

CONFIRM COPY

U.S. DEPARTMENT OF THE INTERIOR  
BONNEVILLE POWER ADMINISTRATION

## ACCESS ROAD EASEMENT

please file on  
Ord 106611

FOR AND IN CONSIDERATION of the sum of One and no/100 and other good and valuable  
considerations Dollars (\$ 1.00 )

in hand paid, receipt of which is hereby acknowledged. **THE CITY OF PORTLAND, a municipal corporation,**

have granted, bargained, and sold and by these presents do hereby grant, bargain, sell, and convey unto the UNITED STATES OF AMERICA and its assigns, a permanent easement and right-of-way approximately 14 feet in width, with such additional widths as are necessary to provide for cuts, fills, and turnouts and for curves at the angle points, all over and across the lands of the undersigned in ~~(-AR-3-1,P.223) Lots 11&12 in Blk 11 of Harborton, a subdivision of a part of Sec. 34; (-AR-3-2,P.1 & -AR-3-3,P.2) Lots 7 to 12 inclusive, in Blk 10 of Harborton, a subdivision of a part of the SW 1/4 of Sec. 33, & part of the NW 1/4 of Sec. 33; (-AR-3-3,P.1 & -AR-3-2,P.2) Lots 2,3,4,5,6 & 20 in Blk 13 of Harborton, a subdivision of a part of Sec. 33, all in T 2 N., R 1 W., N.M.,~~ ~~Waltzmann County, Oregon, said across roads appearing as to centerlines on Exhibit "A" attached hereto and by reference made a part hereof,~~ for the following purposes, namely: the right to enter and to clear of timber, endangering trees, and brush; to grade, level, cut, fill, drain, build, maintain, repair, and rebuild a road or highway and such culverts, bridges, turnouts, retaining walls, or other appurtenant structures as may be necessary, on, over, and across the land embraced within the right-of-way, as shown on the attached right-of-way maps serially numbered \_\_\_\_\_

The undersigned will be permitted the right of ingress and egress over and across said road, and the right to pass and repass along and on said road insofar as the same extends across the lands of the undersigned, said right to be exercised in a manner that will not interfere with the use of the road by the United States of America, its agents or assigns.

It is understood and agreed that if said road is damaged by the UNITED STATES OF AMERICA, its officers, employees, contractors, or assigns, the UNITED STATES OF AMERICA or its assigns will repair such damage.

The Government shall pay the inspection and recording costs incidental to the (continued on reverse)

It is further understood and agreed that the undersigned, its heirs, and assigns may erect or maintain fences across said road, provided adequate gates of not less than ten feet in width are installed, which may be kept locked, provided the UNITED STATES OF AMERICA is also permitted to install its own lock thereon.

TO HAVE AND TO HOLD the said easement and right-of-way to the UNITED STATES OF AMERICA and its assigns, forever.

It is further understood and agreed by the undersigned that the payment of such purchase price is accepted as full compensation for all damages incidental to the exercise of any of the rights above described.

~~The~~ undersigned covenant with the UNITED STATES OF AMERICA that it is lawfully seized and possessed of the lands aforesaid; ~~has~~ a good and lawful right and power to sell and convey the same; that the same are free and clear of all encumbrances, except as above noted, and that it will forever warrant and defend the title thereto and quiet possession thereof against the lawful claims of all persons whomsoever.

DATED this 11th day of October, 1957

THE CITY OF PORTLAND

(CITY SEAL)

(SRA)

By /s/ Terry D. Schruck

# News

By /s/ Ormond R. Bean

**Abstract:**

Commissioner of  
Finance

/S/ Will Gibson



CONFORM COPY

release or subordination of mortgages or similar security in respect to the easement rights to be acquired, and shall pay the recording costs of the said instrument of conveyance; and the undersigned understands and hereby agrees that the purchase price above stated, less the cost of the internal revenue stamps, will be paid upon the delivery and recording of such conveyance.

STATE OF OREGON        }  
COUNTY OF MULTNOMAH } ss:

BE IT REMEMBERED, That on this 11th day of October, 1957, personally appeared Terry D. Shrunk and Ormand R. Bean and Will Gibson, who being first duly and severally sworn, did say that he, the said Terry D. Shrunk, is the Mayor, that he, the said Ormand R. Bean is the Commissioner of Finance, and he, the said Will Gibson, is the Auditor of the City of Portland, the municipal corporation which executed the foregoing instrument, and that the seal affixed to said instrument is the corporate seal of said city and that said instrument was signed and sealed in behalf of said municipal corporation by authority of Ordinance No. 106611 passed by the Council of said city on the 12th day of September, 1957, and said Terry D. Shrunk, Ormand R. Bean, and Will Gibson, acknowledged said instrument to be the free act and deed of said City of Portland. Before me:

Notary  
(SEAL)

/S/ Sylvia L. Bredemeier  
Notary Public for Oregon

My commission expires:

Notary Public for Oregon  
My Commission Expires January 30, 1961

APPROVED AS TO FORM

/S/ M. L. Rushing  
Chief Deputy City Attorney

E.W.C

## CONFORM COPY

## Exhibit "A"

**Existing Road**

**SJ-A-AR-3-3** - Beginning at access road survey station 10+40 = survey station 23+58.24 on the survey line of the St. Johns-Astoria transmission line, a point in the  $SE\frac{1}{4}SE\frac{1}{4}$  of Section 33, Township 2 North, Range 1 West, W.M., said point being S.  $1^{\circ}39'08''$  W. a distance of 266.17 feet and N.  $41^{\circ}49'45''$  W. a distance of 748.88 feet from the quarter section corner on the east line of said Section 33; thence S.  $8^{\circ}$  W. to survey station 39+60; thence S.  $32^{\circ}$  W. to survey station 36+20; thence S.  $13^{\circ}$  W. to survey station 31+50; thence S.  $5^{\circ}$  W. to survey station 29+90; thence S.  $26^{\circ}$  W. to survey station 28+10; thence S.  $32^{\circ}$  W. to survey station 26+30; thence S.  $9^{\circ}$  W. to survey station 24+20; thence S.  $4^{\circ}30'$  E. to survey station 20+60; thence S.  $5^{\circ}30'$  W. to survey station 18+60; thence S. to survey station 16+60; thence S.  $9^{\circ}30'$  E. to survey station 14+50; thence S.  $3^{\circ}$  W. to survey station 13+40; thence S.  $32^{\circ}$  W. to survey station 11+60; thence S.  $19^{\circ}$  E. to survey station 10+00, a point on the northwesterly boundary line of the right of way for the Vancouver-Eugene transmission line in the  $SE\frac{1}{4}SE\frac{1}{4}$  of said Section 33.

**SJ-A-AR-3-2** (To be constructed) - Beginning at access road survey station 0+00 = survey station 17+68 on the survey line of the St. Johns-Astoria transmission line, a point in Lot 12 of Block 10 of Harborton, a subdivision of a part of Section 33, Township 2 North, Range 1 West, W. M., said point being S.  $1^{\circ}39'08''$  W. a distance of 266.17 feet and N.  $41^{\circ}49'45''$  W. a distance of 158.64 feet from the quarter section corner on the east line of said Section 33; thence S.  $67^{\circ}30''$  W. to survey station 0+76; thence S.  $47^{\circ}$  W. to survey station 1+41; thence S.  $35^{\circ}30'$  W. to survey station 2+15; thence S.  $45^{\circ}$  W. to survey station 3+44; thence S.  $30^{\circ}$  W. to survey station 4+81; thence S.  $39^{\circ}$  W. to survey station 5+62; thence S.  $61^{\circ}30'$  W. to survey station 6+26; thence S.  $82^{\circ}$  W. to survey station 7+15; thence N.  $82^{\circ}$  W. to survey station 7+60; thence N.  $46^{\circ}30'$  W. to survey station 8+06; thence N.  $25^{\circ}30'$  W. to survey station 8+59; thence N.  $14^{\circ}30'$  W. to survey station 9+06; thence N.  $31^{\circ}$  W. to survey station 9+61; thence N.  $45^{\circ}$  W. to survey station 10+08, a point in access road SJ-A-AR-3-3, said point being in Lot 5 of Block 13 of Harborton.

**SJ-A-AR-3-1** (To be constructed) - Beginning at access road survey station 13+15 = survey station 8+90 on the survey line of the St. Johns-Astoria transmission line, a point in Lot 10 of Block 11 of Harborton, a subdivision of a part of Section 34, Township 2 North, Range 1 West, W. M., said point being S.  $1^{\circ}39'08''$  W. a distance of 266.17 feet and S.  $43^{\circ}56'00''$  W. a distance of 719.38 feet from the quarter section corner on the west line of said Section 34; thence S.  $4^{\circ}$  E. to survey station 11+84; thence S.  $10^{\circ}$  E. to survey station 10+98; thence S.  $9^{\circ}30'$  W. to survey station 10+13; thence S.  $15^{\circ}30'$  W. to survey station 8+70; thence S.  $8^{\circ}$  W. to survey station 7+57; thence S.  $10^{\circ}30'$  W. to survey station 6+45; thence S.  $23^{\circ}$  W. to survey station 5+98; thence S.  $15^{\circ}$  W. to survey station 5+30; thence S.  $9^{\circ}30'$  W. to survey station 4+34; thence S.  $29^{\circ}30'$  W. to survey station 2+31; thence S.  $35^{\circ}$  W. to survey station 1+86; thence S.  $29^{\circ}30'$  W. to survey station 1+44; thence S.  $13^{\circ}$  W. to survey station 1+05; thence S.  $25^{\circ}$  W. to access road survey station 0+00 = survey station 208+50 on the survey line of the Vancouver-Eugene No. 1 transmission line, a point in Government Lot 9 of Section 34, Township 2 North, Range 1 West, W. M.

*please  
file on  
Ord 106611*

October 11, 1957

*(1 copy filed in  
ofc letterfile)*

Mr. Wiley Smith, Assessor  
Multnomah County Court House  
Portland 4, Oregon

Dear Mr. Smith:

Please find enclosed for your information and files one copy of Ordinance No. 106611, passed by the Council September 12, 1957.

Yours very truly,

WILL GIBSON

Auditor of the City of Portland  
By

Deputy

*SB*  
SB:js  
Encl.

cc - Tom Farrell  
Property Control

*please file  
on  
Ord 106611*

October 11, 1957

Mr. John V. Mulcahy, Representative  
Bonneville Power Administration  
P. O. Box 3537  
Portland 8, Oregon

*(106611 filed in  
of letter file)*

Dear Mr. Mulcahy:

Please find enclosed your original and one conformed copy of Access Road Easement granted by the City of Portland to the United States Department of Interior, Bonneville Power Administration, across certain property of the City of Portland located in Forest Park, as authorized by Ordinance No. 106611 passed by the Council September 12, 1957, certified copies of which are attached.

Yours very truly,

WILL GIBSON

Auditor of the City of Portland  
By

Deputy

*SB*  
SB:js  
Encl.



CITY OF PORTLAND  
**INTER-OFFICE CORRESPONDENCE**  
(NOT FOR MAILING)

October 3, 1957

*please  
file  
ord 106611*

From Dept. of City Attorney  
To Dept. of City Auditor  
Addressed to Miss Sylvia Bredemeier  
Subject Access Road Easement to BONNEVILLE POWER ADMINISTRATION,  
for Roads in FOREST PARK.

*10/8/57 codes says filling  
first line of one dollar +  
other good & valuable consideration*

Dear Sir:

Pursuant to Ordinance No. 106611, passed by the Council September 12, 1957, we forward herewith original and two copies of Access Road Easement given by the City to the Bonneville Power Administration for roads in Forest Park.

Only the original has been signed as being approved as to form; but it is our understanding that you will conform the two copies to the original.

After execution of the easements, the original and a copy should be forwarded to:

Mr. John V. Mulcahy,  
Bonneville Power Adm.  
P. O. Box 3537,  
Portland 8, Oregon.

*and  
Send by  
Express  
& that's all  
per. Wayne Corbin*

Yours very truly,

*Marian C. Rushing*

MARIAN C. RUSHING  
Chief Deputy City Attorney

EWC:rb  
Enc. 3.

## ORDINANCE No. 106611

An Ordinance authorizing the execution of access road easements to the United States of America for the Bonneville Power Administration across certain property of the city of Portland located in Forest Park, upon certain terms and conditions, and declaring an emergency.

The City of Portland does ordain as follows:

Section 1. The Council finds that the United States of America, by and through the Bonneville Power Administration, requires access road easements through Park Bureau property owned by the City of Portland in Forest Park for access to transmission lines to be constructed; that three access roads are required, each of approximately 14 feet width; that the roads to be built upon said easements will be of benefit to the City as fire patrol roads, and said easements should be granted to the United States without charge; now, therefore, the Mayor, Auditor and Commissioner in charge of the Bureau of Parks hereby are authorized and directed to execute and deliver on behalf of the City of Portland an instrument or instruments conveying to the United States of America permanent easements and rights of way approximately 14 feet in width, across portions of Sections 33 and 34, T 2 N, R 1 W, W.M., Multnomah County, Oregon, the center lines of which roads are shown on Drawing 391-79-340-C1, dated January 26, 1957, Sheet No. 2 of 15 (Serial No. 78202), Roads Nos. SJ-A-AR-3-1, P. 2 and 3, SJ-A-AR-3-2 P. 1 and 2, and SJ-A-AR-3-3 P. 1 and 2, United States Department of Interior, Bonneville Power Administration, and more particularly described as follows:

SJ-A-AR-3-1 (To be constructed) - Beginning at access road survey station 13+15 = survey station 8+90 on the survey line of the St. Johns-Astoria transmission line, a point in Lot 10 of Block 11 of Harborton, a subdivision of a part of Section 34, Township 2 North, Range 1 West, W.M., said point being S. 1° 39' 08" W. a distance of 266.17 feet and S. 43° 56' 00" W. a distance of 719.38 feet from the quarter section corner on the west line of said Section 34; thence S. 4° E. to survey station 11+84; thence S. 10° E. to survey station 10+98; thence S. 9° 30' W. to survey station 10+13; thence S. 15° 30' W. to survey station 8+70; thence S. 8° W. to survey station 7+57; thence S. 10° 30' W. to survey station 6+45; thence S. 23° W. to survey station 5+98; thence S. 15° W. to survey station 5+30; thence S. 9° 30' W. to survey station 4+34; thence S. 29° 30' W. to survey station 2+31; thence S. 35° W. to survey station 1+86; thence S. 29° 30' W. to survey station 1+44; thence S. 13° W. to survey station 1+05; thence S. 25° W. to access road survey station 0+00 = survey station 208+50 on the survey line of the Vancouver-Eugene No. 1 transmission line, a point in Government Lot 9 of Section 34, Township 2 North, Range 1 West, W. M.



## ORDINANCE No.

SJ-A-AR-3-2 (To be constructed) - Beginning at access road survey station 0+00 = survey station 17+68 on the survey line of the St. Johns-Astoria transmission line, a point in Lot 12 of Block 10 of Harborton, a subdivision of a part of Section 33, Township 2 North, Range 1 West, W.M., said point being S.  $1^{\circ} 39' 08''$  W. a distance of 266.17 feet and N.  $41^{\circ} 49' 45''$  W. a distance of 158.64 feet from the quarter section corner on the east line of said Section 33; thence S.  $67^{\circ} 30''$  W. to survey station 0+76; thence S.  $47^{\circ}$  W. to survey station 1+41; thence S.  $35^{\circ} 30'$  W. to survey station 2+15; thence S.  $45^{\circ}$  W. to survey station 3+44; thence S.  $30^{\circ}$  W. to survey station 4+81; thence S.  $39^{\circ}$  W. to survey station 5+62; thence S.  $61^{\circ} 30'$  W. to survey station 6+26; thence S.  $82^{\circ}$  W. to survey station 7+15; thence N.  $82^{\circ}$  W. to survey station 7+60; thence N.  $46^{\circ} 30'$  W. to survey station 8+06; thence N.  $25^{\circ} 30'$  W. to survey station 8+59; thence N.  $14^{\circ} 30'$  W. to survey station 9+06; thence N.  $31^{\circ}$  W. to survey station 9+61; thence N.  $45^{\circ}$  W. to survey station 10+08, a point in access road SJ-A-AR-3-3, said point being in Lot 5 of Block 13 of Harborton.

### Existing Road

SJ-A-AR-3-3 Beginning at access road survey station 40+40 = survey station 23+58.24 on the survey line of the St. Johns-Astoria transmission line, a point in the  $SE\frac{1}{4}NE\frac{1}{4}$  of Section 33, Township 2 North, Range 1 West, W.M., said point being S.  $1^{\circ} 39' 08''$  W. a distance of 266.17 feet and N.  $41^{\circ} 49' 45''$  W. a distance of 748.88 feet from the quarter section corner on the east line of said Section 33; thence S.  $8^{\circ}$  W. to survey station 39+60; thence S.  $32^{\circ}$  W. to survey station 36+20; thence S.  $13^{\circ}$  W. to survey station 31+50; thence S.  $5^{\circ}$  W. to survey station 29+90; thence S.  $26^{\circ}$  W. to survey station 28+10; thence S.  $32^{\circ}$  W. to survey station 26+30; thence S.  $9^{\circ}$  W. to survey station 24+20; thence S.  $4^{\circ} 30'$  E. to survey station 20+60; thence S.  $5^{\circ} 30'$  W. to survey station 18+60; thence S. to survey station 16+60; thence S.  $9^{\circ} 30'$  E. to survey station 14+50; thence S.  $3^{\circ}$  W. to survey station 13+40; thence S.  $32^{\circ}$  W. to survey station 11+60; thence S.  $19^{\circ}$  E. to survey station 10+00, a point on the northwesterly boundary line of the right of way for the Vancouver-Eugene transmission line in the  $SE\frac{1}{4}SE\frac{1}{4}$  of said Section 33.

Section 2. Said easement deeds shall be in form acceptable to the City Attorney and shall provide that the City shall have the right to use any roads developed by the United States of



## ORDINANCE No. 106611

America for trails, bridle paths, or other park uses, with the understanding that the United States of America shall install gates and keep them locked against general use of others; the City of Portland, however, shall have the right to install its own locks on the gates in order that they may be used jointly by the City of Portland and the United States of America; said deed or deeds shall also provide that the United States shall pay the inspection and recording costs incidental to the release or subordination of mortgages or similar security in respect to the easement rights to be acquired, and shall pay the recording costs of the said instruments of conveyance.

Section 3. 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 may be no delay in making available to the Bonneville Power Administration the necessary easements and rights of way for the purpose of furnishing adequate power facilities to the public; 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, SEP 12 1957

  
Mayor of the City of Portland

Attest:

  
Auditor of the City of Portland

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Bean	/	
Boody	/	
Bowes	/	
Earl	/	
Schrunk	/	

FOUR-FIFTHS CALENDAR	
Bean	<i>MRB</i>
Boody	<i>JMRB</i>
Bowes	
Earl	<i>JWE</i>
Schrunk	<i>T.D.S. 42</i>

Calendar No. 4126

## ORDINANCE No. 106611

### Title

An Ordinance authorizing the execution of access road easements to the United States of America for the Bonneville Power Administration across certain property of the city of Portland located in Forest Park, upon certain terms and conditions, and declaring an emergency.

SEP 11 1957

Filed .....

*Will Gibson.*  
Auditor of the CITY OF PORTLAND  
By *Robert L. Leary*  
Deputy

INTRODUCED BY
Commissioner Bean

DRAWN BY
EWC:dh
Date September 9, 1957

NOTED BY THE COMMISSIONER
Affairs
Finance <i>MRB</i>
Safety
Utilities
Works

City Attorney <i>MRB</i>
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NOTED FOR CITY AUDITOR
<i>WJ</i>
<i>JMRB</i>

APPROVED
Date
By
City Engineer
Date
By