

RIGHT-OF-WAY EASEMENT

For value received, the City of Portland, a municipal corporation, ¹³⁸⁹⁹⁷ hereinafter referred to as Grantor, does hereby grant to PACIFIC POWER & LIGHT COMPANY, a corporation, its successors and assigns, the Grantee, an easement or right-of-way ten feet in width for an electric transmission and distribution line of one or more wires and all necessary or desirable appurtenances (including telephone and telegraph wires, towers, poles, props, guys, anchors and other supports and the right to place all or any part of such line underground, and the right to place such guys and anchors outside of said right-of-way), the centerline of which is at or near the location and along the general course now located and staked out by the Grantee over, across and upon the following described real property in Multnomah County, State of Oregon, to wit:

A strip of land 10 feet in width and 175 feet in length beginning at the intersection of N. Kerby Ave. and N. Winchell St. and extending in an easterly direction as more particularly shown on Exhibit "A" attached hereto and by this reference made a part hereof. The aforementioned land being located in Tax Lot 34, in the SW 1/4 & SE 1/4 of Section 10, Township 1 North, Range 1 East, Willamette Meridian.

Including the right to clear said right-of-way and keep the same clear of brush, trees, timber and structures, and the right to top, trim, clear or cut away all trees outside of said right-of-way which might endanger such line.

Together with the right of ingress and egress over the adjacent lands of the Grantor for the purpose of constructing, reconstructing, stringing new wires on, maintaining and removing such line and appurtenances, and exercising other rights hereby granted.

At no time shall any building nor anything flammable be erected, permitted or placed within the boundaries of said right-of-way, nor shall any material or equipment of any kind or nature which exceeds 18 feet in height be used thereon by Grantor, or by Grantor's successors or assigns.

Grantor reserves the right to use said right-of-way for roads, agricultural crops or other purposes not inconsistent with the easement granted hereby, but in using or operating any irrigation pipes, motorized vehicles or other equipment or in any other such use of said right-of-way, Grantor (including its successors or assigns) shall conform strictly to the provisions of any then applicable safety code or regulation pertaining to required clearances from the wires or conductors of such line.

All rights hereunder shall cease if and when such line shall have been abandoned.

The true and actual consideration paid for this easement stated in terms of dollars is Nothing.

IN WITNESS WHEREOF the grantor above named has caused this instrument to be executed by its Mayor and Auditor pursuant to authority contained in Ordinance No.

CITY OF PORTLAND

EXHIBIT 1

By _____
Mayor

Approved as to form:

By _____
Auditor

City Attorney

, 1974.

STATE OF OREGON)
) ss:
County of Multnomah)

Personally appeared NEIL GOLDSCHMIDT and GEORGE YERKOVICH, who being duly sworn, each for himself and not one for the other, did say that the former is the Mayor and that the latter is the Auditor of the CITY OF PORTLAND, a municipal corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its City Council and each of them acknowledged said instrument to be its voluntary act and deed.

Before me _____
Notary Public for Oregon

My commission expires _____

138997

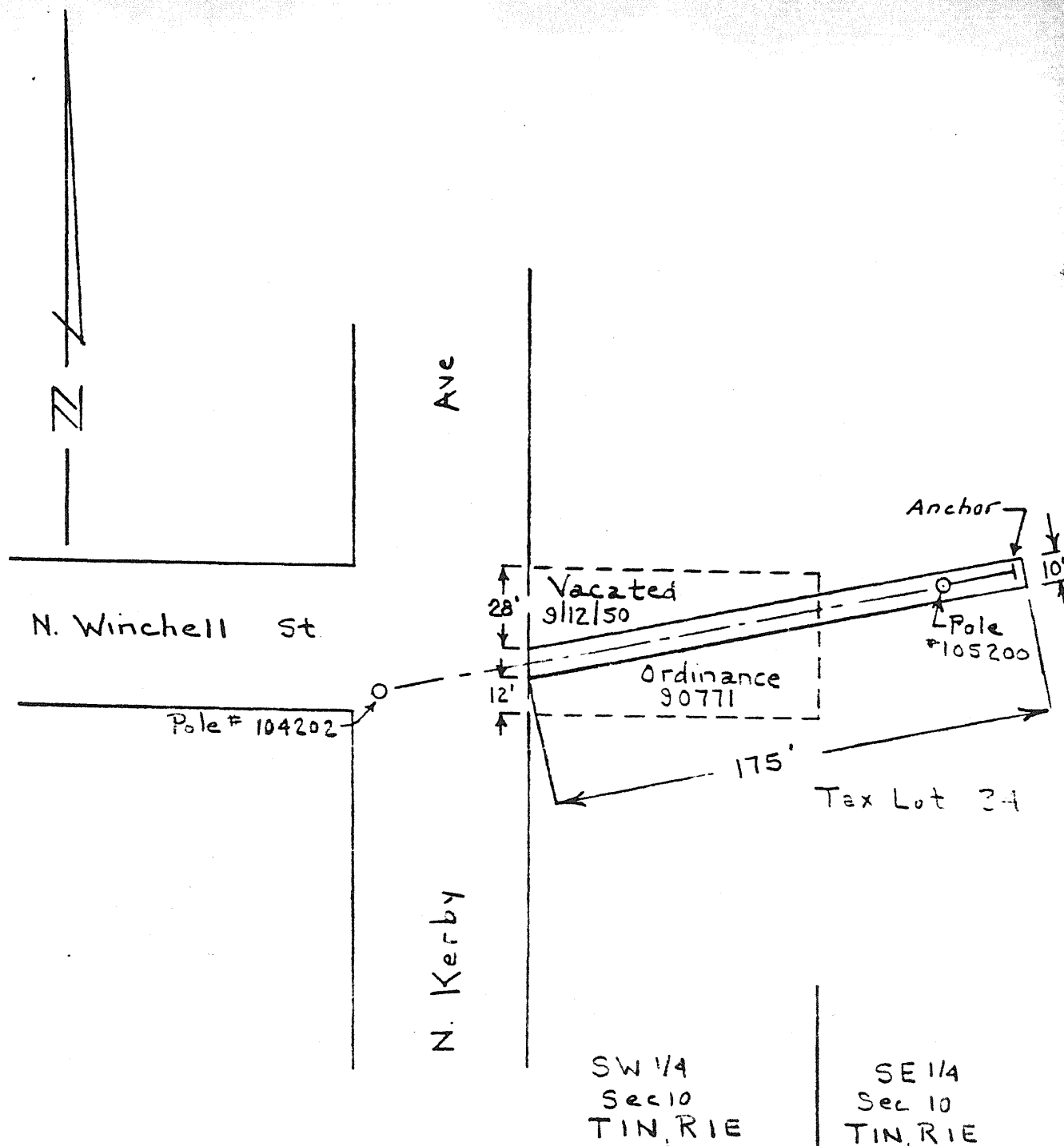


Exhibit "A"

DISTRICT Portland, Oregon		
NAME	Farragut Park	FILE NO. 122.
LOCATION	7736 N Kerby Ave	ER NO. 31-700-122
MAP NO.	2229 & 2230	W.O.
DRAWN	H.J. Hopkins 12/4, 1973	

PACIFIC POWER & LIGHT COMPANY

E R SKETCH

SCALE 1" = 50'

ORDINANCE No. 138997

An Ordinance authorizing the grant of a Right-of-Way Easement to Pacific Power and Light Company, in Section 10, T1N, R1EWM, for construction and maintenance of a power line to provide service to City facilities in Farragut Park, and declaring an emergency.

The City of Portland ordains:


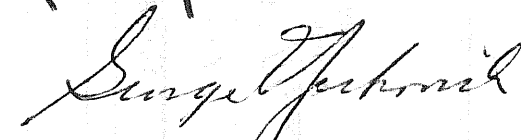
Section 1. The Council finds that in connection with proposed improvements in Farragut Park it is necessary for Pacific Power and Light Company to construct and maintain an electric power line across City property in order to provide service required by the City; that in order to allow construction and maintenance of said power line, it is necessary that the City grant an easement to Pacific Power and Light Company allowing such construction and maintenance under certain conditions; now, therefore, the Mayor and Auditor be and are hereby authorized and directed to execute and deliver to Pacific Power and Light Company, Public Service Building, Portland, Oregon, 97204, Attention: A. J. Hopkins, a Right-of-Way Easement, approved as to form by the City Attorney, substantially in accordance with Exhibit 1 attached to the original only of this ordinance and by this reference made a part thereof.

Section 2. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Portland in this: In order that there be no unnecessary delay in granting an easement necessary to allow construction of an electric power line to serve public facilities; therefore, an emergency hereby is declared to exist, and this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, OCT 23 1974

Commissioner Connie McCreedy
RAM:bd
10-4-74

Attest:


Mayor of the City of Portland

Auditor of the City of Portland

Calendar No. 3089

ORDINANCE No. 138997

Title

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THE COMMISSIONERS VOTED AS FOLLOWS		
	Yeas	Nays
Ivancie	1	
Jordan		
McCready	1	
Schwab	1	
Goldschmidt	1	

FOUR-FIFTHS CALENDAR	
Ivancie	
Jordan	
McCready	
Schwab	
Goldschmidt	

Filed OCT 17 1974

GEORGE YERKOVICH

Auditor of the CITY OF PORTLAND

By Jordan Crall
Deputy

INTRODUCED BY

COMMISSIONER CONNIE MC CREADY

DRAWN BY

RAM:bd

Date 10-4-74

NOTED BY THE COMMISSIONER

Affairs

Finance and
Administration

Safety

Utilities

Works *McMense*

City Attorney

NOTED BY THE CITY AUDITOR

APPROVED

Date 10-15-74

By *William T. Monahan*
Acting City Engineer
WILLIAM T. MONAHAN
Date

By