

A RESOLUTION CONVEYING THE FOLLOWING EASEMENT:

GRANTOR:

City of Albany

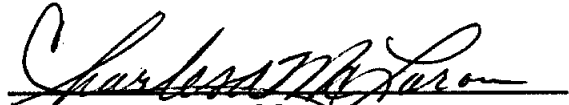
PURPOSE:

A permanent public utility easement located in Lot 17, Block 1, Marion Industrial Park, Section 19, Township 11 South, Range 3 West, W M Linn County, Oregon

An existing access road 15 feet in width, approximately 60 feet in length, over and along an existing road, over and across Lot 17, Block 1, Marion Industrial Park


NOW, THEREFORE, BE IT RESOLVED that the Albany City Council does hereby convey this easement to US Department of Energy, Bonneville Power Administration for the sum of \$ 500.00.

DATED THIS 8 DAY OF OCTOBER 1997.

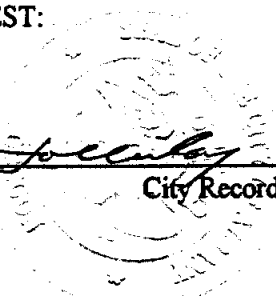


Mayor

ATTEST:



City Recorder



Tract No. AL-3-AR-1

U.S. DEPARTMENT OF ENERGY-BONNEVILLE POWER ADMINISTRATION

CONTRACT AND GRANT OF EASEMENT
Access Road

THIS AGREEMENT, made this 23 day of July, 1997,
between CITY OF ALBANY, a municipal corporation,

the Grantor, whether one or more, and the UNITED STATES OF AMERICA, Department of Energy, Bonneville Power Administration, pursuant to the Bonneville Project Act, approved August 20, 1937, Ch. 720, 50 Stat. 731, as amended, 16 U.S.C. 832 (1977); the Federal Columbia River Transmission System Act, approved October 18, 1974, (P.L. 93-454), 88 Stat. 1376, 16 U.S.C. 838 (Supp IV); the Department of Energy Organization Act, approved August 4, 1977, (P.L. 95-91); and the Pacific Northwest Electric Power Planning and Conservation Act, approved December 5, 1980, (P.L. 96-501),

WITNESSETH:

That the parties hereto covenant and agree as follows:

The Grantor, for and in consideration of the sum of *Five Hundred and no/100*
DOLLARS (\$ *500.00*) and the provisions contained in this agreement, hereby grants and conveys to the United States of America a perpetual, non-exclusive easement for access road purposes in, upon, and across the following-described land, to wit:

An existing access road as shown on Exhibit A which is BPA Access Road Acquisition Exhibit for AL-3-AR-1, attached hereto and by this reference made a part hereof.

The grant shall include the right to enter and to locate, construct, use, maintain, repair, and reconstruct the road or roads, together with cuts and fills as needed.

The Grantor reserves the right to use the access for ingress and egress insofar as the same is located on the land of the Grantor, such reserved right to be exercised in a manner that will not interfere with the use of the access by the United States.

The United States shall repair damages to the access caused by or arising out of its use thereof.

The above-listed access may be used for access to and from any existing or future transmission facilities of the United States which have been or may be constructed adjacent or nearly adjacent thereto.

The rights granted herein are subject to easements of record and mineral rights of third parties.

Order No. 206063-L Return to:
First American Title Insurance Company of Oregon

11-2W-19A/2400

In addition to the consideration recited herein, the United States shall repair or make compensation for damage to agricultural crops, fences, and irrigation and drainage systems within the easement area that occurs as a result of and during construction, reconstruction, removal, or maintenance activities. Payment for such damage shall be made on the basis of a damage estimate approved by the United States.

The Grantor agrees to satisfy of record such encumbrances, including taxes and assessments, as may be required by the United States and to obtain such curative evidences of title as may be requested by the United States.

The United States shall pay all costs incidental to the preparation and recordation of this instrument and for the procurement of the title evidence.

The Grantor covenants to and with the United States that the Grantor is lawfully seized and possessed of the land aforesaid, with a good and lawful right and power to sell and convey the same; that the land is free and clear of encumbrances, except as herein provided; and that the Grantor will forever warrant and defend the title to the rights granted herein and the quiet possession thereof against the lawful claims and all demands of all persons whomsoever.

The provisions hereof shall inure to the benefit of and be binding upon the heirs, executors, administrators, successors, and assigns of the Grantor and upon the assigns of the United States.

For: CITY OF ALBANY,
a municipal corporation

Accepted for the
UNITED STATES OF AMERICA 8/13/97
Date

by [Signature]
(Title Finance Director)
Granting Secretary

By [Signature]

by _____
(Title _____)

Title Manager for Real Property Field Services
Grantor

Grantor

Tract No. AL-3-AR-1

MP:mp:10/17/96

U.S. DEPARTMENT OF ENERGY, BONNEVILLE POWER ADMINISTRATION
Acquisition Section

CORPORATION ACKNOWLEDGMENT

Washington, Oregon, Idaho, Montana, and California

State of *Oregon*)
) ss.
County of *Linn*)

On this *23* day of *July*, *1997*, before me personally
appeared *D Gary Holladay*

known to me, or proved to me on the basis of satisfactory evidence, to be the
Finance Director of the corporation that executed the within instrument or the
person(s) who executed the within instrument as authorized agent(s) on behalf of the corporation;
acknowledged to me that such corporation executed the same; acknowledged said instrument to be the free
and voluntary act and deed of said corporation, for the uses and purposes therein mentioned; and on oath
stated that he authorized to execute said instrument and that seal, if any,
affixed is the corporate seal of said corporation.



(SEAL)

Ron Nelson
Notary Public in and for the
State of *Oregon*
Residing at *Linn County*
My commission expires *Aug 1, 1998*

SEC 19 T11S R3W WM
LINN COUNTY, OREGON

TRACT NO STA TO STA	NAME	LOCATION	SURVEY LENGTH	ACRES
AL-3-AR-1	CITY OF ALBANY	LOT 17, MARION INDUSTRIAL PARK SEC 19	60' OFF R/W	
AL-3-AR-1	CITY OF ALBANY	PARCEL A	60' R/W	

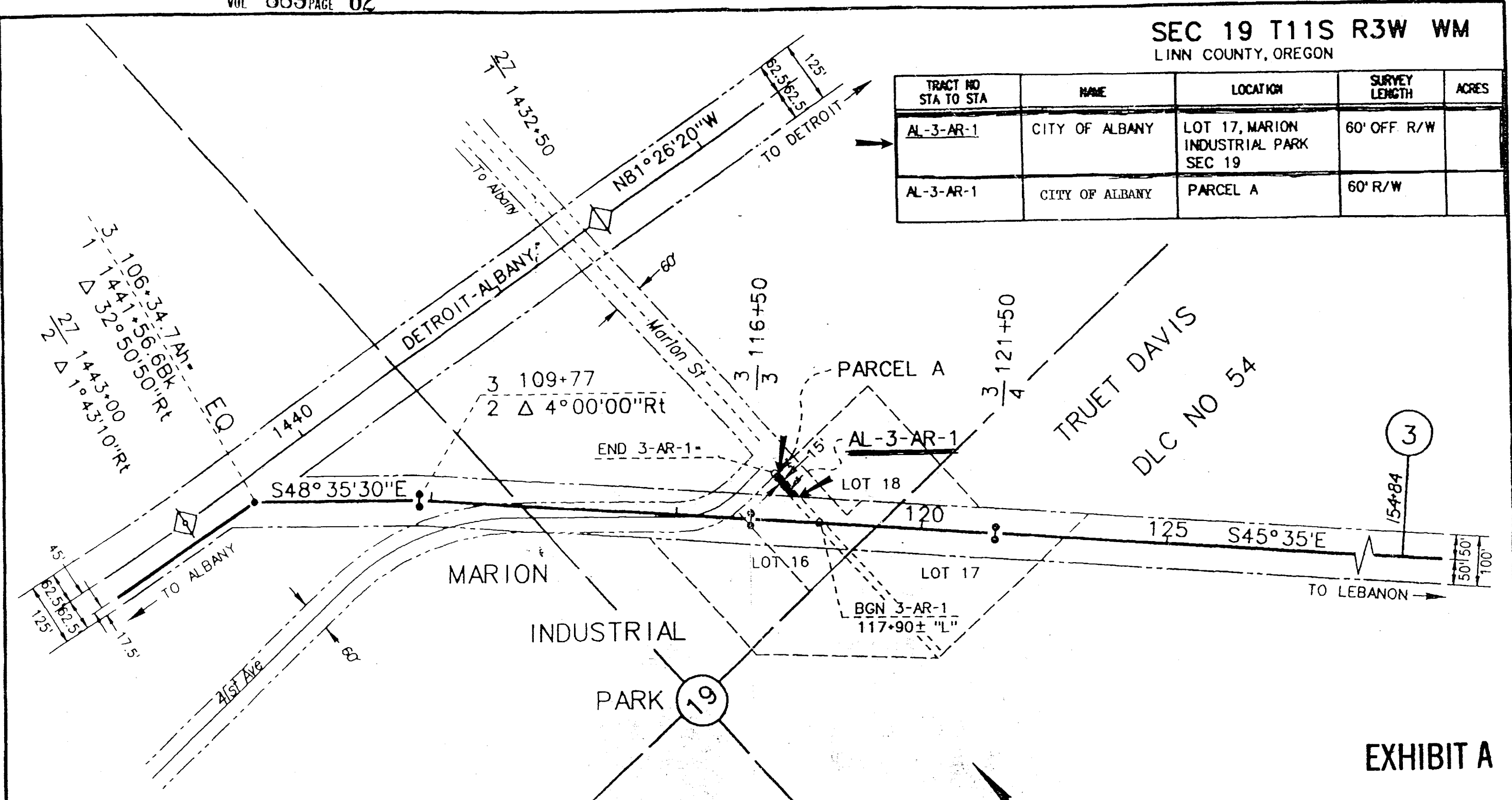


EXHIBIT A

ACCESS ROAD LEGEND

EXISTING ROAD

ACCESS ROAD R/W WIDTH IS 20' UNLESS OTHERWISE NOTED

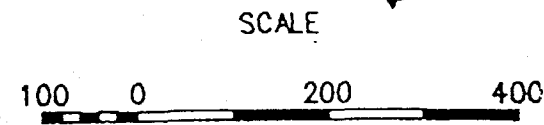
SURVEY DATA REFERED TO THE BONNEVILLE POWER ADMINISTRATION'S ALBANY-LEBANON TRANSMISSION LINE SURVEY DATED 1948 REFERENCE DRAWING NO 40503

EXHIBIT DATED 10-2-96

UNITED STATES DEPARTMENT OF ENERGY
BONNEVILLE POWER ADMINISTRATION
HEADQUARTERS, PORTLAND, OREGON

ALBANY-LEBANON
ACCESS ROAD ACQUISITION FOR:
AL-3-AR-1
PLB. - 770818

William J. Young 10/2/96



Resolution No. 3867

Recorded Document Recorder File No. 3034