

Before the United States
Federal Energy Regulatory Commission

Draft Application for Small Conduit Exemption
Bear Creek Watershed Hydroelectric Project
FERC No. 13881
Astoria, Oregon

City of Astoria
1095 Duane St.
Astoria, OR 97103

August 26, 2011

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Introductory Statement

The City of Astoria, Oregon (Astoria) applies to the Federal Energy Regulatory Commission (Commission) for an exemption for the proposed Bear Creek Watershed Hydroelectric Project, a small conduit hydroelectric facility that meets the requirements of § 4.30(b)(28) of this subpart, from certain provision of Part I of the Federal Power Act.

The location of the facility is:

State: Oregon
County: Clatsop
Township or nearby town: Astoria

The exact name and business address of each applicant is:

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The City of Astoria is a municipality and was created under the provisions of the Constitution and laws of the State of Oregon, and particularly Section 2 of Article XI of the Constitution of the State of Oregon. The City charter is provided in Appendix A. The provisions of Part I of the Federal Power Act for which an exception is requested are:

All of Part 1 pursuant to Section 30 of the Federal Power Act, and all related subsections.

On behalf of the City of Astoria, we are hereby respectfully requesting that the Federal Energy Regulatory Commission, pursuant to its authority in 18 CFR, Part 4, Subpart D, Section 4.38(c)(2), waive the second stage consultation requirement in 18 CFR, Part 4, Subpart D, Section 4.38(c), and proceed to the third stage of consultation as set forth in 18 CFR, Part 4, Subpart D, Section 4.28(d) by accepting for filing the enclosed Application for Exemption for Small Conduit Hydroelectric Facility.

Evidence of Applicant Ownership

The City of Astoria has all of the real property interests in the lands necessary to develop and operate the Bear Creek Watershed Hydroelectric Project. Exhibit G and Appendix A document these interests, as required by 18 CFR §4.31(b)(2). The City owns in fee simple the entire 3,700-acre Bear Creek Municipal Water System and has an easement for access and water transmission across the adjacent timber lands owned by the Campbell Group and the Oregon Department of Forestry. The Site 1 Plant will be located on Tax Lot # 200 (County Tax Account # 14669). The Reservoir 2 Plant will be installed within the existing reservoir gate building on Tax Lot #1100 (County Tax Account #24936).

Federal Lands

The Bear Creek Watershed Hydroelectric Project will not be located on federal lands.

Statement of Fees Required to Develop Section 30(c) Conditions

Owing to the location of the project within a closed conduit and within areas that have been developed and are maintained for use as part of the City of Astoria's water system, no effects on fish or wildlife are expected to occur, and no special measures will be needed for fish or wildlife protection. For this reason, the City Astoria is requesting that the U.S. Fish and Wildlife Service, National Marine Fisheries Service, and Oregon Department of Fish and Wildlife waive fees for the development of section 30(c) conditions. Documentation of the City's request regarding the fees is included in Attachment 1 of Exhibit E (Record of Consultation).

Indian Tribes

The National Park Service's (NPS's) Native American Consultation Database identifies the Confederated Tribes of the Grande Ronde Community of Oregon, the Shoalwater Bay Tribe, and the Confederated Tribes of Siletz Indians as being associated with Clatsop County (NPS 2008). Documentation of consultation with these tribes is included in Attachment 1 of Exhibit E (Record of Consultation).

Exhibit A – Project Description and Proposed Operation

1.0 Introduction

The City of Astoria's municipal water system originates in the Bear Creek watershed, approximately 10 miles east of Astoria, Oregon. The watershed is a 3,700-acre reserve that contains three lakes, two streams, and the 70-foot-high Bear Creek Dam on the Main Lake, where water treatment facilities are located. Treated water is conveyed to the City's reservoirs, including the 20-million-gallon Reservoir 3 and the 5-million-gallon Reservoir 2. Both have recently been covered at a cost of approximately \$3 million. Astoria owns and maintains chlorination facilities at both reservoirs. Approximately 40 miles of distribution mains carry water from the reservoirs to consumers throughout the City.

In 2006, the City commissioned a study of wind and hydropower potential within the Bear Creek watershed. The report (City of Astoria 2007a) identified multiple hydropower generation opportunities, including the two sites now proposed for development. Site 1 is located near the Main Lake, about 10 miles from the Astoria city limits, and Reservoir 2 is located within the city limits, at the intersection of Williamsport Road and James Street. At each site, installation of one hydroelectric turbine/generator unit will be integrated into the existing water supply conduit to provide a clean, renewable source of energy.

2.0 Description of Project

Under current conditions, water is transported from the water treatment plant adjacent to the Main Lake to Site 1 via a 26-inch HDPE penstock. From Site 1, water is conveyed to Reservoir 3 via a 21-inch steel penstock (no power plant will be developed at Reservoir 3). From Reservoir 3, water is conveyed to Reservoir 2 via a 21-inch steel penstock. The proposed hydropower plants at Site 1 and Reservoir 2 are intended to recover energy dissipated by the existing flow control, or pressure reducing, valves. The plants will take advantage of available head at each site. The net useable head between the water treatment plant at elevation 663 feet above mean sea level (msl) and Site 1 at 558 feet msl is 105 feet. The net useable head between Reservoir 3 at 398 feet msl and the Reservoir 2 Plant at 265 feet msl is 134 feet. Elevations are based on USGS Datum.

The estimated peak flow through the penstocks is 6 cubic feet per second (cfs), with a low of 2 cfs. A flow rate of 6 cfs is at or near the hydraulic capacity of the water treatment system. Flows through the penstocks and power plants will continue to be used in a run-of-river mode as required by the City of Astoria, within their allowable water rights. Discharge flows from each plant will be returned to the water supply system, and will not discharge into any natural body of water.

The power plants will be operated in a fully automated, synchronous mode, but will have manual over-ride capability. Power generated from each plant site will be connected into the existing power service. Power will be sold back to the local power utility to offset the cost of power needed to operate the municipal water storage, treatment, and distribution facilities.

Site 1 Plant: The City will install a new 8-foot by 14-foot vault with the power generation equipment incorporated into the vault. Provisions for the power vault have been incorporated into the recently constructed pipeline replacement project. A single turbine alternator, power conversion system, and accessory equipment will be installed at the site. The power generation equipment will be installed in parallel with the existing pressure reduction valving.

Reservoir 2 Plant: The City will install power generation equipment (including a single turbine, alternator, and power conversion system, along with accessory equipment) in the existing building (gate house) at Reservoir 2. The penstock will enter the building and flows will be metered through a standard flow meter. Flow will then continue to the turbine, alternator, and power conversion system package. Flows through the turbine will be discharged directly into the City's water distribution system. The power generation equipment will be installed in parallel with the flow control equipment which would be used should the power system go off-line for any reason.

Drawings in Exhibit F illustrate the project features. Project maps are provided in Exhibit G. Evidence of real property interests is provided in Appendix A.

2.1 Water Supply

The City's original Bear Creek water system was constructed after the Great Fire of 1883 that devastated Astoria, and was supplying water to the City by the early 1890s. Reservoir 2 was constructed in 1895, and the Bear Creek Dam was completed in 1913.

Currently, the City draws water from three lakes (Main, Middle and Upper) and two creeks (Bear and Cedar) in the Bear Creek watershed. The water treatment plant at the Main Lake consists of a large, slow-sand filter, followed by chlorine disinfection to meet State of Oregon regulations and Federal Safe Drinking Water regulations for surface water supplies. A 21-inch-diameter transmission water main carries water from the headworks and treatment plant (Site 1) approximately 10 miles to Reservoir 3. From Reservoir 3, the transmission main extends another mile to Reservoir 2.

The proposed project will have no effect on the rate or volume of water flowing through the system. Flows through the existing water supply penstocks and proposed power plants will continue to be used in a run-of-river mode as required by the City of Astoria, within their allowable water rights.

2.2 Proposed Turbine/Generator Unit

The City proposes to install one "pump-as-turbine" (PAT) turbine/generator unit at the Site 1 Plant and one at the Reservoir 2 Plant. There would be no auxiliary units at either site. The installed generating capacity of each unit is 30 kilowatts (kW), so that the total installed generating capacity of the project is anticipated to be 60 kW. The City has no plans at this time to install additional generating capacity in the future.

2.3 Project Operation

As mentioned above, flows through the existing water supply penstocks and proposed power plants will continue to be used in a run-of-river mode. The two energy recovery projects will be located in parallel to existing flow control valves (pressure reducing valves). The Site 1 hydropower unit will be constructed as an in-line pressure reducing valve assembly, just downstream from the water shed water treatment plant. The Reservoir 2 hydropower unit will be installed on the flow control valve (altitude/level control valve) before the treated water enters Reservoir 2.

The units will work in parallel with the existing pressure reducing valves by diverting water for approximately 30 feet at each plant site before returning it to the system. The turbines will automatically start and stop depending on the flow through the conduit. If water demand is greater than the maximum capacity of the turbine, the existing pressure reducing valve will be used to divert overflow directly to the water distribution system. The power plants will be operated in a fully automated, synchronous mode, but will have manual over-ride capability.

2.4 Project Generation

It is estimated that the total average annual energy production from the combined sites will be about 175,250 kilowatt hours, based on an installed capacity of 30 kW at each site; net useable head of 105 feet at the Site 1 Plant and 134 feet at the Reservoir 2 Plant; and a hydraulic capacity of 6 cfs.

2.5 Project Construction

Construction of the proposed facility would commence within 12 weeks of FERC approval of the project. It is anticipated that construction would be completed within approximately 12 weeks of start-up.

No dam will be constructed for this project, and no new roads or transmission lines are needed. All construction will occur within the City's municipal water system as a change in plumbing to the existing conduit.

Exhibit E – Environmental Report

1.0 Introduction

This environmental report for the Bear Creek Watershed Hydroelectric Project has been prepared in accordance with 18 CFR §4.92(e), which defines the contents of an application for an exemption from licensing for a small conduit hydroelectric facility. Federal Energy Regulatory Commission (FERC) regulations (18 CFR §§ 4.30(b)(28)) define the project boundaries for a small conduit hydroelectric facility to include all structures, fixtures, equipment, and lands used and useful in the operation and maintenance of the hydroelectric facility, excluding the conduit on which the hydroelectric facility is located and the transmission lines associated with the hydroelectric facility.

As defined in 18 CFR 380.4(a)(14), exemptions for small conduit hydroelectric facilities have been defined by the FERC to not have significant effects on the human environment, either individually or cumulatively. Therefore, these projects do not require the preparation of an environmental assessment or an environmental impact statement in compliance with the National Environmental Policy Act. As defined by the FERC, consideration of the environmental effects of a small conduit hydroelectric facility is limited to the area contained within the project boundaries.

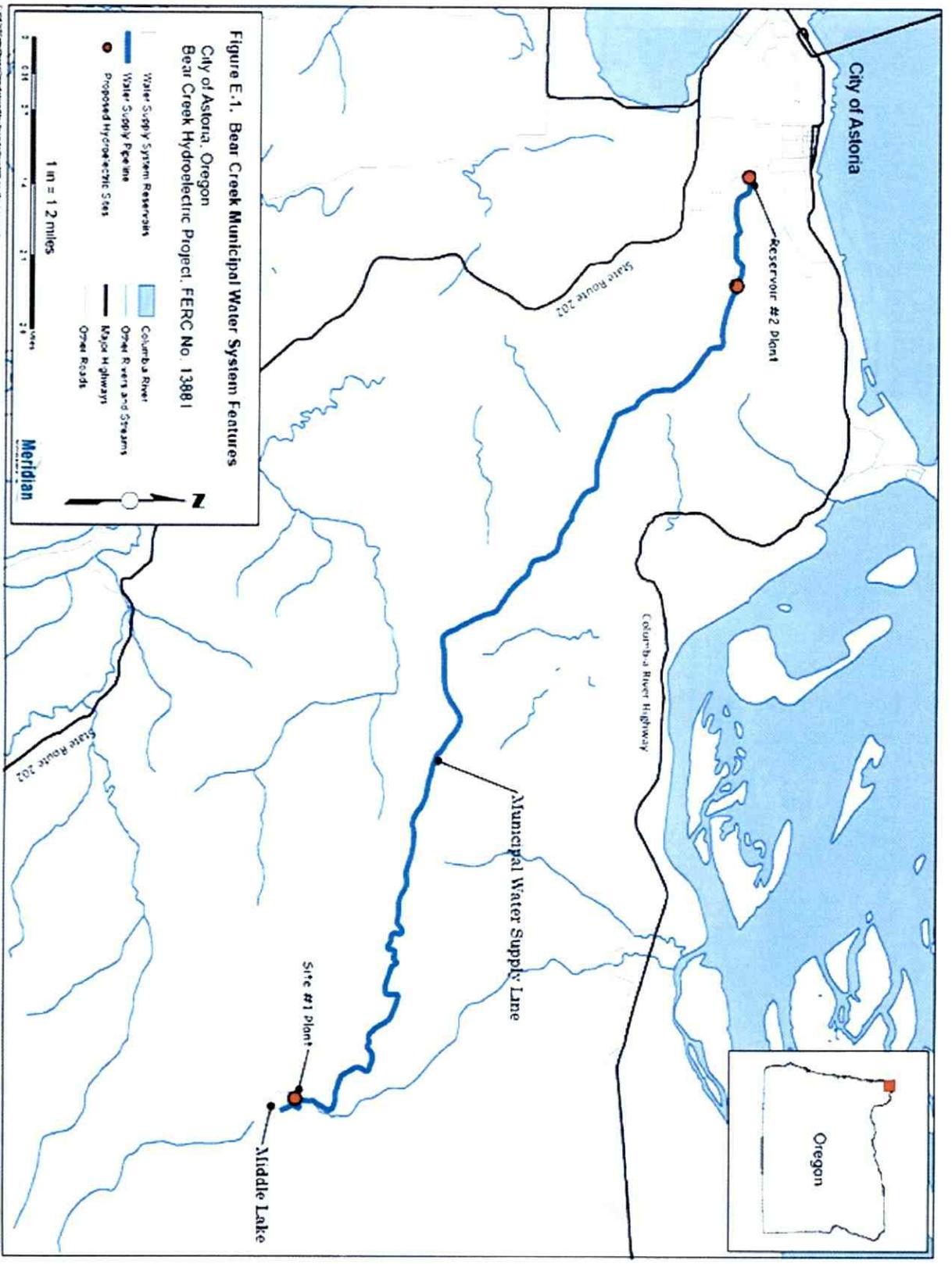
The Bear Creek Watershed Hydroelectric Project will affect no federal lands, and no other federal regulations require an environmental assessment or environmental impact statement for this project.

2.0 Project Description

The Bear Creek Watershed Hydroelectric Project will be located in Clatsop County, Oregon. The project will involve installation of turbine/generator units on existing water supply conduits at two sites that are part of the City of Astoria's municipal water system (Figure E-1). The design for each plant includes turbines, connection piping upstream and downstream of the existing pressure reducing valves, and connection into the existing electrical service. The project will have no effect on the amount of water supplied into or discharged out of the current municipal water system.

The Site 1 Plant will be located in Section 2, Township 7 North, Range 8 West, approximately 10 miles from the southeast boundary of the City of Astoria (Figure E-2). The coordinates for this site are: Latitude 46 degrees, 10 minutes, 68 seconds North, Longitude 123 degrees, 49 minutes, 30.49 seconds West. The Site 1 Plant will be located adjacent to the existing pressure-reducing station. The new vault that will house the turbine and associated equipment will be approximately 8 feet wide and 14 feet long.

The Reservoir 2 Plant will be located in Section 17, Township 8 North, Range 8 West, which is within the city limits, and about 10 miles from the Site 1 Plant (Figure E-3). The coordinates for the Reservoir 2 Plant are: Latitude 46 degrees, 10 minutes 68 seconds North, Longitude 123 degrees, 49 minutes, 30.49 seconds West. The turbine and associated equipment will be housed in the existing building (gate house).



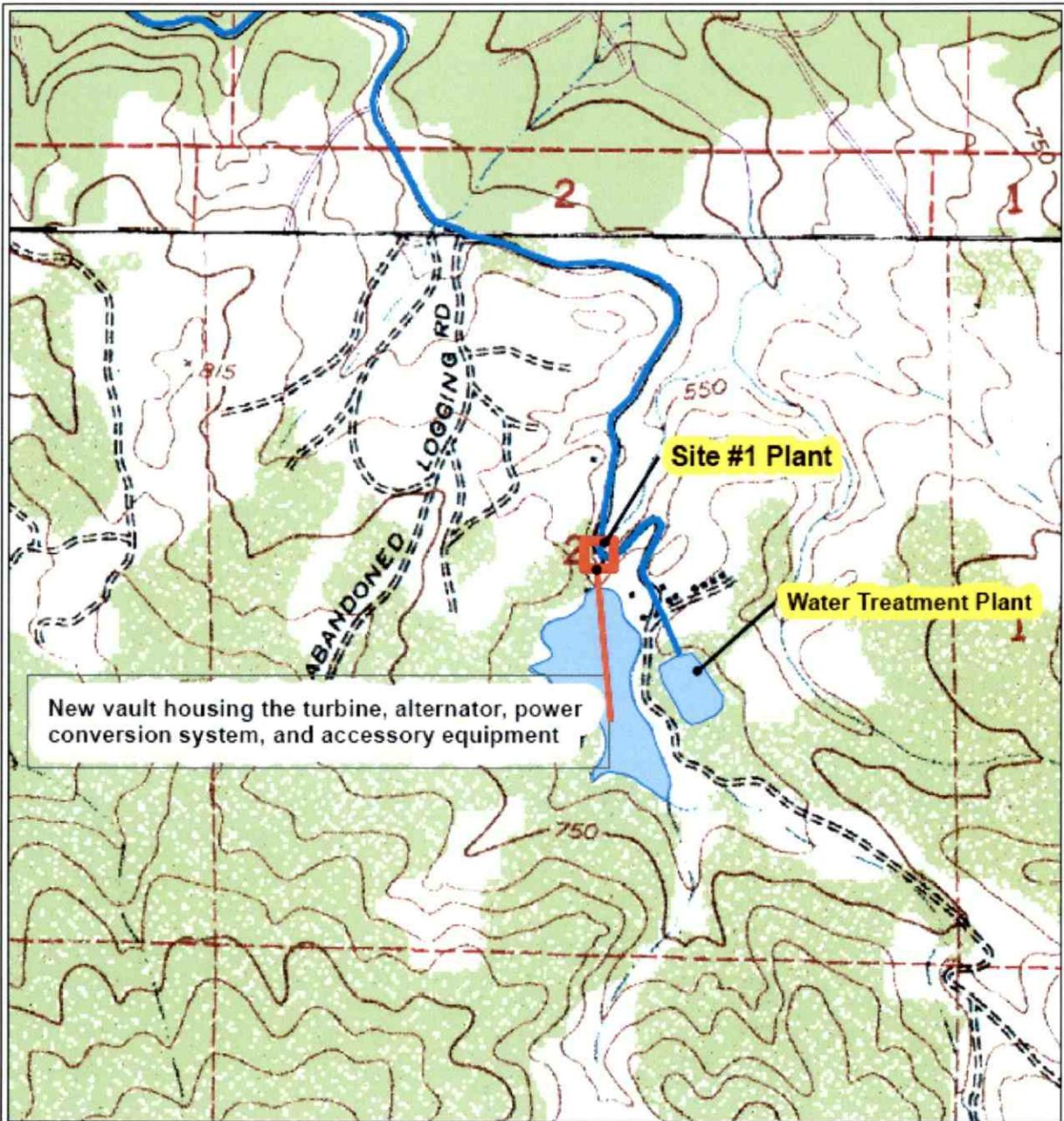


Figure E-2. Site #1 Plant Location

Bear Creek Watershed Hydroelectric Project
 FERC No. 13881

USGS Quadrangle : Green Mt., OR

Projected Coordinate System:
 NAD_1927_UTM_Zone_10N

 Proposed Hydroelectric Plant

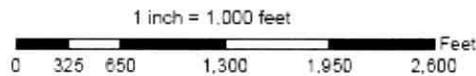


Figure E-2. Site 1 Plant Location.



Figure E-3. Reservoir #2 Plant
 Bear Creek Watershed Hydroelectric Project
 FERC No. 13881

USGS Quadrangle : Astoria, OR

Projected Coordinate System:
 NAD_1927_UTM_Zone_10N

 Proposed Hydroelectric Plant

1 inch = 1,000 feet



Path: C:\04GISData\ProjectData\Astoria\MapProjects\Permit\Reservoir2.mxd

Published Date: 8/9/2011

Figure E-3. Reservoir 2 Plant Location.

3.0 Environmental Resources

Site 1 is located within the Bear Creek Municipal Watershed about 10 miles southeast of Astoria. The City's ownership in the watershed is surrounded by tens of thousands of acres of commercial timberland, and the land is currently dominated by second and third growth conifer forest that supports a mix of tree species and density and age classes. The predominant species include Sitka spruce, western hemlock, Douglas-fir, and red alder. Vine maple, huckleberry, Oregon grape, salal, and swordfern are common understory shrubs. However, Site 1 is not forested; the area that would be affected by construction consists of mixed grasses and a gravel access road and parking areas (Figure E-4).

Reservoir 2 is located in the South Slope area of Astoria. The South Slope is characterized by single-family residential development, small pockets of commercial development, schools, and parks. The South Slope is expected to support additional residential development in the future (City of Astoria 2010). Vegetation cover types in the vicinity of Reservoir 2 include native conifer and deciduous trees and shrubs on vacant lands and within the City's parks, as well as landscaped yards and playing fields. Vegetation surrounding the gate building (where the Reservoir 2 Plant would be installed) consists of lawn grasses and ornamental shrubs (Figure E-5).



Figure E-4. Existing conditions, Site 1 Plant site, view to north.



Figure E-5. Existing conditions, Reservoir 2 Plant site.

3.1 Soils

The soil at Site 1 consists of Skipanon Gravelly Silt Loam (58E), a typical forest soil for the area (Smith and Shipman 1988). Skipanon soils are deep and well-drained, and are not classified as hydric soils.

The soil at Site #2 consists of Templeton Silt Loam (60D), which typically supports woodland (Smith and Shipman 1988). Templeton soils are also deep and well-drained, and are not classified as hydric soils.

3.2 Water Quantity and Water Quality

Astoria has water supply intakes on Middle, Main, and Upper lakes, and on Cedar and Bear creeks. Water withdrawals are alternated among intakes as needed, depending on weather and source conditions. As a result of storm events, turbidity is often higher in the creeks during the winter and lower in the summer. For this reason, Astoria typically draws more water from the lakes during the winter and more from the creeks during the summer. Water is treated by filtration and chlorination before it is delivered to consumers.

No natural stream flow will be diverted for hydropower production, and no wetlands are present within the construction footprint at either site. The project is designed to produce energy from water flowing through the existing treated water conduits. Flow through the conduits ranges from approximately 2 cfs to 6 cfs.

3.3 Vegetation

The vegetation at Site 1 consists of grasses planted for erosion control adjacent to the gravel-surfaced access road for the water treatment plant and headworks. The site is maintained by Public Works personnel. The new vault will be constructed adjacent to the existing pressure-reducing station and access road. The construction area is

shown in Figure E-2, above. The existing valves and underground vault shown in Figure E-2 will remain, and a second underground vault will be installed in this area to house the new hydro turbine.

The vegetation around the gate house at Reservoir 2 consists of lawn grasses and ornamental shrubs (Figure E-3, above). The area within the fence surrounding the building is mowed and maintained by Public Works personnel.

3.4 Fish and Wildlife

The lower reaches of Bear Creek provide habitat for winter steelhead and coho, chum, and fall Chinook salmon (Bischoff et al. 2000). No anadromous fish are present above the Bear Creek Dam, which has been in place since 1913. Resident fish species that are likely to occur above the dam include several species of dace and shiner (Bischoff et al. 2000), but fish are screened from the City's water system by existing fish screens, on the water treatment plant intake.

The Bear Creek watershed provides habitat for many of the wildlife species that are commonly found in or near the forests of northwest Oregon, including Roosevelt elk, black-tailed deer, cougar, black bear, beaver and mink (City of Astoria 2007). No formal surveys of these relatively common species have been conducted in the watershed, but due to the closure of the watershed to public access (including hunting), wildlife numbers may be higher than in surrounding forested areas (City of Astoria, 2007). Based on surveys conducted in the upper Bear Creek watershed in 2006, at least 75 bird species are likely to be present in the watershed, as residents or migrants (Patterson 2007).

Many of the species that occupy forest stands in the watershed would also make use of grassy openings and the Middle Lake shoreline, and could be present near Site 1. These species would include black-tailed deer, black bear, American robin, and Oregon junco.

The most common wildlife species within residential areas in the South Slope area of Astoria are likely to include small mammals (such as squirrels, mice, shrews, and voles) and birds that are adapted to a mix of native and non-native vegetation and human disturbance. Many of the birds identified during surveys in the upper watershed (e.g., northern flycatcher, Steller's jay, hairy woodpecker, Bewick's wren, song sparrow) would be expected to occur within residential areas of Astoria, as well.

3.5 Threatened and Endangered Species

A review of the U.S. Fish and Wildlife Service's Endangered Species Program website http://ecos.fws.gov/tess_public/countySearch!speciesByCountyReport.action?fips=41007 indicates that 11 federally listed species are known to occur in Clatsop County. However, seven of these (leatherback, green, loggerhead, and Pacific (olive) Ridley sea turtles; short-tailed albatross; and Oregon Silverspot butterfly) occur only in or near marine environments. The Columbian white-tailed deer is restricted to lower Columbia River bottomlands, and Nelson's checker-mallow grows only in upland prairie habitats.

Two threatened species – the northern spotted owl and marbled murrelet – occur at inland sites in Clatsop County, but both species are strongly associated with old-growth and late-successional conifer forest. The Bear Creek watershed is characterized by second-growth and younger stands, and the level of residential and infrastructure development in the South Slope area of Astoria would preclude use by northern spotted owls and marbled murrelets. According to the Oregon Department of Forestry, neither species has been identified in the

City's watershed or within the City limits (pers. comm. Mike Barnes, City Forester, Astoria, Oregon to Mike Morgan, Public Works Department, Astoria, Oregon, March 30, 2011).

3.6 Land and Water Use

The City's primary goal in managing the Bear Creek Municipal Watershed is to protect water quality. Timber is a secondary resource in the watershed, and forested stands are managed to maintain ecological diversity, preserve unique areas, and ensure that timber production contributes to forest health and fire safety (City of Astoria 2007b).

Reservoir 2 is located in the South Slope area of Astoria, where residential development is the primary land use. Residential development in this area is expected to continue (City of Astoria 2010).

3.7 Recreation and Aesthetics

The Bear Creek watershed is closed to all pedestrian and motorized access in order to protect water quality (City of Astoria 2007b). No hunting or fishing is permitted in the watershed. No recreation occurs in the vicinity of Site 1. Aesthetic resources around Site 1 include both developed features (e.g., the Bear Creek Dam and appurtenant structures, monitoring equipment, four slow-sand filter cells, gravel access roads and parking areas) and more natural-appearing features (e.g., second and third-growth conifer forest, the Bear Creek Reservoir).

Reservoir 2 is covered to prevent contamination, recreation is not permitted, and visitors are excluded from the existing gate house by a chain link fence, which is also posted with "no trespassing" signs. The aesthetic characteristics of this site are dominated by the covered reservoir and the gate house, a cut-stone masonry (un-reinforced) building that was constructed in 1895.

3.8 Cultural Resources

Neither of the proposed project sites is listed in the National Park Service's National Register of Historic Places (NPS 2011) or Oregon Historic Sites Database (OPRD, undated). The Bear Creek Dam and the gate building at Reservoir 2 are both more than 50 years old and may have some historical significance. However, the gate house at Reservoir 2 has been modified by removal of the upper story, and a pre-cast concrete low-slope roof has replaced the original copper roof. The front entrance and several windows have been replaced with modern windows.

The National Park Service's Native American Graves Protection and Repatriation Act (NAGPRA) database (NACD) identifies the Confederated Tribes of the Grande Ronde Community of Oregon, the Shoalwater Bay Tribe, and the Confederated Tribes of Siletz Indians as being associated with Clatsop County. Neither site is known to be of specific cultural importance, and as a result of previous construction at both Site 1 and Reservoir 2, the occurrence of cultural artifacts is unlikely.

4.0 Environmental Effects

4.1 Soils

The proposed project activities, including installation of the new underground vault and associated new water piping, will not have an adverse effect on soils. Soils at Site 1 have been previously disturbed and the excavated material will be stored on site during construction and used as back fill around the new piping and underground

vault. Several cubic yards of excess soil will be spread over the existing road slope, stabilized and revegetated. Construction equipment expected to be used for installation of the Site 1 underground vault will be a medium caterpillar tracked excavator (equivalent to a Caterpillar 320 DL Hydraulic Excavator), 10 cubic yard dump truck, a small rubber tired excavator. Field construction and surface disturbance will be minimal with excavation and back fill occurring in a limited period, estimated at approximately 14 days. Best management practices will be implemented to prevent erosion and sedimentation, in keeping with Clatsop County regulations.

No soils will be disturbed at the Reservoir 2 site. All construction activities will take place within the existing gate building.

4.2 Water Quantity and Water Quality

Project construction at both Site 1 and Reservoir 2 will occur without disrupting or compromising the municipal supply, and there will be no change in the amount or rate of flow for the municipal system as a result of long-term project operation. At both sites, water will be diverted from the system through approximately 30 feet of pipe, and then returned to the system without modifying water quality, quantity, or destination.

4.3 Vegetation

At Site 1, approximately 600 square feet of mixed grasses will be disturbed for construction of the new vault and temporary construction staging. No new roads or transmission lines will be needed. All areas disturbed during construction that are not occupied by the new 8-foot-wide by 14-foot-long underground vault and existing road will be revegetated immediately upon completion of construction.

No vegetation will be disturbed at Reservoir 2, because all work will take place within the existing gate house.

4.4 Fish and Wildlife

As described in Section 3.4, there are no fish present within the municipal water system. For this reason, project construction will not affect fish or fish habitat at either Site 1 or Reservoir 2.

4.5 Threatened and Endangered Species

Construction activities will not affect any threatened or endangered species. Northern spotted owls and marbled murrelets are known to occur in Clatsop County, but have not been documented to nest within the Bear Creek watershed or within the City of Astoria. The proposed project will not result in removal or modification of any suitable habitat, and there will be no risk of noise disturbance.

4.6 Land Use and Water Use

There will be no change in land or water use as a result of the project. The City will continue to manage the Bear Creek watershed (including the area around the Site 1 Plant) primarily to protect water quality, and residential development is predicted to continue within the South Slope area of Astoria, which is the location of the Reservoir 2 Plant.

4.7 Recreation and Aesthetics

There will be no change in recreation or aesthetics as a result of construction. The Bear Creek Watershed (including the area around the Site 1 Plant) will remain closed to recreation in order to protect water quality. The new underground vault will be similar in appearance and materials to the existing pressure-reducing station; with

a gray concrete top slab similar to a concrete sidewalk and an aluminum diamond plate door-hatch that is flush with the concrete top slab, and will not alter the overall aesthetic qualities of Site 1.

The gate building (the location of the Reservoir 2 Plant) will remain closed to recreation to prevent contamination of the water supply or interference with system operation. Construction will occur inside the building, and the visual quality of the building’s exterior will not be affected.

4.7 Cultural Resources

Construction at Site 1 would not affect the Bear Creek Dam, which was completed in 1913. Work would occur near the dam, but would not involve the dam itself or appurtenant features.

Construction at Reservoir 2 would affect only the interior of the gate house. The gate house may not be eligible for designation as a historic structure, because it has been substantially altered, with removal of the second story of the building, and replacement of the original copper roof with a pre-cast concrete roof. The interior of the building has also been altered, as needed for upgrades and maintenance over the years.

The project area is not known to be of cultural importance to any Indian tribes. It is unlikely that cultural artifacts are present at either site, because soils at both sites have been disturbed by previous construction. For this reason, there would be no impact on cultural resources.

5.0 Agencies and Tribes Consulted

The draft application for exemption was mailed to the agencies and tribes shown in Table 1 on August 26, 2011. The record of consultation for the Bear Creek Watershed Hydroelectric Project will be summarized in Table 1 for inclusion in the final application, and copies of all written correspondence between the applicant, the agencies, and the tribes will be provided in Attachment 1 of this Exhibit E.

Table 1 Summary of Agency and Tribal Consultation.

Agency/Tribe	Comments Received	Comments Addressed
U.S. Fish and Wildlife Service Energy, Infrastructure, and Ecosystems Services Division Attn: Joe Zisa 2600 SE 98 th Ave, Suite 100 Portland, OR 97266		
U.S. Department of the Interior Office of the Secretary Office of Environmental Policy and Compliance Attn: Allison O’Brien 620 SW Main Street, Suite 201 Portland, OR 97205-3026		

Agency/Tribe	Comments Received	Comments Addressed
National Marine Fisheries Service Hydropower Division FERC and Water Diversions Branch Attn: Keith Kirkendall 1201 Northeast Lloyd Boulevard Portland, OR 97232		
National Marine Fisheries Service Northwest Regional Administrator Regional Fisheries Office 7600 Sand Point Way NE Seattle, WA 98115		
Oregon SHPO Compliance Attn: Susan Haylock 725 Summer St NE, Suite C Salem, OR 97301		
Oregon Department of Environmental Quality Water Quality Division Office of the Director 725 Summer Street NE, Suite A Salem, OR 97301		
Oregon Department of Fish and Wildlife Northwest Region Attn: John Zaunder 17330 SE Evelyn Street Clackamas, OR 97015-9514		
Oregon Department of Fish and Wildlife Attn: David Stewart 4907 Third Street Tillamook, OR 97141		
Oregon Department of Forestry Office of the State Forester 2600 State Street Salem, OR 97301		
Oregon Department of Forestry Attn: Tom Savage, Regional Forester 92219 Highway 202 Astoria, OR 97103-8531		

Agency/Tribe	Comments Received	Comments Addressed
Confederated Tribes of the Grande Ronde Community of Oregon Attn: Ms. Cheryl Kennedy 9615 Grand Ronde Road Grand Ronde, OR 97347-0038		
Shoalwater Bay Tribal Council Attn: Ms. Charlene Nelson P.O. Box 130 Tokeland, WA 98590		
Confederated Tribes of Siletz Indians Siletz Tribal Council Ms. Delores Pigsley P.O. Box 549 Siletz, OR 97380-0549		
North Coast Watershed Association Attn: Jesse Jones 750 Commercial Street Astoria 97103		

6.0 *Alternate Means of Obtaining Power*

The City currently buys electrical power from Pacific Power, a local, investor-owned utility based in Portland, Oregon. The goal of the Bear Creek Watershed Hydroelectric Project is to generate electrical power on-site that will offset the cost of service from Pacific Power.

7.0 *References*

- Bischoff, J.M., R.B. Raymond, K.U. Snyder, J. Bergeron and S.K. Binder. 2000. Nicolai-Wickiup Watershed Assessment. Final Report. E&S Environmental Chemistry, Inc. and Nicolai-Wickiup Watershed Council. August, 2000. Available at: https://nrimp.dfw.state.or.us/web%20stores/data%20libraries/files/Watershed%20Councils/Watershed%20Councils_176_DOC_nicwicAssessment.pdf.
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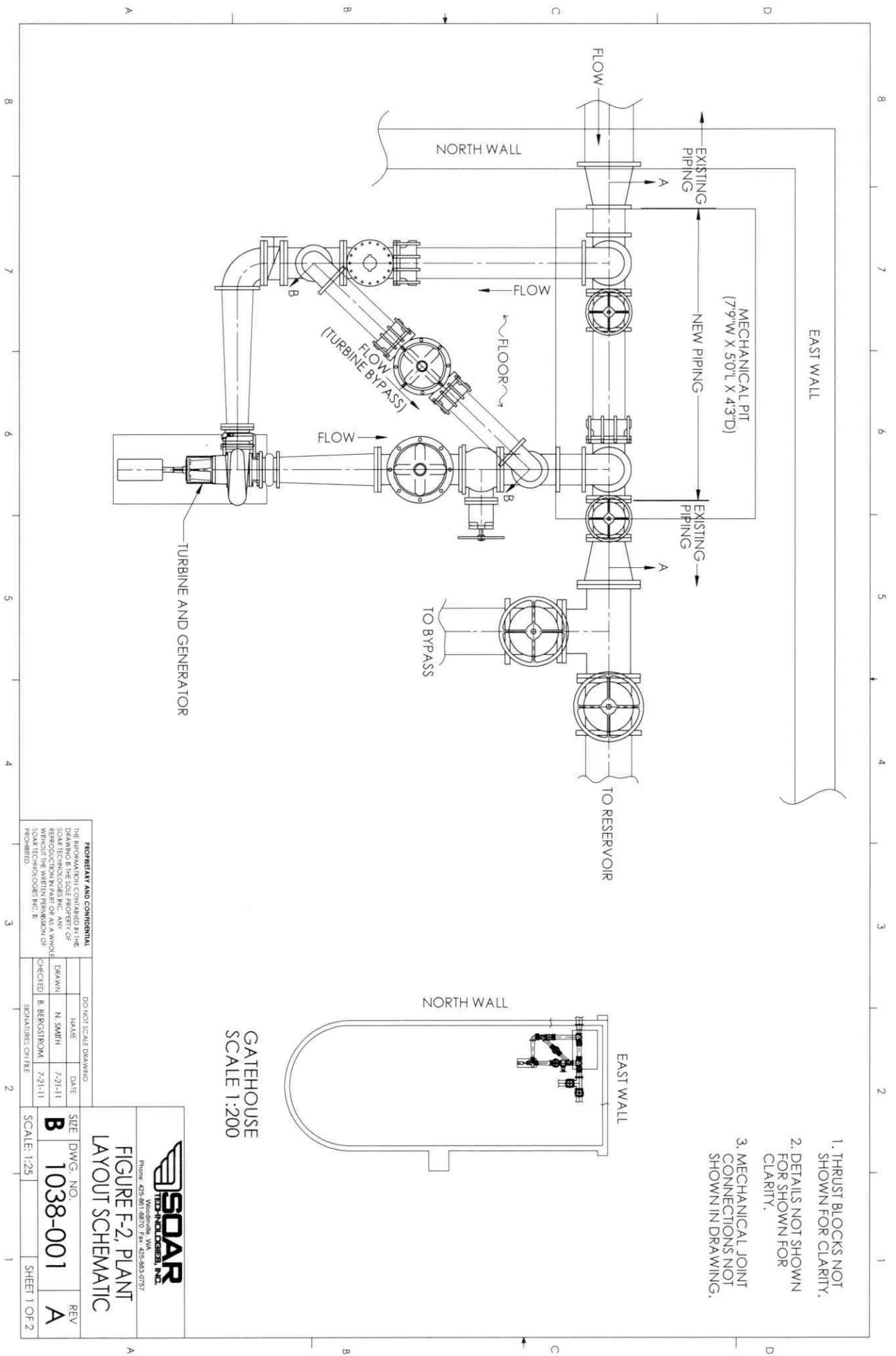
Exhibit E
Attachment 1

Record of Consultation

To be completed in Final Application

Exhibit F – Project Drawings

Exhibit F (Figures F-1 through F-6) includes schematics showing the layout, plan and elevation views, and electrical connections for the Site 1 Plant and Reservoir 2 Plant.



1. THRUST BLOCKS NOT SHOWN FOR CLARITY.
2. DETAILS NOT SHOWN FOR SHOWN FOR CLARITY.
3. MECHANICAL JOINT CONNECTIONS NOT SHOWN IN DRAWING.

GATEHOUSE
SCALE 1:200

PROPRIETARY AND CONFIDENTIAL
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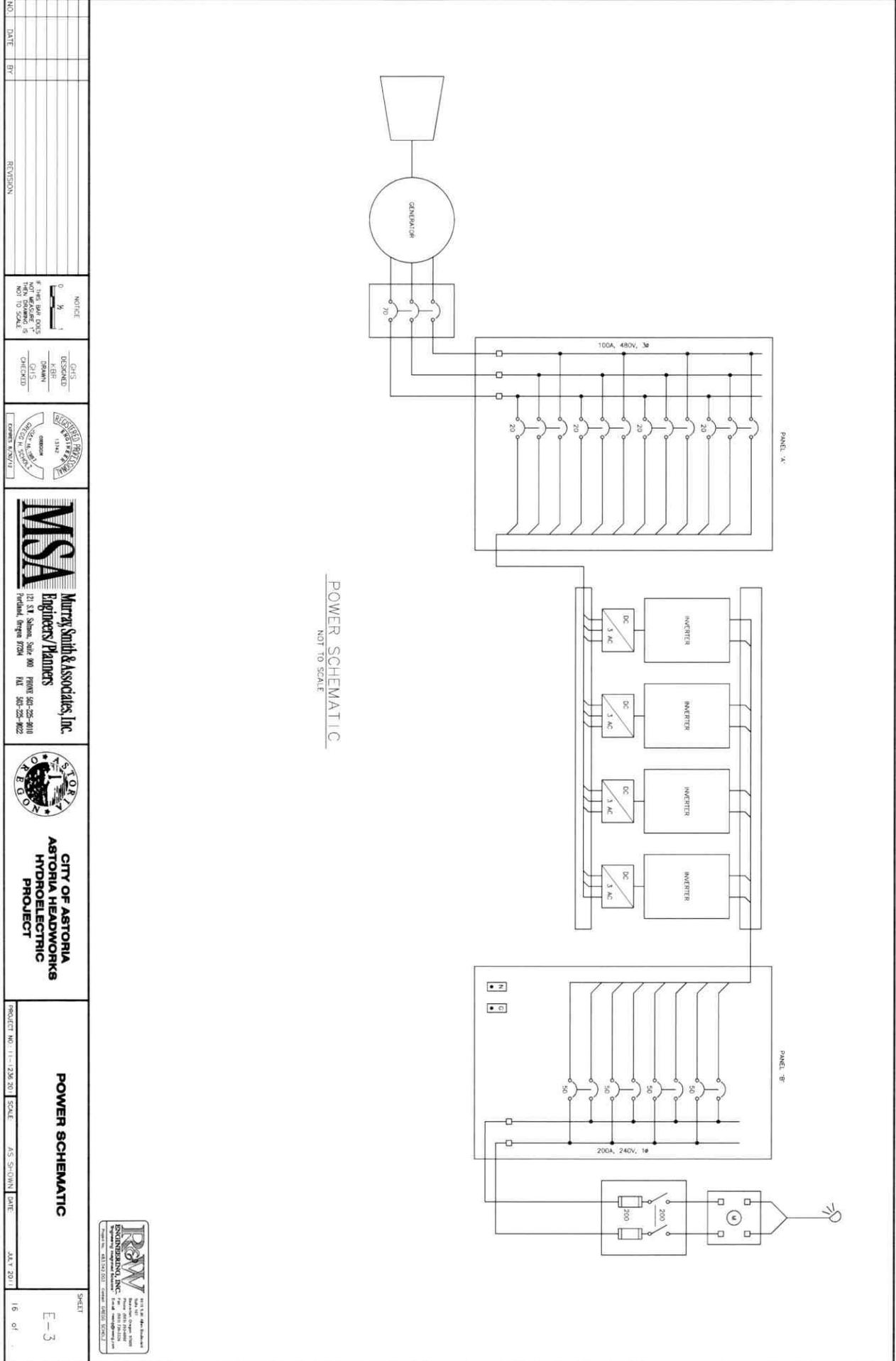
DO NOT SCALE DRAWING	
NAME	DATE
DRAWN: N. SMITH	7/21/11
CHECKED: B. BERGSTROM	7/21/11
SIGNATURE ONLINE	

SOAR
TECHNOLOGIES, INC.
1000 W. WILSON AVENUE
SHELBYVILLE, KY 40381
Phone: 425-861-5870 Fax: 425-863-0757

FIGURE F-2, PLANT LAYOUT SCHEMATIC

SIZE	DWG. NO.	REV
B	1038-001	A
SCALE: 1:25		SHEET 1 OF 2

Figure F-2 Reservoir 2 Plant Layout Schematic



POWER SCHEMATIC
NOT TO SCALE

NO.	DATE	BY	REVISION

NOTICE
0 1/2 1
IF THIS UNIT DOES NOT SCALE, REFER TO THE DRAWING FOR THE CORRECT SCALE.

DESIGNED BY: _____
CHECKED BY: _____
DATE: _____

REGISTERED PROFESSIONAL ENGINEER
STATE OF WASHINGTON
NO. 11426
EXPIRES 12/31/2011
MURRAY SMITH ASSOCIATES, INC.

MSA
Murray Smith & Associates, Inc.
Engineers/Planners
21 S. Salmon, Suite 900
Portland, Oregon 97204
TEL: 503-251-4022
FAX: 503-251-4022

ASTORIA
CITY OF ASTORIA
ASTORIA HEADWORKS
HYDROELECTRIC
PROJECT

POWER SCHEMATIC

PROJECT NO: 11-126-201 SCALE: AS SHOWN DATE: JUL 2011

SHEET
E-3
16 of 16

R&W
ENGINEERING, INC.
1011 S. 1st Street
Astoria, Oregon 97103
TEL: 325-2222
FAX: 325-2222
WWW.RANDW.COM

Figure F-3 Site 1 Plant Electrical Schematic

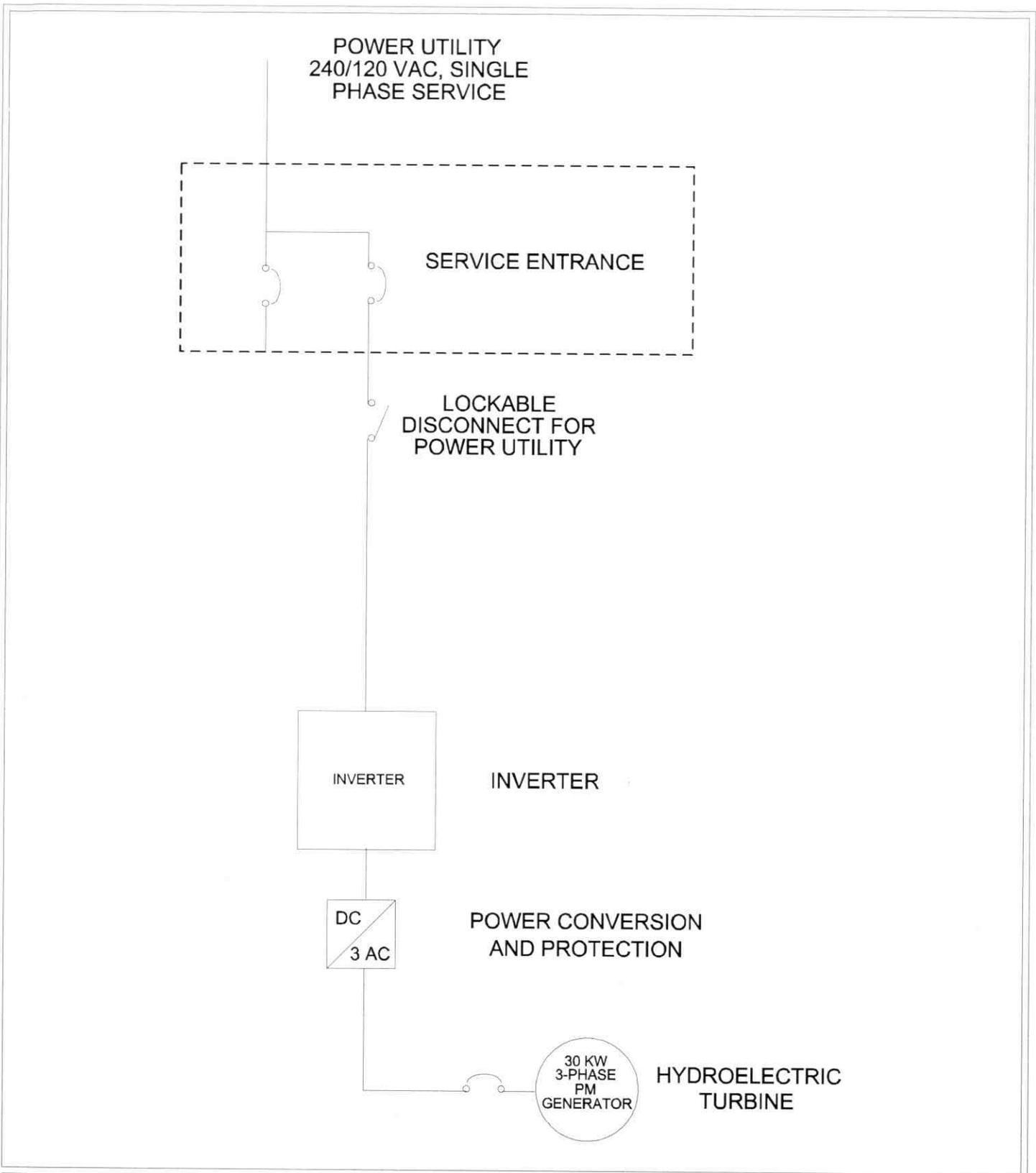
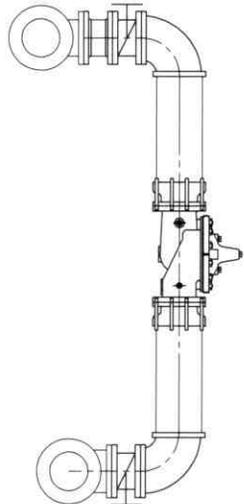


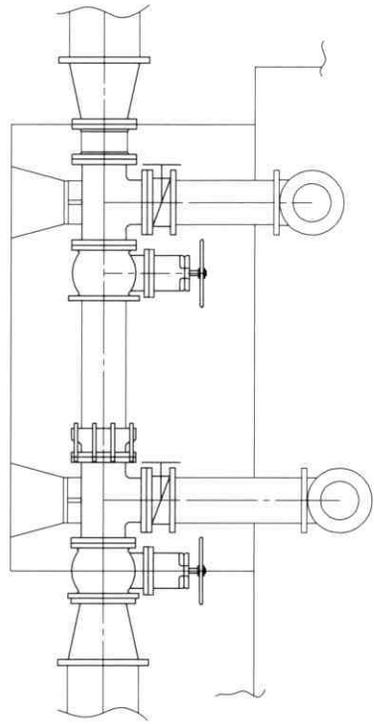
FIGURE F-4, RESERVOIR #2 PLANT ELECTRICAL SCHEMATIC
 BEAR CREEK WATERSHED HYDRO ELECTRIC PROJECT

DATE: 08/08/11

1. THRUST BLOCKS NOT SHOWN FOR CLARITY.
2. DETAILS NOT SHOWN FOR SHOWN FOR CLARITY.
3. MECHANICAL JOINT CONNECTIONS NOT SHOWN IN DRAWING.



DETAIL B-B
(TURBINE BYPASS)



DETAIL A-A
(MECHANICAL PIT)

PROPRIETARY AND CONFIDENTIAL

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NAME	DATE
N. SMITH	07/21/11
B. BERGSTRÖM	07/21/11

DO NOT SCALE DRAWING

SIGNATURES ON FILE

ISOAR
TECHNICAL SERVICES, INC.
Phone: 425-861-0870 Fax: 425-863-0757

FIGURE F-6, PLANT ELEVATION VIEW

SIZE	DWG. NO.	REV.
B	1038-001	A

SCALE: 1:25

SHEET 2 OF 2

Figure F-6 Reservoir 2 Plant Elevation View

Exhibit G – Maps

Exhibit G includes a map showing the location of the proposed Bear Creek Watershed Hydroelectric Project in Clatsop County, Oregon (Figure G-1). It also includes survey maps of the Site 1 Plant and Reservoir 2 Plant (Figures G-2 and G-3), showing the project boundaries and location of existing and proposed project features.



Figure G-1 Project Location

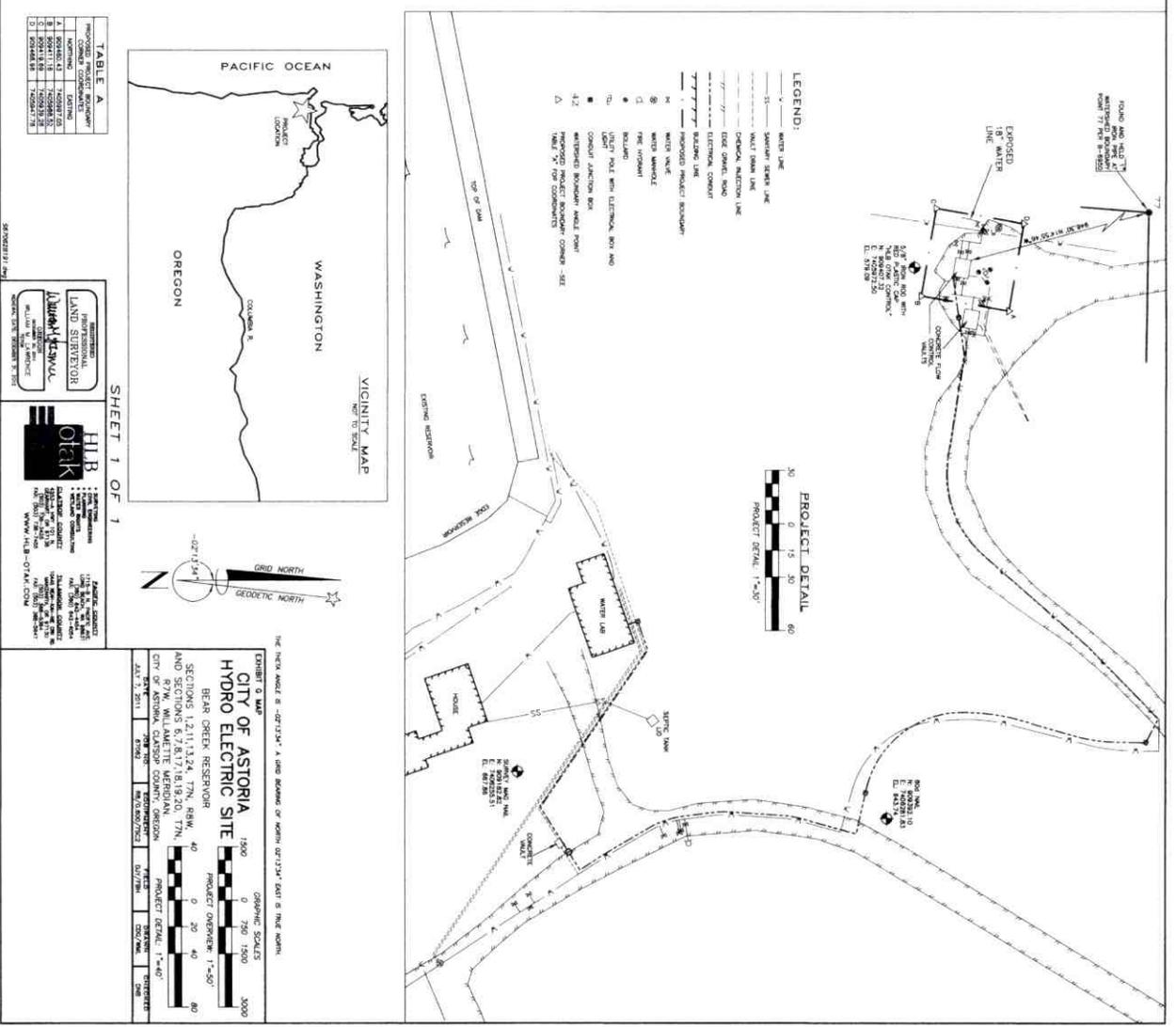
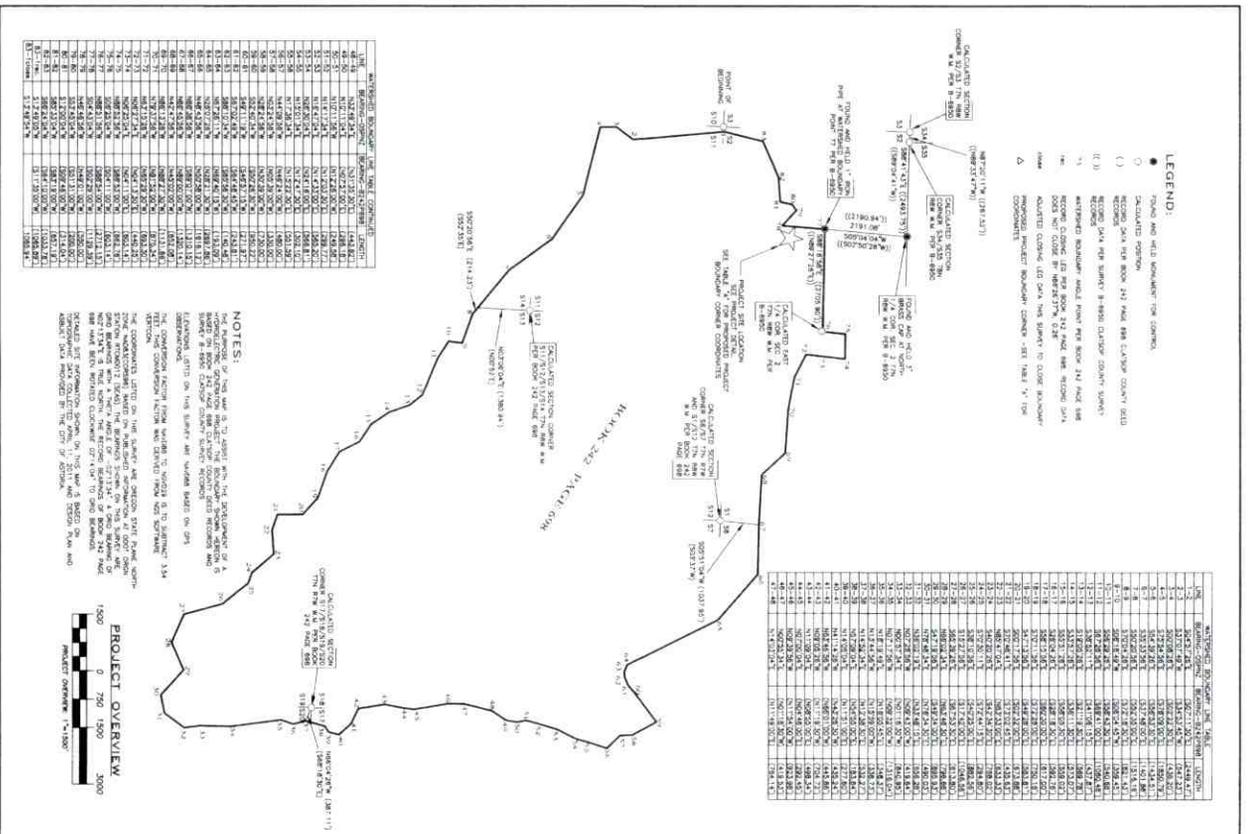


Figure G-2 Site 1 Plant Project Boundary

6X-026450

Appendix A
Real Property Interests

Site 1 Plant

Book 242, Page 698

Reservoir 2 Plant

Book 28, Page 290

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That CROWN ZELLERBACH CORPORATION, a Nevada corporation, Grantor, in consideration of One (\$1.00) Dollar and other good and valuable consideration, to it paid by the CITY OF ASTORIA, a municipal corporation of Clatsop County, Oregon, Grantee, does hereby grant, bargain, sell and convey unto said City of Astoria, its successors and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Clatsop, and State of Oregon, bounded and described as follows, to-wit:

Those certain parcels of land situated in the County of Clatsop in the State of Oregon as shown by cross-hatched lines on the map of the Bear Creek Watershed marked "Exhibit A", attached hereto and by this reference made a part hereof, portions of which parcels of land lie within the boundary line of said Bear Creek Watershed, which boundary line is hereinafter referred to as the "Watershed Boundary Line Survey" or, for brevity, to the Stations thereof, numbered numerically from 1 to 63 consecutively, which have been assigned to the respective angle points of said surveyed line which is shown by indicated legend on said map marked "Exhibit A", said parcels of land being more particularly described as follows, to-wit:

Parcel No. 1:

All of that portion of the E 1/2 of the SW 1/4, the W 1/2 of the SE 1/4 and the SE 1/4 of the SE 1/4 of Section 1, Township 7 North, Range 8 West, W.M. lying and being Southerly of the following described "Watershed Boundary Line Survey":

Beginning at Station 67 of said "Watershed Boundary Line Survey" located at a point on the section line between Section 6, Township 7 North, Range 7 West and Section 1, Township 7 North, Range 8 West, W.M., which point is North $3^{\circ} 37'$ East 1,037.95 feet from the section corner common to Sections 6 and 7, Township 7 North, Range 7 West and Sections 1 and 12, Township 7 North, Range 8 West, W.M., said point also being located at the southeast corner of the tract of land now owned or formerly owned by David Palmrose in the E $1/2$ of the SE $1/4$ of said Section 1, Township 7 North, Range 8 West, W.M., thence from said Station 67 North $89^{\circ} 00'$ West, tracing the south boundary of said Palmrose tract, a distance of 1,320.14 feet to Station 68 located at the southwest corner of said Palmrose tract, said Station 68 also being located at a point on the west boundary of the SE $1/4$ of the SE $1/4$ of said Section 1; thence from said Station 68 North $45^{\circ} 02'$ West 852.08 feet to Station 69; thence North $68^{\circ} 27' 30''$ West 1,131.66 feet to Station 70; thence North $81^{\circ} 52'$ West 875.34 feet to Station 71 located at a point on the west boundary of the NE $1/4$ of the SW $1/4$ of said Section 1 which is North $68^{\circ} 53'$ East 662.76 feet, South $4^{\circ} 13' 30''$ West 440.25 feet and South $65^{\circ} 29' 30''$ East 693.30 feet from the one-quarter section corner on the west boundary of said Section 1, and containing 132.1 acres, more or less,

132.1

Parcel No. 2:

All of that portion of the W $1/2$ of the SW $1/4$ of Section 1, Township 7 North, Range 8 West, W.M., lying Southerly and Westerly of the following described line:

Beginning at Station No. 71 of the "Watershed Boundary Line Survey", said point being located at a point on the west boundary of the NE $1/4$ of the SW $1/4$ of said Section 1; thence from said Station 71 North $65^{\circ} 29' 30''$ West 693.30 feet along said "Watershed Boundary Line Survey" to Station 72;

thence tracing said "Watershed Boundary Line Survey" North $4^{\circ} 13' 30''$ East 440.25 feet to Station 73 located at a point on the east-west center line of said Section 1 North $68^{\circ} 53'$ East 662.76 feet from the one-quarter corner on the west boundary of said Section 1;

thence from said Station 73 tracing the east-west center line of said Section 1 South $68^{\circ} 53'$ West 662.76 feet to the one-quarter corner on the west boundary of said Section 1,

EXCEPT therefrom, a tract of land containing 10 acres and described as being a lot 660 feet square in the northwest corner of the NW 1/4 of the SW 1/4 of said Section 1, and

EXCEPT therefrom, a tract of land containing 10 acres described as beginning at the southwest corner of said Section 1, running

thence East on the Section line 1252 feet,
thence North 300 feet,
thence West 652 feet,
thence North 100 feet,
thence West 600 feet to the Section line,

thence South to the point of beginning, and containing 50.3 acres, more or less,

5.3
✓ Parcel No. 3:

All of that portion of the NE 1/4 of the SW 1/4 of Section 2, Township 7 North, Range 8 West, W.M. lying and being Southerly of the following described "Watershed Boundary Line Survey":

Beginning at Station 78 of said "Watershed Boundary Line Survey" located at the southeast corner of the NE 1/4 of the SW 1/4 of said Section 2; thence North 49° 01' West 550.00 feet to Station 79; thence South 51° 31' West 200.00 feet to Station 80; thence South 9° 46' West 314.04 feet to Station 81 located at a point on the south boundary of the NE 1/4 of the SW 1/4 of said Section 2, and containing 4.0 acres, more or less,

4.0
Parcel No. 4:

All of that portion of the SW 1/4 of the SW 1/4 of Section 2, Township 7 North, Range 8 West, W.M., lying and being Southeasterly of the following described "Watershed Boundary Line Survey":

Beginning at Station 82 of said "Watershed Boundary Line Survey" located at the northeast corner of the SW 1/4 of the SW 1/4 of said Section 2; thence South 64° 10' West

27.8
1,033.76 feet to Station B3; thence South 11° 35' West 1,065.89 feet to Station 1 located at a point on the south boundary of said Section 2 which is North 77° 44' East 130.00 feet from the southwest corner thereof, and containing 27.8 acres, more or less,

✓ Parcel No. 5:

All of that portion of the W 1/2 of the NW 1/4, the N 1/2 of the SW 1/4, the SE 1/4 of the SW 1/4 and the SW 1/4 of the SE 1/4 of Section 11, Township 7 North, Range 8 West, W.M., lying and being Easterly and Northeasterly of the following described "Watershed Boundary Line Survey":

Beginning at Station 1 of said "Watershed Boundary Line Survey" located at a point on the north boundary of said Section 11 which is North 77° 44' East 130.00 feet from the northwest corner thereof; thence South 7° 11' 30" East 2,449.47 feet to Station (2) thence South 34° 53' 45" West 547.23 feet to Station (3) located at a point which is South 70° 25' 30" East 125.97 feet from the one-quarter section corner on the west boundary of said Section 11; thence from said Station (3) South 2° 22' 30" East 436.20 feet to Station (4) thence South 78° 09' East 1,850.79 feet to Station (5) thence South 56° 53' 30" East 1,434.51 feet to Station (6) located at a point which is North 56° 25' 30" East 906.77 feet from the one-quarter section corner on the south boundary of said Section 11; thence from said Station (6) South 37° 48' East 1,401.88 feet to Station (7) located at a point in the NE 1/4 of the NE 1/4 of Section 14, Township 7 North, Range 8 West, W.M., which is South 0° 52' West 1,380.94 feet and North 52° 35' West 1,301.93 feet from the section corner common to Sections 11, 12, 13 and 14 of Township 7 North, Range 8 West, W.M., and containing 136.4 acres, more or less,

136.4
Parcel No. 6:

All of that portion of the N 1/2 of the NE 1/4 of Section 14, Township 7 North, Range 8 West, W.M., lying and being Northeasterly of the following described "Watershed Boundary Line Survey":

Beginning at Station 6 of said "Watershed Boundary Line Survey" located at a point in the SW 1/4 of the SE 1/4 of Section 11, Township 7 North, Range 8 West, W.M., which is North 56° 25' 30" East 906.77 feet from the one-quarter section corner on the south boundary of said Section 11; thence from said Station 6 South 37° 48' East 1,401.88 feet to Station 7; thence South 52° 35' East, tracing the "Watershed Boundary Line Survey" a distance of 1,301.93 feet to a point on the east boundary of Section 14, Township 7 North, Range 8 West, W.M., which point is South 0° 52' West 1,350.94 feet from the section corner common to Sections 11, 12, 13 and 14, Township 7 North, Range 8 West, W.M., and containing 23.4 acres, more or less,

234

✓ Parcel No. 7:

Ac. All of the SE 1/4 of Section 12, Township 7 North, Range 8 West, W.M., containing 160 acres, more or less, according to the Government Survey thereof,

Parcel No. 8:

All of that portion of the E 1/2 of the NE 1/4, the E 1/2 of the SE 1/4 of the NW 1/4, the NE 1/4 of the SW 1/4 and the SE 1/4 of Section 13, Township 7 North, Range 8 West, W.M., lying and being Northerly and Northeasterly of the following described "Watershed Boundary Line Survey":

Beginning at the point of intersection of said "Watershed Boundary Line Survey" with the west boundary of the E 1/2 of the SE 1/4 of the NW 1/4 of said Section 13 which is North 1° 10' 30" East 89.61 feet from the southwest corner of the E 1/2 of the SE 1/4 of the NW 1/4 of said Section 13; thence South 69° 41' East, tracing said "Watershed Boundary Line Survey", a distance of 463.68 feet to Station 12; thence South 41° 06' 15" East 437.87 feet to Station 13; thence South 21° 19' 30" East 569.78 feet to Station 14; thence South 36° 11' 30" East 573.07 feet to Station 15; thence South 58° 05' 30" East 559.02 feet to Station 16; thence South 28° 18' 30" East 592.76 feet to Station 17; thence South 60° 30' East 617.00 feet to Station 18; thence South 72° 26' East 750.16 feet to Station 19 located at a point in Government Lot 1 (NW 1/4 of NW 1/4) of Section 19, Township

7 North, Range 7 West, W.M., which is South 55° 13' East 100.30 feet from the section corner common to Section 13 and 24 of Township 7 North, Range 8 West and Sections 18 and 19 of Township 7 North, Range 7 West, W.M., and containing 213.1 acres, more or less,

Parcel No. 9:

All of that portion of the NE 1/4 of the NE 1/4 of Section 24, Township 7 North, Range 8 West, W.M., lying and being Northeasternly of the following described "Watershed Boundary Line Survey":

Beginning at Station 19 of said "Watershed Boundary Line Survey" located at a point in Government Lot 1 (NW 1/4 of NW 1/4) of Section 19, Township 7 North, Range 7 West, W.M., which is South 55° 13' East 100.30 feet from the section corner common to Sections 18 and 19 of Township 7 North, Range 7 West and Sections 13 and 24 of Township 7 North, Range 8 West, W.M., thence from said Station 19 North 72° 26' West tracing the "Watershed Boundary Line Survey" a distance of 750.16 feet to Station 18 located in the SE 1/4 of the SE 1/4 of Section 13, Township 7 North, Range 8 West, W.M., and containing 0.1 of an acre, more or less,

Parcel No. 10:

All of that portion of the SE 1/4 of the NW 1/4 and the N 1/2 of the SE 1/4 of Section 19, Township 7 North, Range 7 West, W.M., lying and being Northerly and Northeasternly of the following described "Watershed Boundary Line Survey":

Beginning at Station 19 of said "Watershed Boundary Line Survey" located at a point in Government Lot 1 (NW 1/4 of NW 1/4) of said Section 19 which is South 55° 13' East 100.30 feet from the northwest corner thereof; thence from said Station 19 South 49° 28' East 583.81 feet to Station 20; thence South 2° 32' East 673.88 feet to Station 21; thence South 73° 02' 45" East 435.63 feet to Station 22; thence North 83° 33' East 693.33 feet to

Station (25) thence South $42^{\circ} 34' 30''$ East 758.02 feet to Station (26); thence South $72^{\circ} 44' 15''$ East 294.80 feet to Station (27); thence South $40^{\circ} 35'$ East 382.56 feet to Station (28); thence South $17^{\circ} 48'$ East 1,045.56 feet to Station (27); thence South $67^{\circ} 53' 30''$ East 313.80 feet to Station (29); thence North $63^{\circ} 48' 30''$ East 796.38 feet to Station (29); thence South $49^{\circ} 34'$ East 895.93 feet to Station (30) located at a point in the NE $1/4$ of the SE $1/4$ of said Section 19 which is North $49^{\circ} 42'$ West 314.28 feet from the southeast corner of the NE $1/4$ of the SE $1/4$ of said Section 19; thence from said Station (30) North $76^{\circ} 34' 30''$ East 490.03 feet to Station 31 located at a point in the NE $1/4$ of the SW $1/4$ of Section 20, Township 7 North, Range 7 West, W.M., and containing 68.0 acres, more or less.

Parcel No. 11:

All of that portion of the SW $1/4$ of the NW $1/4$ and the NW $1/4$ of the SW $1/4$ of Section 20, Township 7 North, Range 7 West, W.M., lying and being northerly and northwesterly of the following described "Watershed Boundary Line Survey":

Beginning at Station 30 of said "Watershed Boundary Line Survey" located in the NE $1/4$ of the SE $1/4$ of Section 19, Township 7 North, Range 7 West, W.M., at a point which is North $49^{\circ} 42'$ West 314.28 feet from the southeast corner of the NE $1/4$ of the SE $1/4$ of said Section 19, Township 7 North, Range 7 West, W.M.; subject, however, to an instrument dated January 13th, 1936 wherein the Oregon State Board of Forestry was granted an easement for the construction and maintenance of a guard station on a parcel of land containing one acre in the SW $1/4$ of the NW $1/4$ of said Section 20.

thence from said Station 30 North $76^{\circ} 34' 30''$ East 490.03 feet to Station (31);

thence North $33^{\circ} 48' 15''$ East 656.28 feet to Station (32);

thence North $9^{\circ} 43'$ West 419.64 feet to Station (33);

thence North $1^{\circ} 15' 30''$ West 340.95 feet to Station (34);

3.3
 thence North 9° 32' West 1316.04 feet to Station (35) located at a point in the NW 1/4 of the NW 1/4 of said Section 20 which is North 68° 18' 30" East 267.11 feet; South 15° 59' East 338.73 feet and South 15° 05' 45" West 348.37 feet from the section corner common to Sections 17, 18, 19 and 20, Township 7 North, Range 7 West, W.M., and containing 30.3 acres, more or less,

✓ Parcel No. 12:

All of that portion of the NW 1/4 of the NW 1/4 of Section 20, Township 7 North, Range 7 West, W.M., lying Westerly of the following described "Watershed Boundary Line Survey":

7.2
 Beginning at Station (30) of said "Watershed Boundary Line Survey" located at a point in the NE 1/4 of the SE 1/4 of Section 19, Township 7 North, Range 7 West, W.M., which is North 49° 45' West 314.28 feet from the southeast corner of the NE 1/4 of the SE 1/4 of said Section 19; thence from said Station (30) North 76° 34' 30" East 400.03 feet to Station (31); thence North 33° 48' 15" East 656.28 feet to Station (32); thence North 9° 43' West 419.64 feet to Station (33); thence North 1° 16' 39" West 840.95 feet to Station (34); thence North 9° 32' West 1,316.04 feet to Station (35); thence North 15° 05' 45" East 348.37 feet to Station (36); thence North 15° 59' West 338.73 feet to Station (37) located at a point in the NW 1/4 of the NW 1/4 of Section 20, Township 7 North, Range 7 West, W.M., which is South 68° 18' 30" East 267.11 feet from the northwest corner of said Section 20; thence from said Station (37) North 12° 18' 30" East 532.27 feet to Station (38) located at a point in the SW 1/4 of the SW 1/4 of Section 17, Township 7 North, Range 7 West, W.M., and containing 17.8 acres, more or less,

Parcel No. 13:

All of that portion of the W 1/2 of the SW 1/4 of Section 17, Township 7 North, Range 7 West, W.M., lying and being Westerly of the following described "Watershed Boundary Line Survey":

Beginning at Station 37 of said "Watershed Boundary Line Survey" located at a point in the NW 1/4 of the NW 1/4 of Section 20, Township 7 North, Range 7 West, W.M., which is South 68° 18' 30" East 387.11 feet from the northwest corner of said Section 20; thence from said Station 37 North 12° 38' 30" East 532.27 feet to Station 38; thence North 54° 55' East 183.84 feet to Station 39; thence North 11° 51' East 277.60 feet to Station 40; thence North 43° 28' 30" West 435.34 feet to Station 41; thence North 66° 01' West 445.66 feet to Station 42; thence North 11° 19' 30" West 704.72 feet to Station 43 located at a point in the NE 1/4 of the SE 1/4 of Section 18, Township 7 North, Range 7 West, W.M., and containing 14.2 acres, more or less.

14.2

✓ Parcel No. 14:

All of that portion of the NW 1/4 of the NW 1/4 of Section 17, Township 7 North, Range 7 West, W.M., lying Northwest-erly of the following described "Watershed Boundary Line Survey":

Beginning at Station 48 of said "Watershed Boundary Line Survey" located at a point in the NE 1/4 of the NE 1/4 of Section 18, Township 7 North, Range 7 West, W.M., which is South 6° 55' West 340.81 feet from the section corner common to Sections 7, 8, 17 and 18, Township 7 North, Range 7 West, W.M.;

thence from said Station 48 North 31° 35' 30" East 443.82 feet tracing the "Watershed Boundary Line Survey" to Station 49 located in the SW 1/4 of the SW 1/4 of Section 8, Township 7 North, Range 7 West, W.M., and containing 0.8 of an acre, more or less.

✓ Parcel No. 15:

All of that portion of the W 1/2 of the SW 1/4 of Section 8, Township 7 North, Range 7 West, W.M., lying Northerly and Northwesterly of the following described "Watershed Boundary Line Survey":

Beginning at Station 45 of said "Watershed Boundary Line Survey" located at a point in the NE 1/4 of the NE 1/4 of Section 10, Township 7 North, Range 7 West, W.M., which is South 6° 55' West 343.87 feet from the section corner common to Sections 7, 8, 17 and 18, Township 7 North, Range 7 West, W.M.,

thence from said Station 45 North 31° 35' 30" East 441.82 feet to Station 46;

thence North 7° 57' East 295.18 feet to Station 50;

thence North 12° 25' West 249.58 feet to Station 51;

thence North 18° 03' 30" East 299.77 feet to Station 52;

thence North 14° 33' East 565.20 feet to Station 53;

thence North 24° 16' East 566.81 feet to Station 54;

thence North 12° 47' 30" East 302.10 feet to Station 55;

thence North 15° 24' 30" East 551.59 feet to Station 56 located at a point which is South 03° 21' East 465.42 feet east from the one-quarter section corner common to Sections 7 and 8, Township 7 North, Range 7 West, W.M.;

thence from said Station 56 North 45° 24' West 480.00 feet to Station 57 located at a point in the SW 1/4 of the NW 1/4 of Section 8, Township 7 North, Range 7 West, W.M., and containing 99.9 acres, more or less,

Parcel No. 16:

All of that portion of the SW 1/4 of the NW 1/4 of Section 8, Township 7 North, Range 7 West, W.M., lying and being southwesterly of the following described "Watershed Boundary Line Survey":

Beginning at Station 56 of said "Watershed Boundary Line Survey" located at a point in the NW 1/4 of the SW 1/4 of Section 8, Township 7 North, Range 7 West, W.M., which is South 88° 21' East 805.42 feet from the one-quarter section corner on the west boundary of said Section 8; thence from said Station 56 North 46° 24' West 480.00 feet to Station (57) thence North 7° 39' West 330.00 feet to Station 58; thence North 30° 39' West 730.00 feet to Station 59; thence South 50° 26' 30" West 950.22 feet to Station 60 located at a point in the NE 1/4 of the NE 1/4 of Section 7, Township 7 North, Range 7 West, W.M., and containing 18.6 acres, more or less.

136

Parcel No. 17:

All of that portion of the NW 1/4 of the NE 1/4, the S 1/2 of the NE 1/4 and the E 1/2 of the NW 1/4 of Section 7, Township 7 North, Range 7 West, W.M., lying and being Southwesterly, Southerly and Southeasterly of the following described "Watershed Boundary Line Survey":

Beginning at Station 56 of said "Watershed Boundary Line Survey" located at a point in the NW 1/4 of the SW 1/4 of Section 8, Township 7 North, Range 7 West, W.M., which is South 88° 21' East 805.42 feet from the one-quarter section corner on the west boundary of said Section 8; thence from said Station 56 North 46° 24' West 480.0 feet to Station 57; thence North 7° 39' West 330.00 feet to Station 58; thence North 30° 39' West 730.00 feet to Station 59; thence South 50° 26' 30" West 950.22 feet to Station (60) thence South 46° 57' 15" West 271.97 feet to Station (61) thence South 64° 48' 45" West 243.81 feet to Station (62) thence South 85° 55' 30" West 140.28 feet to Station (63) thence North 69° 40' 15" West 193.09 feet to Station (64) thence North 46° 21' 30" West 2,697.86 feet to Station 65 located at the one-quarter section corner on the north boundary of Section 7, Township 7 North, Range 7 West, W.M., and containing 144.7 acres, more or less, and

144.7

Parcel No. 18:

All of that portion of Government Lot 7 (SW 1/4 of SW 1/4)

and the SE 1/4 of the SW 1/4 of Section 6, Township 7 North, Range 7 West, W.M., lying and being Southernly of the following described "Watershed Boundary Line Survey":

Beginning at Station (65) of said "Watershed Boundary Line Survey" located at the one-quarter section corner on the south boundary of said Section 5; thence North 50° 53' West 1,515.12 feet to Station (66); thence South 89° 37' West 1,319.15 feet to Station (67) located at a point on the section line between Section 6, Township 7 North, Range 7 West and Section 3, Township 7 North, Range 8 West, W.M., which is North 3° 37' East 1,957.95 feet from the section corner common to Sections 6 and 7, Township 7 North, Range 7 West and Sections 1 and 12, Township 7 North, Range 8 West, W.M., said Station 67 also being located at the southeast corner of the tract of land now owned or formerly owned by David Palurose in the E 1/2 of the SE 1/4 of Section 1, Township 7 North, Range 8 West, W.M., and containing 33.52 acres, more or less.

The "Watershed Boundary Line Survey" referred to above is a line established by survey January, 1957 by mutual agreement between the herein named Grantor and Grantee to delineate the boundary of the drainage area of the Bear Creek watershed of the herein named Grantee, said watershed being the source of supply of domestic water used by said Grantee, such "Boundary Line" being marked and identified on the ground by a permanent monument having been placed at each of the eighty-three angle points thereof, is described as follows:

Beginning at Station 1 of said "Watershed Boundary Line Survey" located at a point on the Section line between Sections 2 and 11, Township 7 North, Range 8 West, W.M., Clatsop County, Oregon, which is North 77° 44' East 130.00 feet from the section corner common to Sections 2, 3, 10 and 11, Township 7 North, Range 8 West, W.M.; thence from said Station 1 South 7° 11' 30" East, tracing said "Watershed Boundary Line Survey" a distance of 2,449.97 feet to Station 2; thence South 34° 53' 25" West 547.23 feet to Station 3 located at a point which is South 70° 25' 30" East 125.97 feet

Sections 10 and 11, Township 7 North, Range 8 West, W.M.; thence from said Station 4 South 2° 24' 30" East 436.20 feet to Station 5; thence South 78° 09' East 1,894.75 feet to Station 6; thence South 56° 33' 30" East 1,434.51 feet to Station 7 located at a point which is North 56° 23' 30" East 906.77 feet from the one-quarter section corner common to Sections 13 and 14, Township 7 North, Range 8 West, W.M.; thence from said Station 6 South 17° 43' East 1,401.88 feet to Station 7; thence South 52° 35' East 1,304.88 feet to a point on the section line between Sections 13 and 14, Township 7 North, Range 8 West, W.M. which is South 0° 52' West 1,380.94 feet from the section corner common to Sections 11, 12, 13 and 14, Township 7 North, Range 8 West, W.M.; thence from said last described point South 52° 35' East 214.83 feet to Station 8; thence South 72° 10' 30" East 691.42 feet to Station 9; thence South 6° 04' 45" West 309.45 feet to Station 10; thence South 58° 43' 40" East 540.68 feet to Station 11; thence South 69° 41' East 596.80 feet to a point on the east boundary of the W 1/2 of the SE 1/4 of the NW 1/4 of Section 13, Township 7 North, Range 8 West, W.M.; which is North 1° 10' 30" East 89.61 feet from the southeast corner of the W 1/2 of the SE 1/4 of the NW 1/4 of said Section 13; thence from said last described point South 69° 41' East 463.65 feet to Station 12; thence South 41° 05' 15" East 437.87 feet to Station 13; thence South 21° 19' 30" East 569.78 feet to Station 14; thence South 36° 11' 30" East 373.07 feet to Station 15; thence South 56° 05' 30" East 359.02 feet to Station 16; thence South 28° 18' 30" East 392.76 feet to Station 17; thence South 60° 36' East 617.00 feet to Station 18; thence South 72° 26' East 750.15 feet to Station 19 located at a point which is South 55° 12' East 100.30 feet from the section corner common to Sections 13 and 24, Township 7 North, Range 8 West and Sections 18 and 19, Township 7 North, Range 7 West, W.M.; thence from said Station 19 South 49° 28' East 583.81 feet to Station 20; thence South 2° 52' East 673.88 feet to Station 21; thence South 73° 08' 45" East 435.63 feet to Station 22; thence North 83° 33' East 633.33 feet to Station 23; thence South 48° 34' 30" East 788.02 feet to Station 24; thence South 72° 44' 15" East 294.80 feet to Station 25; thence South 40° 25' East 682.90 feet to Station 26; thence South 17° 42' East 1,046.56 feet to Station 27; thence South 67° 53' 30" East 613.60 feet to Station 28; thence North 93° 48' 30" East 795.62 feet to Station 29; thence South 49° 44' East 893.93 feet to Station 30 located at a point which is North 49° 42' East 314.28 feet from the southeast corner of the NE 1/4 of the SE 1/4 of Section 19, Township 7 North, Range 7 West, W.M.; thence from said Station 30 North 75° 34' 30" East 340.80 feet to Station 31; thence North 41°

9° 43' West 419.64 feet to Station 33; thence North
 1° 15' 30" East 840.98 feet to Station 34; thence
 North 5° 32' East 1,316.04 feet to Station 35;
 thence North 15° 05' 45" East 148.37 feet to Sta-
 tion 36; thence North 15° 59' West 536.73 feet to
 Station 37 located at a point which is South 68°
 10' 30" East 307.11 feet from the section corner
 common to Sections 17, 18, 19 and 20, Township 7
 North, Range 7 West, W.M.; thence from said Sta-
 tion 37 North 22° 30' 30" East 532.27 feet to Sta-
 tion 38; thence North 54° 53' East 163.84 feet to
 Station 39; thence North 11° 51' East 277.60 feet
 to Station 40; thence North 43° 28' 30" West 435.24
 feet to Station 41; thence North 65° 01' West 443.66
 feet to Station 42; thence North 11° 19' 30" West
 704.72 feet to Station 43; thence North 8° 15' East
 498.34 feet to Station 44 located at a point which is
 North 21° 47' West 26.24 feet from the one-quarter
 section corner common to Sections 17 and 18, Township
 7 North, Range 7 West, W.M.; thence from said Station
 44 North 4° 40' East 292.45 feet to Station 45;
 thence North 11° 54' West 523.98 feet to Station 46;
 thence North 2° 18' 30" West 419.52 feet to Station
 47; thence North 11° 40' East 764.14 feet to Station
 48 located at a point which is South 6° 55' West
 340.81 feet from the section corner common to Sec-
 tions 7, 8, 17 and 18, Township 7 North, Range 7
 West, W.M.; thence from said Station 48 North 31°
 35' 30" East 443.82 feet to Station 49; thence
 North 7° 57' East 296.18 feet to Station 50; thence
 North 12° 25' West 249.58 feet to Station 51; thence
 North 12° 03' 30" East 299.77 feet to Station 52;
 thence North 14° 33' East 564.20 feet to Station 53;
 thence North 23° 16' East 566.81 feet to Station 54;
 thence North 12° 47' 30" East 302.10 feet to Station
 55; thence North 15° 22' 30" East 551.59 feet to
 Station 56 located at a point which is South 88° 21'
 East 805.42 feet from the one-quarter section corner
 common to Sections 7 and 8, Township 7 North, Range
 7 West, W.M.; thence from said Station 56 North 40°
 24' West 480.00 feet to Station 57; thence North 5°
 39' West 330.00 feet to Station 58; thence North 30°
 39' West 730.00 feet to Station 59; thence South 50°
 26' 30" West 990.22 feet to Station 60; thence South
 45° 57' 15" West 271.97 feet to Station 61; thence
 South 64° 48' 45" West 243.21 feet to Station 62;
 thence South 85° 56' 30" West 140.48 feet to Station
 63; thence North 69° 40' 15" West 193.09 feet to
 Station 64; thence North 26° 21' 30" West 2,697.86
 feet to the one-quarter section corner common to
 Sections 6 and 7, Township 7 North, Range 7 West,
 W.M., which quarter-corner is designated as Station
 65; thence from said Station 65 North 50° 54' West
 1,616.12 feet to Station 66; thence South 89° 07'

West 1,810.15 feet to Station 67 located at a point on the section line between Section 6, Township 7 North, Range 7 West and Section 1, Township 7 North, Range 8 West, W.M., which is North 2° 37' East 1,037.95 feet from the section corner common to Sections 6 and 7, Township 7 North, Range 7 West and Sections 1 and 12, Township 7 North, Range 8 West, W.M., said Station 67 also being located at the southeast corner of the tract of land now owned or formerly owned by David Palmarose in the E 1/2 of the SE 1/4 of Section 1, Township 7 North, Range 8 West, W.M.; thence from said Station 67 North 89° 00' West, tracing the south boundary of said Palmarose tract, a distance of 1,320.14 feet to Station 68 located at the southwest corner of said Palmarose tract, said Station 68 also being located at a point on the west boundary of the SE 1/4 of the SE 1/4 of said Section 1; thence from said Station 68 North 47° 02' West 652.06 feet to Station 69; thence North 88° 27' 30" West 1,131.66 feet to Station 70; thence North 81° 52' West 875.34 feet to Station 71; thence North 65° 29' 30" West 693.30 feet to Station 72; thence North 4° 13' 30" East 440.25 feet to Station 73; thence North 4° 11' East 603.14 feet to Station 74; thence South 88° 53' West 662.76 feet to Station 75 located at a point on the section line between Sections 1 and 2, Township 7 North, Range 8 West, W.M.; thence South 4° 11' West 603.14 feet to the one-quarter section corner common to said Sections 1 and 2, which quarter-corner is designated as Station 76; thence from said Station 76 South 88° 54' West, tracing the east-west center line of Section 2, Township 7 North, Range 8 West, W.M., a distance of 2,712.15 feet to Station 77 located at a point in the center of said Section 2; thence South 8° 29' West, tracing the north-south center line of said Section 2, a distance of 1,129.39 feet to Station 78; thence North 49° 01' West 550.00 feet to Station 79; thence South 51° 31' West 200.00 feet to Station 80; thence South 9° 46' West 314.04 feet to Station 81; thence South 83° 19' West 657.19 feet to Station 82; thence South 64° 10' West 1,033.76 feet to Station 83; thence South 11° 25' West 1,005.89 feet to Station 1 which is the point of beginning.

Subject, however, to the following:

1. The above described premises are under reforestation, and are subject to yield permits and yield taxes, and to all other rules and regulations of the State of Oregon regarding reforested areas.
(Affects E 1/2 of W 1/2 of SW 1/4 of Section 8; SW 1/4 of Section 17; and W 1/2 of NW 1/4 and EW 1/4 of SW 1/4 of Section 20, Township 7

To have and to hold the same to the said City of Astoria the successors and assigns forever.
 And as Charles H Shively and Anne H Shively do covenant with the said City of Astoria and its legal representatives forever that we are well seized in fee simple of said real estate and the same is free from all incumbrances, and that we will and our heirs, assigns and administrators shall warrant and defend the title to the same to the said City of Astoria its successors and assigns forever against the lawful claim and demand of all persons whatsoever.
 In Witness Whereof we have hereunto set our hands and seals this 26th day of March A.D. 1894

Executed in Presence of

E. J. Thomson
 J. C. Gumbel

C. H. Shively Deed
 Anne H. Shively Deed

State of Oregon }
 County of Clatsop }

This last aforesaid day on the 26th day of March 1894 before me the undersigned Notary Public in and for the said County and State personally appeared the within named Charles H Shively and Anne H Shively his wife who are known to me to be the identical persons described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein mentioned. In testimony Whereof I have hereunto set my hand and Notarial Seal the day and year last above written.

(Seal)

E. J. Thomson
 Notary Public for Oregon

Recorded, April 4th 1894

J. J. Gumbel Recorder of Clatsop

~~E. J. Dennis and wife }
 to } Warranty Deed~~

~~A. H. Harris
 know all men by these presents that E. J. Dennis and Mathe C. Dennis his wife in consideration of One hundred and fifty Dollars to them paid by A. H. Harris do hereby grant bargain sell and~~

FILED

SEP 15 1982

NORMA HUNSDINGER, County Clerk

Norma Hunsdinger
Deputy

SPECIAL ORDINANCE NO. 82-05

AN ORDINANCE GRANTING PETITION FOR THE VACATION OF A PORTION OF KLASKANINE AVENUE BETWEEN 14TH & 15TH STREETS, LEWIS STREET FROM 14TH TO THE EAST LINE OF THE CENTRAL ASTORIA SUBDIVISION, 14TH STREET FROM THE NORTH LINE OF MILTON TO THE NORTH LINE OF KLASKANINE AVENUE, 15TH STREET FROM THE NORTH LINE OF MILTON TO THE NORTH LINE OF KLASKANINE AVENUE; AND MADISON AVENUE BETWEEN 6TH AND 7TH STREET.

THE CITY OF ASTORIA DOES ORDAIN AS FOLLOWS:

- Section 1. Vacation allowed. The petition for vacation of that portion of streets described as Klaskanine Avenue between 14th & 15th Streets, Lewis Street from 14th to the east line of the Central Astoria Subdivision, 14th Street from the north line of Milton to the north line of Klaskanine Avenue, 15th Street from the north line of Milton to the north line of Klaskanine Avenue, and Madison Avenue between 6th and 7th Street.
- Section 2. Reservations. Nothing in this ordinance or in the action to vacate that portion of a street described in Section 1 shall cause or require the removal or abandonment of any sewer, water main, gas main, conduit or any kind, wire, pole, or object used or intended to be used for any public service and the right hereby is reserved for the owner of any such utility or object to maintain, continue, repair, reconstruct, renew, replace, rebuilt or enlarge all utilities and objects.
- Section 3. Other Provisions. The vacation of that portion of streets described in Section 1 of this ordinance is ordered and allowed subject to the provisions and restrictions contained in Section 2.250 and 2.310 of the Astoria Code adopted June 15, 1964.

PASSED BY THE COMMON COUNCIL THIS 16th DAY OF August, 1982

APPROVED BY THE MAYOR THIS 16th DAY OF August, 1982.

Robert Chopping
Mayor

ATTEST:

Gerald P. Eaton
Finance Director

ROLL CALL ON ADOPTION: YEA NAY ABSENT

Commissioners:	Stemper	x
	Merriman	x
	Garner	x
	Law	x
Mayor Chopping		x

82-0035

STATE OF OREGON
 County of Clatsop }
 I hereby certify that the within instrument was received for record and recorded in the record of said county on **RECORDED**
SEP 15 2 30 PM '62
 In Book **585**
 On Page **76**
 Witness my hand and Seal of office affixed
 NORMA HUNSINGER
 County Clerk
 By *Norma Hunsinger*

CITY OF ASTORIA
 1095 Duane St.
 Astoria, Or. 97103
 Make copy for Assessor & Surveyor

CERTIFICATE OF COPY

STATE OF OREGON)
 COUNTY OF CLATSOP)
 CITY OF ASTORIA)

I, Ronald D. Caton, Finance Director of the City of Astoria, Oregon, do hereby certify that I have compared the foregoing copy of: **City of Astoria Ordinance No. 82-05** with the original thereof, and that the same is a full and correct transcript of the original: **City of Astoria Ordinance No. 82-05** and of the whole thereof, as the same appears on file and of record in my office and in my care and custody.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the City of Astoria affixed this 15th day of September, 1962.

Ronald D. Caton
 Finance Director of the City of Astoria

is the identical person described in and who executed the within instrument, and acknowledged to me that he executed the same In Testimony Whereof, I have hereunto set my hand and Notarial seal the day and year last above written.



B. L. Eddy
Notary Public for Oregon

Recorded, May 3^d 1894
J. A. Dombal Recorder of Commanee

B. Van Queen et al. } Warranty Deed
to
The City of Astoria

Know all men by these Presents, That we B. Van Queen and Fannie L. Van Queen his wife, E. A. Noyes and Ada B. Noyes his wife, and H. G. Van Queen and Jane Van Queen his wife, in consideration of One Thousand (\$1000) Dollars to us paid by the City of Astoria, a municipal corporation in Clatsop County State of Oregon do hereby grant, bargain, sell and convey to said City of Astoria, its successors heirs and assigns forever, the following described parcel of real estate, to wit Lots numbered One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7) and Eight (8) of Block N: Six and Lots numbered One (1), Two (2), Three (3) and Four (4) of Block N: Seven (7) in Central Astoria, as laid out and recorded by E. A. Noyes, B. Van Queen and H. G. Van Queen in Clatsop County, State of Oregon as shown by plat thereof Filed May 5th 1892, and recorded on page 46 of Book N: 2 of Record of Plats of said County Together with the tenements, hereditaments and appurtenances thereto belonging, or in anywise appertaining; and also all our estate, right, title and interest at law and equity therein or thereto, including dower and right of dower To have and to hold the same to the said City of Astoria its successors, heirs and assigns forever. And we B. Van Queen, E. A. Noyes and H. G. Van Queen do covenant with the said City of Astoria and its legal representatives first, that we are well seized in fee simple of said real estate, and the same is free from all incumbrances

and that we will and we here, executor and administrators shall warrant and defend the title to the same to the said City of Astoria its successors here and assigns forever against the lawful claims and demands of all persons whomsoever In Witness Whereof we have hereunto set our hands and seals this 12th day of April A D 1894

Signed in presence of	D Van Dusen	Seal
E J Atwood	Fannie Van Dusen	Seal
W L Brady	Ada B Nye	Seal
J J Bennett	E A Joyce	Seal
Frank Spittle	H G Van Dusen	Seal
	Jane Van Dusen	Seal

State of Oregon }
County of Multnomah }

I hereby certify that on the 7th day of April 1894 before me the undersigned Notary Public in and for the said County and State personally appeared the within named E A Joyce and Ada B Nye his wife who are known to me to be the identical persons executed in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily for the use and purposes therein mentioned In testimony Whereof I have hereunto set my hand and Notarial Seal the day and year last above written

Seal

E J Atwood
Notary Public for Oregon

State of Oregon }
County of Clatsop }

I hereby certify that on the 12th day of April 1894 before me the undersigned Notary Public in and for the said County and State personally appeared the within named D Van Dusen and Fannie Van Dusen his wife and H G Van Dusen and Jane Van Dusen his wife who are known to me to be the identical persons executed in and who executed

4th 1894

Notary Public for Oregon