

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF GRANTING ) RESOLUTION NO. 97-2454  
AN UNDERGROUND ELECTRICAL )  
RIGHT-OF-WAY EASEMENT AT THE )  
M. JAMES GLEASON BOAT RAMP TO ) Introduced by  
PACIFIC POWER AND LIGHT. ) Mike Burton, Exec. Officer

WHEREAS, Pacific Power and Light Company (PP&L) is requesting an underground electrical easement on property located at the M. James Gleason Boat Ramp; and

WHEREAS, The purpose of the easement is to supply electrical services to a cellular antenna site currently leased to AT&T Wireless Services per Resolution No. 96-2369 approved by the Metro Council on August 8, 1996; and

WHEREAS, AT&T Wireless Services has agreed to pay for the cost associated with the easement rights on the property based on a preliminary appraisal; and

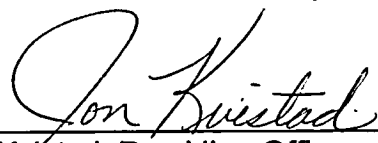
WHEREAS, Negotiations for an easement agreement have concluded; now, therefore,

BE IT RESOLVED,

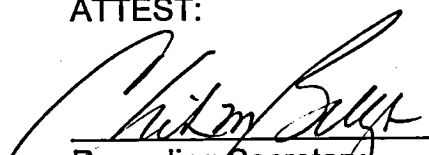
1. That the Metro Council hereby authorizes the Executive Officer to enter into agreements with AT&T Wireless Services and PP&L stating the conditions for an underground electrical easement located at the M. James Gleason Boat Ramp that includes:

- Underground Right-Of-Way Easement (Exhibit A)


ADOPTED by the Metro Council this 27<sup>th</sup> day of February, 1997.

  
\_\_\_\_\_  
Jon Kvistad, Presiding Officer

ATTEST:

  
\_\_\_\_\_  
Recording Secretary

Approved as to Form:

  
\_\_\_\_\_  
Daniel B. Cooper, General Counsel

## **REGIONAL PARKS AND GREENSPACES STAFF REPORT**

IN CONSIDERATION OF RESOLUTION NO. 97-2454 FOR THE PURPOSE OF GRANTING AN UNDERGROUND ELECTRICAL RIGHT-OF-WAY EASEMENT AT THE M. JAMES GLEASON BOAT RAMP TO PACIFIC POWER AND LIGHT COMPANY.

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Date: February 6, 1997

Presented by:

Charles Ciecko, Director  
Dan Kromer, O & M Manager  
Regional Parks and Greenspaces

### **FACTUAL BACKGROUND AND ANALYSIS**

Metro signed a lease agreement with AT&T Wireless Services, Resolution No. 96-2369, on August 15, 1996, to allow the construction of a cellular antenna site at the M. James Gleason Boat Ramp. Part of this lease agreement allowed AT&T Wireless Services to install and/or improve present utility service on the premises. AT&T Wireless Services has determined that in order to achieve their electrical needs Pacific Power and Light (PP&L) must add an additional underground electrical line and transformer. PP&L requires a permanent easement across the property before they will install the line.

Regional Parks and Greenspaces had a preliminary appraisal done on the easement property and determined that cash compensation in the amount of \$2,500.00 would satisfy the granting of the easement. AT&T Wireless Services has agreed to compensate Metro for this amount.

A Regional Parks and Greenspaces staff member will be present to answer any questions by Council regarding this agreement.

### **Executive Officer's Recommendation:**

The Executive Officer recommends adoption of Ordinance No. 97-2454.

EXHIBIT A

Return To:  
PACIFIC POWER  
7544 N.E. 33rd Dr.  
Portland, OR 97211

RC Name PMOC  
RC 41430 WO 01115293

\_\_\_\_\_  
ABOVE SPACE FOR RECORDERS USE ONLY

Grantor(s):  
Metro, a Municipal Corporation  
of the State of Oregon

**UNDERGROUND RIGHT-OF-WAY EASEMENT**

For value received, the undersigned, hereinafter referred to as Grantor(s), does/do hereby grant to PACIFICORP, a corporation, its successors and assigns (Grantee), an easement and right-of-way 10 feet in width, for an underground electric distribution line of one or more conductors and all necessary or desirable appurtenances (including but not limited to the right to install conduits, surface or subsurface-mounted transformers, surface-mounted connection boxes and meter cabinets) at or near the location and along the general course now located and staked out by the Grantee over, under, across and along the following described real property in Multnomah County, State of Oregon, to wit:

Beginning at the intersection of the center line of N.E. Marine Drive Road No. 1167 with the East line of the Sarah Wilson D.L.C.; thence South 73°57' East 57.37 feet to a point; thence along a 1910.0 foot radius curve to the left 200.29 feet to a point; thence North 0°09' West 30.49 feet to a point on the North right-of-way line said N.E. Marine Drive, said point to be the true point of beginning; thence continuing North 0°09' West parallel to said Sarah Wilson D.L.C. 253.0 feet more or less to the South bank of the Columbia River; thence Easterly, following said South bank 856.6 feet, more or less, to a point that is 856.49 feet when measured at right angles, from the West line of tract being described; thence South 0°09' East 331.0 feet, more or less, to point on the North right-of-way line of N.E. Marine Drive Road No. 1167; thence South 89°51' West following said North right-of-way line 50.0 feet to a point; thence along a 3790.0 foot radius curve to the right a distance of 388.04 feet to a point; thence North 84° 17' West 274.93 feet to a point; thence along an 1880.0 foot radius curve to the right 147.15 feet, more or less, to the true point of beginning, containing 5.90 acres, more or less.

The M. James Gleason Boat Ramp Property legally described as: TL200, Section 6, Township 1 North, Range 2 East of the Willamette Meridian, Multnomah County, Oregon.

(Tax account #R 94206-0310)

At above space, type or print property legal description. Description can usually be obtained from deed on file at the county recorder's office.

Together with the right of ingress and egress over the adjacent lands of the Grantor(s) in order to install, maintain, repair, replace, rebuild, operate and patrol the underground electric distribution lines and appurtenances, and to exercise all other rights herein granted.

The location and course of said easement and right-of-way are approximately as shown on the sketch attached as Exhibit(s) "A" by this reference made a part hereof.

At no time shall any building or anything flammable be erected, permitted or placed within the boundaries of said esement and right of way, nor shall any material or equipment of any kind or nature which exceeds 3 feet in height be used thereon by Grantor(s) or by Grantor(s) heirs, successors or assigns.

Grantor(s) shall have the right to use the lands subject to the above-described easement and right-of-way for all purposes not inconsistent with the uses and purposes herein set forth; provided that Grantor(s) shall not build or erect any structure within the boundaries said easement and right-of-way without the prior written consent of Grantee.

All rights hereunder shall cease if and when such line shall have been abandoned.

Dated as of this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**REPRESENTATIVE ACKNOWLEDGEMENT**

Corporate, Partnership, Attorney-in-Fact, Trustee(s), Guardian/Conservator/Executor, Other

STATE OF OREGON )  
 ) ss.  
County of \_\_\_\_\_ )

This instrument was acknowledged before me on \_\_\_\_\_, 19\_\_, by

\_\_\_\_\_ as  
of \_\_\_\_\_.

Is. Notary Public \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

**GENERAL NOTES**

A. SEE "GENERAL NOTES", SHEET E1.

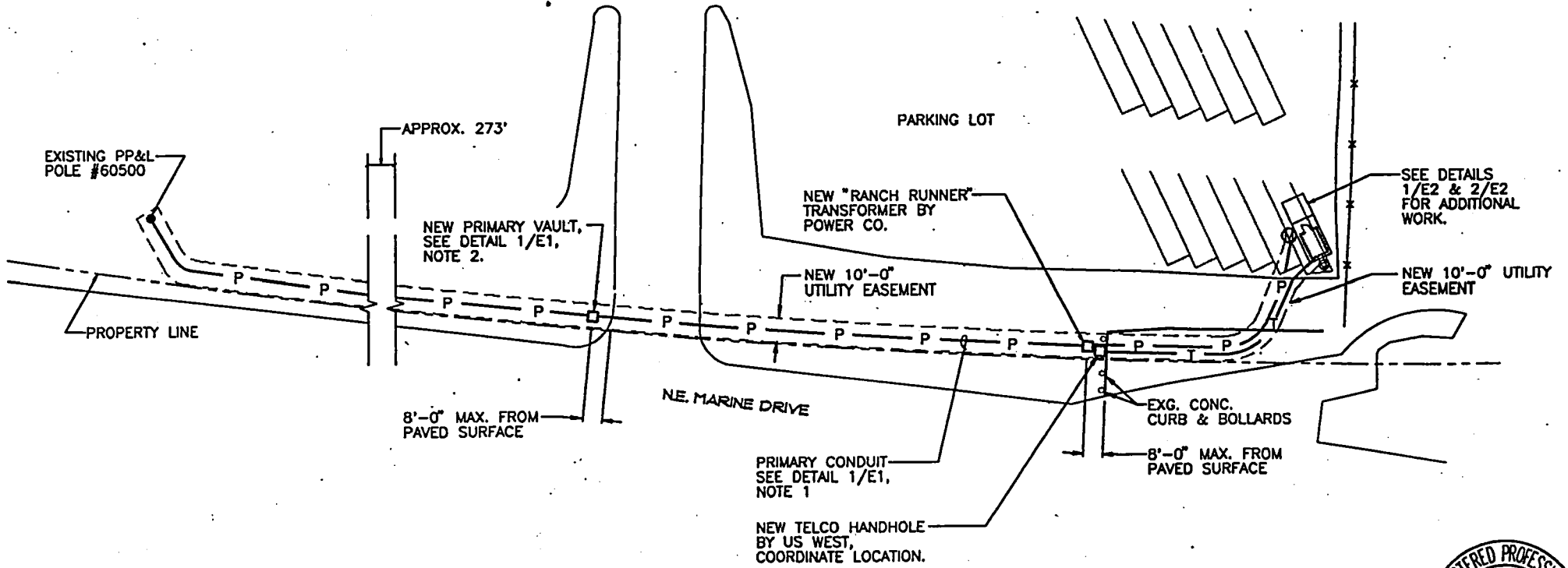


EXHIBIT "A"

**1 UTILITY PLAN**  
E2 1" = 40'-0"



**BENTLEY**  
9320 S.W. BARBUR BOULEVARD  
SUITE 200  
PORTLAND, OREGON 97219  
PHONE: (503) 244-9321  
FAX: (503) 244-9352  
Contact: Greg Robertson

**Owner:**  
**AT&T Wireless**  
1808 SW 4th Avenue  
Portland, Oregon 97201

**Project:**  
**Marine Drive Cell Site**  
Portland, Oregon

**Sheet Title:**  
**Utility Plan**

NO.	ISSUE DESCRIPTION	DATE	DRAWN	DESIGNED	CHECKED	APPROVED
1	UTILITY CHANGES	11/2/94				
2	PERMITS	11/21/94	EPH	EPH	EPH	EPH

Sheet: E6 of: 6  
Doc #: 9808-081-D-E1