

PASSED

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF LANE COUNTY, OREGON

ORDER NO.

10-7-14-3

(IN THE MATTER OF AUTHORIZING AN
(UNDERGROUND UTILITY EASEMENT OVER
(A PORTION OF GLENWOOD CENTRAL
(RECEIVING STATION PROPERTY, MORE
(SPECIFICALLY DESCRIBED AS TAX LOT 300
(ON MAP 17-03-33-44

WHEREAS, the Glenwood Central Receiving Station (CRS) is currently supplied by water for fire suppression and domestic usage purposes by the Springfield Utility Board (SUB) but was formerly supplied by Eugene Water and Electric Board (EWEB); and

WHEREAS, the interconnection between the SUB and EWEB water systems was severed in connection with the I-5 Willamette bridge replacement project, resulting in a dead-end connection and reduced flow and possible increased pressure loss for the system supplying the CRS facility; and

WHEREAS, SUB wishes to provide a replacement connection to the County facility to provide increased flow and to provide redundancy in the fire suppression system, but will require an easement across County-owned land in order to install the replacement water line, and has therefore requested that the County execute a Public Water Utility Easement in variable width over that portion of the facility specifically described on "Exhibit A" ; and

WHEREAS, ORS 271.310 provides that the County may sell, exchange, convey or lease all or any part of its interest in property to a governmental body, private corporation or individual whenever the public interest may be furthered; and

WHEREAS, a looped water supply system allowed by the imposition of the easement will provide better flow of water if needed for fire suppression purposes and will therefore facilitate the protection of public infrastructure located on the County property.

NOW THEREFORE,

IT IS ORDERED that the Board approves and authorizes the execution of the Public Water Utility Easement in the form as shown on "Exhibit A",

IT IS FURTHER ORDERED that this Order be entered into the records of the Board of Commissioners of the County.

EFFECTIVE DATE this 14th day of July, 2010.

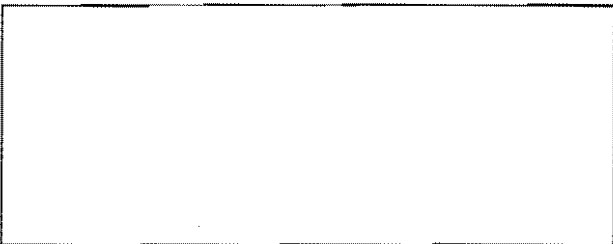
APPROVED AS TO FORM

Date: 7-1-10 Lane County


OFFICE OF LEGAL COUNSEL


Chair,
Board of County Commissioners

**PUBLIC WATER UTILITY
EASEMENT**



KNOW ALL MEN BY THESE PRESENTS, that the undersigned, for a good and valuable consideration, the receipt whereof is hereby acknowledge, do(es) hereby grant unto the City of Springfield, a municipal corporation, acting by and through its SPRINGFIELD UTILITY BOARD, and unto its successors and assigns, a perpetual easement along with the right to enter upon the lands of the undersigned situated in the City of Springfield, State of Oregon, and more particularly described as follows:

SEE ATTACHED EXHIBIT "A"

And to construct, operate, maintain, and replace therein underground facilities including power and control lines and water pipelines. SUB shall have a right to permanently maintain the underground facilities, and its agents and employees shall have the right to go upon said real property for the purpose of constructing, operating, maintaining, and repairing the underground facilities, to remove and replace fences, lawns, and trees to the extent necessary to construct, operate, maintain, and protect said lines and facilities, provided SUB shall leave the real property in the same condition as before, excluding reasonable, fair wear and tear arising from such activities. No part of any building containing sanitation facilities or any permanent structure will be placed in the easement areas, other than pavement, curbs, sidewalks, and driveway aprons, made with such materials as Grantor deems appropriate, without the express consent of SUB.

The undersigned covenants that it is the owner of the above described property and that such property is free and clear of encumbrances and liens of whatsoever character except all covenants, conditions, restrictions, encumbrances, easements, and liens, if any, affecting title which appear in the public records, any of those visible from a physical examination of the property.

IN WITNESS WHEREOF, the undersigned have executed this instrument this 14th day of July, 2010.

W.A. Fleener
Commissioner

Rob Handy
Commissioner

Commissioner

Bill Dwyer
Commissioner

Commissioner

STATE OF OREGON)
) ss.
COUNTY OF LANE)

On July 14, 2010, personally appeared WILLIAM A FLEENER,
Rob Handy, Bill Dwyer

who, duly being sworn, did say that they are members of the Board of Commissioners of Lane County, Oregon and that said instrument was signed and sealed in behalf of Lane County by authority of its Board of Commissioners; and they acknowledged said instrument to be its voluntary act and deed. Before me:

Melissa A. Zimmer

Notary Public of Oregon
My Commission Expires:

Springfield Utility Board accepts this easement.

Signed by: _____
Ray Meduna
Director - Water Division

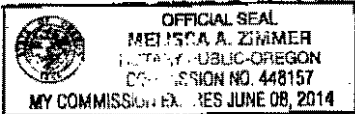


EXHIBIT "A"

Being a portion of that property acquired by Lane County, a political subdivision of the State of Oregon through that deed recorded in Reel 806, Instrument Number 76-40388 of the Official Records of Lane County Oregon which portion is more particularly described as follows:

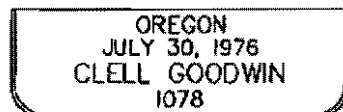
Being a strip of varying width lying on either side of the following described centerline:

Beginning at the northeast corner of the afore-described property of Lane County, said corner being of record 639.32 feet south and 203.03 feet west of the Northeast Corner of the Zara Sweet Donation Land Claim Number 68 in Township 17 South Range 3 West of the Willamette Meridian thence South, along the east line of said property a distance of 125.00 feet to the True Point of Beginning; thence, leaving said east line, West a distance of 75.00 feet to Point "A"; thence continuing West a distance of 35.28 feet; thence North 67°30'00" West a distance of 73.36 feet; thence West a distance of 154.99 feet; thence North 67°30'00" West a distance of 65.06 feet; thence West a distance of 133.01 feet to Point "B"; thence North 1°00'20" West a distance of 99.56 feet to the north line of said property and there terminating.

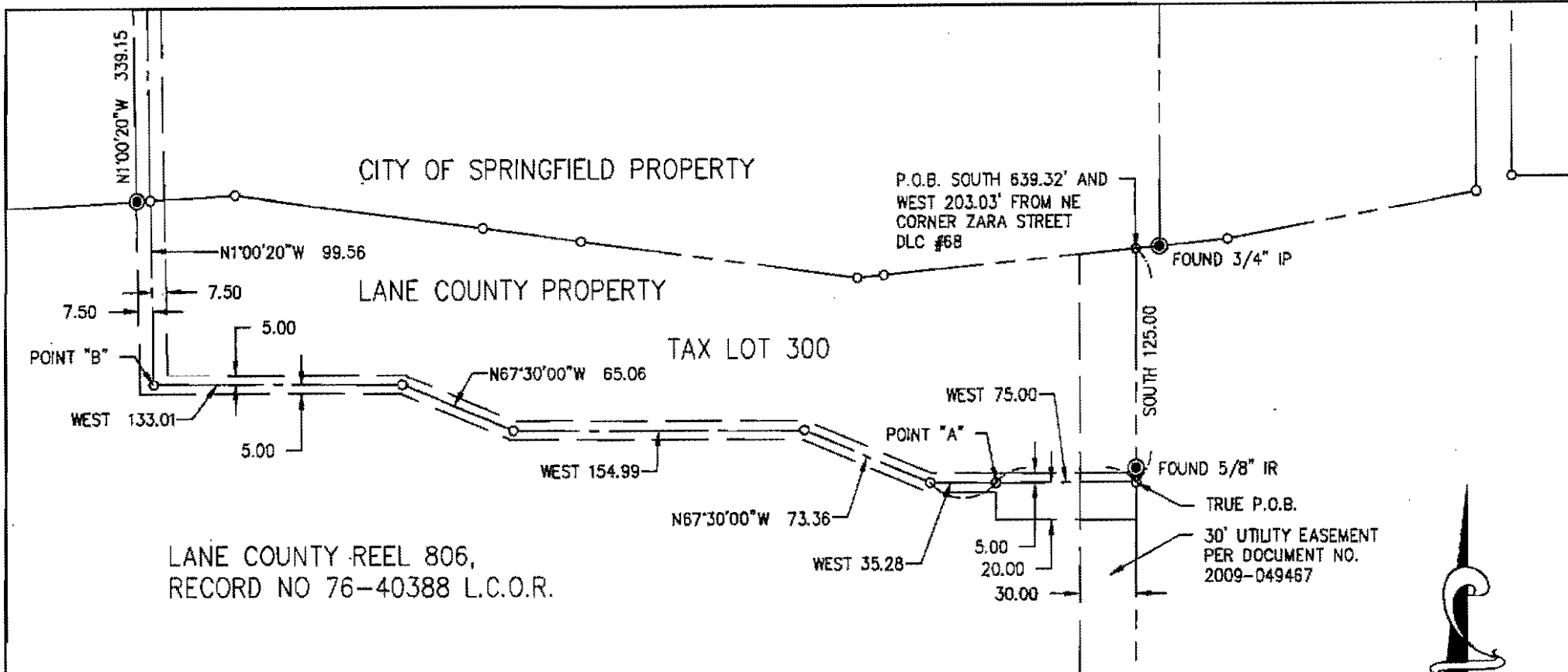
The easement lying five (5.00) feet on the north side and twenty (20.00) feet on the south side of centerline from the True Point of Beginning to Point "A"; five (5.00) feet northerly of centerline and five (5.00) feet southerly of centerline from Point "A" to Point "B" and 7.50 feet easterly and 7.50 feet westerly of centerline from Point "B" to the termination of the described centerline. The sidelines of said easement are to be prolonged or foreshortened to intersect at the angle points and property boundaries.



Clell Goodwin



EXPIRES JUNE 30, 2011



SURVEY LEGEND:

- FOUND MONUMENT
- CALCULATED POINT
- PROPERTY LINE
- - - - - CENTERLINE OF EASEMENT
- · - · - EASEMENT LINE
- P.O.B. POINT OF BEGINNING



SCALE 1" = 80'

REGISTERED PROFESSIONAL LAND SURVEYOR

Clell Goodwin

OREGON
JULY 30, 1976
CLELL GOODWIN
1078

EXPIRES JUNE 30, 2011



BALZHISER & HUBBARD ENGINEERS

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• ELECTRICAL
• CIVIL
• SURVEYORS
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SPRINGFIELD UTILITY BOARD
LANE COUNTY TRANSFER STATION
GLENWOOD, OR - WATERLINE EASEMENT

TAX MAP 17-03-33-44, TAX LOT 300

PROJECT 7200-009-09
DATE: MAY 28, 2010
FILENAME: 7200-009-09.dwg
SHEET No.

EXHIBIT