

Multnomah County Official Records  
E Murray, Deputy Clerk

**2023-026814**

05/03/2023 10:02:47 AM

EASE-EASE Pgs=5 Stn=10 ATCG  
\$25.00 \$11.00 \$10.00 \$60.00

**\$106.00**

**Grantor's Name and Address:**

Shelley A Darcy  
6505 SE 57<sup>th</sup> Avenue  
Portland, OR 97206

**EASEMENT FOR RIGHT-OF-WAY PURPOSES**

**Shelley A Darcy**, ("Grantor"), in consideration of the sum of Seven Hundred Four and 40/100 Dollars (\$704.40), and other good and valuable 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 10 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 #9404-66  
1S2E19AB TL 00100

After Recording Return to:  
Heather Key, 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 Grantors 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).

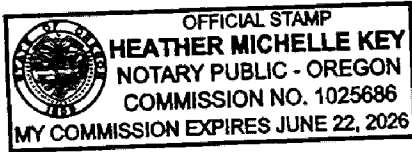
*This section is intentionally left blank.*

IN WITNESS WHEREOF, the Grantors above named has hereunto set their hands  
this 27<sup>th</sup> day of April, 2023

[Signature]  
SHELLEY A DARCY

STATE OF Oregon  
County of Multnomah

This instrument was acknowledged before me on April 27<sup>th</sup>, 2023 by Shelley A Darcy.



[Signature]  
Notary Public for (state) Oregon  
My Commission expires 6-22-26

APPROVED AS TO FORM:

Approved as to form  
by Eric Shaffner  
\_\_\_\_\_  
City Attorney for the City Attorney

APPROVED AND ACCEPTED:

David E. McEldowney 5/2/2023 | 8:36 PM PDT  
\_\_\_\_\_  
Bureau Director Date

**EXHIBIT A**

**BRENTWOOD-DARLINGTON BIKE PED IMPROVEMENTS**

**R/W# 9404-66**

**EASEMENT FOR RIGHT OF WAY PURPOSES**

**1S2E19AB-00100**

A portion of that tract of land conveyed by deed to Shelley A. Darcy in document 2013-122204 Multnomah County Deed Records, situated in the Northwest one-quarter of the Northeast one-quarter of Section 19, Township 1 South, Range 2 East of the Willamette Meridian in the City of Portland, County of Multnomah and State of Oregon, more particularly described as follows:

**BEGINNING** at the Northeast corner of Lot 4, Block 2, plat of "Giltner-White Park", plat book 994, page 7, Multnomah County Survey Records;

Thence, along the east line of said Lot 4, South 00°17'19" East, a distance of 4.50 feet;

Thence, leaving said east line, North 45°09'04" West, a distance of 6.38 feet, to a point on the north line of said Lot 4;

Thence, along said north line, North 89°59'11" East, a distance of 4.50 feet, to the **POINT OF BEGINNING**.

Containing 10 square feet.

Project No. 1363

May 24, 2022

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

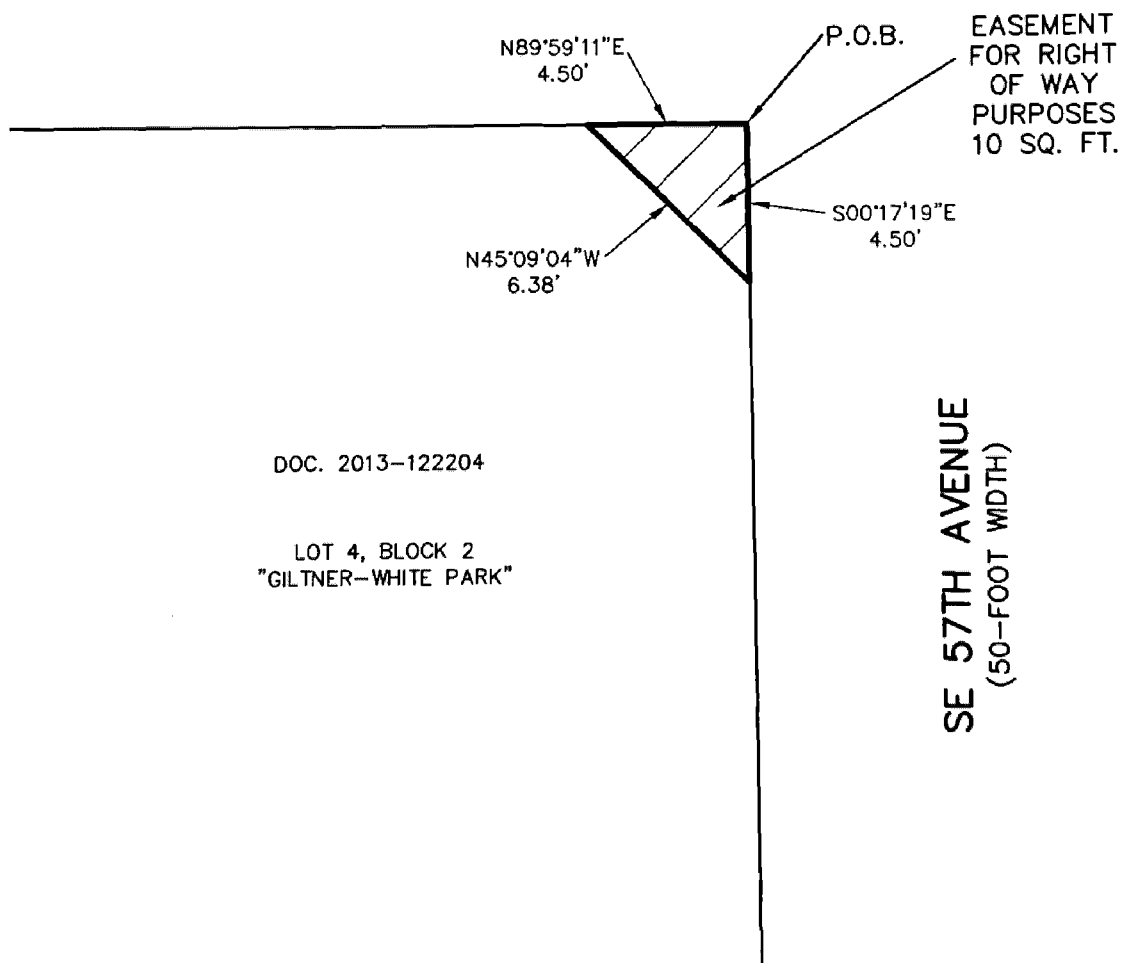
**Digitally Signed**

OREGON  
July 15 2003  
JOHN T. CAMPBELL  
60070

RENEWS: 12/31/2023

# EXHIBIT "B"

**SE DUKE STREET**  
(60-FOOT WIDTH)



DOC. 2013-122204  
LOT 4, BLOCK 2  
"GILTNER-WHITE PARK"

**SE 57TH AVENUE**  
(50-FOOT WIDTH)



SCALE  
1" = 5'

R/W# 9404-66	EASEMENT FOR RIGHT OF WAY PURPOSES	PREPARED BY: MPS
PROJ# 1363	PROJ. NAME: BRENTWOOD DARLINGTON BIKE PED IMPROV.	DATE: 5/24/2022
205 SE SPOKANE STREET SUITE 200 PORTLAND, OR 97202 PHONE: 503-221-1131	SHELLEY A. DARCY 6505-6509 SE 57TH AVENUE 1S2E19AB-00100	<b>HHPR</b> HARPER HOUF PETERSON RIGHELLIS INC.