EASEMENT AND EQUITABLE SERVITUDES

This grant of Easement and acceptance of Equitable Servitudes is made between Reynolds Metals Company ("Grantor") and the State of Oregon, acting by and through the Oregon Department of Environmental Quality ("DEQ" or "Grantee").

RECITALS

A. Grantor is the owner of certain real property located at 5100 NE Sundial Rd, Troutdale, Oregon in Multnomah County Tax Map 1N3E14, Tax Lot 100; Tax Map 1N3E22, Tax Lot 200, 300, 301, and 302; Tax Map 1N3E23, Tax Lot 100; Tax Map 1N3E23B, Tax Lot 200; Tax Map 1N3E24, Tax Lot 300 and 400; and Tax Map 1N3E24C, Tax Lot 200, 1200, 1400 and 1602 (the "Property") the location of which is more particularly described in Exhibit A to this Easement and Equitable Servitudes, and referenced under the name Reynolds Metals Superfund Site, ECSI 154 in the files of DEQ’s Environmental Cleanup Program at 2020 SW 4th Avenue, Suite 400, Portland, Oregon 97201. Interested parties may contact the DEQ Northwest Regional Office to review a detailed description of the residual risks present at the Property and found in the Post Demolition Residual Risk Assessment (CH2M-HILL, June 2006).

B. On September 29, 2006, the Director of the Oregon Department of Environmental Quality or delegate concurred with the remedial action for the Property set forth in the Final Record of Decision (Final ROD) for the Property selected by the Director of the Office of Environmental Cleanup for the United States Environmental Protection Agency, Region 10 (EPA), Reynolds Metals Company, Superfund Site, Troutdale Oregon, Record of Decision for Final Remedial Action, September 29, 2006 (Final ROD). The remedial action selected requires, among other things, the use of Easement and Equitable Servitudes.

Reynolds Metals Company
institutional controls ("ICs") to restrict residential use of the Site, restriction of the use of groundwater that exceeds the Maximum Contaminant Levels (MCL) for safe drinking water when used as a drinking water source, and protection of the integrity of the existing caps. The ICs, as outlined in the Final ROD, also include:

- The preparation of a legal description of the property with a corresponding map that clearly identifies the property where the ICs will be implemented.

- A restrictive easement or covenant that runs with the land to prohibit residential use of the property and identify conditions (i.e., additional protective measures, such as capping or special soil handling requirements) under which other uses would be allowed. For groundwater, the restrictions will include a prohibition on the drinking water use of Site groundwater that exceeds the MCL for safe drinking water, prohibition of other groundwater uses that would interfere with the successful operation of the groundwater Focused Extraction/Production Well Optimization ("FE/PWO") system and access for inspection and continued operation of the FE/PWO system.

- Use restrictions on the capped areas to protect the integrity of the existing cap or required suitable capping to allow for intended use of the area.

C. Grantor has agreed to implement the remedial action selected in the Final ROD, including the required ICs. That agreement is also incorporated in a proposed Consent Decree with the United States, anticipated to be filed in 2007 with the United States District Court for the District of Oregon under the name United States of America v. Reynolds Metals Company and Alcoa Inc. The Consent Decree specifies obligations related to the implementation of the remedy without limitation, development and implementation of a maintenance and inspection plan of the capped areas, periodic review of area groundwater use, continued operation of the groundwater extraction and treatment system and continued monitoring of the groundwater.

D. The provisions of this Easement and Equitable Servitudes are intended to further the implementation of the selected remedial action and thereby protect human health and the environment.

1. DEFINITIONS

1.1 "Acceptable risk level" has the meaning set forth in Oregon Revised Statute (ORS) 465.315 and Oregon Administrative Rule (OAR) 340-122-0115.

1.2 "Beneficial use" has the meaning set forth in OAR 340-122-0115.

1.3 "DEQ" means the Oregon Department of Environmental Quality, and its employees, agents, and authorized representatives. "DEQ" also means any successor or assign of DEQ under the laws of Oregon, including but not limited to any entity or instrumentality of the State of Oregon authorized

Easement and Equitable Servitudes
Reynolds Metals Company
to perform any of the functions or to exercise any of the powers currently performed or exercised by DEQ.

1.4 "EPA" means the United States Environmental Protection Agency, and its employees, agents, and authorized representatives.

1.5 "Ecological receptor" has the meaning set forth in OAR 340-122-0115.

1.6 "Engineering control" has the meaning set forth in OAR 340-122-0115.

1.7 "Hazardous substance" has the meaning set forth in ORS 465.200

1.8 "Owner" means any person or entity, including Grantor, who at any time owns, occupies, or acquires any right, title, or interest in or to any portion of the Property or a vendee's interest of record to any portion of the Property, including any successor, heir, assign or holder of title or a vendee's interest of record to any portion of the Property, excluding any entity or person who holds such interest solely for the security for the payment of an obligation and does not possess or control use of the Property.

1.9 "Property" means the real property described in Exhibit A to this Easement and Equitable Servitudes.

2. GENERAL DECLARATION

Grantor, in consideration of Grantee's approval of the Consent Decree, grants to DEQ an Easement for access and accepts the Equitable Servitudes described in this instrument and, in so doing, declares that the Property legally described in Exhibit A to this Easement and Equitable Servitudes, is now subject to and shall in the future be conveyed, transferred, leased, encumbered, occupied, built upon, or otherwise used or improved, in whole or in part, subject to this Easement and Equitable Servitudes. Each condition and restriction set forth in this Easement and Equitable Servitudes touches and concerns the Property and the equitable servitudes granted in paragraph 3 and easement granted in paragraph 4 below, shall run with the land for all purposes, shall be binding upon all current and future owners of the Property as set forth in this Easement and Equitable Servitudes, and shall inure to the benefit of the State of Oregon. Grantor further conveys to DEQ the perpetual right to enforce the conditions and restrictions set forth in this Easement and Equitable Servitudes.

3. EQUITABLE SERVITUDES
(RESTRICTIONS ON USE)

3.1 Groundwater Use Restrictions: Owner shall not extract through wells or by other means or use the groundwater at the Property for consumption or other beneficial use, as long as the hazardous substance concentrations exceed the acceptable risk level for such use, as determined for water quality at the wellhead. Additionally, owner shall not extract through wells or by other means or use the groundwater at the Property such that it interferes with the successful operation or monitoring of the groundwater extraction and treatment system. These prohibitions shall not apply to extraction of groundwater associated with groundwater treatment or monitoring activities approved by the EPA or DEQ or to temporary dewatering activities related to

Easement and Equitable Servitudes
Reynolds Metals Company
construction, development, or the installation of utilities or other subsurface infrastructure at the Property.

3.2 **Soil Cap Engineering Control Use Restrictions:** Except upon prior written approval from EPA or DEQ, Owner shall not conduct operations on the Property or use the Property in any way that will or likely will penetrate the soil cap areas identified in Exhibit B or jeopardize the caps' protective function as an engineering control that prevents exposure to contaminated soil, including without limitation any excavation, drilling or scraping, or cause erosion. Owner shall maintain the capped areas identified in Exhibit B in accordance with the Cap Maintenance and Monitoring Plan (May 2007) as specified in the Final ROD and approved in writing by EPA.

3.3 **Land Use Restrictions:** The following operations and uses are prohibited on the Property:

- a. Residential use of any type,
- b. Any use which restricts access to or interferes with the successful operation or monitoring of the groundwater extraction and treatment system, and
- c. Occupational use of the South Wetlands area, without first covering the area shown in Exhibit C with a minimum of one foot of clean fill material or conducting other actions approved in advance by EPA or DEQ.

3.4 **Management of Contaminated Media:** Environmental media, generally consisting of soil and groundwater when removed from the ground, shall be managed appropriately in accordance with the requirements of the Contaminated Media Management Plan (October 2007), approved by DEQ and EPA, which is incorporated herein by reference, and as amended from time to time.

3.5 **Use of the Property.** Owner shall not occupy or allow other parties to occupy the Property unless the controls listed in this Paragraph 3 are maintained.

3.6 **Notice of Transfer.** Owner shall notify DEQ at least ten (10) days before the effective date (generally the closing date) of any conveyance, grant, gift, or other transfer, in whole or in part, of Owner's interest in or occupancy of the Property. Owner may, but is not required to provide such notice before the effective date of any conveyance, grant, gift or other transfer. If Owner elects to do so, Owner may assert a claim of confidentiality under the Oregon Public Records Law with respect to documents submitted with its notice. Upon written request by Owner, DEQ will treat documents for which a claim of confidentiality had been made in accordance with ORS 192.410 through 192.505 until the effective date of the conveyance, grant, gift, or other transfer. Notwithstanding the foregoing, Owner shall not commence any development inconsistent with the conditions or restrictions in this Paragraph 3 without prior written approval from DEQ.

3.7 **Zoning Changes.** Owner shall notify DEQ no less than thirty (30) days before Owner’s petitioning for or filing of any document initiating a rezoning of the Property that would change the base zone of the Property under the applicable zoning

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code or any successor code. As of the date of this Easement and Equitable Servitudes, the current zoning of the Property is City of Troutdale general industrial (GI) with open space (OS) north of the Corps of Engineers dike. A portion of the western Property is City of Fairview agricultural holding (AH) and residential/community service/parks (R/CSP).

3.8 **Cost Recovery.** Owner shall pay DEQ's costs for review and oversight of implementation of and compliance with the provisions in this E&ES. This E&ES shall constitute the binding agreement by the Owner and DEQ to reimburse DEQ for all such eligible review and oversight costs. DEQ will establish a cost recovery account for tracking and invoicing DEQ project costs. DEQ will provide the Owner with a monthly statement and direct labor summary. DEQ costs will include direct and indirect costs. Direct costs include site-specific expenses and legal costs. Indirect costs are those general management and support costs of the State of Oregon and DEQ allocable to DEQ oversight of this E&ES and not charged as direct site-specific costs. Indirect charges are based on actual costs and are applied as a percentage of direct personal services costs.

4. **EASEMENT**
(RIGHT OF ENTRY)

During reasonable hours and subject to reasonable security requirements and after reasonable advanced notice to Owner, EPA and DEQ shall have the right to enter upon and inspect any portion of the Property to determine whether the requirements of this Easement and Equitable Servitudes have been or are being complied with. EPA and DEQ shall have the right, privilege, and license to enter upon the Property at any time to abate, mitigate, or cure at the reasonable expense of the Owner the violation of any condition or restriction contained in this Easement and Equitable Servitudes, provided EPA or DEQ first gives written notice of the violation to Owner describing what is necessary to correct the violation and Owner fails to cure the violation within the time specified in such notice. Any such entry by EPA or DEQ shall not be deemed a trespass, and EPA and DEQ shall not be subject to liability to Owner for such entry and any action taken to abate, mitigate, or cure a violation.

5. **GENERAL PROVISIONS**

5.1 The restriction identified in Paragraph 3.3 a, prohibiting residential use of any type, shall be recited in any deed conveying the Property or any portion of the Property, and shall run with the land so burdened without revocation. All other conditions and restrictions contained in this Easement and Equitable Servitudes shall be recited in any deed conveying the Property or any portion of the Property, and shall run with the land so burdened until such time as the condition or restriction is removed by written certification from DEQ, and is recorded in the Deed Records of the County in which the Property is located certifying that the condition or restriction is no longer required in order to protect human health or the environment.

Easement and Equitable Servitudes
Reynolds Metals Company
5.2 Upon the recording of this Easement and Equitable Servitudes, all future Owners, as defined in Paragraph 2.2 above, shall be conclusively deemed to have consented and agreed to every condition and restriction contained in this Easement and Equitable Servitudes, whether or not any reference to this Easement and Equitable Servitudes is contained in an instrument by which such person or entity occupies or acquires an interest in the Property.

5.3 Upon any violation of any condition or restriction contained in this Easement and Equitable Servitudes, DEQ, in addition to the remedies described in Paragraph 4 above, may enforce this Easement and Equitable Servitudes as provided in the Consent Decree, or may seek any other available legal or equitable remedy to enforce this Easement and Equitable Servitudes.

5.4 Nothing in this Easement and Equitable Servitudes shall limit or otherwise affect EPA’s or DEQ’s rights of entry and access or EPA’s or DEQ’s authority to take response actions under CERCLA, the National Contingency Plan, or other state or federal law.

IN WITNESS WHEREOF Grantor and Grantee hereby approve and accept this Easement and Equitable Servitudes.

**GRANTOR:**
Reynolds Metals Company,
a Delaware Corporation

By: __________________________ Date: 12-12-07

As: _______________

**STATE OF Pennsylvania**

**County of Allegheny**

The foregoing instrument is acknowledged before me this 17th day of December, 2007, by Robert S. Bear, as Vice President of Reynolds Metals Company, on its behalf.

**NOTARY PUBLIC FOR Allegheny County**

My commission expires: 1-24-2011

Easement and Equitable Servitudes
Reynolds Metals Company
GRANTEE: State of Oregon, Department of Environmental Quality

By: Nina DeConcini, Administrator, Northwest Region

Date: 12/19/07

STATE OF OREGON

County of Multnomah

The foregoing instrument is acknowledged before me this 19 day of Dec, 2007, by Nina DeConcini of the Oregon Department of Environmental Quality, on its behalf.

Exhibits:

Exhibit A – Legal Description of the Property
Exhibit B – Description of Capped Areas
Exhibit C – South Wetland Area to be Capped Prior to Development

Easement and Equitable Servitudes
Reynolds Metals Company
Exhibit A

Legal Description of the Property

Easement and Equitable Servitudes
Reynolds Metals Company
EXHIBIT A
LEGAL DESCRIPTION

THREE TRACTS OF LAND LOCATED IN SECTIONS 14, 22 AND 23, TOWNSHIP 1 NORTH, RANGE 3 EAST, WILLAMETTE MERIDIAN, MULTNOMAH COUNTY, OREGON. SAID TRACT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT A
A TRACT OF LAND LOCATED IN SECTIONS 22 AND 23, TOWNSHIP 1 NORTH, RANGE 3 EAST, WILLAMETTE MERIDIAN, MULTNOMAH COUNTY, OREGON. SAID TRACT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE EAST HALF OF THE FEZETT DONATION LAND CLAIM NO. 47 IN TOWNSHIP 1 NORTH, RANGE 3 EAST, WILLAMETTE MERIDIAN;

THENENCE EASTERLY ALONG THE NORTH LINE OF SAID DLC SOUTH 89°53'17" EAST, 1,320.38 FEET TO THE WEST LINE OF THE EAST ONE-HALF OF THE EAST ONE-HALF OF SAID DLC;

THENENCE SOUTHERLY ALONG SAID DIVISION LINE SOUTH 00°11'29" EAST, 218.52 FEET TO THE NORTHERN RIGHT-OF-WAY OF THE OREGON WASHINGTON RAILROAD & NAVIGATION SPUR AND A POINT OF NON-TANGENT CURVATURE WITH A 766.34 FEET RADIUS CURVE FROM WHICH A RADIAL LINE BEARS SOUTH 23°54'11" EAST;

THENENCE ALONG SAID RIGHT-OF-WAY CURVE, BEING 50.00 FEET NORTHERLY OF CENTERLINE WHEN MEASURED AT RIGHT-ANGLES THERETO, THROUGH A CENTRAL ANGLE OF 23°38'43" (THE CHORD BEARS NORTH 77°55'11" EAST, 314.02 FEET) AN ARC DISTANCE OF 316.26 FEET TO A POINT OF TANGENCY;

THENENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE NORTH 89°44'32" EAST, 2,285.62 FEET TO THE WESTERN RIGHT-OF-WAY LINE OF NW SUNDIAL ROAD BEING 25.00 FEET WESTERLY OF THE CENTERLINE WHEN MEASURED AT RIGHT-ANGLES THERETO;

THENENCE NORTHERLY ALONG SAID RIGHT-OF-WAY LINE NORTH 00°16'42" WEST, 749.18 FEET TO THE SOUTHERN LINE OF THAT PROPERTY DEEDED TO PORTLAND GENERAL ELECTRIC (PGE) DATED MAY 71, 1948 AS RECORDED ON BOOK 1265, PAGE 229 DEED RECORDS OF MULTNOMAH COUNTY;

THENENCE ALONG SAID SOUTHERN LINE SOUTH 89°43'17" WEST, 250.00 FEET;

THENENCE ALONG THE WESTERN LINE OF SAID PGE PROPERTY AND ITS EXTENSION NORTH 00°16'42" WEST, 450.00 FEET TO THE SOUTHWESTERN LINE OF THAT PROPERTY DEEDED TO PACIFIC POWER AND LIGHT (PP&L) ON BOOK 637 PAGE 1597 DEED RECORDS OF MULTNOMAH COUNTY;

THENENCE ALONG SAID SOUTHWESTERN LINE NORTH 43°16'43" WEST, 540.76 FEET;

THENENCE ALONG THE WESTERN LINE OF SAID PP&L PROPERTY NORTH 02°14'57" EAST, 62.63 FEET TO A POINT 62.50 FEET NORTHERLY, WHEN MEASURED AT RIGHT-ANGLES THERETO, OF THE CENTERLINE OF THAT TRANSMISSION LINE EASEMENT RECORDED ON BOOK 1960, PAGE 517, DEED RECORDS OF MULTNOMAH COUNTY, OREGON;

THENENCE PERPENDICULAR TO THE SOUTHERN LINE OF THAT BONNEVILLE POWER
ADMINISTRATION TRANSMISSION LINE EASEMENT RECORDED ON BOOK 704, PAGE 367, DEED RECORDS OF MULTNOMAH COUNTY, OREGON, NORTH 07°06'03" EAST, 80.40 FEET TO A POINT ON SAID LINE BEING 107.45 SOUTHEASTERLY FROM AN ANGLE POINT ON SAID LINE;

THENCE ALONG SAID EASEMENT LINE SOUTH 82°53'57" EAST, 615.73 FEET TO THE SAID WESTERN RIGHT-OF-WAY LINE OF NW SUNDIAL ROAD;

THENCE ALONG SAID RIGHT-OF-WAY LINE NORTH 00°16'42" WEST, 380.98 FEET TO THE CENTERLINE OF A DRAINAGE DIKE;

THENCE ALONG THE CENTERLINE OF SAID DRAINAGE DIKE THE FOLLOWING COURSE;

THENCE NORTH 89°07'07" WEST, 157.40 FEET;
THENCE SOUTH 83°52'53" WEST, 544.17 FEET;
THENCE SOUTH 88°11'56" WEST, 649.79 FEET;
THENCE SOUTH 88°13'17" WEST, 706.60 FEET;
THENCE SOUTH 88°21'34" WEST, 392.14 FEET;
THENCE SOUTH 85°14'34" WEST, 334.20 FEET;
THENCE SOUTH 81°40'34" WEST, 299.90 FEET;
THENCE SOUTH 84°22'04" WEST, 529.10 FEET;
THENCE SOUTH 80°43'34" WEST, 599.51 FEET;
THENCE SOUTH 87°25'04" WEST, 301.36 FEET;
THENCE SOUTH 88°52'34" WEST, 326.20 FEET;
THENCE SOUTH 79°34'34" WEST, 699.00 FEET;
THENCE SOUTH 83°22'34" WEST, 819.52 FEET TO THE CENTERLINE OF VACATED NW CAMPBELL ROAD;
THENCE LEAVING THE SAID DIKE ALONG THE CENTERLINE OF CAMPBELL ROAD SOUTH 00°10'23" EAST, 1,755.02 FEET TO A POINT IN A DRAINAGE FEATURE;
THENCE CONTINUING IN SAID DRAINAGE FEATURE NORTH 89°49'27" EAST, 291.16 FEET;
THENCE CONTINUING IN SAID DRAINAGE FEATURE NORTH 68°41'27" EAST, 300.00 FEET TO A POINT IN THE CENTER OF SALMON CREEK;
THENCE ALONG THE CENTERLINE OF SALMON CREEK THE FOLLOWING COURSE;
THENCE NORTH 69°15'27" EAST, 92.00 FEET;
THENCE NORTH 65°49'27" EAST, 100.00 FEET;
THENCE NORTH 72°07'27" EAST, 200.00 FEET;
THENCE NORTH 82°49'27" EAST, 252.00 FEET;
THENCE SOUTH 89°23'33" EAST, 102.00 FEET;
THENCE SOUTH 83°46'33" EAST, 102.00 FEET;
THENCE SOUTH 86°36'33" EAST, 100.00 FEET;
THENCE SOUTH 70°06'33" EAST, 100.00 FEET;
THENCE SOUTH 75°11'33" EAST, 100.00 FEET;
THENCE SOUTH 80°54'33" EAST, 100.00 FEET;
THENCE SOUTH 84°54'33" EAST, 100.00 FEET;
THENCE SOUTH 82°20'33" EAST, 87.00 FEET;
THENCE SOUTH 84°52'33" EAST, 200.00 FEET;
THENCE SOUTH 79°09'33" EAST, 100.00 FEET;
THENCE SOUTH 83°09'33" EAST, 100.00 FEET;
THENCE NORTH 87°09'27" EAST, 100.00 FEET;
THENCE NORTH 71°51'27" EAST, 110.00 FEET;
THENCE NORTH 53°49'27" EAST, 58.00 FEET TO THE WESTERN LINE OF THE EAST ONE-HALF OF THE FEZETT DLC LINE;
THENCE ALONG SAID WESTERN LINE NORTH 00°15'03" WEST, 249.50 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THE FOLLOWING:

COMMENCING AT THE NORTHWEST CORNER OF THE EAST HALF OF THE FEZETT DONATION LAND CLAIM NO. 47 IN TOWNSHIP 1 NORTH, RANGE 3 EAST, WILLAMETTE MERIDIAN;
THENCE EASTERLY ALONG THE NORTH LINE OF SAID DLC SOUTH 89°53'17" EAST, 1,320.38 FEET TO THE WEST LINE OF THE EAST ONE-HALF OF THE EAST ONE-HALF OF SAID DLC;
THENCE NORTH 45°38'31" EAST, 2,393.77 FEET TO THE TRUE POINT OF BEGINNING;
THENCE NORTH 05°41'05" WEST, 65.00 FEET;
THENCE NORTH 84°18'55" EAST, 65.00 FEET;
THENCE SOUTH 05°41'05" EAST, 65.00 FEET;
THENCE SOUTH 84°18'55" WEST, 65.00 FEET TO THE POINT OF BEGINNING.
ALSO EXCEPTING THEREFROM ALL OF THAT LAND FALLING WITHIN THE RIGHT-OF-WAY OF NORTH MARINE DRIVE.

SAID TRACT CONTAINS 258.592 ACRES MORE OR LESS.

TRACT B
A TRACT OF LAND LOCATED IN SECTIONS 14 AND 23, TOWNSHIP 1 NORTH, RANGE 3 EAST, WILLAMETTE MERIDIAN, MULTNOMAH COUNTY, OREGON. SAID TRACT IS MORE PARTICULARLY DESCRIBED AS follows:

COMMENCING AT THE NORTHWEST CORNER OF THE EAST HALF OF THE FEZETT DONATION LAND CLAIM NO. 47 IN TOWNSHIP 1 NORTH, RANGE 3 EAST, WILLAMETTE MERIDIAN;

THENCE EASTERLY ALONG THE NORTH LINE OF SAID DLC AND IT EXTENSION SOUTH 89°53'17" EAST, 3,938.11 FEET TO THE CENTERLINE OF NW SUNDIAL ROAD;

THENCE NORTHERLY ALONG SAID CENTERLINE NORTH 00°16'42" WEST, 1,901.10 FEET TO THE TRUE POINT OF BEGINNING;

THENCE ALONG THE NORTHERLY EXTENSION OF SAID CENTERLINE NORTH 00°16'42" WEST, 1,655.39 FEET MORE OR LESS TO THE MEAN HIGH WATER LINE OF THE LEFT BANK OF THE COLUMBIA RIVER;

THENCE ALONG THE MEAN HIGH WATER LINE OF THE LEFT BANK OF THE COLUMBIA AND SANDY RIVERS FOLLOWING COURSE;

THENCE SOUTH 78°23'17" EAST, 191.56 FEET;

THENCE SOUTH 70°23'26" EAST, 97.42 FEET;

THENCE NORTH 89°07'37" EAST, 103.02 FEET;

THENCE SOUTH 75°51'20" EAST, 148.58 FEET;

THENCE SOUTH 78°14'13" EAST, 157.43 FEET;

THENCE SOUTH 74°18'33" EAST, 104.34 FEET;

THENCE NORTH 63°01'48" EAST, 153.81 FEET;

THENCE SOUTH 68°54'19" EAST, 116.32 FEET;

THENCE SOUTH 85°06'24" EAST, 127.65 FEET;

THENCE SOUTH 80°10'53" EAST, 111.57 FEET;

THENCE SOUTH 83°31'21" EAST, 140.91 FEET;

THENCE SOUTH 75°45'30" EAST, 125.40 FEET;

THENCE SOUTH 77°57'29" EAST, 164.44 FEET;

THENCE SOUTH 83°59'15" EAST, 169.31 FEET;

THENCE SOUTH 75°53'29" EAST, 253.98 FEET;
THENCE SOUTH 79°45'27" EAST, 157.48 FEET;
THENCE SOUTH 74°49'55" EAST, 126.98 FEET;
THENCE SOUTH 72°25'31" EAST, 138.38 FEET;
THENCE SOUTH 61°31'41" EAST, 55.35 FEET;
THENCE SOUTH 55°10'27" EAST, 314.18 FEET;
THENCE SOUTH 29°33'26" EAST, 94.23 FEET;
THENCE SOUTH 36°03'27" EAST, 93.83 FEET;
THENCE SOUTH 31°16'02" EAST, 82.56 FEET;
THENCE SOUTH 31°19'16" EAST, 110.34 FEET;
THENCE SOUTH 26°25'50" EAST, 119.34 FEET;
THENCE SOUTH 30°58'43" EAST, 159.29 FEET;
THENCE SOUTH 23°31'40" EAST, 74.72 FEET;
THENCE SOUTH 23°58'13" EAST, 107.25 FEET;
THENCE SOUTH 40°37'19" EAST, 144.39 FEET;
THENCE SOUTH 31°45'00" EAST, 127.55 FEET;
THENCE SOUTH 34°34'58" EAST, 184.20 FEET;
THENCE SOUTH 49°50'19" EAST, 78.77 FEET;
THENCE SOUTH 23°31'12" EAST, 91.68 FEET;
THENCE SOUTH 19°57'32" EAST, 90.48 FEET;
THENCE SOUTH 44°44'38" EAST, 114.57 FEET;
THENCE SOUTH 41°25'49" EAST, 181.78 FEET;
THENCE SOUTH 58°31'02" EAST, 133.94 FEET;
THENCE SOUTH 60°44'50" EAST, 114.64 FEET;
THENCE SOUTH 61°04'38" EAST, 128.57 FEET;
THENCE SOUTH 59°36'02" EAST, 104.04 FEET;
THENCE SOUTH 64°38'22" EAST, 119.90 FEET;
THENCE SOUTH 22°24'10" EAST, 14.71 FEET;
THENCE SOUTH 73°00'27" EAST, 133.20 FEET;
THENCE SOUTH 69°02'00" EAST, 101.69 FEET;
THENCE SOUTH 73°30'35" EAST, 113.77 FEET;
THENCE SOUTH 69°40'45" EAST, 88.85 FEET;
THENCE SOUTH 62°00'47" EAST, 111.76 FEET;
THENCE SOUTH 66°48'46" EAST, 66.04 FEET;
THENCE SOUTH 48°29'12" EAST, 47.31 FEET;
THENCE SOUTH 66°43'55" EAST, 73.06 FEET;
THENCE SOUTH 66°21'47" EAST, 105.58 FEET;
THENCE SOUTH 75°27'39" EAST, 104.66 FEET;
THENCE SOUTH 65°51'52" EAST, 108.50 FEET;
THENCE SOUTH 61°33'26" EAST, 74.21 FEET;
THENCE SOUTH 79°00'30" EAST, 263.47 FEET;
THENCE SOUTH 71°58'26" EAST, 105.86 FEET;
THENCE SOUTH 63°15'46" EAST, 119.41 FEET;
THENCE SOUTH 63°14'28" EAST, 113.60 FEET;
THENCE SOUTH 61°44'34" EAST, 95.56 FEET;
THENCE SOUTH 52°45'12" EAST, 77.18 FEET;
THENCE SOUTH 39°24'54" EAST, 68.91 FEET;
THENCE SOUTH 11°20'39" EAST, 71.86 FEET;
THENCE SOUTH 23°55'47" EAST, 188.62 FEET;
THENCE SOUTH 20°58'08" EAST, 76.12 FEET;
THENCE SOUTH 27°34'57" EAST, 92.61 FEET;
THENCE SOUTH 31°02'32" EAST, 106.73 FEET;
THENCE SOUTH 16°10'57" EAST, 123.86 FEET;
THENCE SOUTH 02°48'42" EAST, 9.82 FEET;
THENCE SOUTH 01°31'27" WEST, 116.76 FEET;
THENCE SOUTH 10°16'14" WEST, 117.10 FEET;
THENCE SOUTH 07°25'59" WEST, 120.94 FEET;
THENCE SOUTH 23°48'28" WEST, 110.89 FEET;
THENCE SOUTH 29°28'12" WEST, 86.70 FEET;
THENCE SOUTH 27°49'21" WEST, 90.37 FEET;
THENCE SOUTH 36°07'42" WEST, 79.98 FEET;
THENCE SOUTH 58°17'25" WEST, 154.28 FEET;
THENCE SOUTH 56°34'39" WEST, 87.36 FEET;
THENCE SOUTH 46°58'28" WEST, 174.77 FEET;
THENCE SOUTH 37°12'56" WEST, 205.06 FEET;
THENCE SOUTH 25°54'58" WEST, 126.21 FEET;
THENCE SOUTH 18°38'11" WEST, 106.49 FEET;
THENCE SOUTH 22°48'50" WEST, 111.04 FEET;
THENCE SOUTH 21°51'20" WEST, 154.55 FEET TO THE NORTHERN LINE OF THAT
PROPERTY DEEDED TO THE PORT OF PORTLAND ON BOOK 2192, PAGE 268 DEED
RECORDS OF MULTNOMAH COUNTY;

THENCE LEAVING SAID MEAN HIGH WATER ALONG SAID NORTHERN LINE SOUTH
89°51'07" WEST, 534.10 FEET TO THE SOUTHERN EXTENSION OF THE EASTERN RIGHT­
OF-WAY LINE OF NW GRAHAM ROAD;

THENCE ALONG SAID EXTENSION NORTH 00°14'57" WEST, 159.96 FEET TO THE
SOUTHWEST CORNER OF PARCEL 1, PARTITION PLAT 1990-23;

THENCE ALONG THE SOUTHERN LINE OF SAID PARCEL 1 NORTH 89°38'49" EAST,
144.95 FEET;

THENCE ALONG THE SOUTHEASTERN LINE OF SAID PARCEL 1 NORTH 36°49'23" EAST,
271.82 FEET;

THENCE ALONG THE EASTERN LINE OF SAID PARCEL 1 NORTH 00°17'05" WEST, 303.16
FEET TO THE NORTH LINE OF SAID PARTITION PLAT;

THENCE NORTH 89°45'27" EAST, 256.74 FEET TO A FOUND BRASS CAP MONUMENT AT
THE SOUTHEAST CORNER OF TRACT 2 OF THAT PROPERTY LINE ADJUSTMENT
DEPİCTED ON RECORD OF SURVEY 57,142, MULTNOMAH COUNTY SURVEYOR’S
RECORDS;

THENCE ALONG THE EASTERN LINE OF SAID TRACT 2 NORTH 36°48'24" EAST, 252.79
FEET TO A POINT OF CURVATURE;

THENCE ALONG THE ARC OF A 820.00 FEET RADIUS CURVE CONCAVE TO THE WEST
THROUGH A CENTRAL ANGLE OF 37°01'30" (THE CHORD BEARS NORTH 18°17'39"
EAST, 520.72 FEET) AN ARC DISTANCE OF 529.89 FEET;
THENCE ALONG THE NORTH LINE OF SAID TRACT 2 SOUTH 88°28'25" WEST, 943.52 FEET;

THENCE ALONG THE WEST LINE OF SAID TRACT 2 SOUTH 00°14'57" EAST, 96.07 FEET TO THE EASTERLY EXTENSION THE NORTHERN LINE OF PARCEL 1 OF THAT PROPERTY DEEDED TO REYNOLDS METALS ON BOOK 2358, PAGE 846 DEED RECORDS OF MULTNOMAH COUNTY;

THENCE ALONG SAID NORTHERN LINE PARALLEL TO THE CENTERLINE OF GRAHAM ROAD SOUTH 89°44'17" WEST, 257.51 FEET TO;

THENCE ALONG SAID EASTERN OF SAID REYNOLDS PROPERTY LINE SOUTH 00°14'57" EAST, 401.33 FEET TO THE NORTHERN RIGHT-OF-WAY LINE OF NW GRAHAM ROAD;

THENCE ALONG SAID NORTHERN RIGHT-OF-WAY LINE, BEING NORTH 30.00 FEET NORTHERLY OF CENTERLINE WHEN MEASURED AT RIGHT ANGLES THERETO, SOUTH 89°44'17" WEST, 931.81 FEET;

THENCE SOUTH 89°45'15" WEST, 3,087.24 FEET TO THE WESTERN LINE OF TRACT 2 OF THAT PROPERTY LINE ADJUSTMENT DEPICTED ON RECORD OF SURVEY 57,530, MULTNOMAH COUNTY SURVEYOR'S RECORDS;

THENCE ALONG SAID WESTERN LINE NORTH 00°16'37" WEST, 185.00 FEET;

THENCE ALONG THE NORTHERN LINE OF TRACTS 2 AND 1 OF SAID PROPERTY LINE ADJUSTMENT SOUTH 89°45'15" WEST, 572.88 FEET TO THE EASTERN RIGHT-OF-WAY LINE OF NW SUNDIAL ROAD, BEING A POINT OF NON-TANGENT CURVATURE WITH A 830.00 FEET RADIUS CURVE FROM WHICH A RADIAL LINE BEARS NORTH 80°15'58" WEST;

THENCE ALONG SAID RIGHT-OF-WAY CURVE, BEING 30.00 FEET EASTERLY OF CENTERLINE WHEN MEASURED AT RIGHT-ANGLES THERETO, THROUGH A CENTRAL ANGLE OF 10°00'44" (THE CHORD BEARS NORTH 04°43'40" EAST, 144.86 FEET) AN ARC DISTANCE OF 145.04 FEET;

THENCE ALONG SAID RIGHT-OF-WAY LINE SOUTH 89°43'18" WEST, 5.00 FEET TO A POINT 25.00 FEET EASTERLY OF CENTERLINE WHEN MEASURED AT RIGHT-ANGLES THERETO;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY NORTH 00°16'42" WEST, 1,636.60 FEET TO THE SOUTHERN LINE OF THE BONNEVILLE POWER ADMINISTRATION (BPA) SUBSTATION AS DEPICTED ON BPA DRAWING 166-01340-02;

THENCE ALONG SAID SOUTHERN LINE NORTH 89°43'18" EAST, 1585.97 FEET TO THE EASTERN LINE;

THENCE ALONG SAID EASTERN LINE NORTH 00°16'42" WEST, 431.52 FEET TO THE NORTHERN LINE;

THENCE ALONG SAID NORTHERN LINE NORTH 82°53'57" EAST, 455.29 FEET TO AN ANGLE POINT;

THENCE CONTINUING ALONG SAID NORTH LINE SOUTH 89°43'18" WEST, 1134.45 FEET TO THE RIGHT-OF-WAY LINE OF SAID NW SUNDIAL ROAD;
THENCE ALONG SAID RIGHT-OF-WAY LINE NORTH 00°16'42" WEST, 551.51 FEET;
THENCE SOUTH 89°43'18" WEST, 25.00 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THE FOLLOWING:

COMMENCING AT THE NORTHWEST CORNER OF THE EAST HALF OF THE FEZETT DONATION LAND CLAIM NO. 47 IN TOWNSHIP 1 NORTH, RANGE 3 EAST, WILLAMETTE MERIDIAN;

THENCE EASTERLY ALONG THE NORTH LINE OF SAID DLC AND ITS EXTENSION SOUTH 89°53'17" EAST, 3,938.11 FEET TO THE CENTERLINE OF NW SUNDIAL ROAD;

THENCE NORTHERLY ALONG SAID CENTERLINE NORTH 00°16'42" WEST, 804.59 FEET;

THENCE NORTH 89°43'18" EAST, 2,020.97 FEET TO THE BONNEVILLE POWER ADMINISTRATION BASELINE ORIGIN, A FOUND BOLT IN CONCRETE ENCLOSED IN A MONUMENT WELL;

THENCE NORTH 35°24'47" WEST, 664.70 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 82°54'22" WEST, 240.00 FEET;

THENCE NORTH 07°05'38" EAST, 160.00 FEET;

THENCE SOUTH 82°54'22" EAST, 240.00 FEET;

THENCE SOUTH 07°05'38" WEST, 160.00 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM THE FOLLOWING:

COMMENCING AT THE NORTHWEST CORNER OF THE EAST HALF OF THE FEZETT DONATION LAND CLAIM NO. 47 IN TOWNSHIP 1 NORTH, RANGE 3 EAST, WILLAMETTE MERIDIAN;

THENCE EASTERLY ALONG THE NORTH LINE OF SAID DLC AND ITS EXTENSION SOUTH 89°53'17" EAST, 3,938.11 FEET TO THE CENTERLINE OF NW SUNDIAL ROAD;

THENCE NORTHERLY ALONG SAID CENTERLINE NORTH 00°16'42" WEST, 804.59 FEET;

THENCE NORTH 89°43'18" EAST, 2,020.97 FEET TO THE BONNEVILLE POWER ADMINISTRATION BASELINE ORIGIN, A FOUND BOLT IN CONCRETE ENCLOSED IN A MONUMENT WELL;

THENCE NORTH 62°06'07" WEST, 1,277.17 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 89°43'18" WEST, 200.00 FEET;

THENCE NORTH 00°16'42" WEST, 150.00 FEET;

THENCE NORTH 89°43'18" EAST, 200.00 FEET;

THENCE SOUTH 00°16'42" EAST, 150.00 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 438.920 ACRES MORE OR LESS.
TRACT C
A TRACT OF LAND LOCATED IN SECTION 23, TOWNSHIP 1 NORTH, RANGE 3 EAST, WILLAMETTE MERIDIAN, MULTNOMAH COUNTY, OREGON. SAID TRACT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 3 EAST, WILLAMETTE MERIDIAN;

THENCE NORTH 89°44'45" EAST, 1,331.08 FEET TO THE NORTHERLY NORTHEAST CORNER OF THE BUXTON DLC NO. 59;

THENCE NORTH 00°15'15" WEST, 45.00 FEET TO THE NORTHERN RIGHT-OF-WAY OF HARLOW ROAD AND THE TRUE POINT OF BEGINNING;

THENCE ALONG SAID RIGHT-OF-WAY, BEING 25.00 FEET NORTHERLY OF CENTERLINE WHEN MEASURED AT RIGHT-ANGLES THERE TO, SOUTH 89°44'45" WEST, 83.24 FEET TO A POINT OF CURVATURE;

THENCE ALONG THE ARC OF A 235.50 FEET RADIUS CURVE CONCAVE TO THE NORTH THROUGH A CENTRAL ANGLE OF 26°47'15" (THE CHORD BEARS NORTH 76°51'38" WEST, 109.10 FEET) AN ARC DISTANCE OF 110.10 FEET TO THE SOUTHERLY EXTENSION OF THE EASTERN RIGHT-OF-WAY OF GRAHAM ROAD;

THENCE ALONG SAID SOUTHERLY EXTENSION NORTH 00°15'15" WEST, 230.37 FEET TO THE SOUTHERN LINE OF THAT PROPERTY DEEDED TO THE PORT OF PORTLAND ON BOOK 2192, PAGE 268 DEED RECORDS OF MULTNOMAH COUNTY;

THENCE ALONG SAID SOUTHERN LINE NORTH 89°51'07" EAST, 446.93 FEET TO THE MEAN HIGH WATER LINE OF THE LEFT BANK OF THE SANDY RIVER;

THENCE ALONG SAID MEAN HIGH WATER LINE SOUTH 14°02'26" WEST, 87.20 FEET;

THENCE ALONG SAID MEAN HIGH WATER LINE SOUTH 13°58'53" WEST, 81.20 FEET;

THENCE ALONG SAID MEAN HIGH WATER LINE SOUTH 04°34'48" EAST, 113.48 FEET;

THENCE SOUTH 89°46'17" WEST, 93.31 FEET TO THE NORTHERN RIGHT-OF-WAY LINE OF SAID HARLOW ROAD BEING A POINT OF NON-TANGENT CURVATURE WITH A 120.50 FEET RADIUS CURVE FROM WHICH A RADIAL LINE BEARS SOUTH 34°30'31" WEST;

THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 34°45'45" (THE CHORD BEARS NORTH 72°52'22" WEST, 71.99 FEET) AN ARC DISTANCE OF 73.11 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 89°44'45" WEST, 62.60 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 2.50 ACRES MORE OR LESS.
EXHIBIT B

Description of Capped Areas

Easement and Equitable Servitudes
Reynolds Metals Company
Exhibit B

Troutdale Site

March 5, 2007

Parcels - CAPPED AREA - North Landfill Area

A parcel of land in that tract of real property in the North 1/2 of Section 23, Township 1 North, Range 3 East and the South 1/2 of Section 14, Township 1 North, Range 3 East of the Willamette Meridian, Multnomah County, Oregon, being described as follows:

Commencing at the Northwest Corner of said Section 23,

\[ \text{thence N} 89^\circ 44' 30" \text{ E}, 3602.12 \text{ feet to the POINT OF BEGINNING;} \]
\[ \text{thence N} 66^\circ 49' 16" \text{ W}, 17.00 \text{ feet;} \]
\[ \text{thence N} 51^\circ 05' 24" \text{ W}, 109.00 \text{ feet;} \]
\[ \text{thence S} 75^\circ 57' 02" \text{ W}, 425.00 \text{ feet;} \]
\[ \text{thence N} 60^\circ 44' 18" \text{ W}, 18.00 \text{ feet;} \]
\[ \text{thence N} 28^\circ 46' 10" \text{ W}, 18.00 \text{ feet;} \]
\[ \text{thence N} 13^\circ 46' 20" \text{ W}, 22.00 \text{ feet;} \]
\[ \text{thence N} 34^\circ 44' 06" \text{ E}, 56.00 \text{ feet;} \]
\[ \text{thence N} 50^\circ 29' 36" \text{ E}, 60.00 \text{ feet;} \]
\[ \text{thence N} 65^\circ 27' 11" \text{ E}, 60.00 \text{ feet;} \]
\[ \text{thence N} 73^\circ 15' 42" \text{ E}, 330.00 \text{ feet;} \]
\[ \text{thence N} 59^\circ 19' 03" \text{ E}, 75.00 \text{ feet;} \]
\[ \text{thence S} 34^\circ 40' 46" \text{ E}, 20.00 \text{ feet;} \]
\[ \text{thence S} 31^\circ 29' 46" \text{ W}, 21.00 \text{ feet;} \]
\[ \text{thence S} 22^\circ 19' 01" \text{ E}, 100.00 \text{ feet;} \]
\[ \text{thence S} 23^\circ 10' 36" \text{ W}, 25.00 \text{ feet;} \]
\[ \text{thence S} 71^\circ 23' 42" \text{ W}, 30.00 \text{ feet;} \]
\[ \text{thence S} 15^\circ 59' 31" \text{ E}, 105.00 \text{ feet;} \]
to the POINT OF BEGINNING;
said point also being N 18^\circ 28' 27" \text{ W}, 5558.73 \text{ feet from the Southeast corner of said Section 23.} \]

The area of land to which this description applies contains 73688.66 Sq. feet (1.692 acres), more or less.
Parcel 2 – CAPPED AREA – Company Lake, Southeast Area

A parcel of land in that tract of real property in the North ½ of Section 23, Township 1 North, Range 3 East of the Willamette Meridian, Multnomah County, Oregon, being described as follows:

Commencing at the Northwest Corner of said Section 23, thence S 77°52'37" E, 3510.31 feet to the POINT OF BEGINNING; thence N 81°05'40" W, 100.00 feet; thence N 85°32'48" W, 130.00 feet; thence N 76°34'08" W, 80.00 feet; thence N 12°37'41" E, 15.00 feet; thence S 76°34'08" W, 80.00 feet; thence S 89°37'28" E, 140.00 feet; thence S 78°47'33" E, 91.00 feet; thence S 10°50'38" W, 22.00 feet; to the POINT OF BEGINNING; said point also being N 23°08'37" W, 4914.30 feet from the Southeast corner of said Section 23.

The area of land to which this description applies contains 6121.25 Sq. feet (0.141 acres), more or less.
Parcel 3 - CAPPED AREA – Company Lake, West Area

A parcel of land in that tract of real property in the North 1/2 of Section 23, Township 1 North, Range 3 East of the Willamette Meridian, Multnomah County, Oregon, being described as follows:

Commencing at the Northwest Corner of said Section 23, thence S 75°35'16" E, 1678.96 feet to the POINT OF BEGINNING; thence N 19°16'42" W, 25.00 feet; thence N 0°48'38" E, 100.00 feet; thence N 6°30'32" E, 190.00 feet; thence N 13°26'53" E, 90.00 feet; thence S 77°51'05" E, 22.00 feet; thence S 8°13'52" W, 200.00 feet; thence S 2°33'46" W, 140.00 feet; thence S 13°26'29" E, 50.00 feet; thence S 75°22'39" W, 35.00 feet; to the POINT OF BEGINNING; said point also being N 37°41'08" W, 6113.57 feet from the Southeast corner of said Section 23.

The area of land to which this description applies contains 11660.77 Sq. feet (0.268 acres), more or less.

The basis of bearings for these descriptions is Record of Survey No. 60128, Multnomah County Survey Records.
EXHIBIT B

PARCEL 1
NORTH LANDFILL AREA

POINT OF BEGINNING
PARCEL 1

PARCEL 2
"-" COMPANY LAKE
SOUTHEAST
AREA

POINT OF BEGINNING
PARCEL 2

IN3E14 00100
55.40 ACRES

IN3E23 00100
108.50 ACRES

IN3E23 00200

IN3E23B 00800

IN3E23B 00700

IN3E23 00300

IN3E23 00400

PARCEL 3
COMPANY LAKE,
WEST AREA

POINT OF BEGINNING
PARCEL 3

REYNOLDS METALS
COMPANY
TROUTDALE, OREGON

0 500 1000
Scale in Feet

CH2M HILL
EXHIBIT C

South Wetland Area to be Capped Prior to Development

Easement and Equitable Servitudes
Reynolds Metals Company