

The Multnomah County Board of Commissioners Finds:

- a. PacifiCorp has requested an easement for a right of way approximately 10 feet in width and 208 feet in length for the purpose of providing electrical service to the Multnomah County Children's Receiving Center, on County owned real property presently under construction and more particularly described below, in order to provide electrical service to the Children's Receiving Center facilities.

- b. The legal description of the proposed easement is as follows:

A 10.00 foot wide easement, 5.00 feet each side of (including the logical extensions and truncations thereof) the following described centerline across a portion of that tract of land conveyed to Multnomah County by Deed, recorded as document No. 2000-072608, Multnomah County Deed Records, located in the southwest $\frac{1}{4}$ of Section 34, T. 1N., R. 2E, W.M., in the City of Portland, County of Multnomah, State of Oregon.

The centerline being described as follows:

Beginning at a point on the East right of way line of NE 102nd Avenue that is S2° 58'38"W along said East right of way line a distance of 4.59 feet from a 5/8" Iron rod with yellow plastic cap marked "Lathrop LS 2671" at the intersection of the North line of Lot 1, Kilworth Acres and the East right of way line of NE 102nd Avenue (48.00 feet wide from centerline); thence S56°51'19"E a distance of 36.64 feet to a point; thence S88°27'49"E parallel with the North line of said Lot 1 a distance of 171.47 feet to a point; thence N1°32'11"W a distance of 25.00 feet to the point of terminus. Containing 2331 square feet. The basis of bearing is the East right of way line of NE 102nd Avenue as shown on survey 57753 Multnomah County Survey Records.

- c. The grant of the easement will be in the public's best interest and have little effect upon the use or value of the land upon which it would be located.
- d. The land underlying the requested easement is not of size or configuration to permit other development construction of the surface and thus has no value greater than that attributable to the proposed right of way easement.

The Multnomah County Board of Commissioners Resolves:

1. Multnomah County approves the attached Right of Way Easement to PacifiCorp, identified as Exhibit A, upon the terms and conditions herein stated.
2. The Chair is hereby directed to execute the attached Easement on behalf of Multnomah County.

ADOPTED this 14th day of March, 2002.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

REVIEWED:

THOMAS SPONSER, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By

John Thomas, Assistant County Attorney

Return to: Pacific Power
7544 NE 33rd Drive
Portland, Oregon 97211
cc: 11206 WO: 01830053

RIGHT OF WAY EASEMENT

For value received, Multnomah County, ("Grantor"), hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns, ("Grantee"), an easement for a light of way 10 feet in width and 208 feet in length, more or less, for the construction, reconstruction, operation, maintenance, repair, replacement, enlargement, and removal of electric power distribution and communication lines and all necessary or desirable accessories and appurtenances thereto, including without limitation: supporting towers, poles, props, guys and anchor, including guys and anchors outside of the right of way; wires, fibers, cables and other conductors and conduits therefore; and pads, transformers, switches, vaults and cabinets, along the general course now located by Grantee on, over or under the surface of the real property of Grantor in Multnomah County, State of Oregon, as more particularly described and/or shown on Exhibit(s) "A" attached hereto and by this reference made a part hereof:

A 10.00 foot wide easement, 5.00 feet each side of (including the logical extensions and truncations thereof) the following described centerline across a portion of that tract of land conveyed to Multnomah County by Deed, recorded as document No.2000-072608, Multnomah County Deed Records, located in the southwest 1/4 of Section 34, T 1N, R 2E, W.M., in the City of Portland, County of Multnomah, State of Oregon.

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Together with the right of access to the right of way from adjacent lands of Grantor for all activities in connection with the purposes for which this easement has been granted; and together with the present and (without payment therefore) the future right to keep the right of way and adjacent lands clear of all brush, trees, timber, structures, buildings and other hazards which might endanger Grantee's facilities or impede Grantee's activities.

At no time shall Grantor place, use or permit any equipment or material of any kind that exceeds twelve (12) feet in height, light any fires, place or store any flammable materials (other than agricultural crops), on or within the boundaries of the right of way. Subject to the foregoing limitations, the surface of the right of way may be used for agricultural crops and other purposes

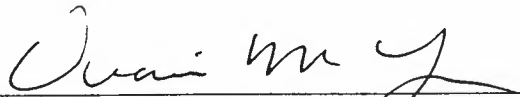
not inconsistent, as determined by Grantee, with the purposes for which this easement has been granted.

The rights and obligations of the parties hereto shall be binding upon and shall benefit their respective heirs, successors and assigns.

DATED this 14th day of March, 2002.

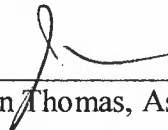


BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Diane M. Linn, Chair

REVIEWED:

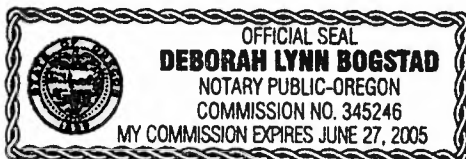
THOMAS SPONSLER, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
John Thomas, Assistant County Attorney

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF OREGON)
) ss
COUNTY OF MULTNOMAH)

This Right of Way Easement was acknowledged before me this 14th day of March, 2002, by Diane M. Linn, to me personally known, as Chair of the Multnomah County Board of Commissioners, on behalf of the County by authority of the Multnomah County Board of Commissioners.



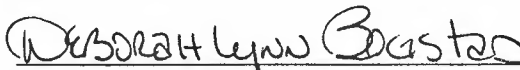

Deborah Lynn Bogstad
Notary Public for Oregon
My Commission expires: 6/27/05

Exhibit A

