

Grantor's Name & Address:
FDC Management Co., LLC
1300 SW 5th Ave., #3000
Portland, OR 97201

Multnomah County Official Records
E Murray, Deputy Clerk

2022-010087

01/27/2022 10:29:15 AM

EASE-EASE Pgs=5 Stn=53 ATAA
\$25.00 \$11.00 \$10.00 \$60.00

\$106.00

SEWER EASEMENT

FDC Management Co., LLC, an Oregon limited liability company ("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"), a perpetual easement ("this Easement") for the purpose of laying down, constructing, reconstructing, operating, inspecting, monitoring and maintaining a sewer or sewers, and appurtenances, through, under, over and along the following described parcel ("the Easement Area"):

As described on Exhibit A and depicted on Exhibit B attached hereto and by this reference made a part hereof.

Containing 948 square feet.

IT IS UNDERSTOOD and agreed that:

- A. No other utilities, buildings, facilities, easements, material storage, grade changes or tree planting will be allowed within the Easement Area without the prior written consent of the Director of the Bureau of Environmental Services. Landscaping which by its nature is shallow-rooted and may be easily removed to permit access to the sewer lines and facilities authorized by this Easement shall not require consent.
- B. This Easement includes a right of access for Grantee and its contractors and agents for construction, inspection, maintenance, and other sewerage system activities.
- C. Grantor reserves all other rights not conveyed herein, but will not exercise said rights in any manner that would be inconsistent or interfere with or materially affect the rights herein granted.
- D. This Easement shall bind the heirs and assigns of Grantor and shall inure to the benefit of the successors in title of Grantee.

R/W #8461

BES #EP231

1S1E09BA TL 3900

After Recording Return to:

Lance Lindahl, City of Portland

1120 SW 5th Avenue, Suite 1331

Portland, OR 97204

Tax Statement shall be sent to: No Change

- E. Grantor represents and warrants that it has the authority to grant this Easement, that the Easement Area is free from all liens and encumbrances that would materially affect the easement grant, and that it will defend the same to Grantee against the lawful claims and demands of all persons whomsoever.
- F. This Easement is granted pursuant to the exercise of the eminent domain power and authority of Grantee, with the consideration paid by Grantee accepted as just compensation for the property or property rights conveyed, which includes damage to the property remainder, if any, resulting from the acquisition or use of said property or property rights.
- G. Grantor represents that to the best of its knowledge, after appropriate inquiry under the circumstances, the Easement Area is in compliance with all local, State and Federal environmental laws and regulations.
- H. Grantor represents that it has disclosed all knowledge of any release of hazardous substances onto or from the Easement Area and disclosed any known report, investigation, survey or environmental assessment that may provide information relevant to the Easement Area. "Release" and "hazardous substance" shall have the meaning as defined under Oregon law.
- I. Grantor warrants that there are no underground storage tanks, as defined under Oregon law, presently on or under the Easement Area.
- J. Grantee, by accepting this Easement, is not accepting liability for any preexisting release of hazardous substances onto or from the Easement Area, and Grantor is not attempting to convey any such liability.

IN WITNESS WHEREOF, FDC Management Co., LLC, an Oregon limited liability company, pursuant to its Articles of Organization, duly and legally adopted, has caused these presents to be signed by its Member/Manager, this 12th day of January, 2018.

FDC Management Co., LLC
AN OREGON LIMITED LIABILITY COMPANY

By:

Thomas Fallon
Member/Manager

STATE OF Oregon

County of Multnomah

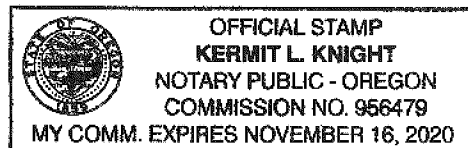
This instrument was acknowledged before me on January 12th, 2018, by Thomas Fallon as a Member/Manager of FDC Management Co., LLC, an Oregon limited liability company.

[Signature]
Notary Public for Oregon

My Commission expires November 16, 2020

APPROVED AS TO FORM
APPROVED AS TO

Mary Riva 1/18/18
City Attorney CITY ATTORNEY



APPROVED:

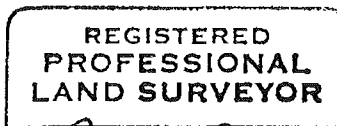
[Signature]
Bureau of Environmental Services Director
or designee

EXHIBIT "A"
LEGAL DESCRIPTION
SEWER EASEMENT

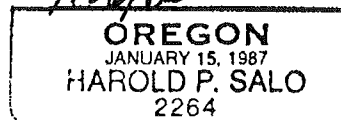
A tract of land situated in the Northeast and Northwest one-quarters of Section 9, Township 1 South, Range 1 East of the Willamette Meridian, City of Portland, Multnomah County, Oregon, being more particularly described as follows:

Beginning at the centerline terminus of vacated SW Porter Street, Vacation Order No. 175882 recorded in Fee No. 2001-161929, Multnomah County Deed records, and which Point of Beginning bears North 00°04'35" East, a distance of 30.00 feet from the northeast corner of Lot 4, Block 101, PORTLAND CITY HOMESTEAD; thence North 89°55'25" West along said centerline of vacated SW Porter Street, a distance of 75.00 feet; thence leaving said centerline, North 17°35'39" East, a distance of 13.63 feet; thence South 89°55'25" East, a distance of 70.89 feet to the northerly extension of the east line of said Lot 4, Block 101, thence South 00°04'35" West, a distance of 13.00 feet to the **Point of Beginning**.

Containing 948 square feet.



A handwritten signature in dark ink, appearing to read "H. Salo", written over the signature line of the stamp.



EXPIRES: 6/30/18

ANDY PARIS & ASSOCIATES, INC.
16057 BOONES FERRY ROAD
LAKE OSWEGO, OREGON 97035
PH: 503-636-3341
www.andyparis.com

EXHIBIT B

SEWER EASEMENT

IN THE NE 1/4 SECTION 9, T.1S., R.1E., W.M.

CITY OF PORTLAND

MULTNOMAH COUNTY, OREGON

DECEMBER 15, 2017



MAP 1S 1E 9BA
TAX LOT 3900

BLOCK 112

MAP 1S 1E 9AB
TAX LOT 6300

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Harold P. Salo

OREGON
JANUARY 15, 1987
HAROLD P. SALO
2264

EXPIRES: JUNE 30, 2018

(SINCE 1952)

ANDY PARIS AND ASSOCIATES, INC.

PROFESSIONAL LAND SURVEYORS

16057 BOONES FERRY ROAD
LAKE OSWEGO, OREGON 97035

PH: 503-636-3341

www.andyparis.com

PROJECT: 98133

DRAWING: 98133SS-10-06-17.DWG

DRAFTED: HPS 10/06/17

SW PORTER ST

VACATED ORDER NO. 175882
2001-161929

N17°35'39"E
13.63'

S89°55'25"E 70.89'

75.00'

N 89°55'25" W

SEWER EASEMENT
948 SQ. FT.

MAP 1S 1E 9BD
TAX LOT 100

PORTLAND CITY HOMESTEAD

BLOCK 101

SW 12TH AVE.

BLOCK 102

NOT TO SCALE