

Winn, Kim S (BPA) - DK-7

From: Robert N Lyman [rlyman@chernofflaw.com]
Sent: Friday, May 18, 2012 3:34 PM
To: Winn, Kim S (BPA) - DK-7
Subject: RE: Kim BPA FOIA request

RECEIVED BY BPA FOIA OFFICE THIS DATE: 5/18/12 DUE DATE: 6/18/12
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LOG #
BPA-2012-01355-F

Name: Christine Kim
 No organization provided
Address: Ex 6
Phone:
 No FAX number provided
Email: Ex 6

Description of Request: Any and all documents related to any BPA rights in real property located in the Oak Hills neighborhood in Washington County, Oregon, within an area bounded by NW West Union Rd. to the north, NW Cornell Road to the south, NW 143rd Avenue to the east, and NW Bethany Boulevard to the west ("The Property"). This request includes, but is not limited to, any document which relates even in part to The Property, without regard to whether those documents also relate to other real property. The Property includes, but is not limited to, the approximately 100 foot wide strip of land described on page 394 of plat book 198 located in the land records of Washington County. "Rights" includes, but is not limited to, any rights to enter or use The Property, including, but not limited to, fee ownership, easements, leases, land use agreements, mineral or aerial rights, and any covenants or restrictions to which BPA is a party. For the purposes of this request, the word "documents" shall be given an expansive construction consistent with Federal Rule of Civil Procedure 34. This request includes, but is not limited to: - Any leases, land use agreements, maintenance agreements, deeds, easements, amendments, releases, or other documents relating to The Property, whether recorded or unrecorded. Such documents may be executed by or in favor of Commonwealth Properties, Inc., the Oak Hills Homeowners' Association, Tualatin Hills Parks and Recreation District ("THPRD"), or Metro. Such documents may date back to the 1960s, when the Oak Hills neighborhood was first developed. - Any correspondence with the Oak Hills Homeowners' Association, THPRD, Metro, or any other person or entity regarding the use of any portion of The Property as part of a regional trail system known as the "Westside Trail" or "Westside Regional Trail."

Preferred format: PDF

Type of Requester: Personal

I request a **fee Waiver**

I request a waiver or reduction of fees because my request concerns "the operations or activities of the government" as explained below:

The request concerns BPA's operations with respect to its power line rights-of-way.

I request a waiver or reduction of fees because the disclosure is "likely to contribute" to an understanding of government operations or activities as explained below:

The disclosure is likely to contribute to an understanding of BPA's policies with respect to recreational uses of its power line rights-of-way.

I request a waiver or reduction of fees because an understanding by the general public of the subject is likely to result from disclosure, taking into account my ability and intent to

disseminate the information to the public in a form that can further understanding of the subject matter as explained below:

The disclosure will inform the general public of the feasibility of using BPA's power line rights-of-way to construct public trails. I will disseminate the information to interested stakeholders at community meetings concerning the Westside Trail.

I request a waiver or reduction of fees because the disclosure is likely to contribute "significantly" to public understanding of government operations or activities as explained below:

The disclosure is likely to contribute significantly to public understanding of BPA's stance toward recreational uses of its power line rights-of-way, and whether such stance is consistent with property rights.

I request a waiver or reduction of fees because of a commercial interest that would be furthered by the requested disclosure, and, if so:

The requester has no commercial interest in the disclosure.

I request a waiver or reduction of fees because the magnitude of the identified commercial interest of the requester is sufficiently large, in comparison with the public interest in disclosure, that disclosure is "primarily in the commercial interest of the requester." as explained below:

N/A

If denied a waiver or reduction, I Agree to pay up to **100**