

RESOLUTION NO. ~~08-13251~~

A RESOLUTION RESTATING AND REVISING POLICIES AND DELEGATING AUTHORITY REGARDING REAL ESTATE PROCEDURES AND EXECUTION OF REAL ESTATE DOCUMENTS

**FACTUAL BACKGROUND AND REASONS FOR ACTION**

The Commission of the District previously adopted and modified policies and procedures regarding approval and execution of real estate documents. District staff recommends that the policies and procedures be modified and updated. This resolution replaces Resolution Nos. 94-9846 and 03-12294 and restates the applicable delegation of authority to District staff for ease of reference and clarity.

The Commission recognizes the need to expedite the processing of routine real estate transactions. The Commission is authorized to delegate the execution of documents within defined limitations.

Staff recommends that it is in the best interest of the District for the Commission to delegate authority to execute certain routine real estate documents to the Director of Shared Services, his designee or future director or manager with responsibility over Real Estate Services for the specific actions outlined below after all legal requirements have been met and appropriate internal reviews completed:

***Permits/Leases:*** Permits/leases granting use of District lands where the agreement includes the District's ability to cancel upon one-year's notice or less for agricultural uses and 180 days' notice or less for all other uses.

***Easements or permits to the District:*** Documents granting the District an easement or permit in real estate owned by others where the compensation paid by the District does not exceed the Director's contract signature authority as set forth in the delegation resolution, Resolution No. 03-12406, as that resolution may be amended.

***Agency Permits:*** Permits from any agency of the government where the compensation does not exceed the Director's contract signature authority as set forth in the delegation resolution, Resolution No. 03-12406, as that resolution may be amended.

***Dock Permits:*** Documents approving or allowing docks and buoys within District's project boundaries provided all conditions required under the District's FERC license have been met.

***Easements on District Lands:*** Documents granting easements on District Lands provided that the potential impact on the use of the land does not adversely impact the existing or future District use and this has been confirmed in writing by the District departments with a potential interest in the real estate.

***Release of easement and other partial interest in real estate:*** Documents releasing easements or other interests in real estate when the facilities for which the rights were acquired by the District have been abandoned or were never constructed, provided that there is no anticipated existing or future need for the rights and that this has been confirmed in writing by the District departments with a potential interest in the real estate rights.

The General Manager has reviewed the staff's recommendations and concurs in the same.

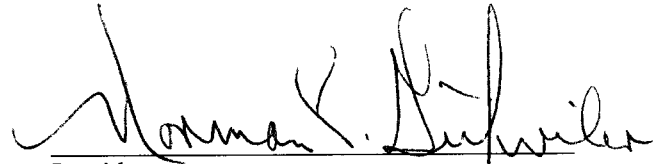
**ACTION**

IT IS RESOLVED BY THE COMMISSION OF PUBLIC UTILITY DISTRICT NO. 1 OF CHELAN COUNTY, WASHINGTON, as follows:

Section 1. The Commission hereby delegates authority for approving and entering into Permits/Leases, Easements to the District, Agency Permits, Dock Permits, Easements on District Lands, and Releases of Easement or other property rights, subject to the limitations herein, to the Shared Services Director, his designee or any future director or manager with responsibility over Real Estate Services for the specific actions outlined above after all legal requirements have been met.

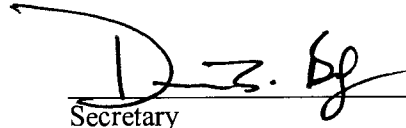
Section 2. Resolution Nos. 94-9846 and 03-12294 are hereby rescinded.

DATED this 28<sup>th</sup> day of January 2008.

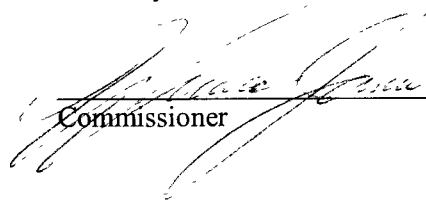
  
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President

ATTEST:

  
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Vice President

  
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Secretary

  
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Commissioner

  
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Commissioner

SEAL  
Shared Services/sc

CAW