



Fax: (945) 341-5161

Re: OEM request number 0052.

Dear Mr. Robert Marks

The City of New York has received your letter requesting a piece of steel from the September 11, 2001 disaster recovery operations at the site of the former World Trade Center (the "Steel"). In response to your request, the City will provide you with a piece of Steel pursuant to the conditions described below. The Steel may be standardized in size.

Upon return of a countersigned original of this letter by you, the City will begin the process of releasing into your custody a piece of the Steel on the terms described below.

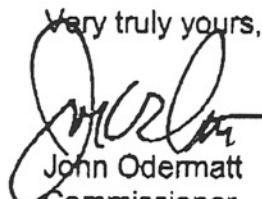
1. The Steel will be used solely for a memorial and/or for a historical (public and educational) purpose;
2. The Steel will not be used for any commercial or financial gain;
3. You will accept the Steel in its "as is" condition and you acknowledge the current state of the World Trade Center site resulting from the September 11, 2001 tragedy and you accept all risk in connection with your use of the Steel;
4. You will be responsible for making all arrangements for transporting and shipping the Steel to your desired location;
5. You will be responsible for any and all costs and expenses associated with the transportation, storing, cleaning of the Steel and any other expenses; and
6. You agree to indemnify and hold harmless the City of New York from and against all claims or expenses including, attorneys fees and court costs, by reason of any liability arising out of or in consequence of the City giving to you and your receipt of, transportation of and use of the Steel intended for a memorial or historical purpose.

Dust and debris adhered to, or contained within cracks or voids in, the Steel surface may contain residual contaminants, including fibrous glass, asbestos or silica. The City of New York recommends that you take appropriate cleaning measures prior to handling the Steel.

In order to make arrangements to pick up a piece of Steel, please contact Terry Sullivan of Bovis contractors at either 212-640-9111 or 646-773-0306. The Steel will be available for pick up from Monday, May 20 to Friday, May 24, 2002. You must make arrangements to pick up the Steel during this time period. Please bring a copy of this letter with you when you pick up the Steel.

Please acknowledge your understanding and agreement with the contents of this letter by having a copy of this letter signed in the space below and faxed to Lai-Sun Yee of my office at 718-422-4657.

Thank you for your cooperation in this matter.

Very truly yours,

John Odermatt
Commissioner

AGREED AND ACCEPTED:

Name and Title

Date

ACKNOWLEDGEMENT OF RECEIPT OF WTC STEEL:

Robert A. Marke, Vice Mayor City of Portland
Name and Title

MAY 16, 2002
Date

JTO:LY:lh