

RAILROAD COMPANIES' COUNTERPART

Form 2213

3-74-20M

EXTENSION RIDER

149308

EXHIBIT "A"

32645-A

To be attached to agreement Audit No. A-103353 Dept. No. 32645

--- No. --- No. ---

Between OREGON-WASHINGTON RAILROAD & NAVIGATION COMPANY and UNION PACIFIC RAILROAD COMPANY, corporations, (collectively "Lessor") and CITY OF PORTLAND, an Oregon municipal corporation ("Lessee")

Present Assignee (if any) none

Covering storage site for fill material for dike construction

Location Portland, Multnomah County, Oregon

Dated May 2, 1979 Effective Date May 1, 1979 Expiration (Original) April 30, 1980

Expiration (by latest extension) ---

IT IS HEREBY MUTUALLY AGREED by and between the present parties to the above-named agreement that the term thereof shall be and hereby is extended to and including April 30, 1981, and that all the terms and conditions thereof, as heretofore or herein supplemented and/or amended, shall remain in full force and effect during the extended term, said agreement with the supplements and/or amendments (if any) to be subject to termination prior to the expiration of the extended term in the same manner as is provided therein for termination prior to the expiration of the term hereby extended.

Special Provisions: For use of the leased premises during the extended term herein provided for, Lessee shall pay to Union Pacific Railroad Company, rental of One and 00/100 (\$1.00) Dollar for the term, receipt of which is hereby acknowledged.

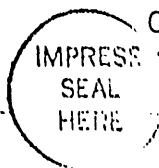
Dated January 24, 1980 Made in duplicate.

OREGON-WASHINGTON RAILROAD & NAVIGATION COMPANY UNION PACIFIC RAILROAD COMPANY

By General Manager

Attest:

CITY OF PORTLAND



Auditor

Mayor

Pursuant to Ordinance passed:

ORDINANCE NO. 149308

An Ordinance authorizing the Mayor and Auditor to execute and deliver to Union Pacific Railroad Company an Extension Rider extending the City's lease of railroad property in the vicinity of the Columbia Blvd. Wastewater Treatment Plant for a period of one year, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. That by authority of Ordinance No. 147913, the City entered into a lease agreement with Oregon-Washington Railroad & Navigation Company and its lessee, Union Pacific Railroad Company, to provide a location for temporary storage of fill material during dike construction for the sludge lagoon near the Columbia Blvd. Wastewater Treatment Plant, said lease to expire on April 30, 1980.
2. That it appears the construction work now under contract will not be completed on the schedule originally anticipated, and it is necessary that the lease be extended for a period of one year; the new expiration date to be April 30, 1981.
3. That the railroad is willing to extend the lease, and such extension should now be authorized.

NOW, THEREFORE, the Council directs:

- a. The Mayor and Auditor are authorized to sign an Extension Rider, approved as to form by the City Attorney, extending the term of the lease of Union Pacific Railroad Company property to April 30, 1981, said lease having been originally authorized by Ordinance No. 147913. Said Extension Rider shall be substantially in accordance with Exhibit "A" attached to the original only of this Ordinance, and by this reference made a part thereof.
- b. The Auditor shall forward the signed Extension Rider to Union Pacific Railroad Company, Real Estate Department, Room 600, Pittock Block, PO Box 4265, Portland, Oregon 97208, Attention: Mr. Chas. K. Landskroner, District Real Estate Director, for signatures of the railroad company.
- c. That upon receipt by the Auditor of the fully executed Extension Rider, the document shall be filed in the appropriate City records.

ORDINANCE No.

Section 2. The Council declares an emergency exists, because a delay in extending a lease on railroad property could result in interruption of work now underway on the City's sludge lagoon, therefore this ordinance shall be in force and effect from and after its passage by the Council.

ORDINANCE NO. 149308

MAR 19 1980

AN ORDINANCE TO EXTEND THE LEASE OF RAILROAD PROPERTY TO THE CITY OF PORTLAND, OREGON, FOR THE PURPOSE OF CONSTRUCTION OF A SLUDGE LAGOON, AND TO REPEAL ORDINANCE NO. 149308, PASSED BY THE COUNCIL OF THE CITY OF PORTLAND, OREGON, ON FEBRUARY 19, 1980.

MAR 19 1980

COMMUNAL SERVICES

1000 1000 1000 1000

Passed by the Council, MAR 19 1980

Commissioner Mike Lindberg
Carl Short/sg
February 19, 1980

Ann M. Brady
Mayor of the City of Portland

Attest:

Senge Gerhardt
Auditor of the City of Portland

Calendar No. 959

ORDINANCE No. 149308

Title

An Ordinance authorizing the Mayor and Auditor to execute and deliver to Union Pacific Railroad Company an Extension Rider extending the City's lease of railroad property in the vicinity of the Columbia Blvd. Wastewater Treatment Plant for a period of one year, and declaring an emergency.

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

FOUR-FIFTHS CALENDAR	
Ivancie	
Jordan	
Lindberg	
Schwab	
McCready	

INTRODUCED BY
Commissioner Mike Lindberg

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration
Safety
Utilities
Works <i>ML/mg</i>

BUREAU APPROVAL
Bureau:
Sanitary Engineering
Prepared By: <i>CS</i> Date: 2/19/80
Budget Impact Review:
<input type="checkbox"/> Completed <input checked="" type="checkbox"/> Not required
Bureau Head:
<i>Joe Niehuser</i> Joe Niehuser

NOTED BY
City Attorney
City Auditor
City Engineer APPROVED: <i>JML</i>
John M. Lang, Acting City Engr.
BY: <i>John Lang</i>

Filed MAR 14 1980

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

By *Gordon*
Deputy

30000