

Ex.1

151067

Permit of Entry  
To Port of Portland Property  
N. Basin Avenue-N. Going Street Interchange

In order to permit the City of Portland to proceed with the construction of the North Basin Avenue-North Going Street Interchange Project, the undersigned hereby grants to the City of Portland, its employees, agents, or contractors, the right to enter upon the real property described in the attached Exhibit "A".

The undersigned hereby acknowledge that they knowingly and willingly waive the right to have the property appraised, negotiated for, and payment made prior to possession as required the Uniform Relocation Assistance and Real Properties Act of 1970.

Inasmuch as negotiations for the acquisition of said real property have not been completed, this permit is granted to avoid delay in constructing said project.

It is understood that this Permit of Entry will in no way jeopardize our rights as grantors in negotiating a settlement, or in any legal proceeding that may arise from the City's acquisition of said real property.

It is further understood that the City of Portland will either negotiate a settlement or institute condemnation proceedings by ~~January~~ <sup>July, 1</sup> ~~1981~~ <sup>1981</sup>, and that in the event said lands are acquired by eminent domain, interest on any award will commence on the day the City or its agents take physical possession. JCL

The City of Portland agrees to indemnify, defend, and save harmless the Port of Portland for any damages resulting from this permit of entry.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.

CITY OF PORTLAND, by and through  
its City Officials

By \_\_\_\_\_  
Commissioner of Public Works

By \_\_\_\_\_  
City Auditor

APPROVED AS TO FORM  
APPROVED AS TO FORM

By \_\_\_\_\_  
City Attorney CJL  
CITY ATTORNEY

THE PORT OF PORTLAND

By \_\_\_\_\_  
Executive Director

APPROVED AS TO FORM

By \_\_\_\_\_  
Counsel for Port of Portland

## EXHIBIT A

File 51531  
 Port of Portland  
 JS 10-13-80 9B-18-4

Survey Approval Project  
 Section: North Basin Avenue - North Going Street  
 City Streets (Portland)  
 Non-Throughway

## PARCEL 1

A parcel of land lying in the NE $\frac{1}{4}$  of Section 20 and in the NW $\frac{1}{4}$  of Section 21, Township 1 North, Range 1 East, W.M., Multnomah County, Oregon; the said parcel being described as follows:

Beginning at Engineer's Station "An" 25+87.06 on the center line of North Anchor Street extended, said station being on the Northeasterly line of North Lagoon Avenue; thence South 50° 56' 27" East along said Northeasterly line 74.99 feet; thence on a 40 foot radius curve right (the long chord of which bears North 5° 57' West 56.56 feet) 62.82 feet to a line parallel with and 35 feet Southeasterly of said center line; thence North 39° 02' 27" East along said parallel line 231.72 feet; thence North 62° 40' 44" West 71.49 feet to a line parallel with and 35 feet Northwesterly of said center line; thence South 39° 02' 27" West along said last mentioned parallel line 227.17 feet; thence on a 30 foot radius curve right (the long chord of which bears South 84° 03' West 42.43 feet) 47.13 feet to the Northeasterly line of said North Lagoon Avenue; thence South 50° 56' 27" East along said Northeasterly line 65.01 feet to the point of beginning.

ALSO: Beginning at Engineer's Station "An" 33+18.09 on said center line, said station being on the Southwesterly line of North Basin Avenue; thence North 34° 08' 31" West along said Southwesterly line 163.53 feet; thence South 55° 51' 29" West 10 feet to a line parallel with and 10 feet Southwesterly of said Southwesterly line; thence South 34° 08' 31" East along said parallel line 46.84 feet; thence on a 112 foot radius curve right (the long chord of which bears South 2° 26' 58" West 133.53 feet) 143.06 feet to a line parallel with and 35 feet Northwesterly of said center line; thence South 39° 02' 27" West along said last mentioned parallel line 33.89 feet; thence South 37° 47' 12" East 71.89 feet to a line parallel with and 35 feet Southeasterly of said center line; thence North 39° 02' 27" East along said last mentioned parallel line 41.88 feet; thence on a 60 foot radius curve right (the long chord of which bears South 87° 33' 02" East 96.35 feet) 111.86 feet to the Southwesterly line of North Basin Avenue; thence North 34° 08' 31" West along said Southwesterly line 117.38 feet to the point of beginning.

The center line of North Anchor Street extended herein referred to is described as follows:

Beginning at Engineer's center line Station "An" 25+47.06, said station being 1785.61 feet South and 99.88 feet West of the Northwest corner of Section 21, Township 1 North, Range 1 East, W.M.; thence North 39° 02' 27"

(OVER)

East 812.82 feet to Engineer's center line Station "An" 33+59.88.

Bearings are based upon the Oregon Co-ordinate System, North Zone.

The parcel of land to which this description applies contains 31,170 square feet, more or less.

## PARCEL 2

A parcel of land lying in the NE $\frac{1}{4}$  of Section 20 and the NW $\frac{1}{4}$  of Section 21, Township 1 North, Range 1 East, W.M., Multnomah County, Oregon; the said parcel being that portion of said subdivisions lying Easterly of North Anchor Street; Northerly of North Channel Avenue; Westerly of a line at right angles to the center line of said North Channel Avenue at Engineer's Station 47+36 and Southerly and Westerly of the following described line, hereinafter referred to as line "A".

Beginning at a point opposite and 29 feet Northerly of Engineer's Station 47+36 on said center line; thence North  $82^{\circ} 44' 06''$  West parallel with said center line to a point opposite and 17 feet Northerly of Engineer's Station "An2" 19+73.71 on the center line of the connection between North Anchor Street and North Channel Avenue; thence Northerly parallel with said connection center line to a point opposite Engineer's Station "An2" 22+73.39.

ALSO that portion of said NW $\frac{1}{4}$  of Section 21 lying Northerly of North Channel Avenue; Southerly of North Lagoon Avenue; Easterly of a line at right angles to the center line of said North Channel Avenue at Engineer's Station 47+36 and Southerly and Easterly of the following described line, hereinafter referred to as line "B".

Beginning at a point opposite and 29 feet Northerly of Engineer's Station 47+36 on the center line of said North Channel Avenue; thence South  $85^{\circ} 35' 51''$  East 240.30 feet to a point opposite and 41 feet Northerly of Engineer's Station 49+76 on said last mentioned center line; thence on a 54 foot radius curve left (the long chord of which bears North  $23^{\circ} 09' 43''$  East 103.87 feet) 139.68 feet.

The center line of the connection between North Anchor Street and North Channel Avenue herein referred to is described as follows:

Beginning at Engineer's center line Station "An2" 14+99.40, said station being 2290.61 feet South and 294.59 feet East of the Northwest corner of said Section 21; thence North  $82^{\circ} 44' 06''$  West 474.31 feet; thence on a 141 foot radius curve right (the long chord of which bears North  $21^{\circ} 50' 49.5''$  West 246.37 feet) 299.68 feet to Engineer's center line Station "An2" 22+73.39.

The center line of North Channel Avenue herein referred to is described as follows:

(CONTINUED)

File 51531  
Port of Portland  
JS 10-13-80 9B-18-4

Beginning at Engineer's center line Station 42+60.49, said station being 2208.68 feet South and 442.97 feet West of the Northwest corner of said Section 21; thence South  $82^{\circ} 44' 06''$  East 860.92 feet to Engineer's center line Station 51+21.41.

Bearings are based upon the Oregon Co-ordinate System, North Zone.

The parcel of land to which this description applies contains 15,400 square feet, more or less.

### PARCEL 3

A parcel of land lying in the NW $\frac{1}{4}$  of Section 21, Township 1 North, Range 1 East, W.M., Multnomah County, Oregon; the said parcel being that portion of said NW $\frac{1}{4}$  lying Northeasterly of North Lagoon Avenue; Northerly of North Channel Avenue; Westerly of North Basin Avenue and Southerly of the following described line.

Beginning at a point opposite and 26 feet Northerly of Engineer's Station "La3" 50+49.04 on the center line of North Lagoon Avenue; thence Easterly parallel with said center line to a point opposite Engineer's Station "La3" 55+76.61 on said center line, said point also being opposite and 59 feet Northerly of Engineer's Station 55+80 on the center line of North Channel Avenue; thence Easterly parallel with said last mentioned center line to a point opposite Engineer's Station 59+01.80.

The center line of North Lagoon Avenue herein referred to is described as follows:

Beginning at Engineer's center line Station "La3" 50+49.04, said station being 2178.52 feet South and 384.31 feet East of the Northwest corner of Section 21, Township 1 North, Range 1 East, W.M.; thence on a 716.20 foot radius curve left (the long chord of which bears South  $63^{\circ} 18' 13.5''$  East 306.68 feet) 309.07 feet; thence South  $75^{\circ} 40'$  East 53.61 feet; thence on a 5696.35 foot radius curve left (the long chord of which bears South  $76^{\circ} 29' 45''$  East 164.87 feet) 164.89 feet to Engineer's center line Station "La3" 55+76.61.

The center line of North Channel Avenue herein referred to is described as follows:

Beginning at Engineer's center line Station 54+14.15, said station being 2361.54 feet South and 702.05 feet East of the Northwest corner of Section 21, Township 1 North, Range 1 East, W.M.; thence on a 5729.58 foot radius curve left (the long chord of which bears South  $78^{\circ} 25' 02.5''$  East 549.98 feet) 550.19 feet to Engineer's center line Station 59+64.34.

(OVER)

Bearings are based upon the Oregon Co-ordinate System, North Zone.

The parcel of land to which this description applies contains 12,400 square feet, more or less.

#### PARCEL 4

A parcel of land lying in the NW $\frac{1}{4}$  of Section 21, Township 1 North, Range 1 East, W.M., Multnomah County, Oregon; the said parcel being that portion of said NW $\frac{1}{4}$  lying Easterly of North Basin Avenue; Northerly of North Going Street and Southwesterly of the following described line:

Beginning on the Easterly line of North Basin Avenue at a point opposite Engineer's Station "Ba3" 76+70 on the center line of the connection between North Going Street and North Basin Avenue; thence Southeasterly in a straight line to a point opposite and 36 feet Northeasterly of Engineer's Station "Ba3" 78+00 on said center line; thence Southeasterly parallel with said center line to the Westerly line of that property described in that deed to Crow-Spieker-Hqsford-Chadwick #40, recorded October 27, 1977 in Book 1217, Page 1522, Multnomah County Record of Deeds; thence Southerly along said Westerly line to the Southwest corner of said property; thence Southerly at right angles to said center line to a line parallel with and 25 feet Northerly of said center line; thence Easterly along said parallel line to the Northerly line of said North Going Street.

The center line of the connection herein referred to is described as follows:

Beginning at Engineer's Station "Ba3" 76+22.32, said station being 2104.03 feet South 1045.29 feet East of the Northwest corner of Section 21, Township 1 North, Range 1 East, W.M.; thence on a 636.62 foot radius curve left (the long chord of which bears South 56° 16' 12" East 647.60 feet) 679.38 feet to Engineer's center line Station "Ba3" 83+01.70.

Bearings are based upon the Oregon Co-ordinate System, North Zone.

The parcel of land to which this description applies contains 24,800 square feet, more or less.

#### PARCEL 5

A parcel of land lying in the NE $\frac{1}{4}$  of Section 20, Township 1 North, Range 1 East, W.M., Multnomah County, Oregon; the said parcel being that portion of said NE $\frac{1}{4}$  lying Southerly of North Channel Avenue; Northerly of a line parallel with and 43 feet Southerly of the center line of North Channel Avenue and between lines at right angles to said center line at Engineer's Stations 42+40 and 42+60.49 on said center line, which center line is described as follows:

Beginning at Engineer's Station 36+00, said station being 1889.73 feet South and 1000.13 feet West of the Northwest corner of Section 21, Township 1 North, Range 1 East, W.M.; thence South 50° 57' 56" East 353.07 feet; thence on a 520.87 foot radius curve left (the long chord of which bears South 66° 51' 01" East 285.13 feet) 288.81 feet; thence South 82° 44' 06" East 18.61 feet to Engineer's center line Station 42+60.49.

(CONTINUED)

File 51531  
Port of Portland  
JS 10-13-80 9B-13-4

Bearings are based upon the Oregon Co-ordinate System, North Zone.

The parcel of land to which this description applies contains 225 square feet, more or less.

PARCEL 6 - A Permanent Easement for Slopes.

A parcel of land lying in the NE $\frac{1}{4}$  of Section 20 and in the NW $\frac{1}{4}$  of Section 21, Township 1 North, Range 1 East, W.M., Multnomah County, Oregon; the said parcel being that portion of said subdivisions lying between lines at right angles to the center line of North Channel Avenue at Engineer's Stations 44+78 and 48+08 and included in a strip of land 10 feet in width lying Southerly of and adjoining the Southerly line of North Channel Avenue.

The center line of North Channel Avenue herein referred to is described in Parcel 2.

The parcel of land to which this description applies contains 3,300 square feet, more or less.

PARCEL 7 - A Permanent Easement for Slopes.

A parcel of land lying in the NE $\frac{1}{4}$  of Section 20 and in the NW $\frac{1}{4}$  of Section 21, Township 1 North, Range 1 East, W.M., Multnomah County, Oregon; the said parcel being that portion of said subdivisions lying between lines at right angles to the center line of North Lagoon Avenue at Engineer's Stations "La3" 45+16 and "La3" 45+90 and included in a strip of land 10 feet in width, lying Southerly of and adjacent to the Southerly line of North Lagoon Avenue.

The center line of North Lagoon Avenue herein referred to is described as follows:

Beginning at Engineer's center line Station "La3" 44+25.49, said station being 1785.61 feet South and 99.88 feet West of the Northwest corner of Section 21, Township 1 North, Range 1 East, W.M.; thence South 50° 56' 27" East 623.55 feet to Engineer's center line Station "La3" 50+49.04.

Bearings are based upon the Oregon Co-ordinate System, North Zone.

The parcel of land to which this description applies contains 740 square feet, more or less.

PARCEL 8 - A Permanent Easement for Slopes.

A parcel of land lying in the NW $\frac{1}{4}$  of Section 21, Township 1 North, Range 1 East, W.M., Multnomah County, Oregon; the said parcel being that portion of said NW $\frac{1}{4}$  lying Northeasterly of Parcel 4; Northerly of North Going Street and Southerly of the following described line:

(OVER)

Beginning at the Southwest corner of that property described in that deed to Crow-Snieker-Hosford-Chadwick #40, recorded October 27, 1977 in Book 1217, Page 1522, Multnomah County Record of Deeds; thence Easterly in a straight line to the Northerly line of said North Going Street at a point opposite Engineer's Station "Ba3" 82+70 on the center line of the connection between North Going Street and North Basin Avenue, which center line is described in Parcel 4.

The parcel of land to which this description applies contains 1,000 square feet, more or less.

PARCEL 9 - A Permanent Easement for Slopes.

A parcel of land lying in the NE $\frac{1}{4}$  of Section 20 and the NE $\frac{1}{4}$  of Section 21, Township 1 North, Range 1 East, W.M., Multnomah County, Oregon; the said parcel being that portion of said subdivisions lying Easterly of North Anchor Street; Southerly of North Lagoon Avenue; Northerly of North Channel Avenue and included in a strip of land 5 feet in width lying Northerly of and adjoining lines "A" and "B" heretofore described in Parcel 2.

The parcel of land to which this description applies contains 3,900 square feet, more or less.

PARCEL 10 - A Permanent Easement for Signs.

A parcel of land lying in the NW $\frac{1}{4}$  of Section 21, Township 1 North, Range 1 East, W.M., Multnomah County, Oregon; the said parcel being that portion of said NW $\frac{1}{4}$  lying between lines at right angles to the center line of North Basin Avenue at Engineer's Stations "Ba" 72+85 and "Ba" 73+15 and included in a strip of land 20 feet in width, lying Southwesterly of and adjoining the Southwesterly line of said North Basin Avenue.

The center line of North Basin Avenue herein referred to is described as follows:

Beginning at Engineer's center line Station "Ba" 63+00, said station being 1004.12 feet South and 310.27 feet East of the Northwest corner of Section 21, Township 1 North, Range 1 East, W.M.; thence South 34° 08' 31" East 1086.73 feet to Engineer's center line Station "Ba" 73+86.73.

Bearings are based upon the Oregon Co-ordinate System, North Zone.

The parcel of land to which this description applies contains 600 square feet, more or less.

PARCEL 11 - A Permanent Easement for Traffic Control Facility.

A parcel of land lying in the NE $\frac{1}{4}$  of Section 20, Township 1 North, Range 1 East, W.M., Multnomah County, Oregon; the said parcel being that portion of said NE $\frac{1}{4}$  lying Southerly of North Channel Avenue; Northerly of a line parallel with and 90 feet Southerly of the center line of North Channel

(CONTINUED)

File 51531  
Port of Portland  
JS 10-13-80 9B-18-4

Avenue and between lines at right angles to said center line at Engineer's Stations 42+60.49 and 43+00, which center line is described in Parcel 2.

The parcel of land to which this description applies contains 1,580' square feet, more or less.

PARCEL 12 - A Permanent Easement for Traffic Control Facility.

A parcel of land lying in the NE $\frac{1}{4}$  of Section 20, Township 1 North, Range 1 East, W.M., Multnomah County, Oregon; the said parcel being described as follows:

Beginning at the most Easterly Northeast corner of that property described in that deed to the City of Portland, recorded November 13, 1975 in Book 1072, Page 201, Multnomah County Record of Deeds; thence Easterly along the Southerly line of North Channel Avenue 10 feet; thence Southerly at right angles to the Southerly line of said North Channel Avenue 10 feet; thence Westerly parallel with and 10 feet Southerly of said Southerly line to the most Easterly Southeast corner of said City of Portland property; thence Northerly along the Easterly line of said property to the point of beginning.

The parcel of land to which this description applies contains 100 square feet, more or less.

PARCEL 13 -- A Permanent Easement for Drainage.

A parcel of land lying in the NW $\frac{1}{4}$  of Section 21, Township 1 North, Range 1 East, W.M., Multnomah County, Oregon; the said parcel being described as follows:

Beginning at a point opposite and 50.05 feet Southwesterly of Engineer's Station "Ba" 63+79.56 on the center line of North Basin Avenue, said point being 1098.04 feet South and 313.49 feet East of the Northwest corner of Section 21, Township 1 North, Range 1 East, W.M.; thence North 79° 08' 31" West 139.76 feet; thence North 52° 34' 37" West 55.90 feet; thence South 10° 51' 29" West 80 feet; thence North 74° 17' 35" East 55.90 feet; thence South 79° 08' 31" East 134.45 feet; thence South 34° 08' 31" East 50.36 feet; thence on a 112 foot radius curve left (the long chord of which bears North 13° 55' 48" West 72.27 feet) 73.59 feet to the point of beginning.

ALSO that portion of said NW $\frac{1}{4}$  lying Southwesterly of North Basin Avenue; Southeasterly of Parcel 1; Northwesterly of a line at right angles to the "S" center line at Engineer's Station "S" 101+15 and Northeasterly of a line parallel with and 20 feet Southwesterly of said "S" center line.

The center line of North Basin Avenue herein referred to is described as follows:

(OVER)



Beginning at Engineer's center line Station "Ba" 63+00, said station being 1004.12 feet South and 310.27 feet East of the Northwest corner of Section 21, Township 1 North, Range 1 East, W.M.; thence South  $34^{\circ} 08' 31''$  East 1086.73 feet to Engineer's center line Station "Ba" 73+86.73.

The "S" center line herein referred to is described as follows:

Beginning at Engineer's center line Station "S" 200+00, said station being 1198.92 feet South and 375.90 feet East of the Northwest corner of Section 21, Township 1 North, Range 1 East, W.M.; thence South  $34^{\circ} 08' 31''$  East 115 feet to Engineer's center line Station "S" 101+15.

EXCEPT therefrom that portion lying Southwesterly of the following described line:

Beginning at Engineer's Station "An" 31+93 on the center line of North Anchor Street extended, which center line is described in Parcel 1; thence North  $37^{\circ} 47' 12''$  West 400 feet to the terminus of said line.

Bearings are based upon the Oregon Co-ordinate System, North Zone.

The parcel of land to which this description applies contains 7,770 square feet, more or less.

PARCEL 14 - A 3 year Temporary Easement for Slopes.

A parcel of land lying in the NE $\frac{1}{4}$  of Section 20 and the NW $\frac{1}{4}$  of Section 21, Township 1 North, Range 1 East, W.M., Multnomah County, Oregon; the said parcel being described as follows:

Beginning at a point opposite and 94 feet Southeasterly of Engineer's Station "An" 31+71 on the center line of North Anchor Street extended; thence Northerly in a straight line to the Southeasterly line of Parcel 1 at a point opposite Engineer's Station "An" 32+40 on said center line; thence Northwesterly in a straight line to the Westerly line of Parcel 1 at a point opposite Engineer's Station "An" 32+60 on said center line; thence Westerly in a straight line to a point opposite and 94 feet Westerly of Engineer's Station "An" 32+30 on said center line; thence Southwesterly parallel with said center line to a point opposite Engineer's Station "An" 32+15 on said center line; thence Southeasterly in a straight line to the point of beginning.

ALSO: Beginning at a point opposite and 94 feet Southeasterly of Engineer's Station "An" 28+71 on the center line of North Anchor Street extended; thence Northwesterly in a straight line to a point opposite and 94 feet Northwesterly of Engineer's Station "An" 28+32 on said center line; thence Southwesterly parallel with said center line to a point opposite Engineer's Station "An" 26+55; thence Southerly in a straight line to the Northwesterly line of Parcel 1 at a point opposite Engineer's Station "An" 26+10 on said center line; thence Southeasterly in a straight line to

(CONTINUED)

File 51531  
Port of Portland  
JS 10-13-80 9B-18-4

the Southeasterly line of Parcel 1 at a point opposite Engineer's Station "An" 26+20 on said center line; thence Easterly in a straight line to a point opposite and 94 feet Easterly of Engineer's Station "An" 26+60 on said center line; thence Northeasterly in a straight line to the point of beginning.

The center line of North Anchor Street extended herein referred to is described in Parcel 1.

EXCEPT therefrom Parcel 1.

The parcel of land to which this description applies contains 29,200 square feet, more or less.

PARCEL 15 - A 3 year Temporary Easement for Slopes.

A parcel of land lying in the NW $\frac{1}{4}$  of Section 21, Township 1 North, Range 1 East, W.M., Multnomah County, Oregon; the said parcel being that portion of said NW $\frac{1}{4}$  lying Northerly of North Lagoon Avenue; Westerly of North Basin Avenue and included in a strip of land 3 feet in width, lying Northerly of and adjoining the Northerly line of Parcel 3.

The parcel of land to which this description applies contains 1,770 square feet, more or less.

aj/

NOTE: Parcels 1-15 Access Not Controlled.

Ex. 1

File No. 51531

151067

Permit of Entry  
To Port of Portland Property  
N. Basin Avenue-N. Going Street Interchange

In order to permit the City of Portland to proceed with the construction of the North Basin Avenue-North Going Street Interchange Project, the undersigned hereby grants to the City of Portland, its employees, agents, or contractors, the right to enter upon the real property described in the attached Exhibit "A".

The undersigned hereby acknowledge that they knowingly and willingly waive the right to have the property appraised, negotiated for, and payment made prior to possession as required the Uniform Relocation Assistance and Real Properties Act of 1970.

Inasmuch as negotiations for the acquisition of said real property have not been completed, this permit is granted to avoid delay in constructing said project.

It is understood that this Permit of Entry will in no way jeopardize our rights as grantors in negotiating a settlement, or in any legal proceeding that may arise from the City's acquisition of said real property.

It is further understood that the City of Portland will either negotiate a settlement or institute condemnation proceedings by ~~January~~ <sup>July 1,</sup> 1982, and that in the event said lands are acquired by eminent domain, interest on any award will commence on the day the City or its agents take physical possession. *APL*

The City of Portland agrees to indemnify, defend, and save harmless the Port of Portland for any damages resulting from this permit of entry.

Dated this 12 day of December, 19 80.

CITY OF PORTLAND, by and through  
its City Officials

By \_\_\_\_\_  
Commissioner of Public Works

By \_\_\_\_\_  
City Auditor

APPROVED AS TO FORM  
APPROVED AS TO FORM

By City Attorney P. [Signature]  
CITY ATTORNEY *APL*

THE PORT OF PORTLAND

By [Signature]  
Executive Director

APPROVED AS TO FORM

By [Signature]  
Counsel for Port of Portland

## WAIVER OF FIRST RIGHT OF ACQUISITION

By virtue of Oregon Revised Statutes 274.040, The Port of Portland as riparian owner has the first right to purchase submersible land from the State of Oregon described as Parcels I and II:

## PARCEL 1

A parcel of land lying in the northwest 1/4 of Section 21, Township 1 North, Range 1 East, Willamette Meridian, Multnomah County, Oregon; the said parcel being described as follows:

Beginning at Engineer's Station "An" 28+51.50 on the centerline of North Anchor Street extended, said station being 1549.15 feet south and 91.87 feet East of the northwest corner of Section 21, Township 1 North, Range 1 East, Willamette Meridian; thence South 62° 40' 44" East 35.75 feet to a line parallel with and 35 feet Southeasterly of said centerline; thence North 39° 02' 27" East parallel with said centerline 326.05 feet; thence North 37° 47' 12" West 71.89 feet to a line parallel with and 35 feet Northwesterly of said centerline; thence South 39° 02' 27" West parallel with said centerline 356.95 feet; thence South 62° 40' 44" East 35.75 feet to the point of beginning.

The centerline of North Anchor Street extended herein referred to is described as follows:

Beginning at Engineer's centerline Station "An" 25+47.06, said station being 1785.61 feet South and 99.88 feet West of the Northwest corner of Section 21, Township 1 North, Range 1 East, Willamette Meridian; thence North 39° 02' 27" East 812.82 feet to Engineer's centerline Station "An" 33+59.88.

Bearings are based upon the Oregon Co-ordinate System, North Zone.

The parcel of land to which this description applies contains 23,905 square feet, more or less.

#### PARCEL 2

A parcel of land lying in the Northwest 1/4 of Section 21, Township 1 North, Range 1 East, Willamette Meridian, Multnomah County, Oregon; the said parcel being described as follows:

Beginning at Engineer's Station "An" 28+51.50 on the centerline of North Anchor Street extended, said station being 1549.15 feet South and 91.87 feet East of the Northwest corner of Section 21, Township 1 North, Range 1 East, Willamette Meridian; thence South 62° 40' 44" East 71.49 feet to a line parallel with and 70 feet Southeasterly of said centerline; thence North 39° 02' 27" East parallel with said centerline 310.6 feet; thence North 37° 47' 12"

West 143.78 feet to a line parallel with and 70 feet Northwesterly of said centerline; thence South  $39^{\circ} 02' 27''$  West parallel with said centerline 372.4 feet; thence South  $62^{\circ} 40' 44''$  East 71.49 feet to the point of beginning.

The center line of North Anchor Street extended herein referred to is described in Parcel 1.

EXCEPT therefrom Parcel 1.

Bearings are based upon the Oregon Co-ordinate System, North Zone.

The parcel of land to which this description applies contains 23,905 square feet, more or less.

The Port by this instrument waives its first right of acquisition from the State of Oregon to the City of Portland on the above-described Parcel I (road) and Parcel II (slopes) on the condition that the Port have the sole right to purchase Parcel II (slopes) or any part thereof from the City at such time as the land

is no longer needed for lateral support of Parcel I and such land is available for sale. Price for Parcel II shall be the same as paid by City to State.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 1981.

\_\_\_\_\_  
Executive Director

Approved as to form:

\_\_\_\_\_  
Counsel

Accepted:

CITY OF PORTLAND

\_\_\_\_\_  
DATE:  
\_\_\_\_\_

APPROVED AS TO FORM  
Approved as to form:

*Christopher P. Torres*  
\_\_\_\_\_  
CITY ATTORNEY  
City Attorney

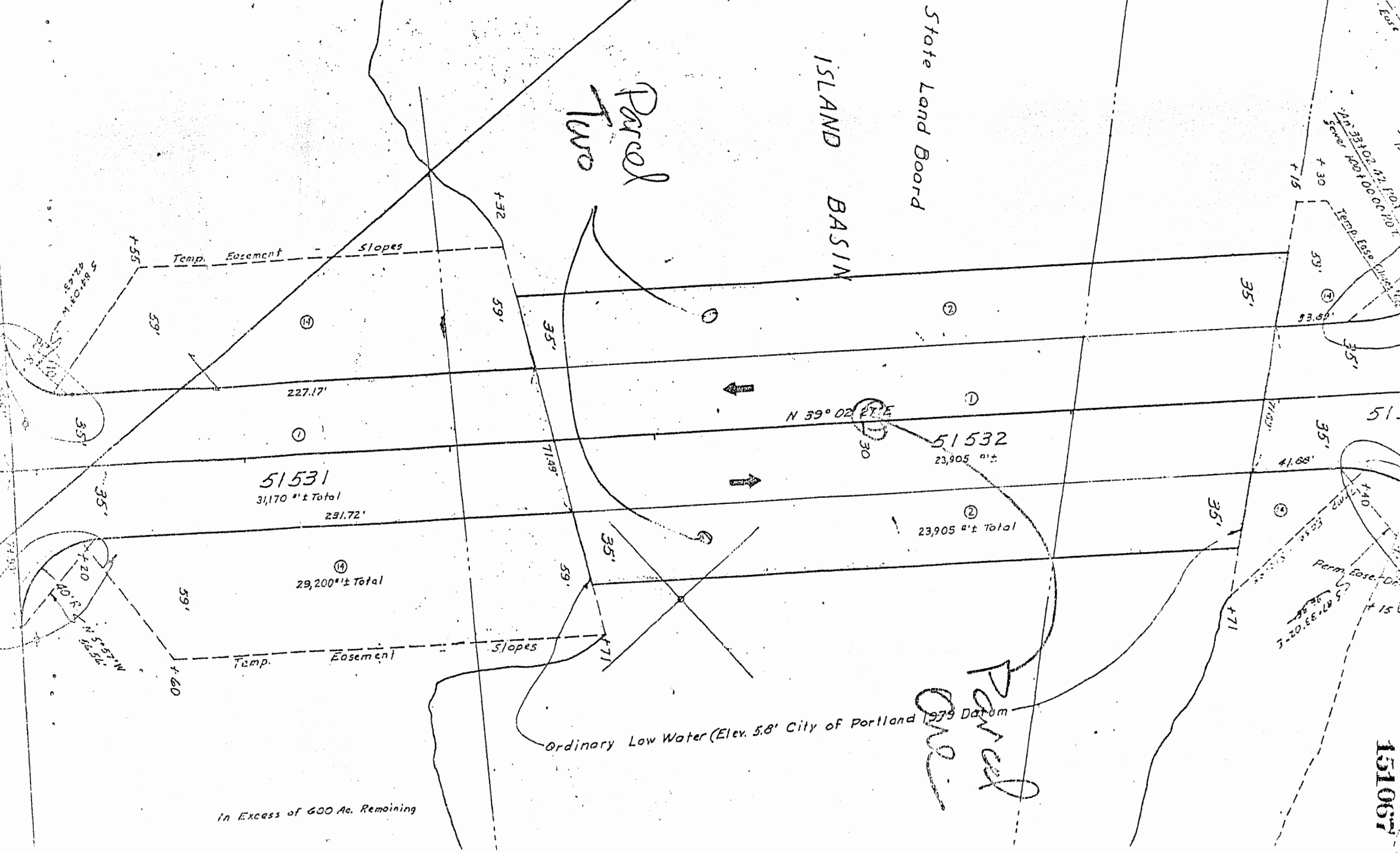
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State Land Board

ISLAND BASIN

Parcel Two

Parcel One



In Excess of 600 Ac. Remaining

151067



151067

An Ordinance authorizing the execution of a permit of entry permitting access to Port of Portland property and the execution of a waiver allowing the City to acquire certain submersible lands from the State, both instruments in connection with the North Basin Avenue -- North Going Street interchange project, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. That in order to permit the City to proceed with the construction of the North Basin Avenue -- North Going Street interchange project, it is necessary to be allowed access to certain real property owned by the Port of Portland. Presently negotiations for the purchase of this property are underway, but have not been concluded and, it is necessary to execute a temporary permit of entry permitting the City access to the property for construction purposes. Said permit is marked as Exhibit 1 attached hereto and by this reference made a part hereof.
2. That also in conjunction for the North Basin Avenue -- North Going Street interchange project, there will be filling of certain submersible lands presently owned by the State of Oregon of which, the Port of Portland has the first right to acquire them from the State. Due to the fact that this is a City street project, the Port has agreed to waive its right of acquisition of such lands from the State in favor of the City. Said waiver is marked Exhibit 2 attached hereto and by this reference incorporated herein.

NOW, THEREFORE, the Council directs:

- a. That the Commissioner of Public Works and the Auditor are hereby authorized to execute a permit of entry substantially in accordance with the form of permit of entry marked as Exhibit 1 and attached hereto.
- b. Further, the Commissioner of Public Works is hereby authorized to accept on behalf of the City a

## ORDINANCE No.

waiver of the first right of acquisition of certain real property, marked Exhibit 2 and attached hereto.

Section 2. The Council declares that an emergency exists because any delay in the execution of the permit of entry and the acceptance of the waiver of the first right of acquisition of the real property would be detrimental to the completion of the construction of the North Basin Avenue - North Going interchange project; therefore this ordinance shall be in force and effect from and after its passage by the Council

Passed by the Council, FEB 12 1981

Commissioner Lindberg

RCI:djt  
1-21-81

Attest:

*Singer Gulinski*  
Auditor of the City of Portland

Calendar No. <sup>389</sup>~~281~~

# ORDINANCE No. 151067

## Title

An Ordinance authorizing the execution of a permit of entry permitting access to Port of Portland property and the execution of a waiver allowing the City to acquire certain submersible lands from the State, both instruments in connection with the North Basin Avenue - North Going Street interchange project, and declaring an emergency.

FEB 4 1981

CONTINUED TO FEB 5 1981  
FEB 5 1981

CONTINUED TO FEB 12 1981

JAN 30 1981

Filed \_\_\_\_\_

GEORGE YERKOVICH

Auditor of the CITY OF PORTLAND

By Gordon C. Coe  
Deputy

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Jordan		
Lindberg		
Schwab		
Ivancie		

FOUR-FIFTHS CALENDAR	
Jordan	
Lindberg	
Schwab	
Ivancie	

INTRODUCED BY
Commissioner Lindberg

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration
Safety
Utilities
Works <i>ML/MS</i>

BUREAU APPROVAL
Bureau: Street & Structural Engineering
Prepared By: RCI:djf      Date: 1-21-81
Budget Impact Review: <input type="checkbox"/> Completed <input checked="" type="checkbox"/> Not required
Bureau Head:

CALENDAR
<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Regular

NOTED BY
City Attorney
City Auditor
City Engineer