

## **EWEB Board Consent Calendar Request**

*For Contract Awards, Renewals, and Increases*

The Board is being asked to approve a new Intergovernmental Agreement (IGA) with **Lane Council of Governments (LCOG)** to provide orthoimagery and LiDAR acquisition services in support of Electric Generation, Drinking Water Source Protection, and watershed recovery and restoration efforts.

Board Meeting Date: 12/1/2020

Project Name/Contract #: McKenzie Orthoimagery and LiDAR Acquisition/Contract # 20-238-IGA

Primary Contact: Rod Price Ext. 7122

### **Contract Amount**

Original Contract Amount: \$0

Invoices over last approval: \$0

Percentage over last approval: 0%

Amount this Request: \$210,000

**Resulting Cumulative Total: \$210,000**

### **Contracting Method:**

Method of Solicitation: Direct Negotiation/Sole Source No.357-1

If applicable, basis for exemption: EWEB Rule 3-0275(1)

Term of Agreement: 2-Years

Option to Renew? No

Approval for purchases "as needed" for the life of the Contract Yes ☒ No ☐

Proposals/Bids Received (Range): \$207,613

Selection Basis: Direct Negotiation

Narrative:

### Operational Requirement and Alignment with Strategic Plan

EWEB requires an update to the 2009 orthoimagery and LiDAR for the McKenzie Watershed in support of Generation (dam safety, channel migration analysis, and engineering support) and Drinking Water Source Protection (development, riparian vegetation, channel migration analysis and monitoring). The Holiday Farm fire burned over 170,000 acres in the middle McKenzie Watershed. As a result, this imagery and LiDAR will be valuable in assessing debris flow and landslides potential, threats to roads, vegetation changes, impacts to development, floodplain mapping and other applications.

LCOG provides local agencies with GIS and data management services. LCOG coordinates with local, state and federal partners to contract through Oregon Department of Mineral and Geology Industries (DOGAMI) for conducting orthoimagery and LiDAR flights that will leverage U.S. Geological Survey (USGS) funds. LCOG receives and manages the orthoimagery and LiDAR data for EWEB and partner use.

### Contracted Goods or Services

The activities to be provided under this Amendment includes coordinating with EWEB, City of Springfield, U.S. Army Corps of Engineers, and Oregon DOGAMI on the acquisition of orthoimagery and LiDAR for the McKenzie Watershed in 2021. LCOG, on behalf of partner agencies, will contract with Oregon DOGAMI for conducting the flight under State contracted services. This project will leverage USGS 3DEP funding (paying for 50% of the LiDAR acquisition) for an Oregon LiDAR Consortium project called (OLC) McKenzie River 3DEP 2021 to collect 619 square miles of Quality Level 1 (QL1) LiDAR (high quality and high density) in the spring of 2021. This flight will cover the Holiday Farm fire impact area as well as the McKenzie river corridor in Lane and Linn counties of Oregon. In addition, this project will deliver six-inch resolution orthoimagery over a smaller project area within and beyond the LiDAR extents. LCOG will receive and manage the orthoimagery and LiDAR as part of their regional GIS services.

#### Prior Contract Activities

LCOG has been providing technical assistance to EWEB's Drinking Water Source Protection Program for over thirteen years. LCOG is currently under an IGA for providing GIS, data management, and other technical assistance and a recent amendment to that contract added funds for supporting EWEB's watershed recovery and restoration efforts. The value of the technical assistance IGA is \$173,000.

#### Purchasing Process

This contract was directly negotiated with LCOG and is based on the orthoimagery and LiDAR contracted services cost from DOGAMI under the State contract. If approved, the Contractor performing the work will be Watershed Sciences, Inc., they were selected from a Request for Proposal competitive process conducted through the State of Oregon.

#### Competitive Fair Price (If less than 3 responses received)

LCOG is a regional governmental entity that provides GIS and data management services to local governments in the Upper Willamette area. DOGAMI is a State agency that is responsible for contracting with LiDAR and orthoimagery service providers and coordinating with regional entities to acquire LiDAR and orthoimagery that leverages federal funding, such as the USGS 3DEP grant to benefit landslide and debris flow mapping across the State for community safety.

#### **ACTION REQUESTED:**

Management requests the Board approve the new IGA with LCOG to acquire LiDAR and orthoimagery by using the DOGAMI negotiated service providers. The contract value for LCOG is approximately \$210,000. The LiDAR and orthoimagery acquisition under this LCOG IGA will be covered 50% from the proposed 2021 Energy Division (less energy purchases) O&M Budget of \$25.8 million, and 50% from the proposed 2021 Water Division O&M Budget of \$13.1 million.



# MEMORANDUM

EUGENE WATER & ELECTRIC BOARD

*Rely on us.*

TO: Commissioners Mital, Schlossberg, Helgeson, Brown, and Carlson  
FROM: Deborah Hart, CFO; Adam Rue, Fiscal Services Supervisor  
DATE: November 25, 2020  
SUBJECT: Electric O&M and Capital and Water Capital Budget Amendments  
OBJECTIVE: Approval of Resolution No. 2019

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## **Issue**

Per Board Policy EL-1, the approved budgets are the maximum level of expenditure authorized by the Board. Management is projecting costs will exceed budget for the Electric Utility this year due to higher purchase power costs, fire restoration, a shift of costs from Capital to O&M, as well as a shift in overhead from capital to O&M due to lower capital spending. The Water Utility is also projecting Capital costs to exceed budget to take advantage of an emergent IT opportunity. Management is requesting Board approval of budget amendment.

## **Discussion**

Annually the finance staff project year end variances to budget. Similar to prior years, certain Electric Utility actual costs are expected to exceed the O&M budgets and some have shifted between the capital and O & M budgets. The variances have been outlined in the table below. There are three operational changes impacting the budget amendment request. First, purchase power costs are expected to exceed budget by \$8.8 million, primarily due to lower EWEB-owned hydro generation from poor water conditions on the McKenzie River and unplanned operational outages related to the wildfires. The increased purchased power costs though are largely offset by higher wholesale revenue. Second, the Utility is expected to have increased costs due to the wildfires. Request for FEMA reimbursement for the Holiday Farm Fire is underway, however any grant awarded would not be anticipated until late 2021. Lastly, lower projected capital spending and accounting guidance for software capitalization both shifted costs from capital to O&M. The overall net impact of the amendments to reserves, after additional wholesale revenue and any FEMA grants will be under \$2.5 million, less than 1% of the annual budget.

The Water Utility O&M expenses are running very close to budget and are anticipated to fall within a 0.5% range, either over or under the approved budget. Higher labor costs related to the Holiday Farm Fire and an increase in maintenance and construction expense for asphalt and street repair are variables being monitored.

	<b><u>Electric</u></b>
Approved Operations & Maintenance Budgets	\$221,000,000
<b><u>Operational Changes:</u></b>	
Purchase Power	\$8,800,000
Wildfire Damage	\$2,800,000
Software shift from Capital to O&M	\$1,200,000
Shift of Labor and Overhead from Capital to O&M	\$1,500,000
Total Projected O&M Budget Amendment	\$14,300,000
<b>Total Projected O&amp;M Budgets</b>	<b>\$235,300,000</b>

### **Capital Budget**

The shift from Capital to O&M for the Electric Utility is anticipated to increase O&M by \$2,700,000 and therefore lower the budget capital spending. The primary drivers for the decrease include a shift in software costs from Capital to O&M as discussed above, as well as a shift of Capital Overhead and Labor costs to O&M as a result of deferred work due to the COVID-19 pandemic.

Additionally, towards the end of 2020 there was an emergent opportunity to pull forward the scheduled IT technology hardware replacements already budgeted and scheduled for future periods. Timing aligned for our vendors such that we're able to extend warranty services beyond the standard three years to include year's four and five. This will result in a favorable impact to our O&M budget in future years. In addition to budgetary benefits, the IS team consolidated disparate systems to reduce complexity and management overhead. This work also aligned well with preparations for re-locating the backup datacenter out of HQ.

The Water Utility Budget Amendment approved in October to reduce the capital budget did not include the opportunity to re-invest in the core computing infrastructure mentioned above. The Electric Utility has budget available to cover the investment, however the Water Utility will need an increase to the amended capital budget to cover their portion, offsetting future years.

	<b><u>Electric</u></b>	<b><u>Water</u></b>
Approved Capital Budget	\$49,100,000	\$17,100,000
Software shift from Capital to O&M	(\$1,200,000)	-
Shift from Capital to O&M	(\$1,500,000)	-
Higher than Estimated Costs	-	\$600,000
<b>Total Amended Capital Budget</b>	<b>\$46,400,000</b>	<b>\$17,700,000</b>

### **Requested Board Action**

Management recommends and requests that the Board approve Resolution No. 2019 to increase the Electric O&M budget by \$14.3 million, reduce Electric Capital budget by \$2.7 million, and increase the Water Capital budget by \$600,000.

**RESOLUTION NO. 2019  
DECEMBER 2020**

**EUGENE WATER & ELECTRIC BOARD  
2020 BUDGET AMENDMENTS**

**WHEREAS**, the Eugene Water & Electric Board (EWEB) is the body designated by the City of Eugene Charter and Code to administer the Eugene Electric and Water Utilities;

**WHEREAS**, Oregon Revised Statute 225.230 requires municipal utilities to make an annual written estimate of probable expenses to establish spending authority;

**WHEREAS**, the Eugene Water & Electric Board anticipates expenditures in excess of that authority;

**NOW, THEREFORE, BE IT RESOLVED** that the Board hereby approves an increase to the Electric Utility Operations & Maintenance budget of \$14.3 million, a decrease in the Electric Utility Capital Budget of \$2.7 million, and an increase in the Water Utility Capital budget of \$0.6 million.

Dated this 1<sup>st</sup> day of December 2020.

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

\_\_\_\_\_  
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 a true and exact copy of the Resolution adopted by the Board at its December 1, 2020 Regular Board meeting.

\_\_\_\_\_  
Assistant Secretary

**RESOLUTION 2027  
DECEMBER 2020**

**RESOLUTION AUTHORIZING GENERAL MANAGER  
TO APPROVE SALE OF WGA STEAM TURBINE GENERATOR**

**WHEREAS**, The Eugene Water & Electric Board (“EWEB”) and the Clatskanie People’s Utility District (“District”) (collectively, the “Parties”) entered into an Intergovernmental Agency Agreement (“IGA”) pursuant to ORS Chapter 190, and;

**WHEREAS**, The IGA, effective as of October 13, 1993, created the Western Generation Agency (“WGA”) for the purpose of constructing, owning and operating an electric cogeneration project in Wauna, Oregon (“Project”), and;

**WHEREAS**, Article I, Section 1.6 of the IGA provides that the intergovernmental entity shall have power to acquire, hold and dispose of real and other property interests therein, and;

**WHEREAS**, the WGA policy controlling the Transfer, Sale, or Disposal of surplus property states that the negotiated sale of the steam turbine generator requires approval by the WGA Board, the Eugene Water & Electric Board, and Clatskanie People’s Utility District;

**WHEREAS**, the WGA Board has declared the steam turbine generator surplus property, and plans to dispose of same via negotiated sale, and;

**WHEREAS**, the proposed terms of the sale have been presented to the EWEB Board in a Confidential Memorandum pursuant to ORS 192.502(26), and;

**WHEREAS**, upon finalizing the terms of the sale, the WGA Board will formally request that the Parties approve the sale of the steam turbine generator;

**NOW, THEREFORE, BE IT RESOLVED** by the Eugene Water & Electric Board that: The EWEB General Manager is hereby authorized to execute all activities and documents necessary to complete the asset sale of the WGA steam turbine generator.

Adopted at a meeting of the Eugene Water & Electric Board on December 1, 2020.

THE CITY OF EUGENE, OREGON  
Acting by and through the  
EUGENE WATER & ELECTRIC BOARD

\_\_\_\_\_  
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 a true and exact copy of the Resolution adopted by the Board at its December 1, 2020 Regular Board Meeting.

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Assistant Secretary

**RESOLUTION NO. 2032  
DECEMBER 2020**

**EUGENE WATER & ELECTRIC BOARD  
A RESOLUTION AUTHORIZING ACQUISITION OF PROPERTY  
ALONG LEABURG CANAL**

**WHEREAS**, the above entitled matter came before the Board of Commissioners of the Eugene Water & Electric Board (“EWEB”) at its regular meeting on December 1, 2020; and

**WHEREAS**, the Board has considered the acquisition of a 1.12 acre residential property abutting the Leaburg Canal to enable EWEB to own, control and manage the property, which is situated adjacent to and downslope of the Ames Reach of the Leaburg Canal; 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 Owner’s Dam Safety Program; and

**WHEREAS**, the Board determines that the proposed acquisition of 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; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners, that EWEB shall in good faith attempt 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 fair market value. EWEB Staff and Counsel are authorized to complete the sale agreement and all necessary transactions, including the 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 1<sup>st</sup> day of December 2020.

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

\_\_\_\_\_  
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 December 1, 2020 Regular Board Meeting.

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Assistant Secretary

## EXHIBIT 1

### PROPERTY DESCRIPTION

Beginning at a point on the West line of Section 10, Township 17 South, Range 1 East of the Willamette Meridian, which is on the Southerly right of way line of the City of Eugene Water Canal as set forth in Deed recorded April 27, 1929, in Book 164, Page 113, Lane County Oregon Deed Records; run thence North 65° 36' East 536.5 feet to the East-West centerline through said Section 10; thence Easterly along said East-West centerline to the Northerly right of way line of the McKenzie Highway; thence Westerly along the Northerly right of way of said highway to the West line of Section 10; thence North to the point of beginning, in Lane County, Oregon.

EXCEPT THEREFROM: Beginning at a point on the Northerly right of way line of the McKenzie Highway which is 225 feet Easterly along the Northerly right of way line of said highway from the West line of Section 10, Township 17 South, Range 1 East of the Willamette Meridian; running thence Westerly along the Northerly right of way line of said highway 225 feet to the West line of said Section; thence North along the West line of said Section to the Southerly right of way line of the City of Eugene Water Canal as set forth by Deed recorded April 27, 1929, in Book 164, Page 113, Lane County Oregon Deed Records; thence North 65° 36' East along the Southerly line of said water canal 175 feet; thence Easterly to the point of beginning, in Lane County, Oregon.

ALSO EXCEPTING THEREFROM: Beginning at the quarter corner between Sections 9 and 10, Township 17 South, Range 1 East of the Willamette Meridian; thence South 88° 05' East 684.4 feet to the true point of beginning; thence South 88° 05' East 150.0 feet to the Northerly right of way line of the McKenzie Highway; thence South 72° 39' 30" West along said Northerly right of way line to a point that bears South of the true point of beginning; thence North to the true point of beginning, in Lane County, Oregon.

**RESOLUTION NO. 2033  
DECEMBER 2020**

**EUGENE WATER & ELECTRIC BOARD  
A RESOLUTION AUTHORIZING THE GENERAL MANAGER TO NEGOTIATE AND  
EXECUTE A PURCHASE AGREEMENT FOR WEST EUGENE PROPERTY**

**WHEREAS**, the above entitled matter came before the Board of Commissioners of the Eugene Water & Electric Board (“EWEB”) at its regular meeting on December 1, 2020; and

**WHEREAS**, the Board has considered the acquisition of “West Eugene” real property, including tax lot(s) and negotiating limits as described in executive session, permitted under ORS 192.660(2)(e), for multiple purposes associated with organizational resiliency and a power-to-gas renewable hydrogen facility; 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 ongoing benefit of EWEB customers; and

**WHEREAS**, the Board determines that the proposed acquisition of property set forth and described in executive session is planned and located in a manner which is most compatible with the greatest public benefit and mitigation of private impact; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners, authorize the EWEB General Manager, or delegate, to complete negotiations and execute all activities and documents necessary to complete the acquisition of fee title to the “West Eugene” property, within the limits and guidance as provided in executive session, as permitted under ORS 192.660(2)(e).

Dated this 1<sup>st</sup> day of December 2020.

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

\_\_\_\_\_  
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 December 1, 2020 Regular Board Meeting.

\_\_\_\_\_  
Assistant Secretary

**RESOLUTION NO. 2034**  
**December 2020**

**RESOLUTION OF THE EUGENE WATER & ELECTRIC BOARD  
DECLARING CERTAIN REAL PROPERTY AS SURPLUS  
AND SUBJECT TO TRANSFER**

**WHEREAS**, the Eugene Water & Electric Board (“EWEB”) holds title to real property in the name of the City of Eugene, a municipal corporation, by and through the Eugene Water & Electric Board being comprised of three parcels which are legally described in Exhibit A, Exhibit B and Exhibit C and hereinafter cumulatively referred to as the “Former Manufactured Gas Plant (MGP)” property;

**WHEREAS**, EWEB staff has evaluated the MGP property as no longer needed for utility purposes;

**WHEREAS**, the provisions of ORS 271.310 authorize EWEB to sell real property within its possession or control if the real property is no longer needed for public use or EWEB determines that the sale is in the public interest;

**WHEREAS**, Eugene Code 2.195 provides EWEB to have entire control of the water and electric utilities of the City of Eugene, and all property connected therewith;

**WHEREAS**, Eugene Code 2.196 provides the City of Eugene with the first opportunity to negotiate for purchase of the MGP property for other municipal purposes;

**WHEREAS**, EWEB believes that the ratepayers’ interest is served by timely transfer of the MGP property in accordance with certain criteria under present real estate market conditions; and,

**WHEREAS**, the MGP property is subject to environmental remediation conditions which have been performed to the satisfaction of the Oregon Department of Environmental Quality (DEQ); and

**WHEREAS**, the EWEB Commissioners have had the opportunity to address anticipated terms and conditions with those designated to negotiate the real property transactions during the course of executive session in accordance with ORS 192.660(2)(e).

**NOW, THEREFORE, BE IT RESOLVED** by the Eugene Water & Electric Board that:

The MGP property is hereby found to be no longer needed for utility purposes and that its disposition by sale in accordance with the terms of ORS 271.310 and Eugene Code 2.196 is in the public interest. The General Manager is directed to provide notice of availability of the MGP property to the City of Eugene for other municipal purposes as anticipated by Eugene Code 2.196. The General Manager or delegee is hereby authorized to proceed in selling the MGP

property to the City of Eugene or the City of Eugene Urban Renewal Agency by negotiating the terms and conditions for transfer of the MGP property under the guidance provided by the Board in executive session. The General Manager is authorized to execute all documents on behalf of EWEB necessary for closing the surplus property sale transaction in accordance with Board policies.

DATED this 1st day of December 2020.

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 a true and exact copy of the Resolution adopted by the Board at its December 1, 2020 Board Meeting.

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Assistant Secretary

## **EXHIBIT "A"**

### **ADJUSTED PROPERTY 1 2019-028593 LANE COUNTY OREGON DEED RECORDS**

SITUATED in the Northwest 1/4 of Section 32 in Township 17 South, Range 3 West of the Willamette Meridian in the City of Eugene, Lane County Oregon and described as follows:

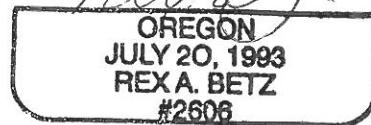
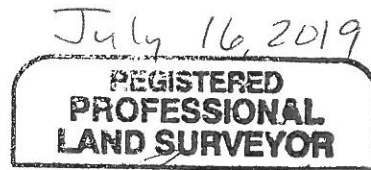
BEING (a) a portion of the lands that were conveyed to the City of Eugene, by and through the Eugene Water and Electric Board, an Oregon municipal utility, and described as "Adjusted Property 2" in that certain "Declaration of Property Line Adjustment Deed 8" that was recorded April 17, 2018 at Reception Number 2018-017632 in Lane County Oregon Deed Records; and (b) a portion of the lands that were conveyed to the City of Eugene, by and through the Eugene Water and Electric Board, an Oregon municipal utility, in that certain Quitclaim Deed that was recorded in 1976 in Reel 777R at Reception Number 7601834 in Lane County Oregon Deed Records. The perimeter boundary of said lands is more particularly described as follows:

BEGINNING at the most easterly corner of "Adjusted Property 1" of said "Declaration of Property Line Adjustment Deed 8", which corner is marked by a 2-1/2" mag nail with 1-1/2" brass washer marked "EGR & ASSOC."; Thence, leaving said POINT OF BEGINNING and running northeasterly along the northwest line of said "Adjusted Property 2 of Declaration of Property Line Adjustment Deed 8", the following one numbered course: (1) North 40° 31' 00" East 54.99 feet, more or less, to the left bank of the Willamette River. Thence, southeasterly along said left bank of the Willamette River, the following eleven numbered course: (2) South 49°25'05" East 30.55 feet, (3) South 53°03'22" East 67.56 feet, (4) South 53°50'47" East 21.66 feet, (5) South 48°58'24" East 44.76 feet, (6) North 85°13'45" East 18.50 feet, (7) South 62°06'06" East 35.54 feet, (8) South 59°42'16" East 42.83 feet, (9) South 46°35'25" East 44.33 feet, (10) South 39°13'52" East 49.00 feet, (11) South 57°17'19" East 44.51 feet, and (12) South 62°38'48" East 16.31 feet to a point that is marked by an iron pin [as called Rec. No. 7601834] in that lies on the east line of said lands that were conveyed in Reception Number 7601834; Thence, southerly along said east line, the following one numbered course: (13) South 01°45'18" West 44.89 feet to the southeast corner of said lands that were conveyed in Reception Number 7601834, which corner is marked by an iron pin [as called Rec. No. 7601834]; Thence, in a general westerly direction along the general southwesterly lines of said lands that were conveyed in Reception Number 7601834, the following four numbered courses: (14) North 64°05'27" West 52.09 feet to a point that is marked by an iron pin [as called Rec. No. 7601834], (15) South 87°20'18" West 54.91 feet to a point that is marked by an iron pin [as called Rec. No. 7601834], and (16) North 40°02'42" West 115.74 feet to a point that is marked by an iron pin [as called Rec. No. 7601834], and (17) South 40°36'18" West 42.08 feet to a point that is marked by an iron pin [as called Rec. No. 7601834]; Thence, leaving said general southwesterly line of said lands that were conveyed in Reception Number 7601834, along the northwest line of the lands that were conveyed to the City of Eugene, by and through the Eugene Water and Electric Board, an Oregon municipal utility, in that certain Warranty Deed that was recorded March 25, 1976 in Reel 787R at Reception Number 7613750 in Lane County Oregon Deed Records, the following one numbered course: (18) South 40°36'18" West 218.47 feet to a point that lies on the northeast right-of-way line of the Southern Pacific Company Railroad; Thence, northwesterly along said right-of-way line, the following two numbered courses: (19) North 54°59'28" West 12.23 feet, and (20) North 52°18'58" West 60.21 feet to a point that is

Exhibit "A" (Cont)

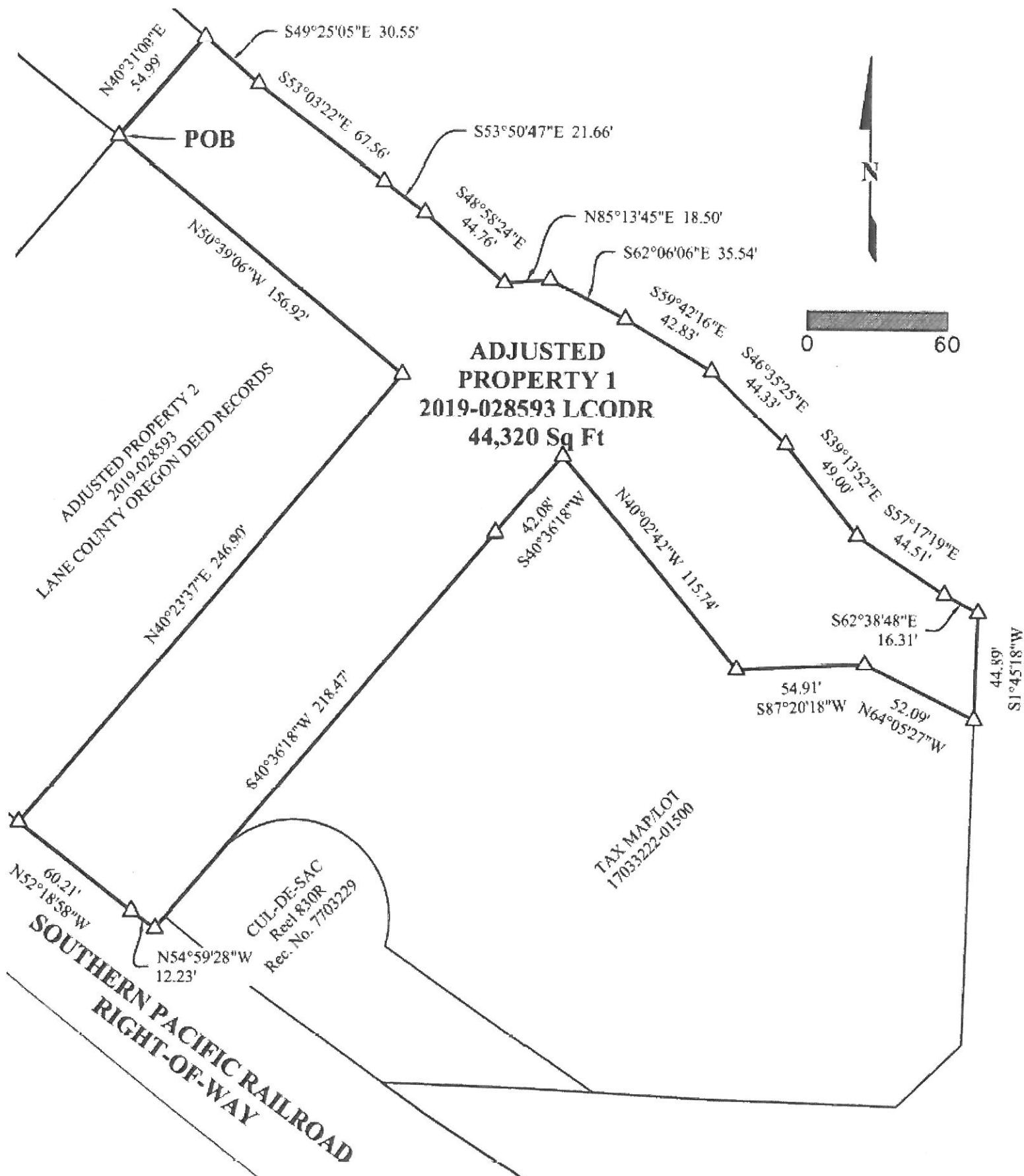
marked by a 5/8" x 15" rebar with orange plastic cap marked "EGR & ASSOC."; Thence, northeasterly and leaving said right-of-way line, crossing through said "Adjusted Property 2 of Declaration of Property Line Adjustment Deed 8" and into said lands that were conveyed in Reception Number 7601834, the following one numbered course: (21) North 40°23'37" East 246.90 feet to a point that is marked by a 5/8" x 30" rebar with orange plastic cap marked "EGR & ASSOC."; and Thence northwesterly from last said point, the following one numbered course: (22) North 50°39'06" West 156.92 feet Returning to the POINT OF BEGINNING and containing 44,320 square feet, more or less.

Bearings and distances shown hereon are taken and derived from data as shown on the Survey Maps by (a) James W. Colton that was filed March 25, 2016 as County Survey File Number 43582 and (b) EGR & Associates, Inc. that was filed April 23, 2018 as County Survey File Number 44308.



Lic. Exp. 12/31/19

EXHIBIT "A"  
ADJUSTED PROPERTY 1  
2019-028593





## EXHIBIT B

### TAX MAP 17-03-32-22, TAX LOT 1500

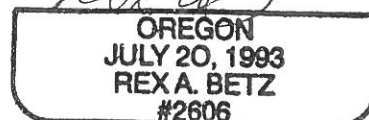
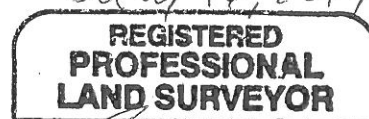
Situated in the City of Eugene, Lane County, Oregon in the Northwest 1/4 of Section 32 in Township 17 South, Range 3 West of the Willamette Meridian and described as follows:

Being a portion of the lands that were conveyed to the City of Eugene, a municipal corporation, for the use and benefit of the Eugene Water and Electric Board, in the Warranty Deed that was recorded March 25, 1976 in Reel 787R at Reception Number 7613750 in Lane County Oregon Deed Records. The perimeter of which portion is described more particularly as follows:

Commencing at the iron rod set in a concrete monument at the intersection of Hilyard Street and East 9th Avenue; thence South 88°12'48" East 148.53 feet to a point; thence North 1°47'12" East 367.33 feet to a point marked by a railroad spike; and thence North 1°45'12" East 59.94 feet to the **True Point of Beginning** of the portion being described herein.

Thence, leaving said **True Point of Beginning**, and running along the perimeter boundary of said lands that were conveyed in Reception Number 7613750 the following seven numbered courses: (1) South 88°14'42" East 86.03 feet to point marked by an iron pin; (2) North 46°45'18" East 38.00 feet to point marked by an iron pin; (3) North 01°45'18" East 135.76 feet to point marked by an iron pin on the left bank of the Willamette River; (4) along said left bank of the Willamette River North 64°05'27" West 52.09 feet to a point on said left bank that is marked by an iron pin; (5) South 87°20'18" West 54.91 feet; (6) North 40°02'42" West 115.74 feet; and (7) South 40°36'18" West 219.62 feet to a point of cusp at the beginning of a non-tangent curvature to the right that lies at the northwesterly point of curvature in the curved portion of the general northeast lines of the lands that were conveyed to the City of Eugene, Oregon, in that certain Deed that was recorded January 18, 1977 in Reel 830R at Reception Number 7703299 in Lane County Oregon Deed Records; thence, in a general southeasterly direction and along said general northeast lines of the lands that were conveyed in said Reception Number 7703299 the following two numbered courses: (8) along said non-tangent curve to the right, having a radius center that bears South 49°23'42" East 41.00 feet, a central angle of 155°37'25", and a long chord of South 61°34'42" East 80.15 feet, an arc distance of 111.36 feet to a point of non-tangent line; and (9) along said non-tangent line South 55°15'42" East 106.31 feet to the most easterly corner of said lands that were conveyed in Reception Number 7703299, which corner lies on the south line of aforecalled lands that were conveyed in Reception Number 7613750; and thence along said south line the following one numbered course: (10) South 86°47'02" East 43.50 feet **returning to the True Point of Beginning** and containing 49,733 square feet, more or less.

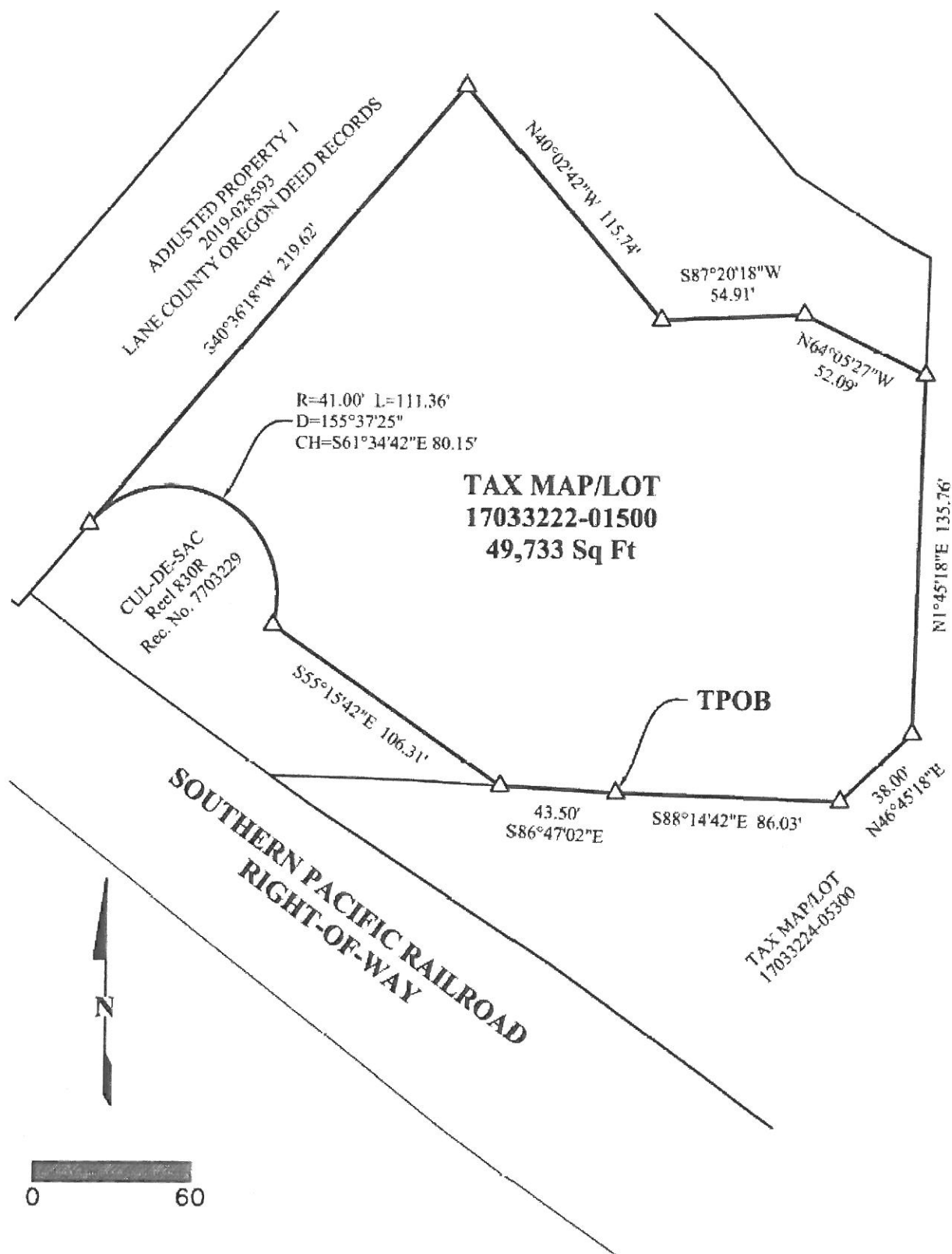
Bearings as shown on the Survey Map by James W. Colton that was filed March 25, 2016 as County Survey File Number 43582 were used as the basis of bearings used in the above description.



Lic. Exp 12/31/19

EXHIBIT "B"

TAX MAP 17-03-32-22, TAX LOT 1500



## EXHIBIT C

### CUL-DE-SAC AREA LYING SOUTHWEST OF TAX MAP 17-03-32-22, TAX LOT 1500

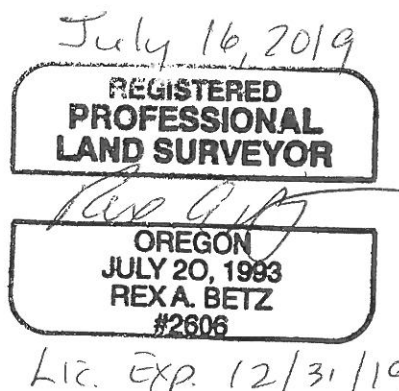
Situated in the City of Eugene, Lane County, Oregon in the Northwest 1/4 of Section 32 in Township 17 South, Range 3 West of the Willamette Meridian and described as follows:

Being a portion of the lands that were conveyed to the City of Eugene, a municipal corporation, for the use and benefit of the Eugene Water and Electric Board, in the Warranty Deed that was recorded March 25, 1976 in Reel 787R at Reception Number 7613750 in Lane County Oregon Deed Records. The perimeter of which portion is described more particularly as follows:

Commencing at the iron rod set in a concrete monument at the intersection of Hilyard Street and East 9th Avenue; thence South  $88^{\circ}12'48''$  East 148.53 feet to a point; thence North  $1^{\circ}47'12''$  East 367.33 feet to a point marked by a railroad spike; thence North  $1^{\circ}45'12''$  East 59.94 feet to the true point of beginning of said lands that were conveyed in Reel 787R, Reception Number 7613750; and thence North  $86^{\circ}47'02''$  West 43.50 feet to the **True Point of Beginning** of the portion being described herein.

Thence, leaving said **True Point of Beginning**, North  $86^{\circ}47'02''$  West 28.11 feet to a point marked by an iron pin; thence continuing North  $86^{\circ}47'02''$  West 4.86 feet to a point marked by an iron pin; thence North  $88^{\circ}14'48''$  West 55.04 feet to a point on the north line of the Southern Pacific Railroad right-of-way; thence northwesterly along said north line: North  $54^{\circ}25'16''$  West 76.25 feet and North  $51^{\circ}02'11''$  West 39.09 feet; thence North  $40^{\circ}37'29''$  East 34.57 feet to the beginning of a tangent curvature to the right; thence along said tangent curve to the right, having a radius center that bears South  $49^{\circ}23'42''$  East 41.00 feet, a central angle of  $155^{\circ}37'25''$ , and a long chord of South  $61^{\circ}34'42''$  East 80.15 feet, an arc distance of 111.36 feet to a point of non-tangent line; and thence along said non-tangent line South  $55^{\circ}15'42''$  East 106.31 feet **returning to the True Point of Beginning** and containing 8,520 square feet, more or less.

Bearings as shown on the Survey Map by James W. Colton that was filed March 25, 2016 as County Survey File Number 43582 were used as the basis of bearings used in the above description.



# EXHIBIT C

CUL-DE-SAC AREA  
LYING SOUTHWEST OF TAX MAP 17-03-32-22, TAX LOT 1500

