

**RESOLUTION NO. 1626  
AUGUST 2016**

**EUGENE WATER & ELECTRIC BOARD  
A RESOLUTION AUTHORIZING ACQUISITION OF PROPERTY  
NECESSARY FOR THE THURSTON SUBSTATION EXPANSION PROJECT**

WHEREAS, the above-entitled matter came before the Board of Commissioners of the Eugene Water and Electric Board (“EWEB”) at its regular meeting on August 2, 2016; and

WHEREAS, the Board has considered the Thurston Substation Expansion Project which includes, but is not limited to, the acquisition of property abutting the current substation site to design and construct an expansion of the existing Thurston substation to enable EWEB to access and tap into BPA power lines to remove an old EWEB transmission line river crossing and provide redundancy and reliability to EWEB system users; and

WHEREAS, EWEB has authority under Section 44 of the Eugene Charter and ORS 225.020 to acquire real property; and

WHEREAS, the Board determines that it is consistent with the powers and purposes of EWEB and necessary for the continued growth, safety and welfare of EWEB, as well as its wholesale customers, now or hereafter existing, that fee title to necessary properties as well as necessary rights-of-way and easements be acquired to implement the Thurston Substation Expansion Project; and

WHEREAS, after investigation of the alternative sites and the most effective and economic method of service delivery, the Board has determined that the proposed Thurston Substation Expansions Project and selection of the property set forth on Exhibit 1, attached hereto and incorporated by reference, is planned and located in a manner which is most compatible with the greatest public benefit and mitigation of private impact. Exhibit 1 represents the potential area necessary to support the Thurston Substation Expansion Project, but until completion of the lot line adjustment process may not accurately describe the actual land to be acquired; and

WHEREAS, the Board finds there are adequate funds budgeted and available to acquire the subject properties, and being fully advised,

NOW, THEREFORE, IT IS RESOLVED BY THE BOARD OF COMMISSIONERS, that EWEB shall in good faith attempt to negotiate a purchase and sale agreement with the affected property owner to acquire fee title on a fair and reasonable basis for the designated property. EWEB Staff and Counsel are authorized to complete negotiations with the property owners for an amount not to exceed the fair market value as established by an EWEB-commissioned appraisal. EWEB Staff and Counsel are authorized to complete the sale agreement, lot line adjustments, and all necessary transactions, including transfer of cash consideration, through close of escrow without necessity of further Board approval. The General Manager is authorized to execute all documents to

complete the acquisition of fee title for the property (Exhibit 1).

DATED this 2<sup>nd</sup> day of August, 2016.

THE CITY OF EUGENE, OREGON  
Acting by and through the  
Eugene Water & Electric Board

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President

I, ANNE M. KAH, the duly appointed, qualified and acting Assistant Secretary of the Eugene Water & Electric Board, do hereby certify that the above is true and exact copy of the Resolution adopted by the Board in its August 2, 2016 Regular Board Meeting.

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Assistant Secretary

## **DRAFT LEGAL DESCRIPTION FOR PROPOSED PROPERTY ACQUISITION FOR THURSTON SUBSTATION EXPANSION**

All that parcel of land as described as Parcel 1 in that certain Quit Claim Deed recorded as document number 2012-062522 in the Lane County Oregon Deed Records contained within the following described parcel;

Beginning at The Northeast corner of the Albert S. Powers Donation Land Claim No. 49 in Township 17 South, Range 2 West of the Willamette Meridian; Thence South 1117.9 feet; thence East 1353.7 feet to a railroad rail set in County Survey file No. 15867 filed in the Lane County Oregon Surveyors Office for the Southwest corner of that certain parcel granted to the City of Eugene for the use and benefit of the Eugene Water & Electric Board (EWEB) in deed recorded on reel 395-R, instrument number 27725 in the Lane County Oregon Deed records and **the True Point of beginning of this description**; thence North  $81^{\circ}39'30''$  East along the south boundary of said EWEB parcel, 300.56 feet to a railroad rail; thence leaving said south boundary, South  $00^{\circ}04'30''$  West, 329.08 feet; thence North  $86^{\circ}43'30''$  West, 629.27 feet; thence North  $03^{\circ}16'30''$  East, 500.00 feet ; thence South  $86^{\circ}43'30''$  East, 315.63 feet to a railroad rail set to mark the Northwest corner of the above mentioned EWEB parcel; thence South  $03^{\circ}16'30''$  West along said parcel, 232.00 feet to the point of beginning, all in Lane County Oregon, and containing approximately 5.45 acres.

Bearings herein based upon County Survey file No. 15867 filed in the Lane County Oregon Surveyors Office.