

## ELECTRIC POWER LINE EASEMENT

EXHIBIT A

KNOW ALL MEN BY THESE PRESENTS, That CITY OF PORTLAND

(hereinafter called "the Grantors," whether one or more than one), for and in consideration of the payment of the sum of  
 -----one and no/100ths-----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, an easement and  
 right of way over, under and across the following described parcel of land situated in Multnomah County,  
 Oregon, being a strip of land ten (10) feet in width,  
 more particularly described as follows:

The West 11.0 feet, lying North of S.W. Canby Street, of that  
 certain tract of land in Section 19, Township 1 South, Range 1 East,  
 Willamette Meridian, described in Book 2196, Page 485, 1963 Deed  
 Records.

NOTE: This easement may be used for the purposes of underground  
 or overhead electric power lines.

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 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 incon-  
 sistent 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 1 Year after construction of said power lines, then and in that event this right of way and ease-  
 ment shall terminate and all rights and privileges granted hereunder shall revert to the Grantors, their heirs and assigns.  
In the event of reversion, Grantee shall remove all of its facilities from  
the area and restore said area to a reasonable landscaped condition not incon-  
sistent with the grantor's use of adjacent property at the time of such reversion.

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 W

STATE OF OREGON

County of \_\_\_\_\_

On this \_\_\_\_\_

## ORDINANCE No. 143280

An Ordinance authorizing the execution of an easement with Portland General Electric to provide authority for an underground power line along a portion of the west side of April Hill Park, reaffirming the existing easement for the existing overhead lines in the same area, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. That it is desirable that an underground distribution line easement be granted to Portland General Electric Co. for a proposed underground power line along a portion of the west side of April Hill Park north of S.W. Canby Street in order to avoid trees in the area which have grown into the lines, making them potentially hazardous for children climbing the trees in the park.
2. That said easement should also reaffirm the area for the existing overhead lines, as they existed under the previous easement.
3. The Commissioner in charge of the Park Bureau has approved the form of easement as attached to the original only hereof, marked Exhibit "A," and by this reference made a part hereof.

NOW, THEREFORE, the Council directs:

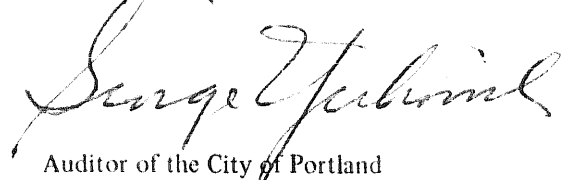
- a. That the Mayor and the Commissioner of Public Affairs are hereby authorized and directed to execute and deliver an easement to Portland General Electric Co. for the construction and maintenance of underground and overhead distribution lines through city-owned property which is along a portion of the west side of April Hill Park, substantially in accordance with the form of easement marked Exhibit "A," attached to the original only hereof and by this reference made a part hereof.

Section 2. The Council declares that an emergency exists because installation of the underground electric service should be accomplished without undue delay to alleviate a potentially dangerous condition from overhead lines; therefore, this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, MAR - 9 1977

  
Mayor of the City of Portland

Attest:

  
Auditor of the City of Portland

Commissioner Schwab  
SOTorgrimson/rl  
March 2, 1977

Calendar No. 669

# ORDINANCE No. 143280

## Title

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### THE COMMISSIONERS VOTED AS FOLLOWS:

	Yeas	Nays
Ivancie		
Jordan		
McCready		
Schwab		
Goldschmidt		

### FOUR-FIFTHS CALENDAR

Ivancie	
Jordan	
McCready	
Schwab	
Goldschmidt	

INTRODUCED BY

COMMISSIONER SCHWAB

NOTED BY THE COMMISSIONER

Affairs

Finance and Administration

Safety

Utilities

Works

BUREAU APPROVAL

Bureau:

Prepared By: S.O.TORGRIMSON/r1 Date: 3/2/77

Budget Impact Review:

☐ Completed ☐ Not required

Bureau Head:

NOTED BY

City Attorney

City Auditor

City Engineer

Filed MAR 4 1977

GEORGE YERKOVICH

Auditor of the CITY OF PORTLAND

By Gordon Crowell Deputy

ELECTRIC POWER LINE EASEMENT

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(hereinafter called "the Grantee," whether one or more than one), its successors and assigns, an easement and right of way over, under and across the following described parcel of land situated in Multnomah County,

Oregon, being a strip of land ten (10) feet in width, more particularly described as follows:

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NOTE: This easement may be used for the purposes of underground or overhead electric power lines.

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.

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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 1 Year 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. In the event of reversion, Grantee shall remove all of its facilities from the area and restore said area to a reasonable landscaped condition not inconsistent with the grantor's use of adjacent property at the time of such reversion.

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 77 day of 1977 CITY OF PORTLAND

By: (SEAL)  
(SEAL)  
(SEAL)  
(SEAL)

STATE OF OREGON } ss.  
County of

On this day of 19 before me, the undersigned, a Notary Public in and red

in and who executed the foregoing instrument, and acknowledged that they  
unto set my hand and affixed my notarial seal this, the day and year in

FORM Notary Public for Oregon  
My commission expires  
NEV

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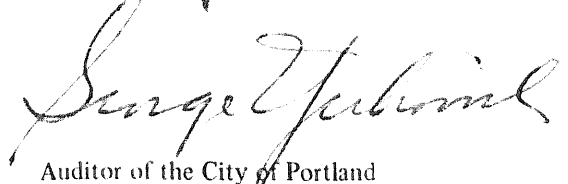
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Mayor of the City of Portland

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Auditor of the City of Portland

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FOUR-FIFTHS CALENDAR	
Ivancie	
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INTRODUCED BY

COMMISSIONER SCHWAB

NOTED BY THE COMMISSIONER

Affairs

Finance and  
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Safety

Utilities

Works

BUREAU APPROVAL

Bureau:

Prepared By:

Date:

S.O.TORGRIMSON/r1 3/2/77

Budget Impact Review:

☐ Completed

☐ Not required

Bureau Head:

NOTED BY

City Attorney

City Auditor

City Engineer

Filed MAR 4 1977

GEORGE YERKOVICH

Auditor of the CITY OF PORTLAND

By

Deputy



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By: (SEAL)  
(SEAL)  
(SEAL)  
(SEAL)

STATE OF OREGON } ss.  
County of

On this day of , 19 , before me, the undersigned, a Notary Public in and for said County and State, personally appeared

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 herunto set my hand and affixed my notarial seal this, the day and year in this instrument first written.

APPROVED AS TO FORM

Notary Public for Oregon

Robert L. Thurtell  
ACTING CITY ATTORNEY

My commission expires