

A RESOLUTION DEDICATING AN EASEMENT FOR THE PLACEMENT OF A POWER LINE.

WHEREAS, Portland General Electric has been requested to provide electrical service to WasteWater Management, Inc., a facility located in Section 25, Tax Lot 43, T1N, R3E, W.M., on property owned by the City of Troutdale; and,

WHEREAS, the City believes it to be in the public interest to provide this service;

NOW, THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE THAT:

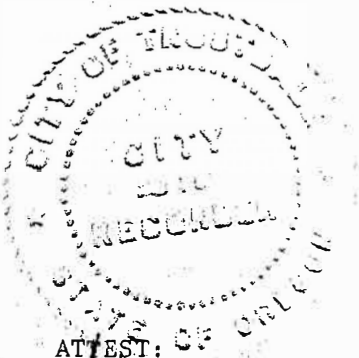
An easement be executed to allow Portland General Electric to construct, maintain and repair overhead and underground electrical service for the facility depicted on the attached easement agreement (Exhibit 1) with the following conditions:

1. The City, at its own discretion, shall have the right to require the removal or relocation of these utilities in conformance with the City of Troutdale standard franchise agreement.
2. Should the relocation or removal of this utility be required, Portland General Electric shall immediately vacate the easement back to the City of Troutdale.
3. The City of Troutdale will prepare a comprehensive plan for the development of the site(s) affected by this power line easement and if said easement conflicts with the final site plan, adjustments in location of the power line will be made by Portland General Electric in accordance with this resolution and the City's franchise with Portland General Electric.
4. By acceptance of this executed agreement, Portland General Electric accepts all terms and conditions associated and made part thereof.

PASSED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE THIS 14th DAY OF August, 1984.

YEAS 5

NAYS 0



Sam K. Cox

 Sam K. Cox, MAYOR
 Date Signed: August 14, 1984

Nancy B. Nixon

 Nancy B. Nixon
 Finance Director/City Recorder

Please Return to:
 City of Troutdale
 104 SE Kibling Street
 Troutdale, OR 97060

KNOW ALL MEN BY THESE PRESENTS, That City of Troutdale

(hereinafter called "the Grantors," whether one or more than one), for and in consideration of the payment of the sum of One and no/100 Dollars (\$ 1.00), the receipt of which is hereby acknowledged, hereby grant, sell and convey to Portland General Electric Company, an Oregon corporation,

(hereinafter called "the Grantee," whether one or more than one), its successors and assigns, a perpetual easement and right of way over, under and across the following described parcel of land situated in the Northwest quarter of Section 25, Township 1 North, Range 3 East, Willamette Meridian, County of Multnomah, State of Oregon, said easement being a strip of land 16 feet wide and 8 feet on each side of a centerline, being more particularly described as follows:

BEGINNING AT a Portland General Electric Company power pole, No. 493, which bears N.11°55'00"E., 60.00 feet, and N.52°22'32"E., 1.80 feet from the northerly corner of that certain tract of land as described in Book 669, Page 824, Deed Records of said County; THENCE, along said centerline, N.2°35'36"W., 169.01 feet to a Portland General Electric Company power pole, No. 6798, and the terminus of said centerline.

TOGETHER WITH a strip of land 6 feet wide and 3 feet on each side of a centerline, described as beginning at said Portland General Electric Company power pole, No. 6798; THENCE, along said centerline, N.1°56'23"E., 64.13 feet to a Portland General Electric Company power pad, No. 6797, and the terminus of said centerline.

The above-described centerline is shown on Portland General Electric Company Drawing E-6970, attached hereto which by reference thereto is made a part hereof. and Exhibit A, also attached.

TO HAVE AND TO HOLD the above described easement and right of way unto the Grantee, its successors and assigns, together with the present right to top, limb or fell trees located on land owned by the Grantors, adjacent to the above described right of way, which danger trees will be determined by the Grantee.

Said easement and right of way shall be for the following purposes, namely: the perpetual right to enter upon and to erect, maintain, repair, rebuild, operate and patrol electric power lines, and appurtenant signal or communication lines, including the right to erect such poles, wires, cables, guys, supports and appurtenances as are necessary thereto, together with the present and future right to clear said right of way and keep the same clear of brush, timber, structures and fire hazards, including the right to restrict the growth of trees and brush on said right of way by the use of chemical sprays.

Grantors shall have the right to use the lands subject to the above described easement for all purposes not inconsistent with the uses and purposes herein set forth, except Grantors shall not build or erect any structure upon the right of way without the prior written consent of the Grantee.

If the Grantee, its successors and assigns, shall fail to use said right of way for the purposes above mentioned for a continuous period of five years after construction of said power lines, then and in that event this right of way and easement shall terminate and all rights and privileges granted hereunder shall revert to the Grantors, their heirs and assigns.

The Grantors hereby warrant that they are possessed of a marketable title to the property covered by this easement, and have the right to grant the same.

The Grantors, for themselves and their heirs and assigns, covenant to and with the Grantee, its successors and assigns, that the Grantee, its successors and assigns, shall peaceably enjoy the rights and privileges herein granted.

IN WITNESS WHEREOF, the Grantors have caused this easement to be executed this fourteenth day of

August, 19 84

City of Troutdale

By: Sam K Cox (SEAL)
Nancy B Nixon (SEAL)

_____ (SEAL)

STATE OF OREGON }
County of Multnomah } ss.

On this 14th day of August, 19 84, before me, the undersigned, a Notary Public in and

for said County and State, personally appeared Sam K. Cox and Nancy B. Nixon

to me known to be the individuals described in and who executed the foregoing instrument, and acknowledged that they executed the same freely and voluntarily.

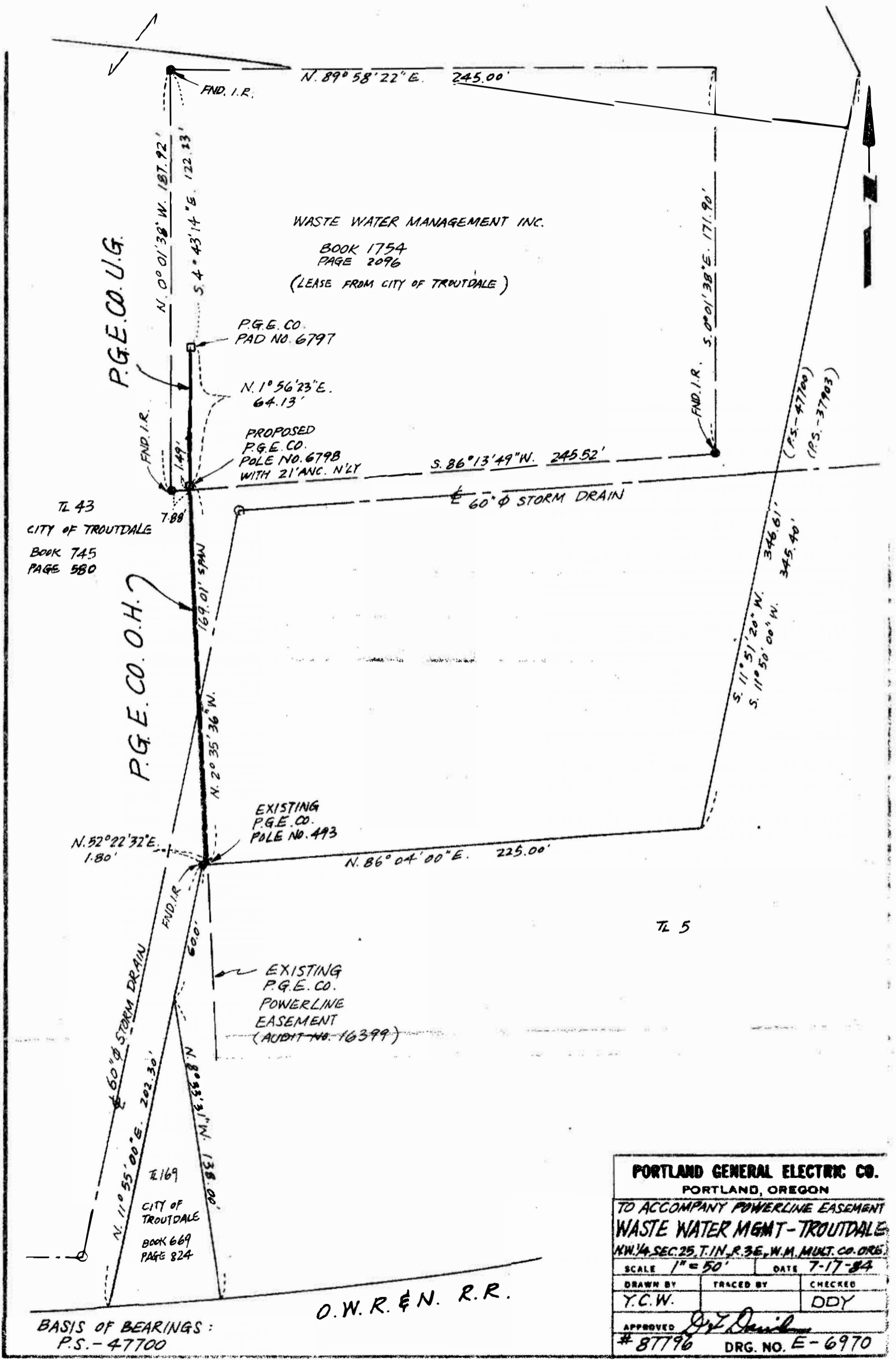
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal this, the day and year in this instrument first written.



Mary L Eaton
Notary Public for Oregon
11/23/86
My commission expires

The City grants this easement subject to the terms and conditions of facility locations in public rights-of-way and the subsequent provisions of the effective franchise agreement.

The City also reserves the right to revoke this easement and/or require the undergrounding of the facility contained thereon should future plans for the associated and adjacent property so require. Should this easement be revoked the City must provide alternate locations for the needed electrical facilities and appurtenances.



PORTLAND GENERAL ELECTRIC CO.		
PORTLAND, OREGON		
TO ACCOMPANY POWERLINE EASEMENT		
WASTE WATER MGMT - TROUTDALE		
NW 1/4, SEC. 25, T. 1 N., R. 3 E., W. M. MULT. CO. ORIG.		
SCALE 1" = 50'	DATE 7-17-84	
DRAWN BY Y.C.W.	TRACED BY	CHECKED DDY
APPROVED <i>J.P. Daniel</i>		
# 87796	DRG. NO. E-6970	

36711

STATE OF OREGON }
Multnomah County }

ss.

I, a Deputy for the Recorder of Conveyances, in and for said County, do hereby certify that the within instrument of writing was received for record and recorded in the record of said County

1985 MAY 31 AM 10: 21

RECORDING SECTION
MULTNOMAH CO. OREGON

In Book

1827

On Page

400

witness my hand and seal of office affixed.

Recorder of Conveyances

M Butts

Deputy

38



RECORD COPY

1700

BOOK 1827 PAGE 404