

**Grantor's Name and Address:**

Steven Zwierzynski  
P.O. Box 14906  
Portland, OR 97293-0906

Multnomah County Official Records  
E Murray, Deputy Clerk

2020-000234



\$97.00

02426845202000002340040046

01/02/2020 12:53:31 PM

EASE-EASE  
\$20.00 \$11.00 \$60.00 \$6.00

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

**Steven Zwierzynski** ("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"), 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"):

A strip of land over and across a portion of Lot 5, Block 1 in the duly recorded Plat of "Mandy Lane" situated in the southwest one-quarter of Section 05, T1S, R2E, W.M., in the City of Portland, County of Multnomah, State of Oregon, said strip being the north 3.00 feet of said Lot 5, as depicted on Exhibit A attached and incorporated by reference.

Containing 135 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 his knowledge after appropriate inquiry under the circumstances, the Subject Property complies with all local, State and Federal environmental laws and regulations.
- B. Grantor represents that he 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 in Grantor's possession, including documents in the possession of Grantor's contractors or agents. "Release" and "hazardous substance" have the meaning as defined under Oregon law.
- C. Grantor warrants that, to the best of his knowledge after appropriate inquiry under

R/W # 8972

1S2E05CC-07601

After Recording Return to:

Gerry Caruso, City of Portland

1120 SW 5th Avenue, 8th Floor

Portland, OR 97204

Tax Statement shall be sent to: No Change

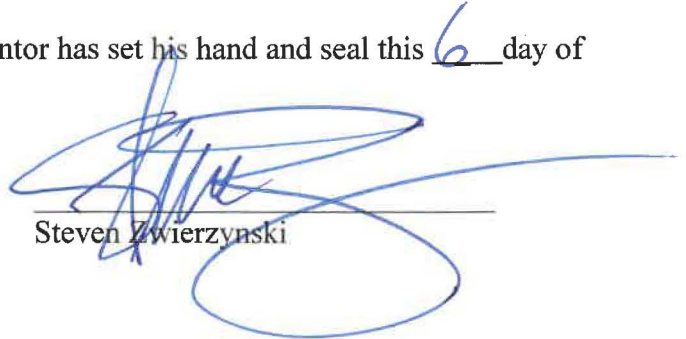
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the circumstances, there are no underground storage tanks, as defined under Oregon law, presently on or under the Subject Property.

- D. It is understood and agreed that the 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 himself and his 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 he 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 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. Grantor understands and agrees that if he terminates the development for any reason, and a dedication of right-of-way was required and granted to the Grantee as a condition of the building permit, Grantor is not entitled to the return of the property rights granted to Grantee.

*This section is intentionally left blank.*

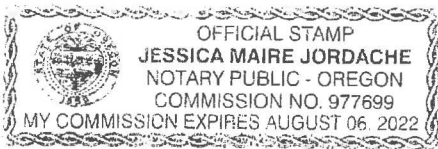
IN WITNESS WHEREOF, the above-named Grantor has set his hand and seal this 6 day of DECEMBER 2019.


  
Steven Zwierzynski

STATE OF OREGON

County of MULTNOMAH

This instrument was acknowledged before me on DECEMBER 6, 2019  
by Steven Zwierzynski.



  
Notary Public State of Oregon  
My Commission expires Aug. 6, 2022

APPROVED AS TO FORM:  
APPROVED AS TO FORM

  
City Attorney CITY ATTORNEY 12/20/19

APPROVED AND ACCEPTED:

  
Bureau Director 12/30/2019  
Date

# Exhibit A

