

## EXHIBIT "A"

City of Portland, Oregon

U.S.B.P.A. Permit  
No. \_\_\_\_\_  
Multnomah County,  
OregonLICENSE  
for  
RIGHT OF WAY ENCROACHMENTS

THE UNITED STATES OF AMERICA, hereinafter called "the Government", Department of the Interior, acting by and through the Bonneville Power Administrator, hereinafter called "the Administrator", hereby gives the CITY OF PORTLAND, OREGON, hereinafter called "the Licensee", the right, license and privilege to operate a fire fighting training center and to construct or install such facilities as are necessary for such activity on Parcel No. 1 of Tract VE-39 of the Government's Vancouver-Eugene electric transmission line right-of-way, which said Parcel 1 is more particularly described as follows:

All that portion of the N $\frac{1}{2}$  of Jacob L Sanders D.L.C. No. 53 lying north and east of the S.P.&S. Railroad right-of-way in Section 34, Township 2 North, Range 1 West, Willamette Meridian, Multnomah County, Oregon, which lies within a strip of land 150.0 feet in width, of which 100.0 feet lie on the northerly side of and 50.0 feet lie on the southerly side of the Vancouver-Eugene transmission line survey; said survey line intersecting the northeasterly right-of-way line of said S.P.& S. Railroad at a point 2012.88 feet north and 1532.86 feet east of the southwest corner of the Jacob L. Sanders D.L.C. No. 53 in Section 34, Township 2 North, Range 1 West, Willamette Meridian; thence N. 59° 02' 15" E. a distance of 1175.49 feet to a point on the southerly bank of the Willamette River, said point being 2617.64 feet north and 2540.85 feet east of the southwest corner of the said Jacob L. Sanders D.L.C. No. 53 in Section 34, Township 2 North, Range 1 West, Willamette Meridian, thence continuing N. 59° 02' 15" E. to the southwesterly meander line of the Willamette River;

together with the right to cross that portion of Tract SJ-S-6 of the Government's St. Johns-Salem transmission line right-of-way which lies between the northeasterly boundary of the S.P.& S. Railroad right-of-way in Section 34, Township 2 North, Range 1 West Willamette Meridian, Multnomah County, Oregon, and a line parallel to and 100.0 feet north and east of said boundary in said Section 34, said tract SJ-S-6 being more particularly described as follows:

That portion of the south 1500 feet of that part of the N $\frac{1}{2}$  of the Jacob Sanders D.L.C. No. 53 in Section 34, Township 2 North, Range 1 West of the Willamette Meridian, and No. 63 in Section 3, Township 1 North, Range 1 West of the Willamette Meridian, Multnomah County, Oregon, together with the tide or overflow lands along the southwest side, of the Willamette River affronting thereon, lying northwesterly of the 150-foot right-of-way of the Bonneville Power Administration's Vancouver-Eugene transmission line, excepting therefrom a strip of land 50 feet in width lying on the northerly side of and adjoining the northerly right-of-way line of said Vancouver-Eugene transmission line extending from the ordinary high-water line on the westerly bank of the Willamette River to the easterly right-of-way line of the Lower Columbia River Highway, and also excepting therefrom the right-of-way of the Spokane, Portland, and Seattle Railway Company; which lies within a strip of land 175 feet in width, the boundaries of said strip lying 50 feet distant northerly from, and 125 feet distant southerly from, and parallel to the following described center line as now located and staked on the ground, over, across, upon and/or adjacent to the above property;

Beginning at survey station 5 + 32.50 on the St. Johns-Astoria transmission line, a point in Section 34, Township 2 North, Range 1 West of the Willamette Meridian, said point being 1601.59 feet north and 209.92 feet west of the southwest corner of the Jacob Sanders D.L.C. No. 53; thence S. 83° 55' 15" E. a distance of 529.5 feet to survey station 3 + 49.17 on the survey line of the St. Johns-Willamette River Section of the St. Johns-Salem transmission line; thence along said survey line N. 59° 02' 15" E. a distance of 4563.83 feet to survey station 49 + 13.0, a point on the east line of said Section 34, said point being S. 0° 14' 38" W. a distance of 3878.8 feet from the quarter section corner on the East line of Section 27, Township 2 North, Range 1 West of the Willamette Meridian;

Subject to the following conditions:

1. The Licensee agrees that all the facilities or structures erected on the right-of-way herein described shall be erected at such locations on the right-of-way as are agreeable to the Administrator or his representatives. If at any time it becomes necessary, in the opinion of the Bonneville Power Administrator, to change the location of any facilities constructed or installed by the Licensee upon the right-of-way hereunder, such change will be made by and at the expense of the Licensee.

2. The Licensee agrees to indemnify the Government for any and all damage or injury to Government property which occurs in the operation or construction of the Licensee's fire fighting training center.

3. The Licensee agrees to assume all risk of loss, damage and injury to its property which may be caused in any manner by reason of the location or operation of the Licensee's fire fighting training center upon Government's right-of-way hereunder.

4. The Licensee agrees that it will save the Government harmless against any and all claims or demands for injury to the person or property of others, when such claims or demands arise in consequence of the Licensee's operations or the presence of the Licensee's facilities on the Government's right-of-way.

5. This license may be cancelled by the Administrator at any time upon ninety (90) calendar days' written notice to the Licensee, served by registered United States mail, and upon the expiration of said ninety (90) days after receipt of said notice by said Licensee, this license shall cease and terminate.

6. On or before the termination of this license, the Licensee will remove all of its property from the Government's right-of-way and restore the surface thereof to a condition satisfactory to the Administrator or his authorized representative.

Issued at Portland, Oregon, this \_\_\_\_ day of \_\_\_\_\_, 1951.

UNITED STATES OF AMERICA  
Department of the Interior

By \_\_\_\_\_

The above license is hereby accepted and its terms agreed to this \_\_ day of \_\_\_\_\_, 1951.

CITY OF PORTLAND, OREGON

By \_\_\_\_\_  
(SEAL)  
ATTEST:

\_\_\_\_\_

## ORDINANCE No. 94042

An Ordinance to amend Ordinance No. 93860, authorizing participation by the City in a cooperative fire training project and acceptance of permits for the use of certain property for maintenance of fire fighting training ground, by incorporating as an exhibit therein the form of permit to be granted by Bonneville Power Administration, and declaring an emergency.

The City of Portland does ordain as follows:

Section 1. The Council finds that Ordinance No. 93860, passed by the Council March 28, 1951, authorized participation by the City of Portland in a cooperative fire fighting project upon certain conditions, and further authorized the acceptance of permits from the Bonneville Power Administration and the Portland General Electric Company for use of certain property located in the Jacob Sanders D.L.C., in Section 34, Township 2 North, Range 1 West of the Willamette Meridian in the City of Portland, Oregon, for the purpose of maintenance of fire fighting ground, parking area and access road; that since the passage of said ordinance the legal division of the Bonneville Power Administration has requested that the form of permit to be executed by its Administrator granting the use of certain Bonneville property for such purposes be incorporated as an exhibit in said ordinance; and the Council further finds that the terms of said form of permit of Bonneville Power Administration as submitted to the City are reasonable and provision should now be made for amending said Ordinance No. 93860 by adding said form of permit as an exhibit thereto, and incorporated therein; now, therefore, Section 1 of Ordinance No. 93860 entitled: "An Ordinance authorizing participation by the City of Portland in a cooperative fire training project upon certain conditions, authorizing the acceptance of permits from Bonneville Power Administration and Portland General Electric Company for the use of certain property located on the North Half of the Jacob L. Sanders D.L.C. in Section 34, Township 2 North, Range 1 West, Willamette Meridian, in the City of Portland, Oregon, for the purposes of maintenance of fire-fighting training ground, parking area and access road, and declaring an emergency." passed by the Council March 28, 1951, hereby is amended to read as follows:

Section 1. The Council finds that certain industries through their plant managers and safety engineers and the Petroleum Industries Committee have proposed a project for a cooperative fire training ground to the officials of the Bureau of

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Fire of the City of Portland; that over a period of two years conferences have been held from time to time on this matter and various proposed locations for said project considered; that as a result thereof a certain portion of the Bonneville Power Administration property located on the North Half of the Jacob L. Sanders D.L.C., in Section 34, Township 2 North, Range 1 West, Willamette Meridian, in the City of Portland, Multnomah County, Oregon, was determined as a desirable and adequate site for such project provided that permission could be obtained for access road and parking area on adjacent ground owned by Portland General Electric Company; that said Bonneville Power Administration and said Portland General Electric Company have offered to execute permits to the City of Portland for use of said parcels of property as desired for the above mentioned purposes; that certain of said cooperating industries have proposed to supply and install all of the equipment to be used for training on said fire training ground, such as 20,000 gallon tank, tank truck pits, "Christmas Tree" generator, shed for housing pumping equipment and other miscellaneous equipment, all to be furnished and installed under the direction of the fire protection engineers of said industries without expense to the City, and it is further proposed that the use of said training ground by industrial and city fire squads be administered by the Bureau of Fire of the City of Portland and that necessary liability insurance for the protection of the city from claims arising from its use by industrial squads be furnished by the cooperating industries; that participation by the City of Portland in said cooperative fire training project upon the proposed terms would be to the advantage and benefit of the people of said city and in furtherance of the aims of the civil defense program; and that therefore provision should now be made for such participation and for the acceptance of the hereinabove mentioned permits for the use of the required ground for fire training; now, therefore, the City of Portland through its Bureau of Fire hereby is authorized to participate with local industrial organizations in a cooperative fire training project upon certain conditions set out hereinbelow, and the Mayor as Commissioner of Public Safety and the Auditor hereby are authorized and directed on behalf of the City of Portland to execute acceptance of a permit granted by the Bonneville Power Administration to use certain right of way area designated as Parcel No. 1 of Tract VE 39 located on the North  $\frac{1}{2}$  of the Jacob L. Sanders D. L. C. in Section 34, Township 2 North, Range 1 West, Willamette Meridian, for the purpose of a fire training ground for such cooperative project, together with access over certain other Bonneville right of way located in the same section, substantially in

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accordance with Exhibit "A" attached hereto and by this reference incorporated herein as if fully set out at this place herein; and to execute an acceptance of a permit granted by the Portland General Electric Company for access road and parking area on 50-foot strip located in said north one-half of the Jacob L. Sanders Donation Land Claim and bisecting said Bonneville property, upon approval as to form of each of said permits by the City Attorney.

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: That there be no unnecessary delay in the consummation of plans for such cooperative fire training for the protection of the public from industrial fire hazards and the furtherance of civil defense 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, APR 20 1951

*Dorothy McCullough*  
Mayor of the City of Portland  
*Will Gibson*

Attest:

Auditor of the City of Portland

Calendar No. 1938

ORDINANCE No. 94042

Title

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THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Bean	/	
Bennett	/	
Bowes	/	
Peterson	/	
Lee	/	

FOUR-FIFTHS CALENDAR	
Bean	
Bennett	
Bowes	
Peterson	FLP
Lee	DMcL WJW

INTRODUCED BY  
Mayor Lee

DRAWN BY  
HFA:gm  
Date April 18, 1951

NOTED BY THE COMMISSIONER

Affairs

Finance

Safety DMcL WJW

Utilities

Works

City Attorney MCR

NOTED FOR CITY AUDITOR

RSI

JHL

APPROVED

Date

By  
Chief Civil Engineer

Date

By  
City Engineer

Filed APR 25 1951

*Will Gibson*  
Auditor of the CITY OF PORTLAND

By ROBT L. McCOY  
Deputy