

PORT OF HOOD RIVER COMMISSION
Tuesday, April 26, 2016
Marina Center Boardroom
Upon Conclusion of Spring Planning Work Session

Regular Session Agenda

1. Call to Order
 - a. Modifications, Additions to Agenda
 2. Public Comment (5 minutes per person per subject; 30 minute limit)
 3. Consent Agenda
 - a. Approve Minutes of April 12, 2016 Regular Session ([Laurie – Page 3](#))
 - b. Approve Accounts Payable to Jaques Sharp Attorneys at Law in the Amount of \$14,505 ([Fred – Page 7](#))
 4. Director's Report
 5. Commissioner, Committee Reports
 - Marina Ad-hoc Committee (April 21)
 6. Action Items
 - a. Approve Contract with Crestline Construction for Portway Avenue Repaving ([Anne – Page 13](#))
 - b. Approve Termination of Jensen Parking Easement with Key Development ([Anne – Page 17](#))
 7. Commission Call
-

8. Executive Session under ORS 192.660(2)(e) Real Estate Negotiations; ORS 192.660(2)(f) Exempt Public Records; and ORS 192.660(2)(h) Legal Counsel Regarding Current Litigation or Litigation Likely to be Filed

9. Possible Action

10. Adjourn

If you have a disability that requires any special materials, services, or assistance, please contact us at 541-386-1645 so we may arrange for appropriate accommodations.

*The chair reserves the opportunity to change the order of the items if unforeseen circumstances arise. The Commission welcomes public comment on issues not on the agenda during the public comment period. With the exception of factual questions, the Commission does not immediately discuss issues raised during public comment. The Commission will either refer concerns raised during public comment to the Executive Director for a response or will request that the issue be placed on a future meeting agenda. People distributing copies of materials as part of their testimony should bring **10 copies**. Written comment on issues of concern may be submitted to the Port Office at any time.*

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**Port of Hood River Commission
 Meeting Minutes of April 12, 2016 Regular Session
 Marina Center Boardroom
 5:00 P.M.**

THESE MINUTES ARE NOT OFFICIAL until approved by the Port Commission at the next regular meeting.

Present: Commissioners Jon Davies, Rich McBride, Brian Shortt, and Hoby Streich; Legal Counsel Jerry Jaques; from staff, Michael McElwee, Fred Kowell, Anne Medenbach, Genevieve Scholl, John Mann, and Laurie Borton

Absent: Commissioner Fred Duckwall

Media: None

1. **CALL TO ORDER:** The Regular Session meeting of the Port of Hood River Commission was called to order at 5:05 p.m. by President Brian Shortt.
 - a. **Modifications, Additions to Agenda:** None.

2. **PUBLIC COMMENT:** None.

3. **CONSENT AGENDA:**
 - a. Approve Minutes of March 29, 2016 Spring Planning Work Session and March 29, 2016 Regular Session

Motion: Move to approve Consent Agenda.
Move: Davies
Second: McBride
Vote: **Aye:** Davies, McBride, and Shortt
Abstain: Streich
Absent: Duckwall

MOTION CARRIED

4. **Reports, Presentations and Discussion Items**
 - a. Advanced American, Kyle Izatt, Operations Manager – Port Facilities Manager John Mann introduced Kyle Izatt of Advanced American, the contractor awarded the bridge span guide replacement project. Izatt complimented Mann and the Facilities staff for a proactive mindset that led to completion of the project ahead of schedule and under budget. Although this was a relatively small project for Advanced American, Izatt thanked the Port for this opportunity and commented that he hoped his company would be considered for other projects that go out for bid. Mann then reviewed schematics and photos of the span guide project.

b. Possible Bridge Toll Rates for FY 2016-17 – Finance Manager Fred Kowell discussed that a tolling increase for the cash customer has been forecast every five years with a small incremental change in the BreezeBy discount rate every 2-3 years. For FY 2016-17 the cash customer toll will increase in January to \$1.25 from \$1.00. Increases will assist the Port in meeting maintenance and operating costs and provide cash flow for capital improvements to the bridge. Kowell reported that should the Commission move forward with the FASTLane application, which is an Action Item on the agenda, a \$3.72 million local match will be incurred and that funding would likely be borrowed with toll increases as a backstop (including an increase for the BreezeBy customer in FY 2016-17 to \$0.90), and the Port’s budget would show a clear path to funding this local match. Conversations on the FASTLane application were then intermingled with the toll rates discussion. The application narrative, cost benefit analysis and support letters are due Thursday, April 14. Grant awards would be known in September, and if accepted, the Port would be eligible for five years of authorizations. Given the short timeline for the process, both Executive Director Michael McElwee and Communications and Special Projects Manager Genevieve Scholl believed the application was solid.

5. **DIRECTOR’S REPORT:** McElwee provided a verbal report highlighting the following items: Scholl and Paige Rouse, of Pageworks Design, were thanked for the production of the Spring 2016 Newsletter and 2015 Annual Report; the Port’s aviation application for *ConnectOregon* VI funding will be ranked in early May; and an update on the bridge allision claim and subrogation efforts was provided.

6. COMMISSIONER, COMMITTEE REPORTS:

- a. Urban Renewal: No report.

7. ACTION ITEMS:

a. Approve Task Order No. 1 with Century West engineering for Design of South Taxiway Reconfiguration Not to Exceed \$173,489.35: Anne Medenbach, Development & Property Manager, commented that if approved, a third-party engineering company would verify that the Task Order scope and fee for this project are reasonable. The design Task Order would then be submitted to the Federal Aviation Administration (“FAA”) for approval and final grant award. The Port’s match will be 10%. The airport would remain open during construction, which is anticipated in 2017.

Motion: Move to approve Task Order No. 1 with Century West Engineering for south taxiway engineering not to exceed \$173,489.35.

Move: Streich

Second: Davies

Vote: **Aye:** Davies, McBride, Shortt, and Streich

Absent: Duckwall

MOTION CARRIED

b. Approve Contract Amendment No. 1 to Schott & Associates for Additional Wetland Delineation Services at Hood River Airport Not to Exceed \$1,000: Medenbach noted the contractor was onsite at the Ken Jernstedt Airfield for wetland determination and delineation services in the North Ramp area and was available to provide the additional services for the South Taxiway area.

Motion: Move to approve Contract Amendment No. 1. with Schott & Associates for additional wetland delineation not to exceed \$1,000 for an amended contract total of \$6,860.

Move: Streich

Second: Davies

Vote: **Aye:** Davies, McBride, Shortt, and Streich

Absent: Duckwall

MOTION CARRIED

c. Ratify Contract with FCS Group for Preparation of FASTLANE Application Cost/Benefit Analysis Not to Exceed \$8,000: Based on spring planning discussion and the pending April 14 deadline to submit a FASTLane application, the services of Todd Chase representing the economic and planning firm of FCS Group, LLC was secured. Chase was able to prepare the cost benefit analysis that is a requirement of the application.

Motion: Move to ratify contract with FCS Group, LLC for preparation of a cost/benefit analysis associated with a FASTLane Application not to exceed \$8,000.

Move: McBride

Second: Davies

Vote: **Aye:** Davies, McBride, Shortt, and Streich

Absent: Duckwall

MOTION CARRIED

d. Approve FASTLane Application Submittal and Commitment of Matching Funds: Shortt polled the Commission for their opinions on the application for FASTLane funding to complete a Final Environmental Impact Study and preliminary engineering of a new bridge. The Port’s ask would be \$9.3 million (FEIS, \$2.8 million; right-of-way acquisition, \$1.0 million; and preliminary engineering, \$5.5 million). The grant would require a 40% local match of \$3.72 million. Although other partners would be sought to help with the match, the Port would need to be prepared to meet the match requirement itself, likely with a loan repaid through an increase in tolls. The funding is available for

a five year cycle, and if an application is not submitted (or approved) this year, an application could be submitted in 2017.

Commissioner Davies said it was his opinion that there was risk; however, if the application was successful the decision point on a bridge replacement would occur in five years. The bridge is the reason that communities in the Gorge are vibrant and a new bridge will make this economic picture even better. The Port owns and maintains an old bridge that needs to be replaced.

Commissioner McBride said the Port has done a lot to queue us into a position to be recognized and it's exciting to think a new bridge is viable; however, he believed there should be respectful conversations with the Oregon and Washington Departments of Transportation about a collaborative partnership on the match. McBride said that he did not believe waiting one year to submit an application would cause a loss of momentum. He further stated that he believes in the project but he would not be ready to support submitting an application by April 14.

Commissioner Streich inquired about bridge complaints. Fred Kowell, Chief Financial Officer, responded that complaints were generally related to guardrails and mirrors.

Commissioner Shortt asked Scholl about the application. Scholl stated the application is 95% complete and she was confident the application was strong and defensible. Shortt said he understood McBride's concerns; however, he did not think ODOT/WSDOT would become partners. Summit Strategies lobbyist Hal Hiemstra recommended the Port go after the application in this first year and Shortt said he respects Hiemstra's opinion. Shortt also commented that he had never seen the political landscape as it now existed and it was his opinion the Port should submit the application and he did not have a problem in raising tolls to backstop the local match.

Motion: Move to approve FASTLane application submittal to seek federal funds for pre-construction activities for a new bridge.

Move: Davies

Second: Shortt

Discussion: McElwee commented that a thorough review of the cost/benefit analysis would be done the following day but he was confident it would be a good work and the application would be solid. He also believed the Port would have solid support given the current political landscape and a bridge replacement would be on ODOT's Area Commissions on Transportation radar although that would not generate funding ("ACT" advisory bodies address all aspects of transportation in the development of the Statewide Transportation Improvement Program, or STIP). McElwee said there weren't many downsides and the positives were significant. If the approval to submit an application fails (or if submitted but fails) the Port would have an opportunity to have an even stronger application in 2017.

Vote: **Aye:** Davies, and Shortt

No: McBride, and Streich

Absent: Duckwall

MOTION FAILED as there was not an affirmative vote of at least three members, per Port Governance

e. Approve License to Hood River Electric Co-op for Fiber Installation on the Waterfront: When this item was brought to the Commission in March there was concern that, should the Port require the utility to move their conduit in the future, the utility would pay for that expense as they are not paying for an easement. Medenbach reported this revision had been made. The Co-op is now requesting a one foot variance or easement along the east side of N. 2nd Street from Portway south to Riverside. McElwee commented that since the Port doesn't have infrastructure plans for Lot 1 he was not comfortable with this new request.

Motion: Move to approve License with Hood River Electric Co-op for fiber installation on the Waterfront for Lot 5 only (Ryan Juice portion) and modify Exhibit A, subject to legal counsel review.

Move: Davies

Second: Streich

Discussion: Jaques was asked about the process of approving items “subject to legal counsel review.” Jaques said his preference would be to review legal documents prior to taking them to the Commission for approval; however, he did recognize that the timeline on some items did need to be fast-tracked.

Vote: Aye: Davies, McBride, Shortt, and Streich

Absent: Duckwall

MOTION CARRIED

8. COMMISSION CALL: Streich thanked staff for their work on the FASTLane application. McBride said he had seen kites in chaos—the recreation season has arrived, and here we go! Davies said the Event Site was nearly or fully parked out over the weekend. Davies also thanked Commissioners and staff who attended the SDAO Board Member and Management Training earlier in the month and he found it interesting to see who doesn’t attend. Davies further stated that he had a lot of confidence in the Port and the good example it sets.

9. EXECUTIVE SESSION: Regular Session was recessed at 7:05 p.m. to call the Commission into Executive Session under ORS 192.660(2)(e) Real Estate and ORS 192.660(2)(h) Legal Counsel Regarding Current Litigation or Litigation Likely to be Filed. The Commission was called back into Regular Session at 7:15 p.m.

10. POSSIBLE ACTION: No action was taken as a result of Executive Session.

11. ADJOURN: At 7:15 p.m. President Shortt entertained a motion to adjourn the meeting.

Motion: Move to adjourn.

Move: Davies

Second: McBride

Vote: Aye: Davies, McBride, Shortt, and Streich

Absent: Duckwall

MOTION CARRIED

Respectfully submitted,

Laurie Borton

ATTEST:

Brian Shortt, President, Port Commission

Jon Davies, Secretary, Port Commission



Prepared by: Fred Kowell
Date: April 26, 2016
Re: Accounts Payable Requiring Commission Approval

Jaques Sharp	\$14,505.00
Attorney services per attached summary	
TOTAL ACCOUNTS PAYABLE TO APPROVE	<u>\$14,505.00</u>

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JAQUES SHARP

— ATTORNEYS AT LAW —

205 3RD STREET / PO BOX 457
HOOD RIVER, OR 97031
(Phone) 541-386-1311 (Fax) 541-386-8771

CREDIT CARDS ACCEPTED

HOOD RIVER, PORT OF
1000 E. PORT MARINA DRIVE
HOOD RIVER OR 97031

Page: 1
April 13, 2016
Account No: PORTOHAM

RECEIVED
APR 14 2016
BY: _____

Previous Balance	Fees	Expenses	Advances	Payments	Balance
LEASE (HR Yacht Club, Inc.) 0.00	57.00	0.00	0.00	0.00	\$57.00
MISCELLANEOUS MATTERS J 95.00	931.00	0.00	0.00	-95.00	\$931.00
LOT 3 DDA (Key Devp/Jeff Pickhardt) 0.00	90.00	0.00	0.00	0.00	\$90.00
TRANSPORTATION ISSUES 0.00	589.00	0.00	0.00	0.00	\$589.00
PROPERTY SALE (Bob Naito; NBW Hood River) 247.00	95.00	0.00	0.00	-247.00	\$95.00
LEASE (Double Mountain) 0.00	19.00	0.00	0.00	0.00	\$19.00
EXPO SITE DEVELOPMENT (Key Development; Pickhardt) 3,027.00	1,786.00	0.00	0.00	-3,027.00	\$1,786.00

HOOD RIVER, PORT OF

Account No: April 1
POI

Previous Balance	Fees	Expenses	Advances	Payments	Balance
CONCESSION PERMIT (Gorge Kiteboard School)					
266.00	380.00	0.00	0.00	-266.00	\$380.00
ABANDONED BOAT PROCESS					
76.00	456.00	0.00	0.00	-76.00	\$456.00
PUBLIC CONTRACT RULES (Updated)					
1,482.00	1,254.00	0.00	0.00	-1,482.00	\$1,254.00
CONTRACT (H.D.R. ENGINEERING)					
38.00	0.00	0.00	0.00	-38.00	\$0.00
CITY PARKING IGA					
133.00	38.00	0.00	0.00	-133.00	\$38.00
HANEL SITE FILL CONTRACT (JAL Construction, Inc.)					
19.00	0.00	0.00	0.00	-19.00	\$0.00
BARGE BRIDGE DAMAGE					
893.00	836.00	0.00	0.00	-893.00	\$836.00
BRANDT LAND TRADE AIRPORT AREA					
589.00	76.00	0.00	0.00	-589.00	\$76.00
SMALL CLAIMS (Juan Pulido)					
114.00	0.00	0.00	0.00	-114.00	\$0.00
ELECTRONIC TOLLING APPLICATION CHANGES					
0.00	1,406.00	0.00	0.00	0.00	\$1,406.00
PROPERTY SALE - ODELL					
19.00	0.00	0.00	0.00	-19.00	\$0.00
WATER ISSUES					
437.00	4,915.00	0.00	0.00	-437.00	\$4,915.00
LOT 1 PRELIMINARY SUBDIVISION (Berger ABAM)					
0.00	38.00	0.00	0.00	0.00	\$38.00
FIBRE OPTIC EASEMENT (Hood River Electric Co-op)					
0.00	57.00	0.00	0.00	0.00	\$57.00

HOOD RIVER, PORT OF

Account No: April 1:
POR

Previous Balance	Fees	Expenses	Advances	Payments	Balance
ELECTION ISSUE					
0.00	912.00	0.00	0.00	0.00	\$912.00
CONCESSION PERMIT (Stawicki Photography)					
0.00	285.00	0.00	0.00	0.00	\$285.00
CONCESSION PERMIT (Sandbar Cafe, LLC)					
0.00	285.00	0.00	0.00	0.00	\$285.00
<u>7,435.00</u>	<u>14,505.00</u>	<u>0.00</u>	<u>0.00</u>	<u>-7,435.00</u>	<u>\$14,505.00</u>

THIS STATEMENT REFLECTS SERVICES PROVIDED AND PAYMENTS RECEIVED THROUGH THE 31st OF MARCH UNLESS OTHERWISE STATED

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Prepared by: Anne Medenbach
Date: April 26, 2016
Re: Portway Ave. Paving Contract

Paving of Portway Ave. from 8th to the cul-de-sac is the only paving project left over for this year. Staff i i quotes for a crack and slurry seal. Two contractors provided proposals. Both companies have worked well with the Port in the past.

Blackline Inc.	\$52,367.50	Crack and Slurry Seal
Crestline Construction Inc.	\$55,000.00	Proposed a 2" asphalt overlay

The asphalt overlay has a life of about 7 years. The crack and slurry seal has a 3-5 year life. Staff proposes that we approve a contract with Crestline Construction Inc. to carry out an asphalt overlay.

The original solicitation assumed that this work would be under \$50,000 and therefore under the prevailing wage requirement. As both contractors submitted quotes above that mark, staff will verify that prevailing wage rates were included and will have adjusted quote numbers at the board meeting on Tuesday.

RECOMMENDATION: Approve Contract with Crestline Construction, Inc. for paving of Portway Ave. from 8th to the cul-de-sac, ga n vi .

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**PORT OF HOOD RIVER
PUBLIC WORKS CONTRACT**

This Contract entered into between the PORT OF HOOD RIVER, an Oregon municipal corporation, ("PORT") and Crestline Construction Inc. ("CONTRACTOR"), shall become effective when this Contract has been signed by both parties and the Port has issued to CONTRACTOR a Notice to Proceed with the Work.

WITNESSETH:

WHEREAS, CONTRACTOR, having examined the Work site and become familiar and satisfied with conditions, has submitted an acceptable bid to Slurry seal and Crack seal the location commonly known as Portway from 8th to the Cul-de-sac, a PORT property in Hood River, Oregon 97031 ("Work"); and,

WHEREAS, the parties hereto desire that this Contract be undertaken and completed on the terms and conditions as hereafter set forth;

THEREFORE, IT IS AGREED AS FOLLOWS:

Terms of Performance

CONTRACTOR agrees to perform the described Work and provide all machinery, tools, apparatus, materials, equipment, labor and other means of construction necessary to complete the Work at the designated location in accordance with all terms specified in the Contract Documents, which by this reference are incorporated herein, including the following:

- A) Solicitation
- B) Bidding Instructions
- C) First-Tier Subcontractor Disclosure Form
- D) Quote Form
- E) Certificate of Insurance
- F) Payment Bond
- G) Performance Bond
- H) Notice of Intent to Award
- I) Notice to Proceed
- J) Payment of Prevailing Wages Rates
- K) Drawings prepared for/or issued by PORT
- L) All affidavits and certifications submitted by CONTRACTOR as part of CONTRACTOR's Bid Documents, which affidavits and certifications CONTRACTOR agrees will remain effective throughout the term of this Contract.

Contract Price:

Subject to the provisions of all Contract Documents and in consideration of the faithful performance of the terms and conditions thereof by the CONTRACTOR, PORT agrees to pay CONTRACTOR _____, in the manner and at the times provided in the Contract Documents. The Contract price is for completing the Work. No alternates are included.

Contract Dates: Target date is to complete before June 15, 2016

Project Start Date: 10 calendar days from issuance of Notice to Proceed.

Substantial Completion: June 10, 2016

Final Completion: June 15, 2016

Liquidated damages

If the CONTRACTOR fails to complete the Work within the time specified or within any extension of time agreed to by both parties in writing, CONTRACTOR shall pay liquidated damages of \$250.00, for each day of delay beyond the completion day identified above. (If no dollar amount is specified this paragraph shall not apply to this Contract.)

Representatives

Unless otherwise specified in the Contract Documents, the Port designates Michael McElwee, as its Authorized Representative in the administration of this Contract. The above-named individual shall be the initial point of contact for matters relating to performance, payment, authorization, and to carry out the responsibilities of the Port. Contractor has named _____ its Authorized Representative to act on its behalf.

Integration

The Contract Documents and this Contract constitute the entire agreement between the parties. No waiver, consent, modification or change of terms of this Contract shall bind either party unless in writing and signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no other understandings, agreements, or representations, oral or written, not specified herein regarding this Contract. Contractor, by the signature below of its authorized representative, hereby acknowledges that it has read this Contract, understands it, and agrees to be bound by its terms and conditions.

IN WITNESS WHEREOF the parties have executed this Contract on _____, 20__.

CONTRACTOR

PORT OF HOOD RIVER

Signed:

Signed:

By: _____

By: _____

Title:

Title:



Prepared by: Anne Medenbach
Date: April 26, 2016
Re: Vacation of Easement - Key Development

The Port granted a revocable easement for 10 parking spaces in the Jensen Building parking lot to Key Development in October of 2012. This was to be used for overflow parking for the Key Development buildings on the south side of Portway Avenue. Key was paying \$100 per month for this easement.

Now that Key Development has purchased the Expo Center lot, they have sufficient parking and would like to vacate the easement.

RECOMMENDATION: Approve termination of easement agreement and extinguishment of easement with Key Development Corporation for a portion of the Jensen Building parking lot.

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When recorded return to:

Key Development Corporation
Jeff Pickhardt, President
501 Portway Avenue
Hood River, OR 97031

**TERMINATION OF EASEMENT AGREEMENT AND EXTINGUISHMENT OF EASEMENT
JENSEN LOT**

RECITALS:

Port of Hood River, a municipal corporation (“Grantor”), is the owner of that certain parcel of real property located in the City of Hood River, Hood River County, Oregon commonly known as 400 Portway Ave., described in Exhibit A attached hereto (“Jensen Property”), and Key Development Corporation (“Grantee”), is the owner of that certain parcel of real property located in the City of Hood River, Hood River County, Oregon known as Parcel 3, described in Exhibit B attached hereto.

Grantor and Grantee executed a Parking Easement Agreement dated October 22, 2012 (“Easement Agreement”) whereby Grantor granted a parking easement to Grantee (“Easement”) for parking spaces in the area described in Exhibit C attached hereto; the Easement Agreement was recorded on October 23, 2012 in Hood River County, Oregon real property records as instrument number 2012-03665. The parties wish to terminate the Easement Agreement and Extinguish the Easement.

THEREFORE THE PARTIES AGREE:

Effective April 30, 2016, the Easement Agreement is terminated and the Easement is extinguished. Neither Grantor nor Grantee will have any further rights or obligations under the Easement Agreement, and the Easement shall not encumber Grantor’s property described in Exhibit A. Grantor and Grantee waive any notice to modify or cancel the Easement Agreement, as provided in Section 4 of the Easement Agreement. Each party signing on behalf of Grantor and Grantee acknowledges they have legal authority to do so.

PORT OF HOOD RIVER

By: Michael McElwee
Its: Executive Director

KEY DEVELOPMENT CORPORATION, an Oregon corporation

By: Jeff Pickhardt
Its: President

State of Oregon)
)ss.
County of Hood River)

This instrument was acknowledged before me on April ____, 2016, by Jeff Pickhard, President of Key Development Corporation, an Oregon corporation, as its duly authorized representative.

Notary Public for Oregon
My commission expires:_____

State of Oregon)
)ss.
County of Hood River)

This foregoing instrument was acknowledged before me on this ____ day of April, 2016, by Michael S. McElwee, the Executive Director of the Port of Hood River, a municipal corporation.

Notary Public for Oregon
My commission expires:_____

EXHIBIT A**Legal Description – the Jensen Property**

A parcel of land located in Southwest quarter of the Northwest quarter of Section 25, Township 3 North, Range 10 East of the Willamette Meridian, in the City of Hood River, County of Hood River and State of Oregon, described as follows:

Commencing at a point on the North line of the Nathaniel Coe Donation Land Claim No. 37, in Section 25, Township 3 North, Range 10 East of the Willamette Meridian, that is North 89°40'25" West 461.13 feet, more or less, from the point of intersection of the Division line between the East half and the West half of said Coe Donation Land Claim with the North line thereof and South 89°40'25" East 1,403.82 feet, more or less, from the Northwest corner of said Coe Donation Land Claim, being at the Northwest corner of that tract of land conveyed to the Port of Hood River by deed recorded April 19, 1967, Film No. 670498, Deed Records of Hood River County, Oregon; thence following the Northerly extension of the West line of said Port of Hood River tract North 1°39'16" East 247.05 feet; thence South 89°20'44" East 906.47 feet to the true place of beginning; thence North 1°39'16" East 305 feet; thence South 89°20'44" East 428.46 feet; thence South 1°39'16" West 305.00 feet; thence North 89°20'44" West 428.46 feet to the true place of beginning.

EXHIBIT B

Legal Description Parcel 3

Parcel 3 of Partition Plat No. 201205P, according to the official plat thereof, recorded July 30, 2012, as Instrument No. 201202554, Hood River County Microfilm Records, being a Re-Plat of Lots 3, 4 and 6 of the Waterfront Business Park, in the City of Hood River, County of Hood River and State of Oregon

EXHIBIT C**Description of Jensen Easement Parking Spaces**

A parking easement located in Section 25, Township 3 North, Range 10 East of the Willamette Meridian in Hood River County and State of Oregon, more particularly described as follows:

Commencing at a 5/8" iron rod with cap, L.S. 1815 monumenting the southwest corner of the city parcel, being parcel 2 of partition plat #2005-26p recorded on December 23rd 2005. Thence S (South) 88°19'26" E (East) a distance of 785.16 feet to a similar iron rod monumenting the southeast corner of said parcel 2 and the point of beginning of said tract to be granted.

Thence N 01°40'34" E along said parcel 2 a distance of 90.00 feet to a point; thence S 88°19'26" E a distance of 18.00 feet; thence S 01°40'34" W a distance of 90.00 feet to a point on the north line of an 80 foot road and utility easement to the City of Hood River recorded in Hood River County records instrument #750615; thence N 88°19'26" W along said easement a distance of 18.00 feet to the point of beginning.

Contains 1,620 Sq. Ft., more or less

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