

Grantor's Name and Address:

Multnomah County Library District
 c/o Facilities & Property Management
 Multnomah County
 401 North Dixon
 Portland, Oregon 97227

Multnomah County Official Records
 J.D. Riddle, Deputy Clerk

2024-008986

02/15/2024 11:02:14 AM

EASE-EASE Pgs=7 Stn=67 ATMH
 \$35.00 \$11.00 \$10.00 \$60.00

\$116.00**EASEMENT FOR RIGHT-OF-WAY PURPOSES**

MULTNOMAH COUNTY LIBRARY DISTRICT a district established pursuant to the Multnomah County Charter Chapter 9.10 and voter approved Ballot Measure 26-143, by County Board Order No. 2013-020, dated March 14, 2013 ("Grantor"), for good and valuable non-monetary consideration, the receipt whereof is hereby acknowledged, hereby grants unto the City of Portland, a municipal corporation of the State of Oregon, ("Grantee"), which acquires pursuant to its eminent domain power and authority, an easement for public street and right-of-way purposes in the real property, being particularly described as follows ("Subject Property"):

As described on Exhibit A-1 and Exhibit A-2 and depicted on Exhibit B-1 and Exhibit B-2 attached and incorporated by reference.

All together containing 907 square feet, more or less.

TO HAVE AND TO HOLD, the same easement to the City of Portland for the uses and purposes aforesaid forever.

- A. Grantor represent that, to the best of Grantor's knowledge after appropriate inquiry under the circumstances, the Subject Property complies with all local, State and Federal environmental laws and regulations.
- B. Grantor represent that Grantor has disclosed all knowledge of any release of hazardous substances onto or from the Subject Property and has disclosed any known report, investigation, survey, or environmental assessment regarding the Subject Property in Grantor's possession, including documents in the possession of Grantor's contractors or agents. "Release" and "hazardous substance" have the meaning as defined under Oregon law.
- C. Grantor warrant that, to the best of Grantor's knowledge after appropriate inquiry under the circumstances, there are no underground storage tanks, as defined

R/W #9591

1N1E27AD TL 17201 & 17200

Permit # 23-019037-000-00-CO

After Recording Return to:

Drew Lowder, City of Portland

1120 SW 5th Avenue, Suite 1331

Portland, OR 97204

Tax Statement shall be sent to: No Change

under Oregon law, presently on or under the Subject Property.

- D. It is understood and agreed that the Grantee, by accepting this dedication, is not accepting any liability for any release of hazardous substances onto or from the Subject Property, and that the Grantor is not attempting to convey any such liability.
- E. Subject to the limitations and conditions of the Oregon Constitution and the Oregon Tort Claims Act (ORS 30.260 to 30.300), including (without limitation) specifically subject to and within the financial limits and conditions set forth at ORS 30.272 for local public bodies and at ORS 30.273 for public bodies, Grantor, on behalf of Grantor and of Grantor's successors and assigns, agrees to defend, indemnify, and hold Grantee and its officers, agents, and employees harmless against all liabilities, damages, losses, claims, demands, actions, and suits (including attorney fees and costs) resulting from the presence or release of hazardous substances onto or from the Subject Property. This provision shall not apply to a release of hazardous substances onto or from the Subject Property caused by the officers, agents or employees of the Grantee. Any action taken pursuant to this provision shall not constitute an admission of liability or waiver of any defenses to liability.
- F. Grantor represent and warrant that Grantor has the authority to grant this easement, that the Subject Property is free from all liens and encumbrances that would materially affect the easement grant, and that Grantor and Grantor's successors will defend the same to the Grantee against all claims and demands of all persons whomsoever.
- G. Grantor agree that the consideration recited herein is just compensation for the Subject Property or property rights conveyed, which includes damage to the property remainder, if any, resulting from the acquisition or use of said Subject Property or property rights.
- H. Grantor understands and agrees that if Grantor terminates the development for any reason, and a dedication of right-of-way was required and granted to the Grantee as a condition of the building permit, Grantor is not entitled to the return of the property rights granted to Grantee.

The Multnomah County Library District, a district established by County Board Order No. 2013-020, dated March 14, 2013, acting by and through its Board, approves this conveyance and grants the title conveyed, this 14th day of December, 2023.

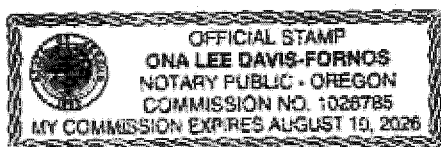
MULTNOMAH COUNTY LIBRARY DISTRICT

By Jessica Vega Pederson
Jessica Vega Pederson, Chair

STATE OF OREGON _____

County of Multnomah _____

This instrument was acknowledged before me on December 14, 2023 by Jessica Vega Pederson, Chair on the Multnomah County Library District, on its behalf.



Ona Lee Davis-Fornos
Notary Public for (state) Oregon
My Commission expires August 10, 2026

APPROVED AS TO FORM:

Approved as to form
by Eric Shaffner
for the City Attorney

City Attorney

APPROVED AS TO FORM:

[Signature]
County Attorney

APPROVED AND ACCEPTED:

David E. McEldowney
Bureau Director

2/15/2024 | 9:08 AM PST

Date

RW#9591



EXHIBIT "A-1"
Easement for Right-of-Way Purposes

Being a strip of land located in Lots 21-26 of Block 17 of "Town of Albina" in the Northeast One-Quarter of Section 27, Township 1 North, Range 1 East, Willamette Meridian, City of Portland, Multnomah County, Oregon, and being more particularly described as follows:

BEGINNING at the intersection of the North line of Lot 24 of Block 17 of said "Town of Albina" with the East right-of-way line of NE Rodney Avenue (50 feet wide right-of-way), said intersection point being marked by a 5/8" iron rod with orange plastic cap stamped "PBS" as shown in Survey No. 68196 of the Multnomah County Survey Records;

Thence South 89°49'52" East, along said North line of Lot 24, 2.00 feet to an angle point;

Thence South 00°12'47" West, parallel with said East right-of-way line, 143.00 feet to a point that is 2.00 feet north of when measured perpendicular to the North right-of-way line of NE Russell Street (61.30 feet wide);

Thence South 89°49'07" East, parallel with said North right-of-way line, 268.02 feet to the East line of Lot 21 of Block 17 of said "Town of Albina";

Thence South 00°12'34" West, along said East line of Lot 21, 2.00 feet to said North right-of-way line of NE Russell Street;

Thence North 89°49'07" West, along said North right-of-way line, 270.02 feet to said East right-of-way line of NE Rodney Avenue;

Thence North 00°12'47" East, 145.00 feet to the **POINT OF BEGINNING**.

The strip of land to which this description applies contains 826 square feet, more or less.

See Exhibit B-1 attached hereto.



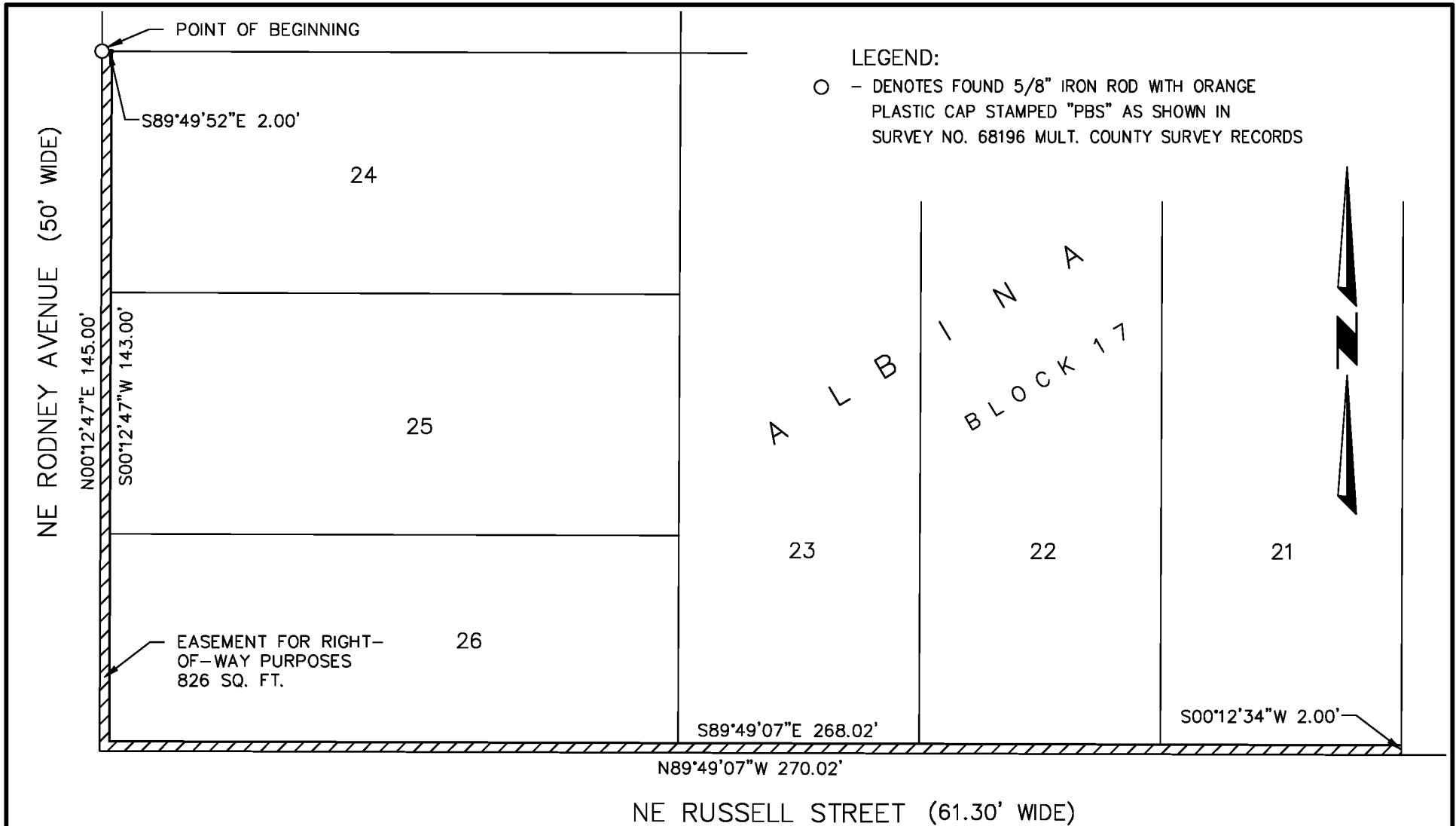


EXHIBIT B-1

LOCATED IN BLOCK 17 OF "TOWN OF ALBINA" IN THE
NE 1/4 OF SECTION 27, T 1 N, R 1 E, W.M.
CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON



DRAWN BY: TLG	SCALE: 1"=30'	2/8/2024
CHECKED BY: TLG	JOB NO.: 15194-913	SHEET 1 OF 1

RW#9591



EXHIBIT "A-2"
Easement for Right-of-Way Purposes

Being a strip of land located in Lots 5-6 of Block 16 of "Town of Albina" in the Northeast One-Quarter of Section 27, Township 1 North, Range 1 East, Willamette Meridian, City of Portland, Multnomah County, Oregon, and being more particularly described as follows:

BEGINNING at the northwest corner of Lot 5 of Block 16 of said "Town of Albina" said corner being on the south right-of-way line of NE Knott Street (51.30 feet wide) and being marked by a 5/8" iron rod with orange plastic cap stamped "PBS" as shown in Survey No. 68196 of the Multnomah County Survey Records;

Thence South 89°50'37" East, along said South right-of-way line, 51.50 feet to an angle point;

Thence South 00°09'23" West, 0.75 feet to an angle point;

Thence North 89°50'37" West, parallel with said South right-of-way line, 51.50 feet to the West line said Lot 5;

Thence North 00°12'39" East, 0.75 feet to the **POINT OF BEGINNING**.

ALSO INCLUDING a strip of land located in Lots 6-7 of Block 16 of "Town of Albina" in the Northeast One-Quarter of Section 27, Township 1 North, Range 1 East, Willamette Meridian, City of Portland, Multnomah County, Oregon, and being more particularly described as follows:

BEGINNING at a point in the South right-of-way line of NE Knott Street (51.30 foot wide right-of-way), that bears South 89°50'37" East, 93.00 feet from a 5/8" iron rod with orange plastic cap stamped "PBS" as shown in Survey No. 68196 of the Multnomah County Survey Records, at the northwest corner of Lot 5 of Block 16 of said "Town of Albina";

Thence South 89°50'37" East, along said South right-of-way line, 57.00 feet to the northeast corner of Lot 7 of said "Town of Albina";

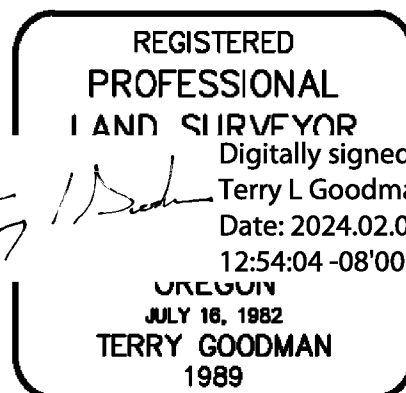
Thence South 00°12'32" West, along the east line of said Lot 7, 0.75 feet to an angle point

Thence North 89°50'37" West, parallel with said South right-of-way line, 57.00 feet to an angle point;

Thence North 00°09'23" East, 0.75 feet to the **POINT OF BEGINNING**.

The strips of land to which this description applies contains 81 square feet, more or less.

See Exhibit B-2 attached hereto.



RENEWAL DATE: 6-30-25

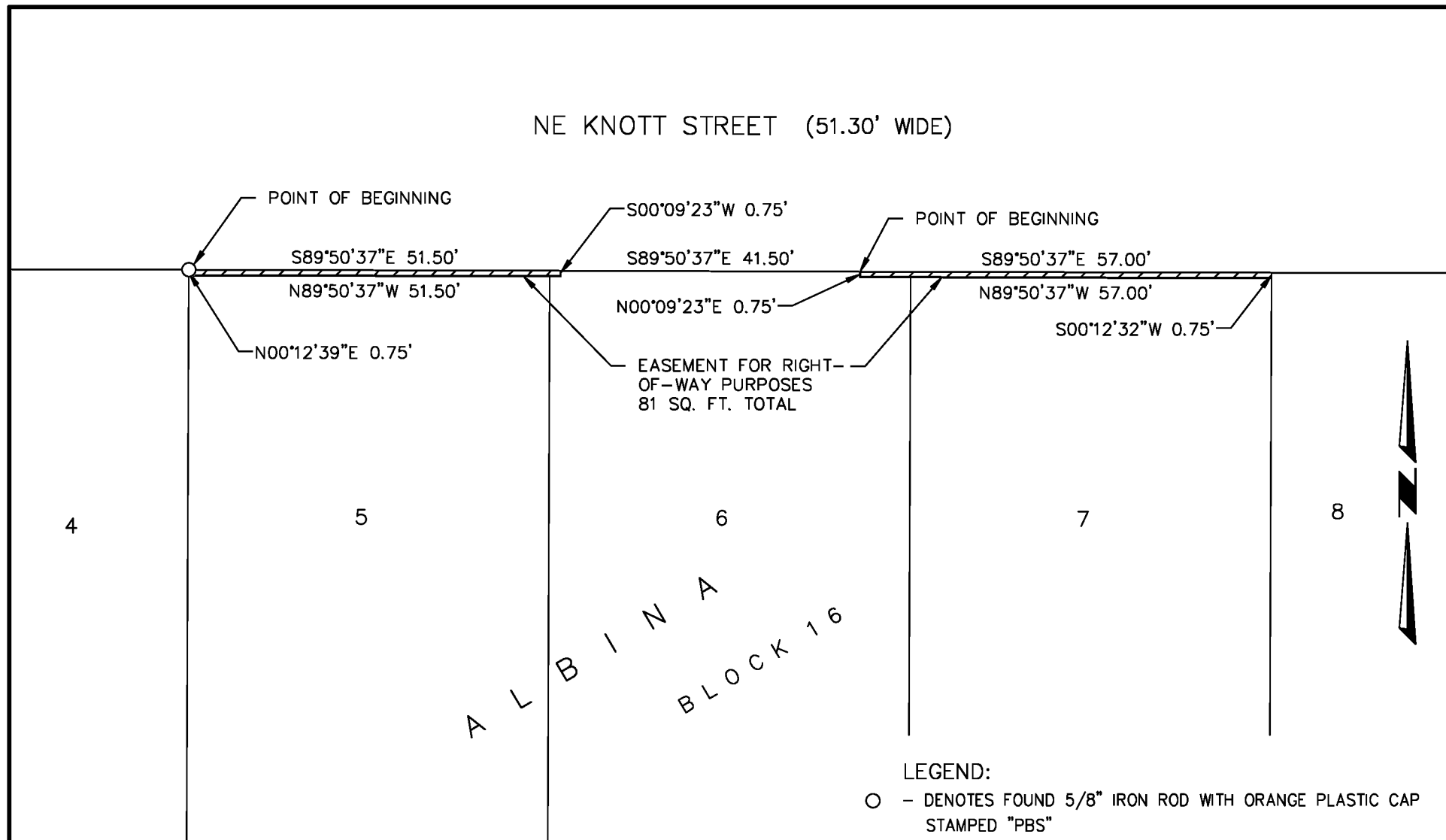


EXHIBIT B-2

LOCATED IN BLOCK 16 OF "TOWN OF ALBINA" IN THE
NE 1/4 OF SECTION 27, T 1 N, R 1 E, W.M.
CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON



DRAWN BY: TLG	SCALE: 1"=20'	2/8/2024
CHECKED BY: TLG	JOB NO.: 15194-913	SHEET 1 OF 1