

IN THE BOARD OF COUNTY COMMISSIONERS  
OF LANE COUNTY, OREGON

ORDER NO.

12-2-1-5

( 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**, in connection with the construction of the I-5 Willamette River Crossing bridge replacement project, it was necessary to re-route Springfield Utility Board (SUB) waterlines serving the County's Glenwood Central Receiving Station and other properties located in the immediate vicinity in the Glenwood area; and

**WHEREAS**, pursuant of Orders 09-8-18-4 and 10-7-14-3, the Board authorized two underground water utility easements to accommodate the re-routing of said waterlines; and

**WHEREAS**, in the course of installing the replacement waterlines and appurtenances it was discovered that a small additional portion of easement was required to complete the reconnection of the County's facilities for water supply and fire suppression purposes, and

**WHEREAS**, SUB 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" also being described as Lane County Assessor's Tax Lot 300 on Map 17-03-33-44; 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**, the additional easement is necessary in order to connect the County facilities to the newly-installed looped supply system, which benefits the County facility as well as other SUB customers in the Glenwood area of Lane County.

**NOW THEREFORE,**

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

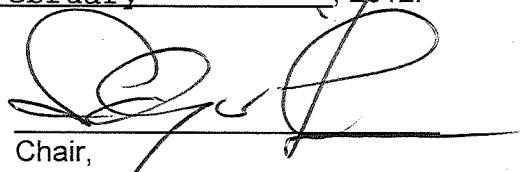
**IT IS FURTHER ORDERED** that this Order shall be entered into the records of the Board of Commissioners of the County.

**ADOPTED** this 1st day of February, 2012.

APPROVED AS TO FORM

Date: 1-21-12 Lane County

  
OFFICE OF LEGAL COUNSEL

  
Chair,  
Board of County Commissioners

**PUBLIC WATER UTILITY  
EASEMENT**

**Grantor:** Lane County  
C/O Department of Public Works  
Waste Management Division  
3040 N. Delta Highway  
Eugene, Or 97408

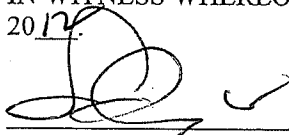
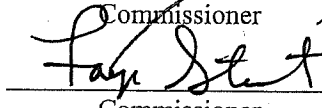
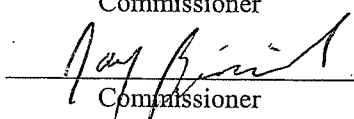
KNOW ALL MEN BY THESE PRESENTS, that the undersigned, for a good and valuable consideration, the receipt whereof is hereby acknowledge, do(es) hereby grant unto the City of Springfield, a municipal corporation, acting by and through its SPRINGFIELD UTILITY BOARD, and unto its successors and assigns, 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 12<sup>th</sup> day of February, 2012.

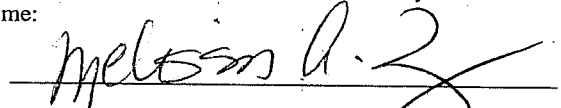
  
\_\_\_\_\_  
Commissioner  
  
\_\_\_\_\_  
Commissioner  
  
\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner  
\_\_\_\_\_  
Commissioner

STATE OF OREGON     )  
                                  ) ss.  
COUNTY OF LANE    )

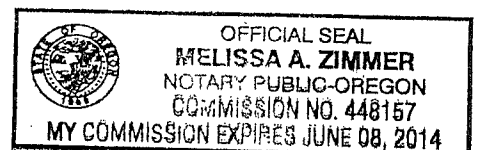
On February 12<sup>th</sup>, 2012, personally appeared SIDNEY W. LEIKEN, FAYE STEWART, JAY BOZIEVICH

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:

  
\_\_\_\_\_  
Notary Public of Oregon  
My Commission Expires: June 8, 2014

Springfield Utility Board accepts this easement.

Signed by: \_\_\_\_\_  
Tamara Johnson  
Director - Water Division



## EXHIBIT A TO BOARD ORDER

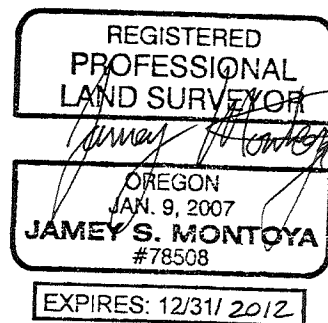
### EXHIBIT "A"

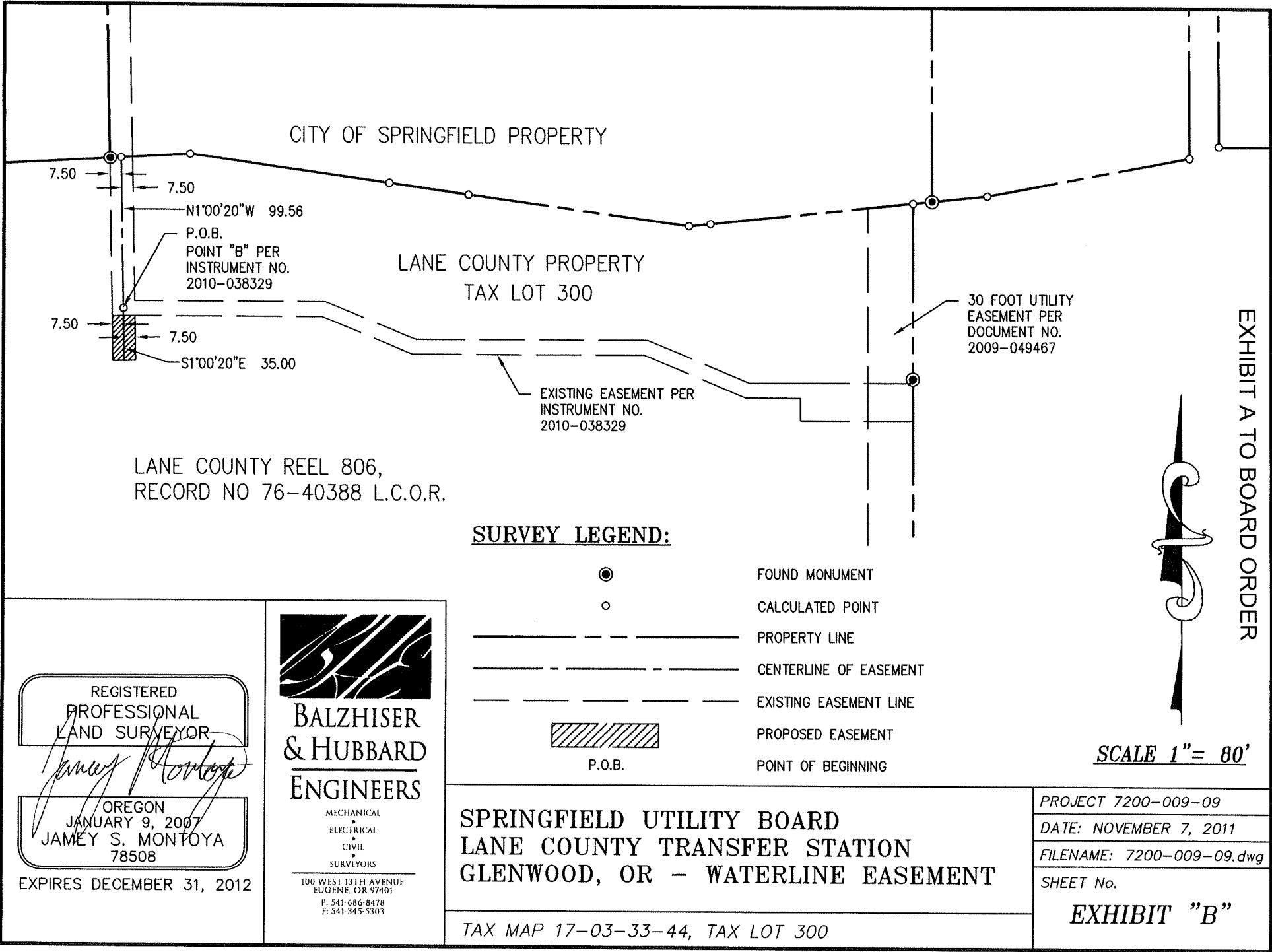
A strip of land lying in the Southwest Quarter of Section 34, Township 17 South, Range 3 West of the Willamette Meridian, said strip being across that property described by deed recorded in Reel 806, Instrument Number 76-40388, Lane County Deed Records, said strip being fifteen (15.00) feet in width, the centerline of which being more particularly described as follows:

Beginning at Point "B" as previously described by deed recorded as Instrument Number 2010-038329, Lane County Deed Records, thence South 1°00'20" East, a distance of 35.00 feet to the southerly terminus.

The bearings used in this description are based upon that document recorded as Instrument Number 2010-03829, Lane County Deed Records.

END OF DESCRIPTION





REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Jamey S. Montoya*

OREGON  
JANUARY 9, 2007  
JAMEY S. MONTOYA  
78508

EXPIRES DECEMBER 31, 2012



**BALZHISER  
& HUBBARD  
ENGINEERS**

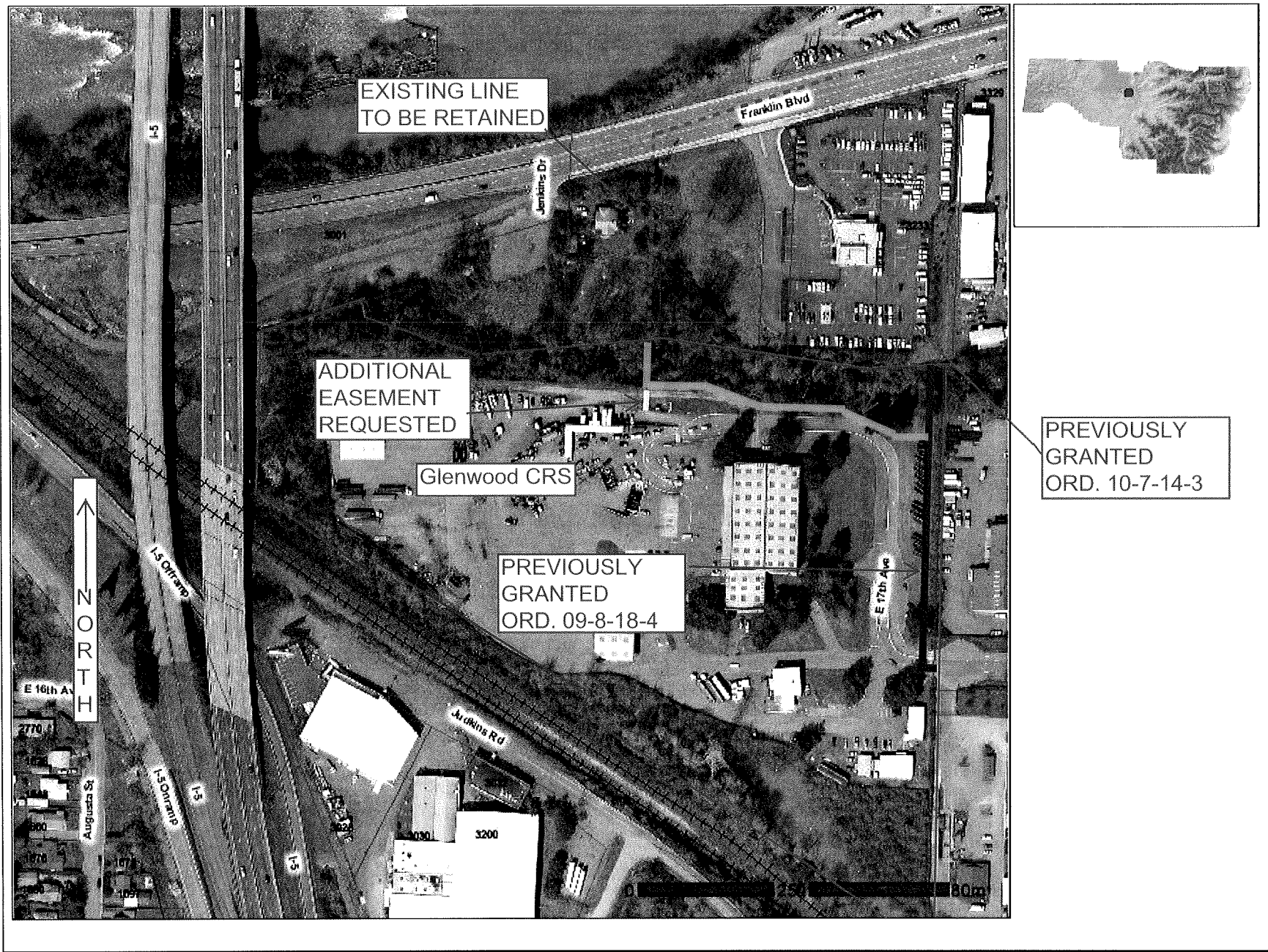
MECHANICAL  
•  
ELECTRICAL  
•  
CIVIL  
•  
SURVEYORS

100 WEST 13TH AVENUE  
EUGENE, OR 97401  
P: 541-686-8478  
F: 541-345-5303

**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: NOVEMBER 7, 2011  
FILENAME: 7200-009-09.dwg  
SHEET No.  
**EXHIBIT "B"**



GLENWOOD CENTRAL RECEIVING STATION  
Proposed Public Utility Easement