

Grantor's Name and Address:
Tri-County Metropolitan Transportation
District of Oregon
Attn: Real Property Department
1800 SW 1st Avenue, Suite 200
Portland, OR 97201

Multnomah County Official Records
E Murray, Deputy Clerk

2022-044316

04/29/2022 09:02:17 AM

EASE-EASE Pgs=5 Stn=13 ATPV
\$25.00 \$11.00 \$10.00 \$60.00

\$106.00

EASEMENT FOR RIGHT-OF-WAY PURPOSES

Tri-County Metropolitan Transportation District of Oregon ("Grantor"), in consideration of the receipt of 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 and depicted on Exhibit B attached and incorporated by reference.

Contains 1,570 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 represents 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 represents 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. "Release" and "hazardous substance" have the meaning as defined under Oregon law.
- C. Grantor warrants that there are no underground storage tanks, as defined under Oregon law, presently on or under the Subject Property.

R/W # 9191-2

1N2E33DB TL 1201

After Recording Return to:

Kara Campbell, City of Portland

1120 SW 5th Avenue, Suite 1331

Portland, OR 97204

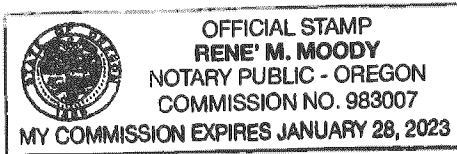
Tax Statement shall be sent to: No Change

- 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. Grantor, on behalf of itself and of its 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 represents and warrants 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 agrees 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. The right of repurchase has been waived pursuant to ORS 35.385(1)(b).

This section is intentionally left blank.

IN WITNESS WHEREOF, the Grantor above named, has hereunto set its hand this 5
day of April, 2022.

TRI-COUNTY METROPOLITAN TRANSPORTATION
DISTRICT OF OREGON



By: [Signature]
Its: Director of Real Estate

STATE OF OREGON

County of MULTNOMAH

This instrument was acknowledged before me on APRIL 5, 2022,
by LANCE E. [Signature] as DIRECTOR OF REAL ESTATE of Tri-County Metropolitan
Transportation District of Oregon

[Signature]
Notary Public for OREGON
My Commission expires 01-28-2023

APPROVED AS TO FORM:

Adrienne DelCotto

City Attorney

APPROVED AND ACCEPTED:

David E. McEldowney

4/28/2022 | 6:43 PM PDT

Bureau Director

Date

R/W # 9191-2
NE 97TH AVENUE PHASE II LID
1N2E33DB-1201
EASEMENT FOR RIGHT-OF-WAY PURPOSES

EXHIBIT A

A portion of that tract of land conveyed by deed to TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON, recorded in Document Number 2002-075792, Multnomah County Deed Records, situated in the Southeast One-Quarter of Section 33, Township 1 North, Range 2 East of the Willamette Meridian, City of Portland, County of Multnomah, State of Oregon, being more particularly described as follows:

BEGINNING at the intersection of the Westerly Right-of-Way line of NE 97th Avenue (25.00 feet from centerline) and the Northerly Right-of-Way line of E Burnside Street (47.00 feet from centerline);

Thence, along said Northerly Right-of-Way line, North 89°36'31" West, a distance of 19.98 feet to the point of a non-tangent curve to the right, of which the radius point lies North 29°55'32" East, a radial distance of 175.00 feet;

Thence, leaving said Right-of-Way line and Northwesterly along the arc, through a central angle of 26°31'47", a distance of 81.03 feet with a chord bearing North 46°48'35" West and a chord distance of 80.31 feet;

Thence, South 65°41'31" East, a distance of 86.55 feet to the Westerly Right-of-Way line of NE 97th Avenue;

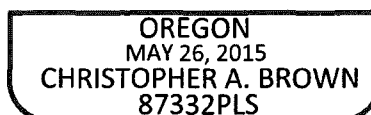
Thence, along said Westerly Right-of-Way line, South 01°00'29" West, a distance of 19.48 feet to the Northerly Right-of-Way line of E Burnside Street, also being the POINT OF BEGINNING.

Containing 1,570 square feet.

Job # 40903
May 4, 2021

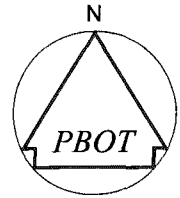


Chris Brown

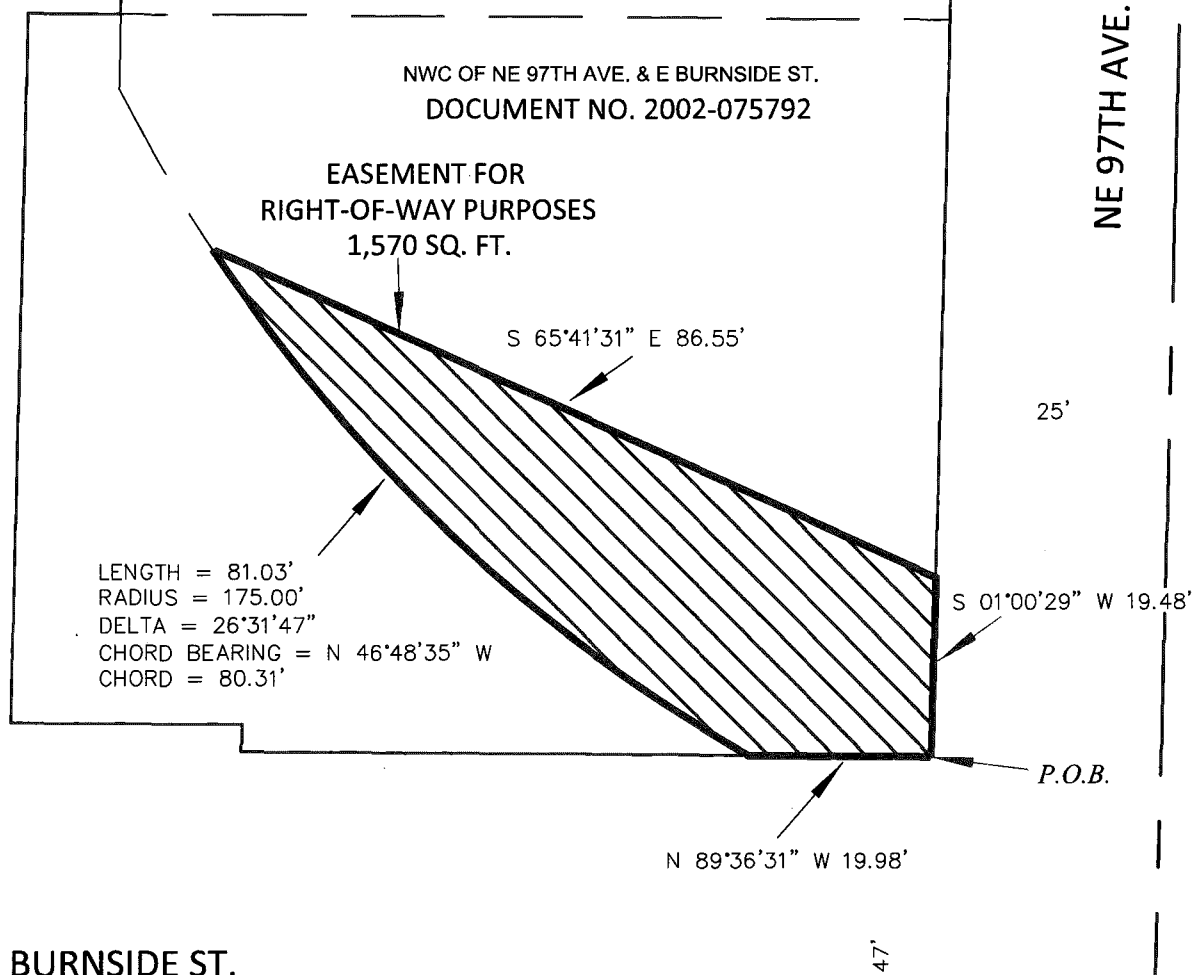


EXPIRES 12-31-2021

EXHIBIT B



SCALE: 1" = 20'



R/W# 9191-2	PROJ# 40903	NE 97th AVENUE PHASE II LID	PREPARED BY: CAB	DATE: 5/4/2021
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SURVEY SECTION
1120 S.W. 5TH AVE., SUITE 1331
PORTLAND, OREGON 97204
PHONE 503-823-7150

EASEMENT FOR RIGHT-OF-WAY PURPOSES
TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON
NWC OF NE 97TH AVE. & E BURNSIDE ST.
1N2E33DB-1201

PBOT
PORTLAND BUREAU OF TRANSPORTATION