



Deschutes County Board of Commissioners
1300 NW Wall St., Suite 200, Bend, OR 97701-1960
(541) 388-6570 - Fax (541) 385-3202 - www.deschutes.org

AGENDA REQUEST & STAFF REPORT

For Board Business Meeting of June 22, 2016

Please see directions for completing this document on the next page.

DATE: June 10, 2016

FROM: James Lewis Property & Facilities 541-385-1414

TITLE OF AGENDA ITEM:

Consideration of Board signature of Document 2016-409, the grant of an Easement to Central Electric Cooperative, Inc.

PUBLIC HEARING ON THIS DATE? No

BACKGROUND AND POLICY IMPLICATIONS:

In late May, Deschutes County received a request from Central Electric Cooperative, Inc. (CEC) to grant a 10 foot by 10 foot easement adjacent to Deschutes Pleasant Ridge Road for an existing power pole lying outside of the public right of way, and on County owned land. The easement will allow for continual operation, modification and maintenance of the existing electric facilities therein, in addition to maintenance of electric wires attached thereto. The easement will also allow for tree trimming, guy wires, etc., to be placed within the easement area.

It is our understanding that the existing pole was constructed in the 1950's and was placed in the current location in relation to where the adjacent County Road was physically constructed at that time. Over time, as the County road legalized and actual right of way dedication occurred, it was determined that the pole was outside of the right of way. Nonetheless, the pole was/is in existence and provides service to the surrounding properties, including the County property

Pursuant to County zoning regulations, the easement area is within the building setback in which no structure/construction is permitted – thus, the pole will not impeded development potential on the County land. By virtue of granting the easement and retaining the pole in its current location, electric service will be available to the County property at no monetary cost to the County. This easement is similar to others that the County has granted in years past to CEC in the past for the same purpose.

FISCAL IMPLICATIONS:

No direct implications. However, the continued availability of electric power service directly to the County property adds to the overall property value. Deschutes County will grant the easement to Central Electric Cooperative, Inc. for no consideration.

RECOMMENDATION & ACTION REQUESTED:

Staff recommends signature of Document 2016-409

ATTENDANCE: James Lewis, Property Manager

DISTRIBUTION OF DOCUMENTS:

Original to James Lewis.

James Lewis

From: Keith Linville <klinville@eurekaoxygencompany.com>
Sent: Thursday, June 09, 2016 12:50 PM
To: James Lewis
Subject: property at 55621 Solar

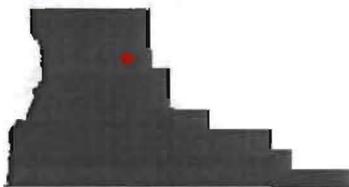
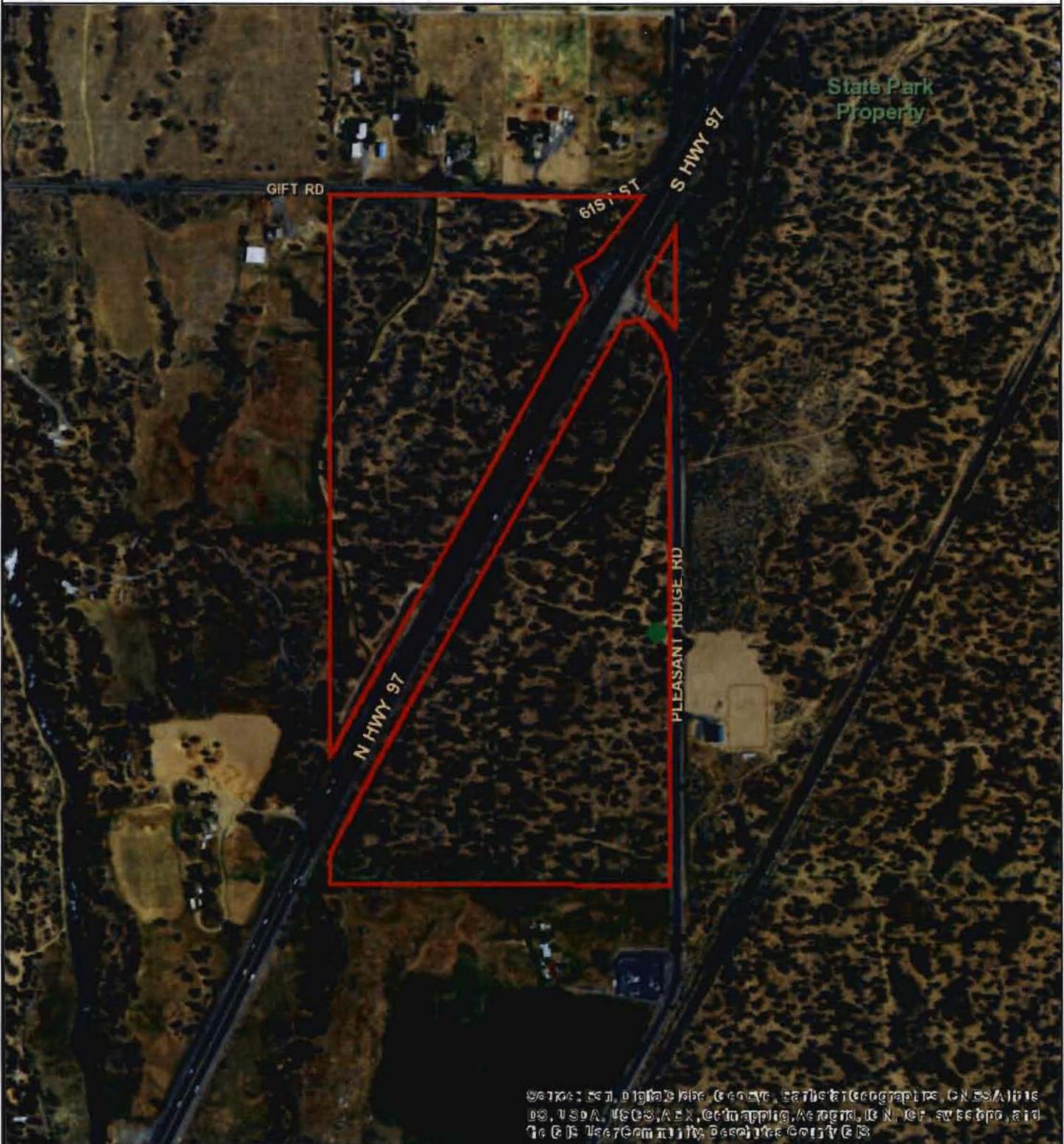
James

Thank you for taking the time to talk to me yesterday. I'm interested in purchasing the property at 55621 Solar which is on the corner Solar and Downey in Sunriver area I understand that the procedure for selling property is by auction. It would be appreciated if you could keep my name on file and consider putting this property On the list of property for auction next May.

Keith Linville
56795 Nest Pine Dr.
Sunriver
707-498-0070

CEC Power Pole Easement

1612230000100



DESCHUTES COUNTY DOCUMENT SUMMARY

(NOTE: This form is required to be submitted with ALL contracts and other agreements, regardless of whether the document is to be on a Board agenda or can be signed by the County Administrator or Department Director. If the document is to be on a Board agenda, the Agenda Request Form is also required. If this form is not included with the document, the document will be returned to the Department. Please submit documents to the Board Secretary for tracking purposes, and not directly to Legal Counsel, the County Administrator or the Commissioners. In addition to submitting this form with your documents, please submit this form electronically to the Board Secretary.)

Please complete all sections **above** the Official Review line.

Date:

Department:

Contractor/Supplier/Consultant Name:

Contractor Contact:

Contractor Phone #:

Type of Documents: Easement to Central Electric Cooperative

Goods and/or Services: N/A

Background & History: In late May, Deschutes County received a request from Central Electric Cooperative, Inc. (CEC) to grant a 10 foot by 10 foot easement adjacent to Deschutes Pleasant Ridge Road for an existing power pole lying outside of the public right of way, and on County owned land. The easement will allow for continual operation, modification and maintenance of the existing electric facilities therein, in addition to maintenance of electric wires attached thereto. The easement will also allow for tree trimming, guy wires, etc., to be placed within the easement area.

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Agreement Starting Date:

Ending Date:

Annual Value or Total Payment:

N/A

Insurance Certificate Received (check box)

Insurance Expiration Date:

N/A

Check all that apply:

RFP, Solicitation or Bid Process

- Informal quotes (<\$150K)
 Exempt from RFP, Solicitation or Bid Process (specify – see DCC §2.37)

N/A

Funding Source: (Included in current budget? Yes No)

If **No**, has budget amendment been submitted? Yes No

Is this a Grant Agreement providing revenue to the County? Yes No

Special conditions attached to this grant:

Deadlines for reporting to the grantor:

If a new FTE will be hired with grant funds, confirm that Personnel has been notified that it is a grant-funded position so that this will be noted in the offer letter: Yes No

Contact information for the person responsible for grant compliance: Name:

Phone #:

Departmental Contact and Title: James Lewis **Phone #:** 541-385-1414

Department Director Approval:  6/9/14
Signature Date

Distribution of Document: Original to James Lewis for return to Central Electric Cooperative and recording with the County Clerk.

Official Review:

County Signature Required (check one): BOCC Department Director (if <\$25K)

Administrator (if >\$25K but <\$150K; if >\$150K, BOCC Order No. _____)

Legal Review _____ Date _____

Document Numbers **2016-409**



CENTRAL ELECTRIC COOPERATIVE, INC.

After recording return to:
Central Electric Cooperative, Inc.
P.O. Box 846, Redmond, OR 97756

W.O. 415999
S.O. 7180492
A.T.L.: 1612230000100

POWER LINE EASEMENT

The undersigned, **DESHUTES COUNTY**, a political subdivision of the State of Oregon, Grantor hereby conveys to **CENTRAL ELECTRIC COOPERATIVE, INC.**, a Cooperative Corporation, Grantee, an easement on the following described real property in Deschutes County, State of Oregon:

A 10 foot by 10 foot strip of land located in the Northeast Quarter (NE1/4), of Section 23, Township 16 South, Range 12 East, Willamette Meridian, Deschutes County, Oregon; and being a portion of that property described in that Deed recorded on 02/23/1999, in Deschutes County Records as No.1999-8947, said easement more particularly described as follows:

As depicted in Exhibit "A" (Page 3 of 4), and as described in the Exhibit "B" (Page 4 of 4), attached and made a part hereof.

This easement is granted on the following terms and conditions:

1. **SCOPE.** This easement shall be of a width reasonably necessary for the installation, construction, reconstruction, maintenance and operation of an electric transmission or distribution line of one or more wires and all necessary or desirable appurtenances (including, but not limited to towers, poles, props, guys, guy stubs, anchors and other supports); and includes the right to place all or any part of such lines underground and the right to place guys and guy stubs and anchors outside of the easement. Central Electric Cooperative shall also have the right to permit other utilities such as telephone and T.V. cable to use the facilities installed in this easement. This easement also gives Central Electric Cooperative the right to go upon adjacent lands of the grantor for the purpose of constructing, reconstructing, stringing new wires on, maintaining, inspecting and removing such lines and appurtenances. Central Electric Cooperative has the right to clear the easement of brush, trees and structures; and the right to top, trim, clear or cut away trees outside of the easement which might endanger such lines.
2. **LOCATION.** The centerline of said easement shall be located as described and shown in Exhibit "A" and "B".
3. **GRANTOR'S WARRANTIES.** Grantor warrants that grantor has the right, title and ability to convey valid title to this easement.
4. **GRANTOR'S RIGHTS.** Grantor shall have the right to use the land subject to this easement so long as grantor's use does not interfere with this easement; provided that grantor shall not place any structure upon the easement without the prior written consent of Central Electric Cooperative.
5. **CONSIDERATION.** The consideration for this transfer is for value other than monetary value.

Dated this _____ day of _____, 2016

Grantor: Board of County Commissioners of Deschutes County, Oregon

PO Box 846 • 2098 N. Hwy 97 – Redmond, Oregon 97756-0187
Tel: 541.548.2144 • Fax: 541.548.0366

DC-Pleasant05-26-16.doc

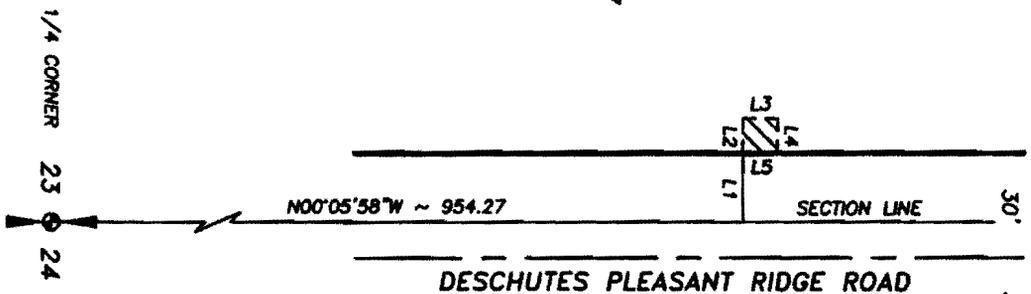
www.cec.coop

DES. Co. Doc. # 2016-409

DC 2016-409

PROPOSED CENTRAL ELECTRIC COOPERATIVE EASEMENT
 A PORTION OF THE E1/2 OF THE NE1/4 OF SECTION 23, T16S, R12E,
 W.M., DESCHUTES COUNTY, OREGON
 EXHIBIT 'A'

T.L. 1612230000100
 DESCHUTES COUNTY
 VOL. 1999, PG. 8947

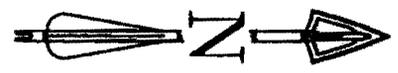


LINE TABLE

NUMBER	BEARING	DISTANCE
L1	S89°54'32" W	19.76
L2	S69°54'32" W	10.00
L3	N00°05'28" W	10.00
L4	N69°54'32" E	10.00
L5	S00°05'28" E	10.00

T.L. 1612240000201
 PARCEL 2, P.P. 1996-39

T.L. 1612240000200
 PARCEL 1, P.P. 1996-39



LEGEND

PROPERTY LINE.

PROPOSED EASEMENT AREA (10.00 X 10.00). REFER TO ATTACHED EXHIBIT 'B' FOR DESCRIPTION.

L1 LINE DESIGNATION - REFER TO TABLE.

REGISTERED PROFESSIONAL LAND SURVEYOR

Jerry D. Stichter

OREGON
 JULY 28, 1991
 JERRY D. STICHLER
 2827

05/28/16

RENEW 6/30/16

DATE: 05/28/16 ACAD: 1661EASE2

EXHIBIT 'A'
 PROPOSED CENTRAL ELECTRIC COOPERATIVE EASEMENT
 A PORTION OF THE E1/2 OF THE NE1/4 OF SECTION 23,
 T16S, R12E, W.M., DESCHUTES COUNTY, OREGON

PRECISION LAND SURVEYING, INC.
 P.O. BOX 2062
 REDMOND, OREGON 97756
 (541) 548-8092
 (541) 923-8873 FAX

Precision Land Surveying, Inc.
Professional Land Surveyors

PROPOSED CENTRAL ELECTRIC COOPERATIVE EASEMENT
A PORTION OF THE E1/2 OF THE NE1/4 OF SECTION 23, T16S, R12E, W.M.
CURRENT TAX LOT 1612230000100

EXHIBIT 'B'

A PARCEL OF LAND LOCATED IN THE EAST ONE-HALF OF THE NORTHEAST ONE-QUARTER (E1/2 NE1/4) OF SECTION 23, TOWNSHIP 16 SOUTH, RANGE 12 EAST OF THE WILLAMETTE MERIDIAN, THE BOUNDARY OF WHICH BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE E1/2 OF THE NE1/4 OF SECTION 23, T16S, R12E, W.M., SAID POINT OF BEGINNING ALSO BEING THE SOUTHEAST CORNER OF THAT TRACT OF LAND AS DESCRIBED BY DEED VOLUME 1999, PAGE 8947 RECORDED ON FEBRUARY 23, 1999 IN DESCHUTES COUNTY OFFICIAL RECORDS; THENCE N00°05'58"W - 954.27 FEET ALONG THE EAST LINE OF SAID E1/2 NE1/4; THENCE S89°54'32"W - 19.76 FEET TO THE TRUE POINT OF BEGINNING LOCATED ON THE WESTERLY RIGHT-OF-WAY LINE FOR DESCHUTES PLEASANT RIDGE ROAD; THENCE S89°54'32"W - 10.00 FEET; THENCE N00°05'28"W - 10.00 FEET; THENCE N89°54'32"E - 10.00 FEET TO THE WESTERLY RIGHT-OF-WAY LINE FOR DESCHUTES PLEASANT RIDGE ROAD ; THENCE S00°05'28"E - 10.00 FEET ALONG SAID WESTERLY RIGHT-OF-WAY LINE TO THE TRUE POINT OF BEGINNING.

PARCEL OF LAND IS SUBJECT TO ALL OTHER EASEMENTS, RESTRICTIONS, AND RIGHTS-OF-WAY OF RECORD PERTAINING TO THE ABOVE DESCRIBED LANDS.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Jerry D. Stichter

05/28/16

OREGON
JULY 25, 1981
JERRY D. STICHLER
2527

RENEWES 6/30/16

PO Box 2062
Redmond, Oregon 97756

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