

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO: 21-02-09-04

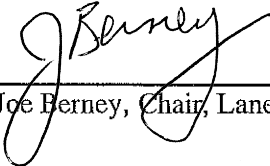
ORDER/IN THE MATTER OF GRANTING A
UTILITY EASEMENT TO THE EUGENE
WATER AND ELECTRIC BOARD
THROUGH A PORTION OF COUNTY
OWNED PROPERTY IDENTIFIED AS MAP
NO. 17-02-26-00-00705, VICKERY PARK

WHEREAS this matter now coming before the Lane County Board of Commissioners and said Board deeming it in the best interest of Lane County to grant an easement for utilities to the City of Eugene, by and through the Eugene Water and Electric Board, over County owned real property commonly known as Vickery Park and further identified as Assessor's Map No. 17-02-26-00-00705.

NOW, THEREFORE, the Board of County Commissioners of Lane County **ORDERS** as follows:

1. Pursuant to ORS 275.090 it is hereby authorized to grant an easement to the City of Eugene, by and through the Eugene Water and Electric Board substantially similar to the attached Exhibit "A".
2. The Board Chair is authorized to execute the easement and related documents.

ADOPTED this 9th day of Feb, 2021



Joe Berney, Chair, Lane County Board of Commissioners

UNDERGROUND UTILITY EASEMENT

BE IT KNOWN, THAT Lane County, a political subdivision of the State of Oregon, the Grantor herein, does hereby covenant that the Grantor is the owner of the following referenced real property in Lane County, Oregon to-wit:

That parcel of land conveyed to Grantor by that certain WARRANTY DEED recorded on March 20, 1981, REEL 1126R, as Instrument Number 1981-012533, Lane County OFFICIAL Records, Lane County, Oregon.

The undersigned, as Grantor, does hereby grant unto the CITY OF EUGENE, LANE COUNTY, OREGON, by and through the EUGENE WATER & ELECTRIC BOARD, 500 E. 4th Avenue, Eugene, Oregon 97401 (EWEB), as Grantee, a perpetual easement for underground utility purposes to construct, maintain and repair, remove and replace utility facilities over, under, across, and upon the above-referenced real property along the route and location as actually constructed and installed. Said easement being more particularly described as follows:

A strip of land ten feet (10') wide, 5 feet on each side of the centerline of the underground utility facilities as actually constructed and installed and contained within the above referenced Parcel. The route of said utility facilities is as follows: Beginning at EWEB Pole # 18030, located within an existing EWEB Easement (recorded on February 19, 1959, Reel 128D, Instrument No. 60442, Lane County Official Records), thence in a south-westerly direction sixty-five feet (65'), more or less, to the westerly boundary and there ending.

The sidelines of said strip shall be shortened and/or lengthened to terminate on the western and eastern boundaries within the panhandle of said parcel as they apply. It is the intent of this easement to cover the EWEB facilities as actually constructed and installed.

The approximate location of the above-described easement area is shown on the attached Exhibit A.

Other than the agreements herein contained there is **no consideration** for this conveyance.

The Grantor herein acknowledges that any and all equipment or replacement thereof, installed in or upon said real property by said Grantee, shall remain the sole property of said Grantee and may be removed from said real property at any time at the discretion of Grantee.

The Grantee and its joint users with whom it contracts shall at all times have the rights and privileges therein necessary for the full enjoyment and use thereof for the purpose above described, including the right of ingress and egress across the real property of the Grantors over the most convenient and practical route. Grantee shall have rights to trim trees and shrubbery as needed for installation and maintenance of said utility facilities. Grantee agrees to return the easement area to the condition that existed prior to Grantee's work.

At no time shall any structure or sign be erected or placed on said easement area without prior written consent of Grantee. Subject to the foregoing limitations said easement area may be used by the Grantor for any purpose not inconsistent with said easement.

TO HAVE AND TO HOLD the same unto the Grantee, its successors and assigns forever; and the rights, conditions and provisions of this easement shall inure to the benefit of and be binding upon the heirs, executors, administrators, successors and assigns of the respective parties hereto.

IN WITNESS WHEREOF, the undersigned have executed this instrument the ____ day of _____, 2021.

GRANTOR:

STATE OF OREGON)
)
COUNTY OF LANE)

On this ____ day of _____, 2021, before me personally appeared the within named _____ who did acknowledge that he is the _____ of the **Lane County, a political subdivision of the State of Oregon**, and that s/he, **pursuant to Order No.** _____, has executed the within instrument freely and voluntarily and with the proper authority on behalf of the **Lane County, a political subdivision of the State of Oregon.**

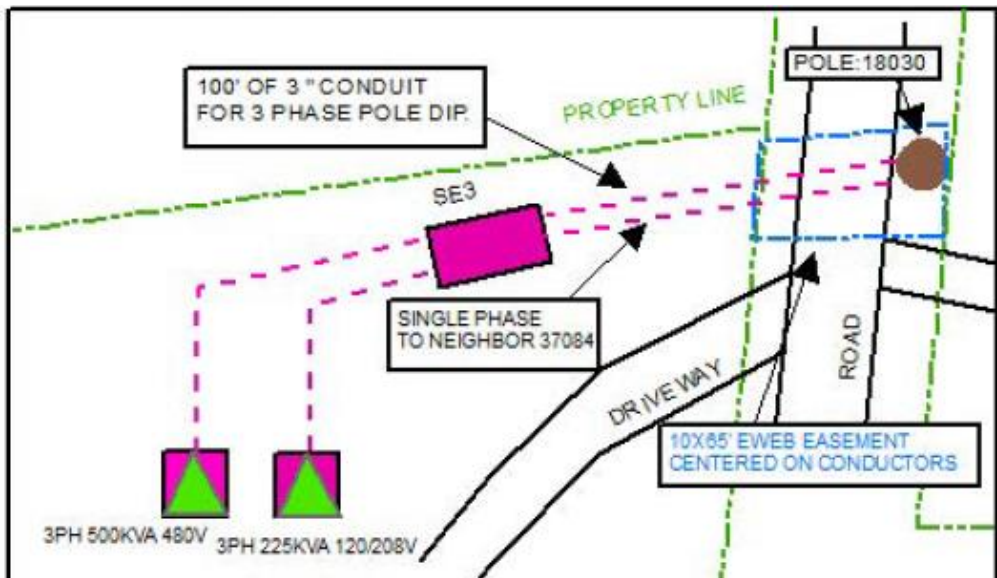
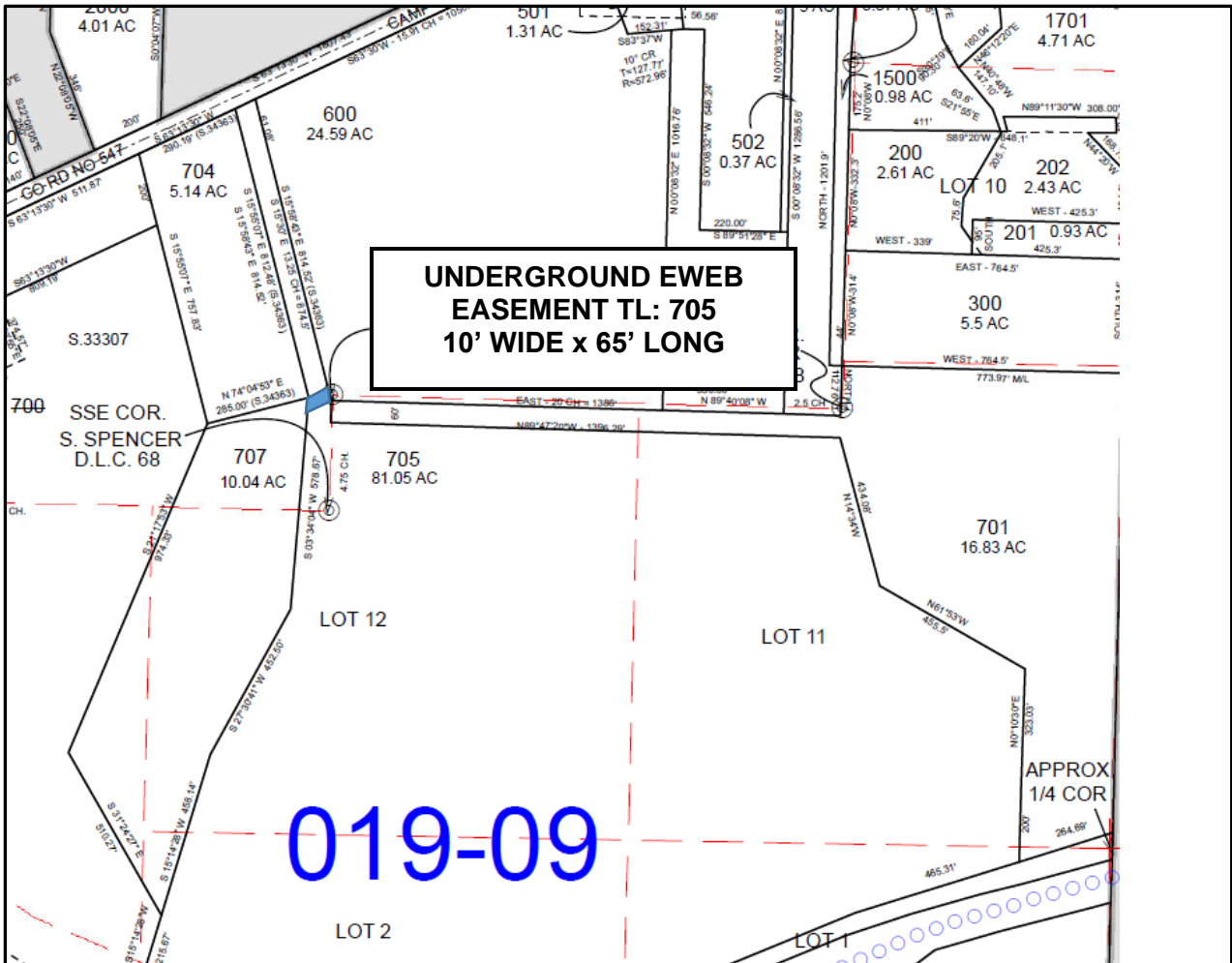
Notary Public - Oregon

EWEB accepts this conveyance of real property or easement. Approved by: _____

Title: _____

After recording send document to:
EUGENE WATER & ELECTRIC BOARD
500 E. 4th Ave., Eugene, OR 97401

Map #17-02-26-00 TL 705
Lane County_Ease.DOC
Jan-21 J-Chief - Haxby WO # 2003477 Ferc #0-360-00



Note: This exhibit does not represent a survey and is only intended to compliment the attached easement for clarification purposes.

Grantor / Mailing Address: Lane County	Grantee / Mailing Address: Eugene Water & Electric Board 4200 Roosevelt Blvd Eugene, OR 97402	Date: January 26, 2021 Prepared By Lori Price
Lane County Assessor's Map #17-02-26-00 Tax Lot# 705	Scale: None	EXHIBIT "A"

