

RESOLUTION #97-2**ROSEBURG URBAN SANITARY AUTHORITY
DOUGLAS COUNTY, OREGON****A RESOLUTION OF NECESSITY**

BE IT RESOLVED that a permanent right of way and easement are necessary for public use to construct, reconstruct, operate, repair and maintain sewer lines and all necessary related facilities over, across and under the following described real property owned by P & M Cedar, Inc. to-wit:

(more fully described in attached Exhibit "A")

and Stephen and Eleanor Adair to-wit:

(more fully described in attached Exhibit "B")

BE IT FURTHER RESOLVED that Grantee of said easement shall fill all excavations as soon as practicable after opening; dispose of all brush and debris; and replace in like condition all improvements, trees, ornamental shrubs and crops, if practicable, and as soon as practicable after damage or destruction, but if not practicable, then to pay to the Grantor its successors in interest and assigns, the reasonable value thereof;

BUT BE IT FURTHER RESOLVED that the Manager of the Roseburg Urban Sanitary Authority make reasonable effort to agree with the owners of the above described real property in respect to compensation, if any, to be paid for said easement and damages, if any, for the taking thereof.

If agreement is not reached in respect thereto, the Manager is authorized to initiate eminent domain proceedings on behalf of the Roseburg Urban Sanitary Authority as provided by law.

Dated this 10th day of September, 1997.

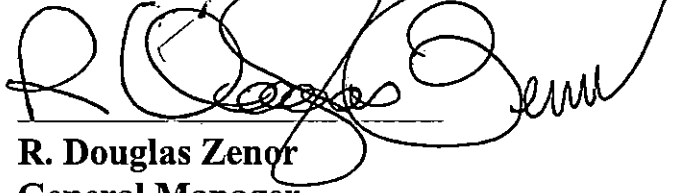
**SO ORDERED FOR THE
ROSEBURG URBAN SANITARY AUTHORITY**



**J. William Neuner
Chairman of the Board
Roseburg Urban Sanitary Authority**

September 10, 1997

Date



**R. Douglas Zenor
General Manager
Roseburg Urban Sanitary Authority**

September 10, 1997

Date

EXHIBIT "A"

A portion of the real property described in Instrument No. 82-06285, as recorded in the Office of the County Clerk, Douglas County, Oregon.

A permanent 25-foot wide sewer easement lying northerly of and adjacent to the southern most line of said property, also being the north right-of-way line of State Highway No. 138. Said easement south line beginning at the southeast corner of said property, also being the intersection of the west right-of-way line of Kester Road and the north line of State Highway No. 138, thence westerly along said north right-of-way to the most south southwest corner of said property, and the termination point (m/l 0.344 ac). A temporary easement is not required.

EXHIBIT "B"

A portion of the real property described in Instrument No. 81-11868, as recorded in the Office of the Douglas County Clerk, Douglas County, Oregon.

A permanent 20-foot wide sewer easement lying easterly of and adjacent to the northern 180 feet of the westerly line of said property (m/l 10.08264 ac). Also a 30-foot wide temporary construction easement lying easterly and southerly of and adjacent to the above described permanent easement.