

**RESOLUTION NO. 1021**

**A RESOLUTION OF THE CITY OF WILSONVILLE AUTHORIZING THE CITY ENGINEER AS AN AUTHORIZED AGENT ON BEHALF OF THE CITY TO MAKE APPLICATION OF A PIPELINE PERMIT FOR A STORM DRAIN INSTALLATION FROM THE BURLINGTON NORTHERN RAILROAD (BNRR) AND THE BONNEVILLE POWER ADMINISTRATION (BPA) IN ASSOCIATION WITH THE WILLAMETTE RESOURCES INC., UNITED DISPOSAL SERVICE FACILITY PROJECT.**

WHEREAS, the City Council passed Resolution No. 980 approving the application for extension of sewer and storm sewer lines to serve the east Washington County transfer and recovery facility and property adjacent to the lines; approving apportionment on a pro rata basis the cost of the extension; exempting the City from competitive bidding requirements; and authorizing concurrence with an Engineering Services Agreement between De Haas and Associates, and Willamette Resources, Inc.; and

WHEREAS, De Haas and Associates has proceeded to furnish design and surveying services in the preparation of construction plans and specifications for the project; and

WHEREAS, the existing services are located approximately 3000 feet south of the project and offsite line extensions will be necessary; and

WHEREAS, these line extensions will cross over and under properties owned by individuals other than Willamette Resources Inc; and

WHEREAS, Willamette Resources Inc. is in the process of obtaining the easements from the respective property owners; and

WHEREAS, these extensions will cross under the railroad tracks and power lines owned by Burlington Northern Railroad (BNRR) and Bonneville Power Administration (BPA) respectfully; and

WHEREAS, these offsite lines will become the property of the City after construction for operation and maintenance; and

WHEREAS, De Haas and Associates has prepared the necessary easement application forms which must be executed by an authorized agent of the city; and

WHEREAS, the City Engineer has assisted in the preparation of the easement applications and is familiar with the associated requirements as contained therein; and

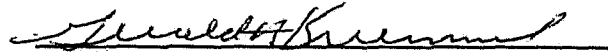
WHEREAS, the time associated with processing these easement applications by BNRR and BPA can be lengthy; and

WHEREAS, Willamette Resources wishes to construct the improvements in the 1993 construction season.

NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

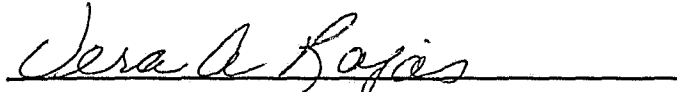
1. That the City Council authorize the City Engineer to be an authorized agent on behalf of the City to make application for a pipeline permit for a storm drain installation from the BNRR and the BPA.

ADOPTED by the City Council of the City of Wilsonville at a regular meeting thereof this 21st day of June 1993, and filed with the Wilsonville City Recorder this date.



GERALD A. KRUMMEL, Mayor

ATTEST:



VERA A. ROJAS, CMC/AAC, City Recorder

SUMMARY of Votes:

Mayor Krummel	<u>AYE</u>
Councilor Van Eck	<u>ABSENT</u>
Councilor Carter	<u>AYE</u>
Councilor Hawkins	<u>AYE</u>
Councilor Lehan	<u>AYE</u>

**ENGINEERING DEPARTMENT  
STAFF REPORT**

**DATE:** JUNE 21, 1993

**TO:** HONORABLE MAYOR AND COUNCILORS

**FROM:** MICHAEL A. STONE, P.E.  
CITY ENGINEER

**SUBJECT:** BONNEVILLE POWER ADMINISTRATION AND  
BURLINGTON NORTHERN RAILROAD PIPELINE  
CROSSING EASEMENTS FOR UNITED DISPOSAL  
SERVICE (WILLAMETTE RESOURCES INC.)

**SUMMARY:**

The city has entered into an agreement with De Haas & Associates to provide engineering services for the above referenced project. In order to construct the sanitary & storm improvements, line extensions will be necessary. These lines cross the right-of-way of both the Bonneville Power Administration & the Burlington Northern Railroad.

**RECOMMENDATION:**

The applications have been prepared by DeHass on behave of the City. It is requested that the Council authorize the City Engineer to sign the necessary applications for both the Bonneville Power Administration & the Burlington Northern Railroad.

**DISCUSSION:**

The proposed United Disposal Facility is to be located on the north side of Ridder Road, just east of Garden Acres Road. In order to provide gravity storm & sanitary service for the facility lines will have to be extended to the site, these services are located approximately 3000 feet south of the subject site, immediately adjacent to the Burlington Northern Railroad & Bonneville Power Administration right-of-way.

Respectfully Submitted,



Michael A. Stone, P.E.  
City Engineer

ms:cs

# APPLICATION FOR PIPE LINE PERMIT



BURLINGTON  
NORTHERN  
RAILROAD

To BURLINGTON NORTHERN RAILROAD COMPANY

Date April 22, 1993

- At what City or Village is permit desired? Wilsonville, Oregon
- Section 11 Township 3 South Range 1 West W.M.
- Full name and address of Applicant City of Wilsonville, 30000 SW Town Center Loop E. Wilsonville, OR 97070
- Telephone Number - include Area Code (503) 682-4960 Contact Person Mike Stone (City Engr)
- If Applicant is a corporation, in what state incorporated? N/A  
If an individual, under what firm name is business conducted? N/A  
If partnership, give name of all partners N/A

- a. Product to be handled in pipe line Storm Drainage  
b. Will other products be placed in casing pipe? No If yes - List \_\_\_\_\_

7. Pipe Data:	CARRIER PIPE	CASING PIPE	CARRIER PIPE	CASING PIPE
a. Outside diameter	<u>38"</u>		f. Actual working pressure	<u>0</u>
b. Inside diameter	<u>30"</u>		g. Type of joint	<u>Rubber Gasket</u>
c. Pipe material	<u>Concrete</u>		h. Coating	<u>None</u>
d. Specifications and grade	<u>ASTM C-76 class V Jacking Pipe</u>		i. Method of installation	<u>Jacking</u>
e. Wall thickness	<u>4"</u>		j. Will cathodic protection be provided?	
			k. Will casing ends be sealed?	

- a. Depth of pipe under track (top of tie to top of casing) 5'-6"  
b. Angle of crossing 90°  
c. Is the crossing to be in a City Street No

- If pipe is to be placed longitudinally with track, give  
a. location of pipe in relation to centerline of nearest track N/A  
b. depth of coverage (ground line to top of pipe) N/A

- If installation is to be by jacking or boring method give location of jacking and receiving pits  
a. Depth 14' East side, 8' West side  
b. Distance facing wall of pit to centerline of nearest track (measured normal) 25' Min.  
Note: Minimum distance from centerline of nearest track and face of boring pit will be 25 feet.

- If Reference plans (to be forwarded with original application)  
a. Drawing Number 4 of 10 b. Prepared by DeHaas and Associates, Inc.  
c. Your Project, ID, or reference number 91.118.600

12. Applicant has received and read Pipeline Application and understands that execution of a contract will be required before installation can proceed. Applicant agrees that if installation requires any or all of the following work; removal and replacement of track bridging, protection of track or other railway facilities by work or flagging, engineering and/or supervision; such work is to be performed by railway employees and the cost borne by Applicant. If in the opinion of the Railway Company sufficient hazard is involved the Applicant will be required to furnish liability and property damage insurance in form and amounts satisfactory to Burlington Northern Railroad Company.

By City of Wilsonville, OR City Engineer  
(Applicant) Mike Stone (Title)

RECOMMENDATIONS: (If additional space is required attach supplemental sheet)

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Date \_\_\_\_\_ 19\_\_\_\_

APPLICATION APPROVED:  
\_\_\_\_\_  
(Superintendent Maintenance & Engineering)

## CONSTRUCTION OF PIPE LINES ON RAILWAY RIGHT OF WAY

GENERAL REQUIREMENTS: Pipe lines under railway tracks or across the long railway right of way shall conform to current American Railway Engineering Association Specifications if constructed in the United States and shall conform to current regulations regarding crossings under railroad as issued and amended by the Board of Transport Commissioners of Canada if constructed in Canada or where laws or orders of public authority prescribe a higher degree of protection than specified herein, then the higher degree of protection specified shall be adhered to.

Plans and specifications for proposed installation shall be submitted to railway Superintendent Maintenance & Engineering and meet the approval of the railway company before construction is begun. Plans shall be drawn to scale showing the relation of the proposed pipe line, angle of crossing, location of valves, railway survey station, right of way line and general layout of tracks and railway facilities. Plan should also show a cross-section (or sections) from field survey, showing pipe in relation to actual profile of ground and tracks, complete description of material to be used, and location of jacking and receiving pits. If open cutting or tunneling is necessary, details of sheeting and method of supporting tracks or driving tunnel should be shown.

The execution of the work on the railway right of way, including the supporting of tracks, shall be subject to the inspection and direction of the Superintendent Maintenance & Engineering of the Railway Company.

Pipe lines shall be installed under tracks by boring or jacking if practicable. Boring excavation must not exceed the outside diameter of the pipe. Jacking or boring of corrugated metal pipe, or pipe with flanges, bells or couplings will not be permitted.

Pipe lines shall be located, where practicable, to cross tracks at approximately right angles thereto but preferably at not less than 45 degrees and shall not be placed within a culvert, under railway bridges or closer than 45 feet to any portion of any railway bridge, building or other important structure, except in special cases and then by special design as approved by the Director Engineering (Region) of the Railway Company.

Pipe lines laid longitudinally on railway right of way shall be located as far as practicable from any tracks or other important structures. Pipe lines carrying flammable products or products under pressure located within 40 feet of the centerline of any track or where there is danger of damage from leakage to any bridge, building or other important structure, shall be encased or of special design as approved by the Director Engineering (Region) of the Railway Company.

Pipe lines laid longitudinally on the railway right of way, shall be buried not less than 5' from the ground surface to top of pipe.

If additional tracks are constructed in the future, or Railway Company determines that roadbed should be widened, the casing shall be extended correspondingly.

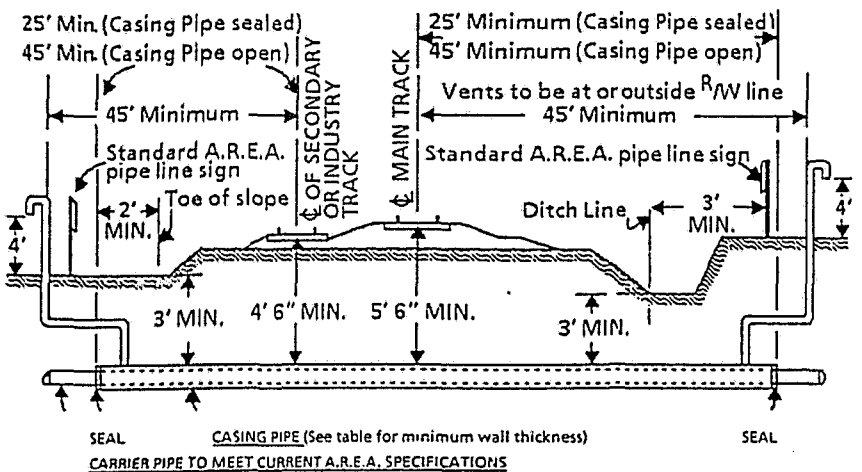
### PIPE LINES CARRYING FLAMMABLE SUBSTANCES

This includes oil, gas, gasoline, petroleum products or other flammable or highly volatile substance under pressure.

APPROVED CASING PIPE:

Steel for all pressures.

#### ALL MINIMUM DIMENSIONS MEASURED NORMAL TO $\phi$ OF OUTSIDE TRACK



Inside diameter of casing pipe shall exceed outside diameter of carrier pipe by 2" for carrier pipe less than 8" diameter, 3 1/2" for 8" to 16" carrier pipe and 4 1/2" for carrier pipe greater than 16" diameter.

### PIPE LINES CARRYING NON-FLAMMABLE SUBSTANCES

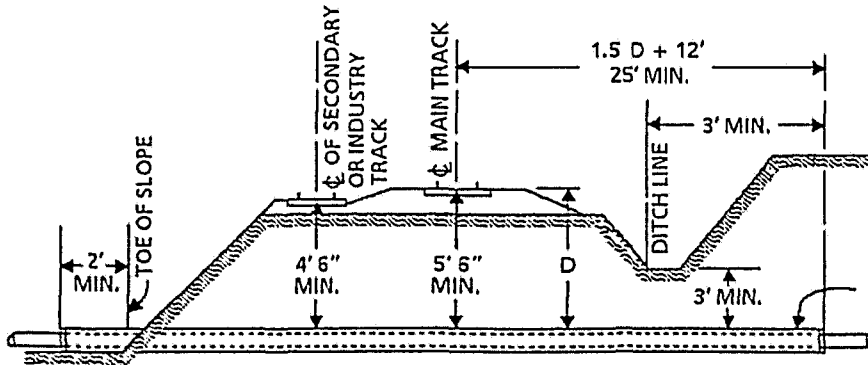
This includes steam, water or any non-flammable substance which from its nature or pressure might cause damage if escaping on or in the vicinity of railway property. Sewers and drains do not require casing pipe unless conditions exist which will endanger security of track, but should be of sufficient strength to withstand E-80 railway loading.

APPROVED CASING PIPE:

Steel for all pressures.

Reinforced Concrete or Corrugated Metal for pressures less than 100 P.S.I.

#### ALL MINIMUM DIMENSIONS MEASURED NORMAL TO $\phi$ OF OUTSIDE TRACK



CASING PIPE (See table for minimum wall thickness)

Where the ends of the casing are at or above ground surface and above high water level they may be left open, provided drainage is afforded in such manner that leakage will be conducted away from railway tracks or structures.

CARRIER PIPE TO MEET CURRENT A.R.E.A. SPECIFICATIONS

Inside diameter of casing pipe shall exceed outside diameter of carrier pipe, joints or couplings by 2" for carrier pipe less than 6" in diameter and 4" for carrier pipe 6" in diameter and larger.

### CASING PIPE FOR E-80 LOADING

WALL THICKNESS FOR STEEL CASING PIPE  
(MINIMUM YIELD STRENGTH 35,000 P.S.I.)

PIPE COATED & CATHODICALLY PROTECTED MIN. THICKNESS INCHES	PIPE NOT COATED & CATHODICALLY PROTECTED MIN. THICKNESS INCHES	DIAMETER OF PIPE INCHES
0.188	0.188	UNDER 14
0.219	0.281	14 AND 16
0.250	0.312	18
0.281	0.344	20
0.312	0.375	22
0.344	0.406	24
0.375	0.438	26
0.406	0.469	28 AND 30
0.438	0.500	32
0.469	0.531	34 AND 36
0.500	0.563	36, 40 AND 42
0.531	0.594	44 AND 46
0.563	0.625	48
0.594	0.656	50
0.625	0.688	52
0.656	0.719	54
0.688	0.750	56 AND 58
0.719	0.781	60
0.750	0.813	62
0.781	0.844	64
0.813	0.875	66 AND 68
0.844	0.906	70
0.875	0.938	72

### REINFORCED CONCRETE PIPE:

Minimum pipe strength shall conform to current A.S.T.M. C-76 Class IV, wall "B". If no analysis is performed and fill depth  $\leq$  14 feet, Class V, wall "B" shall be used. For fills > 14 feet, an analysis must be performed.

### CORRUGATED METAL PIPE:

Pipe shall be galvanized, fiber bonded and asphalt coated.

GAGE OF METAL BEFORE GALVANIZING U.S. STD. GAGE	DIAMETER OF PIPE INCHES
14	18 AND UNDER
12	24, 30 AND 36
10	42 AND 48

Where the ends of the casing are below ground, they shall be suitably protected against the entrance of foreign material, but shall not be tightly sealed.

APPLICATION FOR PROPOSED USE OF BONNEVILLE POWER ADMINISTRATION RIGHT OF WAY

OMB #1910-1600

(If Applicant is not owner, also give name, address, and telephone number of owner)

DATE May 11, 1993

1. NAME OF APPLICANT City of Wilsonville	NAME OF OWNER
2. ADDRESS OF APPLICANT 30000 SW Town Center Loop East Wilsonville, Oregon 97070	ADDRESS OF OWNER
3. TELEPHONE NUMBER (503) 682-4960	TELEPHONE NUMBER

4. Location of Property: The pipeline will be crossing the South end of Tax Lot 2300 (BPA) Map 3 1W 11 Clackamas County, Oregon.

Quarter Section(s) W 1/2 Section(s) 11 Township 3 South Range 1 West

5. Other Description of your property location:

6. Purpose for which BPA Right-of-Way/Property is to be used (Include a map or sketch if appropriate):

Construction, operation and maintenance of a public sanitary sewer line.

7. Right-of-Way: Draw in space provided below the proposed use. Identify structures and show distances and angles, if appropriate. If a BPA Plan and Profile drawing is available, you may draw your plans on it and attach to this application.

See attached plan.



BPA Structure Identification See Exhibit A BPA Structure Identification \_\_\_\_\_

8. Type of structure: Wood  Steel

9. If not a transmission corridor, please furnish land description and sketch of property.

10. Signature of Applicant \_\_\_\_\_

11. Title City Engineer

BPA 1620 Apr. 1985

To be completed by Area Office:

Lower Columbia  Puget Sound  Upper Columbia  Snake River

Operating Name(s): \_\_\_\_\_

Construction Name(s): \_\_\_\_\_

Structure Nos.: \_\_\_\_\_

Line Existing  Line Removed  Wood  Steel

Plan and Profile Drawing No. \_\_\_\_\_

Tract Nos. \_\_\_\_\_

Area Office Evaluation: Approved  With Reservation   
Not Recommended  Disapproved

Comments and Current Construction Activity: \_\_\_\_\_

Date \_\_\_\_\_ Signature \_\_\_\_\_

Title \_\_\_\_\_

(Reverse Side to be Completed by BPA Upon Approval of Proposed Use)

LAND USE NO.	NAME OF APPLICANT
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TO BE COMPLETED BY APPLICANT

Tract No. \_\_\_\_\_

LAND USE No. \_\_\_\_\_

Date \_\_\_\_\_

Proposed Use \_\_\_\_\_

We have determined that this proposed use of BPA's easement use does not now interfere with our ability to construct, operate, inspect, maintain, or repair our present or future facilities. If, in the future, BPA determines that this use is an interference, you will be required to remove it at no expense to BPA.

BPA is only responsible for damages as outlined in Federal Tort Claims Act, 62, Stat. 982, as amended. This act covers damages caused by BPA's negligence only. Any other losses caused by or resulting from your use of the area, including losses to BPA facilities, are totally your responsibility. BPA may repair damage to its facilities caused by your use, and the cost of these repairs will be charged against and paid by you.

BPA is not the owner of this property. If you are not the owner of this property you must obtain the Owners permission to use this property.

Special Conditions:

This use, as outlined above, is hereby approved by BPA. It is effective upon commencement of use, or 30 days from receipt of this form. This agreement is not assignable or transferable.

UNITED STATES OF AMERICA  
Department of Energy  
Bonneville Power Administration

By \_\_\_\_\_  
BPA 1620 Reverse Side

To be completed by Transmission Engineering—ETJ:

Operating Name(s): \_\_\_\_\_

Construction Name(s): \_\_\_\_\_

Structure Nos.: \_\_\_\_\_

Line Existing       Line Removed       Wood       Steel

Plan and Profile Drawing No. \_\_\_\_\_

Tract Nos. \_\_\_\_\_

Transmission Engineering Evaluation:      Approved       With Reservation   
Not Recommended       Disapproved

Comments: \_\_\_\_\_

Date \_\_\_\_\_

Signature \_\_\_\_\_

Title \_\_\_\_\_

LAND USE NO. \_\_\_\_\_ NAME OF APPLICANT \_\_\_\_\_

PIPELINE EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that the United States of America represented by The Bonneville Power Administration for the true and actual consideration paid by the City of Wilsonville for this transfer stated in terms of dollars, is \$0.00. However, the actual consideration consists of or includes other property or value given which is the whole consideration; namely extension of sanitary sewer and storm drainage lines and minor access improvements, together with specific dollar compensation for easements, as set forth in a Payback Agreement adopted by the City Council of the City of Wilsonville, Oregon under Resolution 980, the receipt whereof is hereby acknowledged, do forever grant unto the CITY OF WILSONVILLE, a municipal corporation a permanent right-of-way and easement over and along the full width and length of the premises described as follows, to wit:

1. Legal description is set forth in EXHIBIT "A" attached hereto, and incorporated by reference herein.
2. A map of the above legal description is set forth in EXHIBIT "B" and incorporated by reference herein.

together with a temporary working easement as follows, to wit:

The temporary working easement shall be effective only for and during the time of the initial construction and laying of the pipeline hereinafter described.

In the event the permanent right-of-way and easement shall no longer serve a public purpose, it shall revert back to the Grantor, its successors and/or assigns; and

TO HAVE AND TO HOLD the above described permanent right-of-way and easement unto said Grantee in accordance with the conditions and covenants as follows:

1. The permanent right-of-way and easement shall include the right, privilege, and authority, to the said City of Wilsonville, to excavate for, and to construct, build, install, lay, patrol, operate, repair, replace and remove an underground sanitary sewer pipeline, with all appurtenances incident thereto or necessary therewith, including manholes, for the purpose of carrying and conveying sewage wastes, and for similar uses in, under, and across the said premises, and to cut and remove from said right-of-way any trees and other obstructions which may endanger the safety or interfere with the use of said pipeline, appurtenances attached to or connected therewith; and the right of ingress and egress to and over said above described premises at any and all times for doing anything necessary, useful, or convenient for the enjoyment of the easement hereby granted. No building shall be constructed over the pipeline easement right-of-way.
2. Grantee will indemnify and hold harmless the Grantor, its successors and/or assigns from claims for injury to person or property as a result of the negligence of the Grantee, its agents or employees in the construction, operation, or maintenance of said pipelines.



3. The City of Wilsonville, upon the initial installation, and upon each and every occasion that the same be repaired, replaced, renewed, added to, or removed, shall restore the premises of the Grantor, and any improvements disturbed by the City, to as good condition as they were prior to any such installation work, including, but not limited to, the restoration of any topsoil, lawn and nursery stock of like kind and quality subject to reasonable substitutions as may be necessitated by obstruction or interference with the use granted herein.

4. THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LANDS USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

5. Grantor may, at its option and expense, relocate right-of-way, easement and associated public appurtenances and utilities, provided such relocation is accepted by the City as complying with applicable codes and standards, land use laws and regulations.

IN WITNESS WHEREOF, the undersigned grantor has executed this easement, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

Grantor(s): \_\_\_\_\_  
(Name of Corporation)

BY: \_\_\_\_\_  
(Name of Duly Authorized Representative)

\_\_\_\_\_  
Title

STATE OF OREGON            )  
                                  ) ss  
County of                    )

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_, before me, a notary public in and for said County and State, personally appeared \_\_\_\_\_ known to be to be the true person whose name subscribed to the within instrument and acknowledge that \_\_\_\_\_ executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on the day and year above written.

\_\_\_\_\_  
NOTARY PUBLIC OF OREGON

My Commission Expires: \_\_\_\_\_

APPROVED AS TO FORM THIS  
\_\_\_\_\_ DAY OF \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
MICHAEL E. KOHLHOFF, City Attorney  
CITY OF WILSONVILLE, OREGON

APPROVED AS TO LEGAL DESCRIPTION  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
City Engineer  
CITY OF WILSONVILLE, OREGON

ACCEPTED ON BEHALF OF THE CITY OF WILSONVILLE, OREGON THIS \_\_\_\_\_  
DAY OF \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
GERALD A. KRUMMEL, Mayor

ATTESTED TO:

\_\_\_\_\_  
VERA A. ROJAS, CMC, City Recorder

\_\_\_\_\_  
Date:

AFTER RECORDING, RETURN TO:

CITY RECORDER  
CITY OF WILSONVILLE  
P.O. BOX 220  
WILSONVILLE, OR 97070

EXHIBIT A

Sanitary Sewer Easement  
Bonneville Power Administration

A Public Sanitary Sewer Easement located in the North one-half of the Southwest quarter of Section 11, Township 3 South, Range 1 West, Willamette Meridian, being 20 feet wide, 10 feet either side of the following described centerline:

Beginning at a point on the East line of that tract of land described in Book 263, Page 682, Clackamas County Records, said point bears North 00°20'00" West 107.49 feet from the intersection of said West line and the Northeasterly right-of-way line of the Burlington Northern Railroad (formerly the Oregon Electric Railway); thence North 62°09'43" West 91.95 feet to a point 10.00 feet Northeasterly of, as measured perpendicular to, the Northeasterly right-of-way line of the Burlington Northern Railroad; thence North 31°55'35" West, parallel to and 10.00 feet Northeasterly of said right-of-way line 36.20 feet to a point of terminus on the West line of said tract.

Contains 0.059 acres.

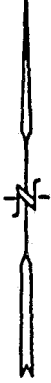
Also:

A construction easement 80 feet wide adjacent to and Northeasterly of the above described pipeline easement.

118DESC.A14

**EXHIBIT B**

Scale: 1" = 50'



North 1/2, SW 1/4  
Sec. 14, T. 3 S., R. 1 W., WM

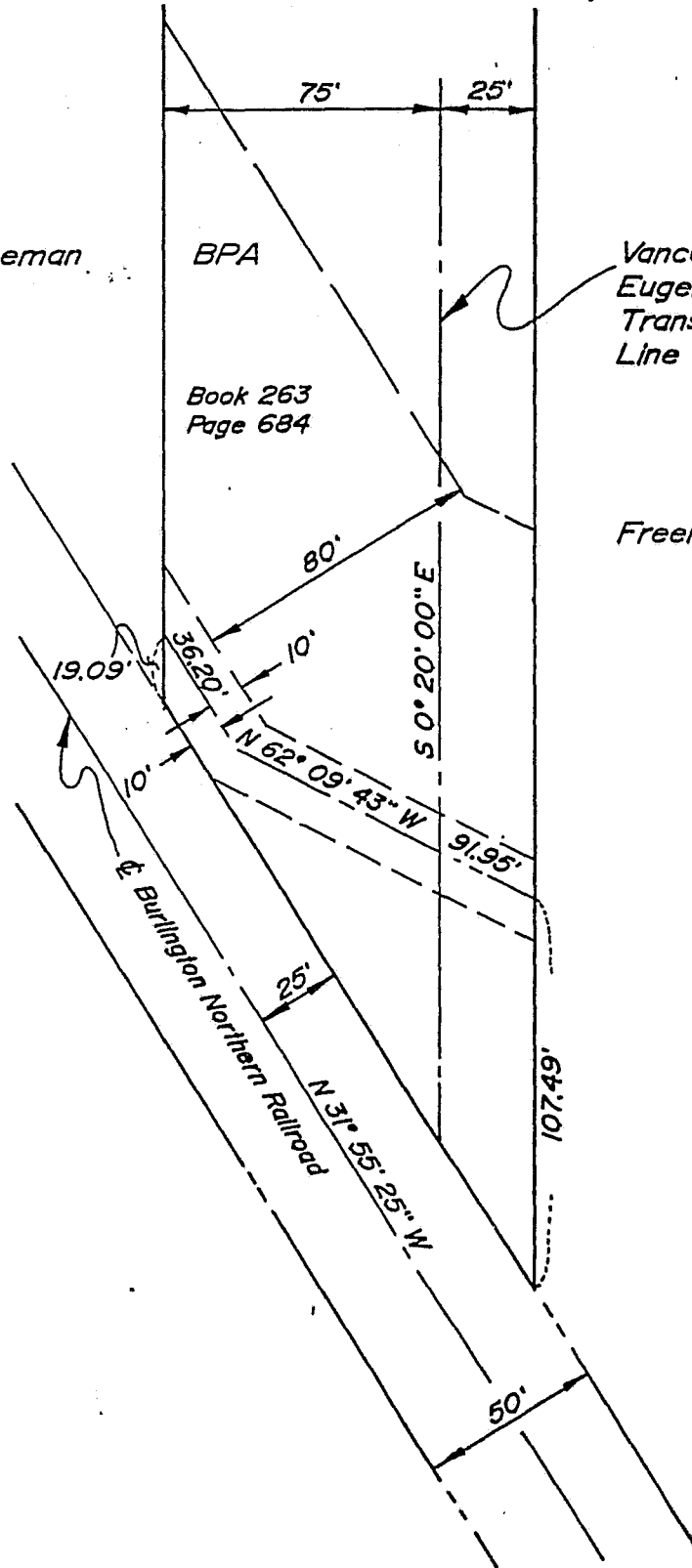
Freeman

BPA

Vancouver-  
Eugene  
Transmission  
Line

Book 263  
Page 684

Freeman



DEHAAS & ASSOC., INC.  
SUITE 300 - A.G.C. CENTER  
9450 S.W. COMMERCE CIRCLE  
WILSONVILLE, OREGON 97070  
PHONE: (503) 682-2450  
FAX: 682-2451