



\$56.00

00824170201100478080050052

04/21/2011 01:27:23 PM

IR-D ROAD/P

Cnt=1 Stn=11 RECCASH2

\$25.00 \$11.00 \$15.00 \$5.00

## DEED FOR RIGHT-OF-WAY PURPOSES

KNOW ALL PERSONS BY THESE PRESENTS, that **School District No. 1, Multnomah County, Oregon**, Grantor, in consideration of the sum of One and no/100 Dollars, (\$1.00) and other good and valuable consideration, to it paid by the City of Portland, a municipal corporation of the State of Oregon, the receipt whereof is hereby acknowledged, hereby conveys unto the City of Portland, which purchases 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 hereto and by this reference made a part hereof.

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 its knowledge after appropriate inquiry under the circumstances, the subject property is in compliance with all local, State and Federal environmental laws and regulations.
- B. Grantor represents that it has disclosed all knowledge of any release of hazardous substances onto or from the subject property, and disclosed any known report, investigation, survey, or environmental assessment regarding the subject property. "Release" and "hazardous substance" shall have the meaning as defined under Oregon law.

R/W # 7216

1N2E28 TL 300

After Recording Return to :

106/800/David Kuhnhausen

Tax Statement shall be sent to:

No Change

- C. Grantor warrants that there are no underground storage tanks, as defined under Oregon law, presently on or under the subject property.
- D. It is understood and agreed that the City, 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 of the Oregon Constitution and Oregon Tort Claims Act (ORS 30.260 through 30.300), Grantor, its successors and assigns, agrees to defend, indemnify and hold harmless the City, its officers, agents, and employees 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 City. 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 it 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 its successors will defend the same to the City 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.

IN WITNESS WHEREOF, School District No. 1, Multnomah County, Oregon, pursuant to a resolution of its Board of Directors, duly and legally adopted, has caused these presents to be signed by Gregory MacCrone as Deputy Clerk this 24<sup>th</sup> day of March, 2011.

SCHOOL DISTRICT NO. 1, MULTNOMAH COUNTY,  
OREGON

By: \_\_\_\_\_

Gregory MacCrone, Deputy Clerk

STATE OF OREGON

County of Multnomah

This instrument was acknowledged before me on March 24, 2011, by Gregory MacCrone as Deputy Clerk of School District No. 1, Multnomah County, Oregon.



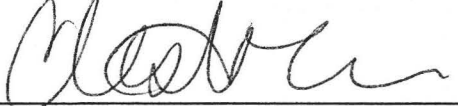
Glenys Rogers  
Notary Public for Oregon  
My Commission expires 9/26/2011

Approved as to form:

**APPROVED AS TO FORM**

  
City Attorney **CITY ATTORNEY**

Approved:

  
City Engineer or designee

7216/DEDICATION.DOC

Summit Land Surveyors, LLC  
PO Box 230149  
Tigard, OR 97281  
Phone & Fax 503.928.5589  
www.summitlandsurveyors.com



February 10, 2011

**EXHIBIT A**

**5 Foot Wide Right of Way Dedication - RWA # 1216**

**Basis of Bearings:**

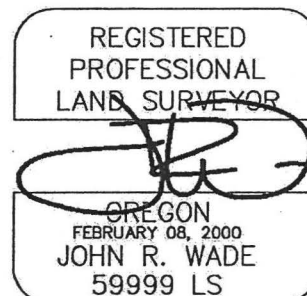
The bearings noted hereon are based upon the Oregon State Plane Grid System.

**Legal Description:**

A 5.00 foot wide strip of land located within those parcels of land described in Book 1532, Page 151 and in Book 1532, Page 155, situated in the Southeast  $\frac{1}{4}$  of Section 28, Township 1 North, Range 2 East of the Willamette Meridian, Multnomah County, the State of Oregon, more particularly described as follows:

Beginning at a  $\frac{1}{2}$ " Iron Rod found on the south Right of Way line of NE Thompson Street (Rd 2089), at the Northwest corner of Lot 14, "Melosa", which bears S02°16'22"W, 25.00 feet from a Rail Road Spike found in the center of said NE Thompson Street; thence along the westerly line of said Lot 14, S 02°16'22" W, 5.00 feet; thence leaving said westerly line, parallel with and 30.00 feet southerly of the centerline of said NE Thompson Street, N 87°47'08" W, 294.99 feet; thence N 02°12'52" E, 5.00 feet to a point on the south right of way line of said NE Thompson Street; thence along said south right of way line, parallel with and 25.00 feet southerly of the centerline thereof, S 87°47'08" E, 295.00 feet, to the point of beginning.

Containing: 1,475 Sq.Ft. of land.



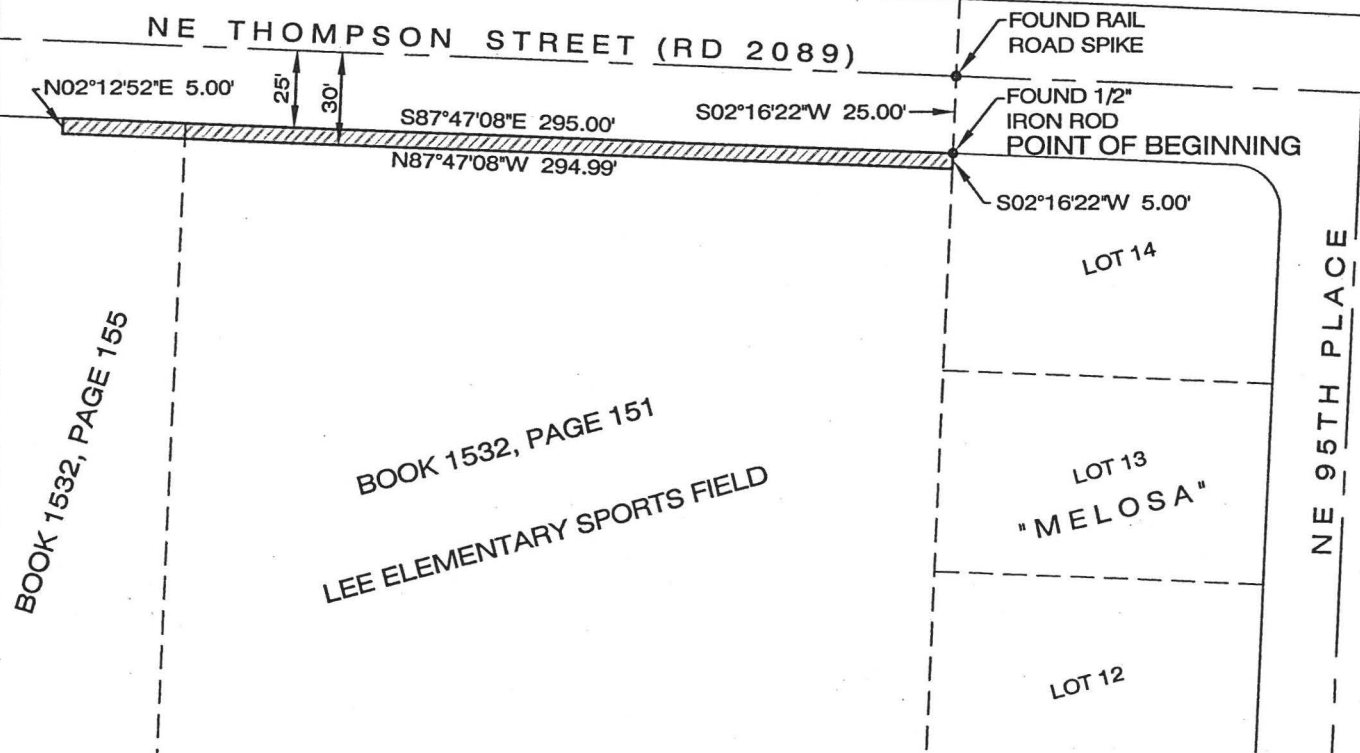
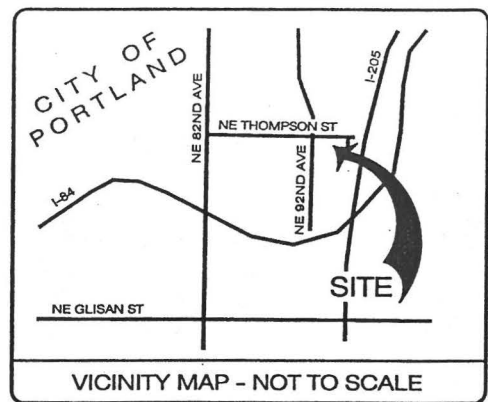
EXPIRES: 06/30/12



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
FEBRUARY 08, 2000  
JOHN R. WADE  
59999 LS

EXPIRES: 06/30/12



 Dedication Area



## EXHIBIT B - ROW DEDICATION - RWA #7216

SITUATED IN THE SOUTHEAST 1/4 OF SECTION 28,  
TOWNSHIP 1 NORTH, RANGE 2 EAST, WILLAMETTE MERIDIAN,  
CITY OF PORTLAND, COUNTY OF MULTNOMAH, STATE OF OREGON

JOB NO.: <b>141-001</b>	DATE: <b>02/10/11</b>	SCALE: <b>1"=60'</b>	PREPARED FOR: <b>PORTLAND PUBLIC SCHOOL DISTRICT</b>
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