

A RESOLUTION GRANTING THE FOLLOWING TEMPORARY EASEMENT:

Grantee

Northwest Natural Gas

Purpose

A 10-foot-wide temporary gas pipeline easement to Northwest Natural Gas Company located at the NE corner of the intersection of Hickory Street NW and the Hickory Place NW.

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that it does hereby grant this temporary easement.

DATED AND EFFECTIVE THIS 23RD DAY OF FEBRUARY 2011.

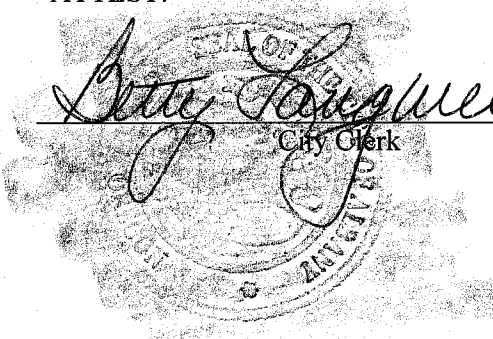


Mayor

ATTEST:



City Clerk



GAS PIPELINE EASEMENT

THIS EASEMENT, granted this _____ day of _____, 2011, by and between the City of Albany, a Municipal Corporation, hereinafter called Grantor, and NORTHWEST NATURAL GAS COMPANY herein called "Grantee."

WITNESSETH:

The Grantor has this day granted and by these presents does convey unto the Grantee, temporary easement, including the right to enter upon the real property hereinafter described, and to install, operate, maintain, repair, replace, and change the size of a gas pipeline or pipelines and related equipment.

This agreement is subject to the following terms and conditions:

1. The temporary easement hereby granted consists of:
A 10-foot-wide easement at the NE corner of the intersection of Hickory Street NW and Hickory Place NW, more particularly described in attached EXHIBIT "A" and shown in attached EXHIBIT "B."
2. The temporary easement described herein grants to the Grantee, the right to enter and use the above described property to do or to take any of the actions described in this document.
3. Grantee will maintain the pipeline with the least amount of disturbance to Grantor's property as possible. Grantee will reimburse Grantor for any damage to Grantor's property caused by Grantee during use of the easement.
4. No permanent structure shall be constructed on this easement.
5. The Grantor reserves the right to require the Grantee to move the gas pipeline out of the easement area. The Grantee shall remove the pipeline within 60 days after receiving a notice of easement termination by the Grantor at which time the Grantee will restore Grantor's property to the condition existing prior to Grantee's abandonment work.
6. This easement will automatically terminate 60 days after the Grantor has notified the Grantee that the gas pipeline must be removed from the easement, or after the pipeline is not used by Grantee or its successor for a period of 60 days.

IN WITNESS WHEREOF, the Grantor has hereunto fixed their hand and seal the day and year written below.

GRANTOR: City of Albany

Stewart Taylor, Finance Director

STATE OF OREGON)
County of Linn) ss.
City of Albany)

The foregoing instrument was acknowledged before me this ____ day of _____ 2011,
by Stewart Taylor, Finance Director, City of Albany.

Notary Public for Oregon
My Commission Expires: _____

CITY OF ALBANY:

STATE OF OREGON)
County of Linn) ss.
City of Albany)

I, Wes Hare as City Manager of the City of Albany, Oregon, pursuant to Resolution Number _____, do hereby grant on behalf of the City of Albany, the above instrument pursuant to the terms thereof this ____ day of _____ 2011.

City Manager

ATTEST:

City Clerk

NW NATURAL GAS

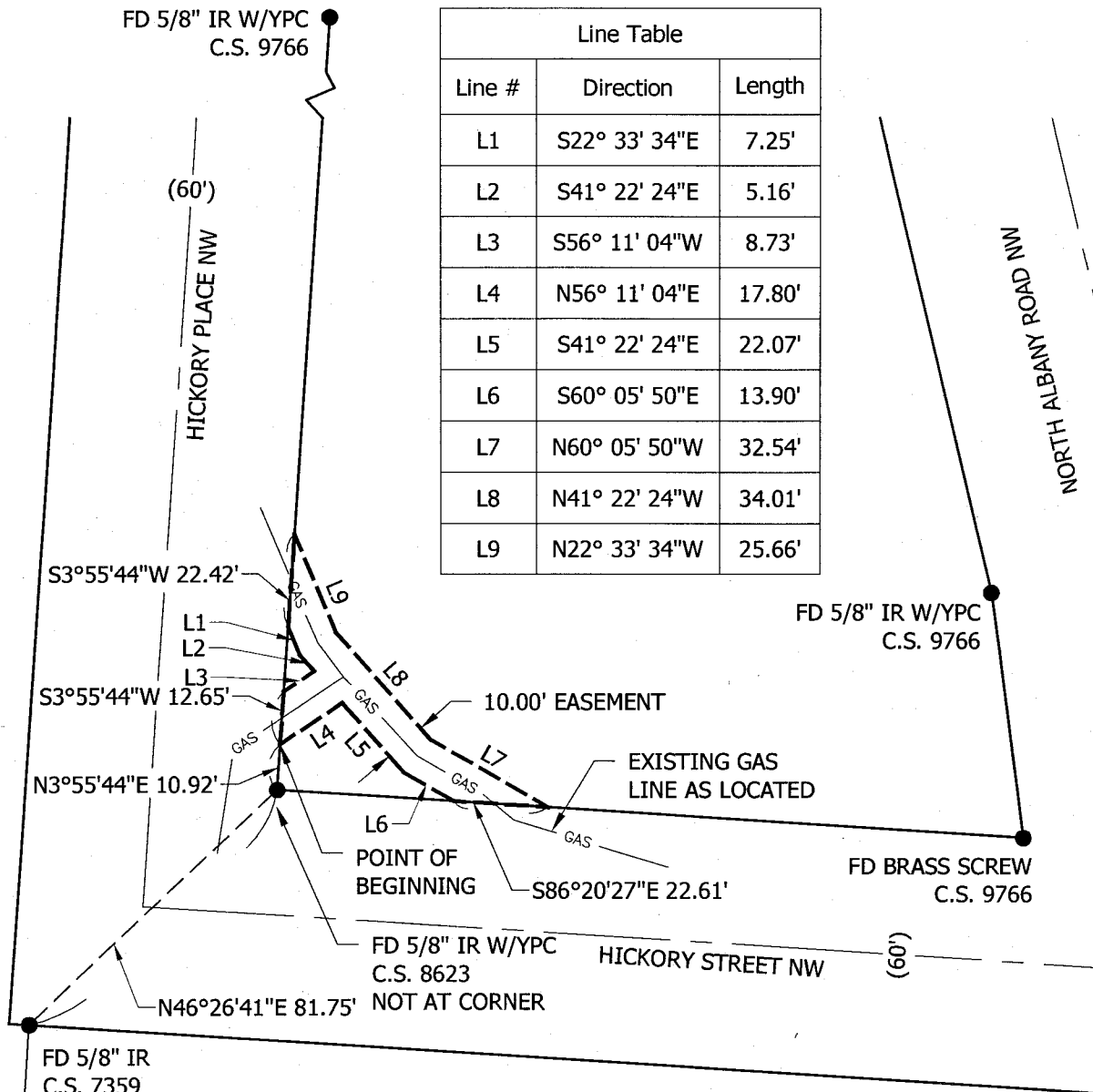
Legal Description

Exhibit "A"

An area of land in the Northeast 1/4 of Section 1, Township 11 South, Range 4 West, Willamette Meridian, City of Albany, Benton County, Oregon being more particularly described as follows:

Beginning at a point on the East right-of-way of Hickory Place N.W., bearing North $03^{\circ}55'44''$ East 10.92 feet from the intersection of the East right-of-way of Hickory Place N.W. and the North right-of-way of Hickory Street N.W. and also bearing North $46^{\circ}26'41''$ East 81.75 feet and North $03^{\circ}55'44''$ East 10.92 feet from the Northwest corner on that land described in Benton County Deed Document M-215766-96 in the Northeast 1/4 of Section 1 in Township 11 South, Range 4 West, Willamette Meridian, City of Albany, Benton County, Oregon; thence leaving said East right-of-way North $56^{\circ}11'04''$ East 17.80 feet; thence South $41^{\circ}22'24''$ East 22.07 feet; thence South $60^{\circ}05'50''$ East 13.90 feet to the North right-of-way of Hickory Street N.W.; thence South $86^{\circ}20'27''$ East 22.61 feet along said North Right-of-Way; thence leaving said North right-of-way North $60^{\circ}05'50''$ West 32.54 feet; thence North $41^{\circ}22'24''$ West 34.01 feet; thence North $22^{\circ}33'34''$ West 25.66 feet to the east right-of-way of Hickory Place N.W.; thence South $03^{\circ}55'44''$ West 22.42 feet; thence leaving said East right-of-way South $22^{\circ}33'34''$ East 7.25 feet; thence South $41^{\circ}22'24''$ East 5.16 feet; thence South $56^{\circ}11'04''$ West 8.73 feet to the East right-of-way of Hickory Place N.W.; thence South $03^{\circ}55'44''$ West 12.65 feet to the point of beginning.

Exhibit B



Line Table		
Line #	Direction	Length
L1	S22° 33' 34"E	7.25'
L2	S41° 22' 24"E	5.16'
L3	S56° 11' 04"W	8.73'
L4	N56° 11' 04"E	17.80'
L5	S41° 22' 24"E	22.07'
L6	S60° 05' 50"E	13.90'
L7	N60° 05' 50"W	32.54'
L8	N41° 22' 24"W	34.01'
L9	N22° 33' 34"W	25.66'

Date: JUNE 3, 2010
 Project: 10-062 NW NATURAL HICKORY
 Drawn by: GSG
 Checked by: ASD

EXHIBIT "B"
 EASEMENT MAP
 NW NATURAL GAS
 ALBANY, OREGON

UDELL ENGINEERING
 AND
 LAND SURVEYING, LLC
 63 EAST ASH ST.
 LEBANON, OREGON, 97355
 541-451-5125



SHEET 1
 of 1
 SCALE: AS NOTED

Point of Beginning : North: 5072.2700' East: 4975.2304'

Segment #1 : Line

Course: N56° 11' 03.99"E Length: 17.795'

North: 5082.1733' East: 4990.0151'

Segment #2 : Line

Course: S41° 22' 23.69"E Length: 22.073'

North: 5065.6094' East: 5004.6044'

Segment #3 : Line

Course: S60° 05' 49.83"E Length: 13.901'

North: 5058.6791' East: 5016.6552'

Segment #4 : Line

Course: S86° 20' 27.49"E Length: 22.615'

North: 5057.2359' East: 5039.2237'

Segment #5 : Line

Course: N60° 05' 49.83"W Length: 32.536'

North: 5073.4562' East: 5011.0189'

Segment #6 : Line

Course: N41° 22' 23.69"W Length: 34.012'

North: 5098.9795' East: 4988.5382'

Segment #7 : Line

Course: N22° 33' 33.81"W Length: 25.664'

North: 5122.6796' East: 4978.6926'

Segment #8 : Line

Course: S3° 55' 44.21"W Length: 22.421'

North: 5100.3115' East: 4977.1563'

Segment #9 : Line

Course: S22° 33' 33.81"E Length: 7.253'

North: 5093.6131' East: 4979.9390'

Segment #10 : Line

Course: S41° 22' 23.69"E Length: 5.157'

North: 5089.7432' East: 4983.3476'

Segment #11 : Line

Course: S56° 11' 03.99"W Length: 8.727'

North: 5084.8865' East: 4976.0969'

Segment #12 : Line

Course: S3° 55' 44.21"W Length: 12.646'

North: 5072.2700' East: 4975.2304'

Perimeter: 224.800' Area: 886.03 Sq. Ft.