

2011 586031



2011-5860311 1 of 6

RECEIVED

DEC 21 2011

UMATILLA COUNTY
RECORDS

After recording, please return to:

Umatilla County Commissioners
c/o Douglas Olsen, Counsel
216 S.E. 4th Street
Pendleton, Oregon 97801

PERMANENT EASEMENT FOR ROAD RIGHT OF WAY

HERMISTON GENERATING COMPANY, LP, a Delaware Limited Partnership, Grantor, for good and valuable consideration other than money, does grant to UMATILLA COUNTY, a political subdivision of the State of Oregon, Grantee, its successors, assigns, and permittees, a permanent and exclusive easement to construct, reconstruct, repair, and maintain a public road and highway, and its appurtenances and facilities, including utility services lines and facilities ("Easement"), upon, over and across the lands of the undersigned, situated in the County of Umatilla, State of Oregon, and more particularly described as follows ("Easement Area"):

A parcel of land lying in the Southwest One-quarter of the Southwest One-quarter of Section 19, Township 4 North, Range 28, East of the Willamette Meridian, Umatilla County, Oregon and being all that portion of that property described in that Statutory Warranty Deed to Hermiston Generating Company, LP, recorded November 6, 1995 as Document No. 95-212099 in Reel 280, Page 219 of the Umatilla County Records lying Northerly and Northeasterly of the hereinafter described Limiting Line, the said Limiting Line being described with reference to a center line, which center line is described as follows:

With reference to Umatilla County Survey Number 03-308-C

Commencing at the section corner common to Sections 24 and 25 in Township 4 North, Range 27, and Sections 19 and 30 in Township 4 North, Range 28, East of the Willamette Meridian, thence North 00°44'02" West 598.77 feet along the West line of said Section 19 to Engineer's Station 0+99.12 on said center line and the True Point of Beginning:

Thence along said center line North 89°26'17" East 266.88 feet to Engineer's Station PC3+66.00; Thence on the arc of a 100.00 foot radius circular curve to the right a distance of 74.60 feet (the Long Chord of which bears South 69°11'21" East 72.89 feet) to Engineer's Station

Original to: Umatilla County Commissioner's Journal
Copy to: Doug Olsen, Umatilla County Counsel



2011-5860311 2 of 6

PT4+40.60; Thence South 47°49'00" East 145.13 feet to Engineer's Station 5+85.73 and the terminus of said center line.

The location of said Limiting Line with reference to said center line is as follows:

Station	to	Station	Width on the Right Side of said Center line
POT 1+19.12		POT 4+03.30	25.00', in a straight line to 19.46'
POC 4+03.30		POT 5+65.00	19.46', in a straight line to 25.00'

The parcel of land to which this description applies contains 9,708 square feet, more or less.

Grantor warrants that it is the owner of the Easement Area. Grantor does not represent or warrant that the Easement Area is suitable for any particular purpose.

Grantor agrees the consideration set out in this document is just compensation for the grant of Easement over the Easement Area, including any and all damages to Grantor's remaining property, if any, which may result from the improvement or use of Easement Area and the construction of improvement of the public way, excepting that the consideration does not include any damages arising from any negligence of Grantee.

Dated December 16, 2011

HERMISTON GENERATING COMPANY, LP, a Delaware Limited Partnership

By:

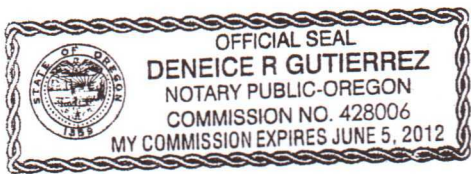


2011-5860311 3 of 6

State of Oregon)
) ss
County of Umatilla)

Dec 16, 2011.

Personally appeared before me the within named Russ L Tenney, on behalf of Hermiston Generating Company, LP and acknowledged the foregoing to be voluntary act and deed of the company.



Deneice R Gutierrez
Notary Public for

ACCEPTED BY UMATILLA COUNTY
by its Board of Commissioners

William S. Hansell
William S. Hansell, Chair

ABSENT

W. Lawrence Givens, Commissioner

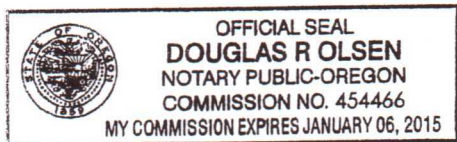
Dennis D. Doherty
Dennis D. Doherty, Commissioner



State of Oregon)
) ss
County of Umatilla)

December 21, 2011.

Personally appeared before me the within named William S. Hansell, ~~W. Lawrence Givens~~, and Dennis D. Doherty, and acknowledged the foregoing to be the voluntary act and deed of Umatilla County, Oregon.



[Signature]
Notary Public for Oregon



2011-5860311 4 of 6

ATTEST:
Office of County Records

Jean Hemphill

Records Officer

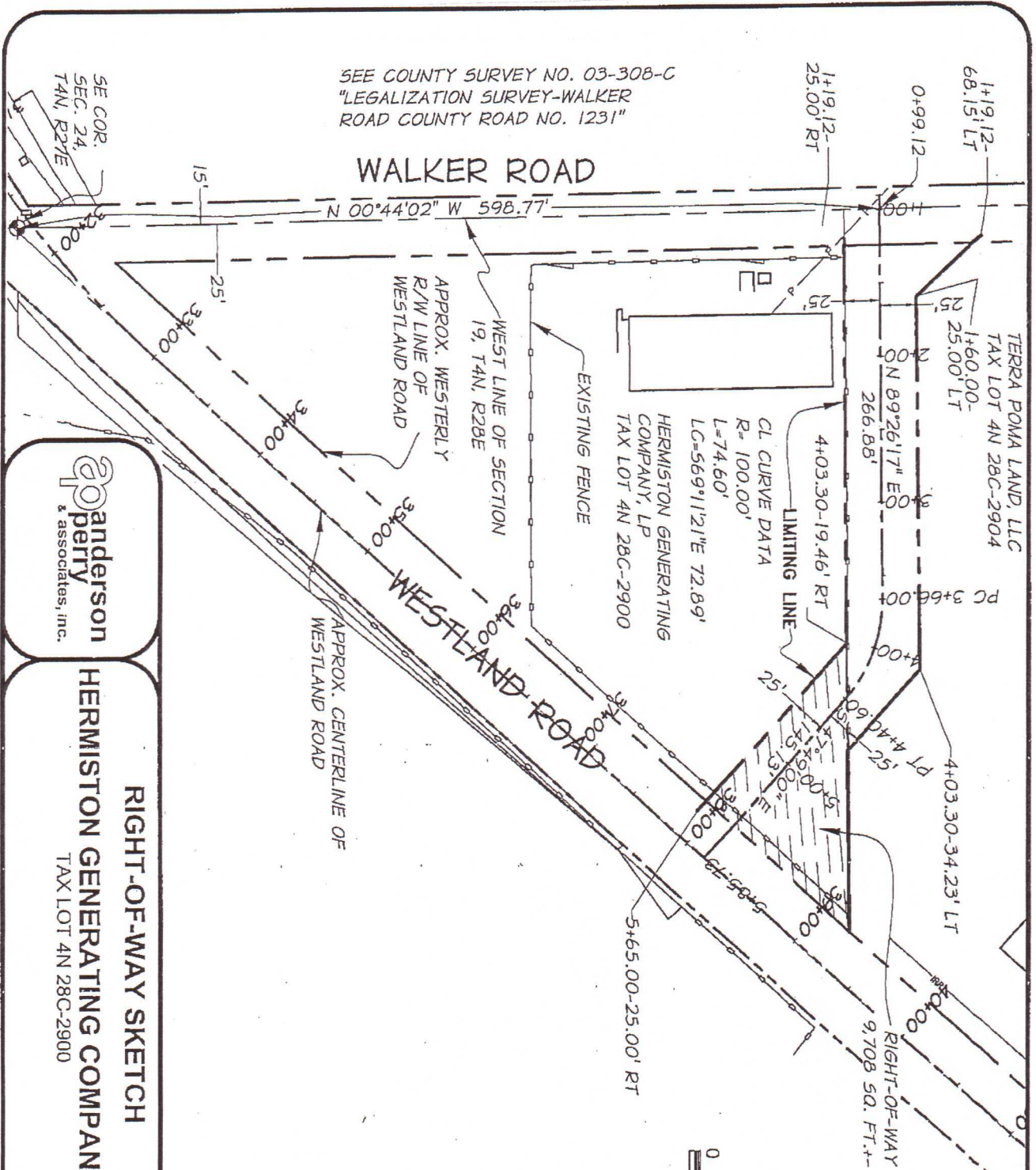




SEE COUNTY SURVEY NO. 03-308-C
"LEGALIZATION SURVEY-WALKER
ROAD COUNTY ROAD NO. 1231"

WALKER ROAD

N 00°44'02" W 598.77'



Spanderson
Property
& Associates, Inc.

RIGHT-OF-WAY SKETCH
HERMISTON GENERATING COMPANY, LP
TAX LOT 4N 28C-2900

EXHIBIT

DATED: 10-24-11
REGISTERED PROFESSIONAL LAND SURVEYOR
M. Posada
OREGON
JAN. 20, 1998
MICHAEL B. POSADA
02849 LS
EXPIRES 12-31-2012



2011-5860311 6 of 6

State of Oregon)
)
County of Umatilla)

This instrument was received
and recorded on

12-21-11 at 3:30

in the record of instrument
code type DE-EAS

Instrument Number 2011-5860311
Fee 0.00

Office of County Records



Records Officer