



1120 SW Fifth Ave, Suite 1331, Portland OR 97204

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Jo Ann Hardesty Commissioner Chris Warner Director

DATE: April 4, 2022
TO: Project File
FROM: Patrick Sweeney, Capital Project Manager
SUBJECT: City of Portland Commitments and Responsibilities with the Willamette Shoreline Right-of-Way

Purpose of this Memo:

The purpose of this memo is to clarify the City of Portland commitments and responsibilities with the Willamette Shore Line (WSL) transportation right-of-way (ROW). The City of Portland is party to two Intergovernmental Agreements (IGAs) that govern the WSL ROW Consortium (defined below) and ratify the commitments and responsibilities of the City of Portland, the City of Lake Oswego, TriMet, and Metro with regard to the WSL ROW: a Management IGA and a Maintenance and Funding IGA, both of which are out of date and need to be amended.

Why the WSL ROW is Important

The WSL ROW is a regional asset preserved by public ownership, intended for future transportation purposes, and is managed and operated by a Consortium made up of the City of Lake Oswego, the City of Portland, TriMet and Metro. TriMet and Metro provide technical, legal, and administrative support for the Consortium. Maintenance is overseen by the City of Lake Oswego, with volunteers from Vintage Trolley Inc. (VTI) and Oregon Electric Railway Historical Society (OERHS). Parallel to Highway 43 between South Portland and Lake Oswego (see Attachment A-1), the linear ROW requires ongoing maintenance with the intent to continue ongoing rail use to preserve the function of the ROW and ROW easements across private property (see Attachment A-2).

IGA Background and Amendments Needed

The WSL ROW, formerly known as the Jefferson Street Branch Line, was established in the mid 1880's for the purpose of providing steam train passenger rail service between the City of Portland and the City of Lake Oswego. The ROW and easements across private properties were bought and managed by the Portland and Willamette Valley Railway. Around 1914 the line was purchased by the Southern Pacific Company and modernized with electric power. Peak travel occurred in 1920 with 64 "Red Electric" interurban trains travelling daily between the two cities. Passenger service stopped in 1929 and the line was used for freight until 1983.

In June 1988, City of Portland, Metro, City of Lake Oswego, Clackamas County, and Multnomah County, Oregon entered into an IGA to Purchase of the Jefferson Street Rail Line (the "Purchase IGA") for the purpose of owning and preserving the Jefferson Street Rail Line, also known as the Willamette Shore



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Trolley Line (the "Right-of-Way") for future transportation purposes (see Exhibit A-2). In 1994, the same parties created an IGA for management of the WSL ROW and formally established the Willamette Shore Line Right of Way Consortium ("Consortium"). In 2003, the Consortium created an IGA for Maintenance and Funding of the WSL ROW, delegating specific expenditures to specific Consortium members. Oregon Department of Transportation (ODOT) was included as a party to the Management IGA but never signed the agreement. In 2004, Multnomah County voluntarily left the Consortium, followed by Clackamas County in 2013.

In August 2010, the Consortium, through Amendment No. 1 to the 2004 Management IGA, extended the agreement to August 2020 and acknowledged the departure of Multnomah County from the Consortium. Although the Consortium intended to extend the Management IGA again, it expired in August 2020. The 2003 Maintenance and Funding IGA, also intended to be extended by the Consortium, expired July 2013.

There are two actions for Portland City Council to consider regarding the WSL ROW IGAs:

1. Approve Amendment No. 1 to the Maintenance and Funding IGA, retroactively extending the Maintenance and Funding IGA to October 31, 2031, and provide for automatic renewal of the Maintenance and Funding IGA every ten years unless terminated in writing. Amendment No. 1 of the Maintenance and Funding IGA, will also acknowledge the departure of Clackamas County from the Consortium.
2. Approve Amendment No 2 of the Management IGA and retroactively extend the Management IGA to October 31, 2031, consistent with Amendment No. 1 to the Maintenance and Funding IGA, and to provide for the automatic renewal of the Management IGA every ten years unless terminated in writing.

Consortium Member Roles and Responsibilities

The 2003 Maintenance and Funding IGA established shared responsibilities for members to provide support and funding for annual maintenance and operation of the WSL ROW. The intent of the IGA was for the participating Consortium members to share annual costs anticipated at \$20,000.00 per Consortium member to fund the \$100,000.00 annual WSL budget. Multnomah County, followed by Clackamas County, left the Consortium membership, ODOT never signed the IGA, and Metro agreed to provide administrative and in-kind legal services for the Consortium. With shared property ownership and maintenance responsibilities, the City of Lake Oswego, the City of Portland, and TriMet agreed to annual \$30,000.00 dues and a reduced annual WSL ROW budget of \$90,000.00. Dues cover operations and maintenance of the WSL ROW.

The City of Lake Oswego

- Management and administration of the Consortium budgets and annual work plan (see Attachment A-3).
- Management of the contract with Vintage Trolley Inc. (VTI) to operate two vintage streetcar trolleys on the WSL ROW. The trolley barn where the City of Lake Oswego stores the two vintage trolleys is located adjacent to the WSL ROW on City property.
- Management of the contract for Willamette Shore Line Trolley Operations and Maintenance, which is currently with Oregon Electric Rail Historical Society (OERHS). OERHS is a 501c3 organization with volunteer members who operate the trolley's and provide maintenance services such as replacing railway ties, trimming brush, and clearing debris across the railroad tracks.

- The City of Lake Oswego has not missed annual dues payments and is currently paid-in-full.

TriMet

- TriMet is the designated ROW agent for the WSL ROW and holds the title to the real property and several easements across private properties. These easements are for rail purposes only.
- TriMet coordinates with City of Lake Oswego and the City of Portland to preserve the operation of rail in the corridor. An intent to continue ongoing rail use of the WSL ROW is necessary to preserve the bundle of easements in the WSL ROW.
- TriMet technical staff manage the new and existing WSL ROW utility easements and private development coordination for the WSL ROW.
- TriMet technical staff provides engineering services to assist with management and structural maintenance of the infrastructure in the WSL ROW. Recently, TriMet repaired the Elk Rock tunnel with application of gunnite, has repaired several deteriorating wooden trestles, repaired/rebuilt at-grade crossings for streets and driveways and is conducting a \$100,000.00 engineering consultant study for long-term trestle management options which will consider basic trestle maintenance to replacement of strategic structural trestle members to extend lifespan of the structures. Generally, TriMet and other Consortium members work together to identify funding to support the capital maintenance needs of the WSL ROW.
- TriMet has not missed annual dues payments and is currently paid-in-full.

City of Portland

- The City of Portland supports the City of Lake Oswego to maintain the WSL ROW from Lake Oswego to its terminus in South Waterfront. The City of Portland assists with maintenance of drainage culverts under the ROW.
- The City of Portland has paid annual dues through FY 2018/2019. In June of 2019, payment for the 2019/2020 FY was halted by City Attorney's recommendation to address the need for amendments to the Maintenance and Funding IGA and the pending term expiration of the Management IGA in August of 2020. The COVID pandemic and resulting City emergency, combined with revenue loss across City funding streams further delayed City participation to amend the IGAs and pay annual dues. The City has not paid dues for FY 19/20, FY 20/21, and FY 21/22, totaling \$90,000. Invoice for FY 22/23 dues is anticipated in Summer 2022 (see Attachment A- 4).

Metro

- Metro convenes Consortium meetings, provides management and administration of the Consortium records, coordinates IGAs, and oversees regional planning related to the WSL ROW.
- Metro, in coordination with the Federal Transit Administration, TriMet, City of Portland, and City of Lake Oswego, led a National Environmental Planning Act (NEPA) planning study and Environmental Impact Statement to study transit alternatives along the WSL corridor, as further described later in this staff report.
- Metro also provides legal support to the Consortium and advises TriMet's management of the WSL ROW bundle of titles and easements
- Metro does not have real estate assets connected to the WSL ROW and does not contribute to the Consortium's dues.

ODOT

- ODOT is named as a party to the Consortium IGA's but has opted not to formalize the relationship. It never signed the Management or Maintenance and Funding IGA.
- ODOT does not contribute to the Consortium's dues.

Multnomah County and Clackamas County

- Multnomah County and Clackamas County chose to exit the Consortium in 2004 and 2013 respectively.

WSL ROW Partner Roles and Responsibilities

Volunteers and historic rail enthusiasts from several local non-profit groups are also involved with the WSL ROW.

Vintage Trolley Inc. (VTI)

- VTI is a 501c3 volunteer run organization that owns and maintains two vintage trolleys (car #513 and car #514) for use on the WSL ROW. The trolley cars are replicas of 1904 Portland "Council Crest"-type Brill streetcar. They were built in 1991 by the Gomaco Trolley Company.
- VTI has an agreement with the City of Lake Oswego to lease the trolley cars for purposes of conducting trolley operations. The City of Lake Oswego owns a barn adjacent to Highway 43 in downtown Lake Oswego where the trolley cars are stored. The City of Lake Oswego has an agreement with OEHRS to operate the trolleys on the WSL ROW. VTI does not operate their two vintage trolleys.
- VTI is in the process of converting the diesel generator motor propulsion system for cars 513 and 514 to lower maintenance and less-polluting AC motors and battery propulsion. This AC/battery system will allow for regenerative braking, charging the battery and extending the range per charge. Car #514 has been upgraded. Car #513 needs funding to complete the transition to AC/battery propulsion (see Attachment A-5). The City of Lake Oswego donated \$20,000.00 toward the conversion from diesel to AC/Battery propulsion in 2018. When the City of Portland and TriMet contribute \$20,000.00 each, the City of Lake Oswego has pledged to contribute an additional \$20,000.00 grant to VTI for completion of the battery conversion project.

Oregon Electric Railway Historical Society (OERHS)

- OERHS is a 501c3 volunteer run organization that operates historic trolleys.
- OERHS is the operator for the WSL trolleys, in partnership with the City of Lake Oswego.

WSL ROW and Portland Streetcar

The regional aspiration of high-capacity transit between the City of Portland and the City of Lake Oswego has always been fundamental to the vision for the WSL ROW. In 2001, the City of Portland started operating Portland Streetcar from NW 23rd, through the Pearl District, to Portland State University. In 2005, streetcar service was extended to RiverPlace, and in 2006 service was extended to a South Waterfront station adjacent to the Portland Aerial Tram, using WSL ROW. In 2007, streetcar service began running along SW Moody and SW Bond Streets in South Waterfront neighborhood.

In 2009, a National Environmental Planning Act (NEPA) planning study and Environmental Impact

Statement was initiated to evaluate an extension of Portland Streetcar from South Waterfront to Lake Oswego on the WSL ROW. Metro led the planning study with project partners TriMet, the City of Portland and the City of Lake Oswego. The project, with wide support from regional stakeholders, was controversial for riverfront private property owners living adjacent to the WSL ROW. The NEPA planning phase for the Lake Oswego to Portland Transit Project ended in 2012 when Lake Oswego City Council voted to suspend the NEPA evaluation of the Lake Oswego to Portland Transit Project. However, the City of Lake Oswego does continue to support the public ownership and management of the WSL ROW for transportation purposes.

Since then, the Portland Streetcar expanded to the Central Eastside with service starting in 2012. The current Portland Streetcar Loop, enabled by Portland Streetcar using the same rail ROW across the Tilikum Bridge as the TriMet MAX Orange Line, began service in 2015. A portion of the Orange Line alignment uses former WSL ROW donated by the Consortium to TriMet for construction of the Orange Line MAX project.

Summary

The WSL ROW is a regional transportation asset that was purchased with the intent of preserving the rail line corridor for future transportation use. A Consortium of regional agencies share ownership and responsibilities for annual maintenance of the WSL and annual operations of the Willamette Shore Trolley.

The City of Portland is a key participating member of the Consortium, a landowner associated with the WSL ROW, and is party to a Management IGA and a Maintenance and Funding IGA, both of which have expired and need to be amended.

The Management IGA expired in August 2020. Amendment No. 2 for this IGA will extend IGA terms to 2031. The LO City Council approved this amendment on February 1, 2022

The Maintenance and Funding IGA expired in Aug 2013. Amendment No. 1 for this IGA will extend IGA terms to 2031. The LO City Council approved this amendment on February 1, 2022

The City of Portland has missed payments toward annual dues to the Consortium. The City has not paid dues for FY 19/20, FY 20/21, and FY 21/22, totaling \$90,000. An invoice for FY 22/23 dues is anticipated in Summer 2022.

The City of Portland is being asked to contribute \$20,000.00 to help fund the conversion of the diesel generator motor propulsion system to A/C motors and battery power, to reduce maintenance costs and provide less-polluting propulsion for the vintage trolleys that operate on WSL ROW.

Portland City Council is being requested to approve three ordinances:

- An ordinance that would amend the Management IGA,
- An ordinance that would amend the Maintenance and Funding IGA, and provide payment for annual dues not paid, totaling \$90,000.00
- An ordinance to authorize payment of \$20,000.00 to Vintage Trolley, Inc. for the conversion of trolley propulsion to battery power.

Attachments

Attachment A-1	Diagram of WSL ROW from Metro's Lake Oswego to Portland Transit Project Environmental Assessment
Attachment A-2	WSL ROW Historic Deeds with "railway purposes" highlighted and City of Portland to TriMet Quit Claim Deed
Attachment A-3	WSL Consortium Workplan FY 2018-19, FY 2019-20, FY 2020-21
Attachment A-4	Consortium Invoice for City of Portland
Attachment A-5	VTI Battery Funding Request

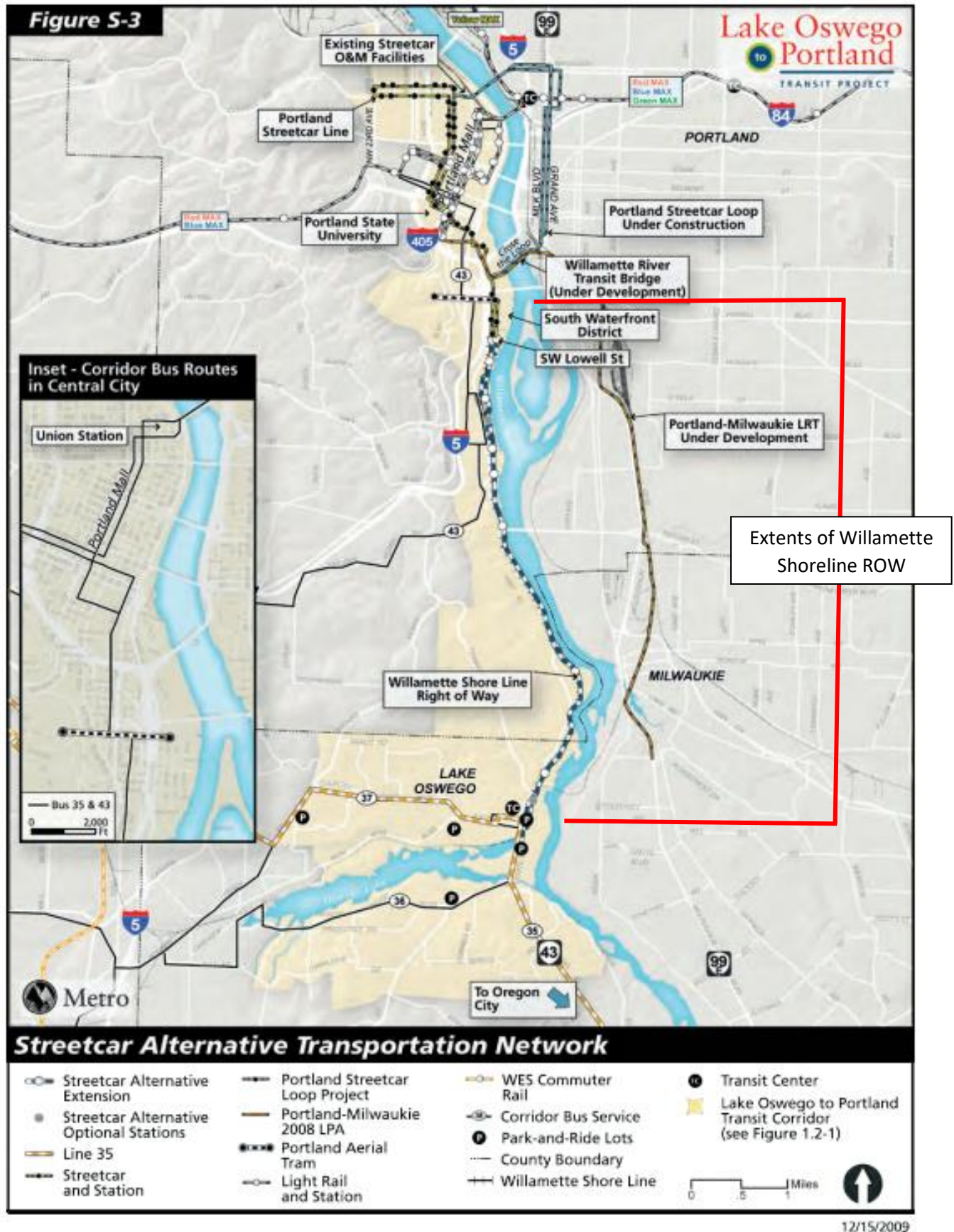
Resources

- <https://www.oregonmetro.gov/lake-oswego-portland-transit-project>
- https://en.wikipedia.org/wiki/Willamette_Shore_Trolley#:~:text=The%20Willamette%20Shore%20Trolley%20is%20a%20heritage%20railroad,to%20preserve%20it%20for%20potential%20future%20rail%20transit.
- https://en.wikipedia.org/wiki/Portland_Streetcar

PBOT Staff Report

City of Portland Commitments and Responsibilities with the Willamette Shoreline Right-of-Way

Attachments	Description	Source
Attachment A-1	Diagram of WSL ROW from Metro's Lake Oswego to Portland Transit Project Environmental Assessment	Metro
Attachment A-2	WSL ROW Historic Deeds with "railway purposes" highlighted and City of Portland to TriMet Quit Claim Deed	TriMet City of Portland
Attachment A-3	WSL Consortium Workplan FY 2018-19, FY 2019-20, FY 2020-21	City of Lake Oswego
Attachment A-4	Consortium Invoice for City of Portland	City of Lake Oswego
Attachment A-5	VTI Battery Funding Request	VTI and City of Lake Oswego



Presently, This Indenture made this 18th day of September A.D. 1887, by and between Frank Dreachtel and Veronica Dreachtel his wife parties of the first part and the Portland Railway Company a Corporation duly sales under the laws of the State of Oregon principal office in Portland, in party of the second part Witnesseth.

CONVEYS CERTAIN LANDS AND PREMISES FOR RAILWAY PURPOSES 30 X 156 "STRIP OF LAND"

of the first part for and in consideration of \$7600.00, Six thousand six hundred dollars, have granted, bargained and sold, sold and by these presents grant, bargain, sell and convey unto the said party of the second part, its successors and assigns for Railway purposes those certain lands and premises situate in the County of Multnomah, in the State of Oregon and which are more particularly described as follows to-wit:

Commencing at a point on the south line of the one and one half acre track conveyed by exp. Mangum to F. Dreachtel and recorded on page 290 Book 625 Multnomah County records North $\angle 79^\circ$ East; twenty nine degrees East and 178 feet distant from the South west corner of said $1\frac{1}{2}$ acre track. Thence North Easterly parallel to and 15 feet distant from the center line of the Portland and Willamette Valley Railway as located and started 156 feet to the North line of said $1\frac{1}{2}$ acre track. Thence East along said North line about 30 feet. Thence South westerly parallel to and 15 feet distant from the center line of the said Railway as located and started 156 feet to said South line of $1\frac{1}{2}$ acre track thence South 79° West along said South line about 31 feet to place of beginning containing $\frac{1}{10}$ acre more or less. Reference being hereby made for a more complete description of the strip of land conveyed hereby to the actual survey and location upon the ground of the line of the Railroad of the said party of the second part and to the surveys of said Railroad. Together with the appurtenant rights and easements thereto belonging.

or in anywise appertaining, and a release of all claims
of damages arising from the appropriation thereof
for Railroad purposes. The parties of the first part
may have a crossing on said land, over the said strip of
land for vehicles and foot passengers, also the right
to lay water pipes across said land under the railway
track. To Have and to Hold the premises and Estate law-
fully conveyed, or intended as to be, unto the said party
of the second part its successors, legal representatives
and assigns forever, free from all incumbrances
and from all or any lease or claim of any third
party or parties. In Witness Whereof the said party of
the first part ha- hereunto set hand and
affixed seal the day and Year first herein above written.
Signed, sealed and delivered in presence of } James J. Mansfield Seal
J. M. Bowen - C. J. McDougall } Annouika J. Mansfield Seal

State of Oregon }
Multnomah County } ss Be it remembered that on this
13th day of September A.D. 1887, before me the undersigned
a Notary Public within and for said County and State
personally appeared the within named Frank Precechtel
and Veronica Precechtel to me personally known to be
the identical persons described in and who executed the
 foregoing Deed of Conveyance and acknowledged to me
that they executed the same voluntarily for the
uses and purposes therein set out and expressed, and
the said Veronica Precechtel wife of the said Frank
Precechtel being by me examined separately and apart from
her said husband, ^{did on such separate examination} acknowledge to me that she had
executed the same freely and voluntarily and without
any fear or compulsion from any one,
In witness Whereof I have hereunto set my hand and
affixed my official seal. The day and year in
this certificate first above written.

Recd for Record & Ret. { Notarial } J. M. Bowen
9th 1887 at 5 o'clock P.M. { Seal } A Notary Public in & for the
State of Oregon

the same voluntarily for the uses and purposes therein set out and
Expressed and the said Rosina Reiger wife of the said William Reiger
being by me examined separate and apart from her said husband
did, on such separate examination, acknowledge to me that
she had executed the same freely and voluntarily and without
any fear or compulsion from any one. In Witness Whereof
I have hereunto set my hand and affixed my official seal
the day and year in this Certificate first above written

J. M. Bower

Rec'd for Records Dec 9th 1887 { Notaral } A Notary Public in and for
at 5 o'clock P.M. { Seal } State of Oregon

Driving

To And between Robert Driving and Mary Driving his wife parties of
J. & K. V. Ry Co the first part, and the Portland and Willamette Valley Railway
Company, a corporation duly organized and incorporated under
the laws of the State of Oregon, and having its principal office in
Portland in the State of Oregon, party of the second part
Witnesseth: That the said parties of the first part for and
in consideration of \$1250.00 Twelve hundred and fifty Dollars
have granted, bargained and sold, and do by these presents
grant, bargain, sell and convey unto the said party of the
second part, its successors, and assigns for railway pur-
poses those certain lands and premises situate in the County of
Multnomah in the State of Oregon, and which are more partic-
ularly described as follows to-wit: Commencing at a point on
the south line of the Baker Street Tannery Tract & deed for said
tract being recorded at page 629 Records of Deeds, Book B. F.
of Multnomah County Oregon; North sixty two degrees East
one hundred and four feet distant from the south West corner
of said Tannery tract the same being the Northwest corner
of the six and eighth hundred and ninety four one thousandths
of an acre tract conveyed by D. A. Marquand to O. S. &
Bros. and also the site of the old three mile fish and
running thence Northerly parallel to and ten feet distant

from the center line of the Portland and Willamette Valley Railway as located and started one hundred and eighty feet more or less to the north boundary of said Tanner's tract thence Easterly tracing said north line twenty one feet, thence Southerly parallel to and ten feet distant from the center line of the Portland and Willamette Valley Railway as located and started one hundred and eighty feet more or less to the south line of said Tanner's tract, thence tracing said south line south sixty two degrees west, twenty one and a half feet to the place of beginning, containing more or less than one hundred acres. Reference being hereby made for a more complete description of the strip of land conveyed hereby to the actual survey and location upon the ground of the line of Railroad of the said party of the second part, and to the survey of said Railroad. Together with the appurtenances, rights and Easements thereto belonging or in anywise appertaining and a release of all claims of damages arising from the appropriation thereof for Railroad purposes. The said grantor hereby reserve the right to cross the said right of way for foot passengers and vehicles at such points as they may select for that purpose. To Have and to hold the premises and Estate hereby conveyed or intended so to be, unto the said party of the second part, its successors, legal representatives and assigns forever. In Witness Whereof the said parties of the first part have hereunto set their hands and affixed their seals the day and year first herein above written.

Signed, Read and delivered in presence of }
James R. Irving, Geo. Knight Clark

Robert Irving (Seal)

Mary Irving (Seal)

State of Oregon

Multnomah County

Be it remembered that on this 6th day of September A.D. 1887, before me the undersigned a Notary Public within and for said County and State personally appeared Robert Irving and Mary Irving his wife to me personally known to be the identical persons described in and who executed the foregoing Deed of Conveyance and acknowledged to me that they executed the same voluntarily for the uses and purposes

them set out and expressed and the said Mary Irving wife of the said Robert Irving being by me examined separate and apart from her said husband, did on such separate examination acknowledge to me, that she had executed the same freely and voluntarily and without any fear or compulsion from any one. In Witness Whereof I have hereunto set my hand and affixed my official seal this day and year in this Certificate first above written.

Rec'd for Record Dec 9th 1887 { Notaral } Geo Knight Clerk
at 5 o'clock P.M. { Seal } Notary Public for Oregon

Jones This Indenture made this 27th day of September A.D. 1887 by and between Elihu H. Jones and Emma J. Jones his wife parties of the first part, and the Portland and Willamette Valley Railway Company, a corporation duly organized and incorporated under the laws of the State of Oregon, and having its principal office in Portland, in the State of Oregon, party of the second part, Witnesseth: That the said parties of the first part for and in consideration of (\$500.⁰⁰) Five Hundred Dollars have granted, bargained and sold, and do by these presents grant, bargain, sell and convey unto the said party of the second part, its successors and assigns, for railway purposes those certain lands and premises situate in the County of Multnomah in the State of Oregon, and which are more particularly described as follows to-wit: Commencing at a point in the South line of the three and one half acre tract, conveyed to J. Jones by deed recorded at page 141 of Book Q Records of Deeds of Multnomah County, State of Oregon, said point of Commencement being East, three hundred and eighty three feet from the North West corner of the five and six tenths acre tract conveyed to H. C. Hill by deed recorded at page 280 of Book Q Records of Deeds of Multnomah County, Oregon, thence, Northerly parallel to and fifteen feet distant from the center line of the Portland and Willamette Valley Railway as now located and started three hundred and

State of Massachusetts
County of Suffolk, City of Boston } ss On this third day of November A.D.
1887 before me H. Charles Hall Adams a Commissioner for the
State of Oregon within and for the State of Massachusetts -
personally came the within named H. R. Spaulding wife of
the within named W. W. Spaulding to me known to be one
of the identical persons described in and who executed the
within instrument and acknowledged to me that she executed
the same freely and voluntarily for the uses and purposes
therein set forth and expressed, and the said H. R.
Spaulding on an Examination ~~separately~~ was apart from
her said husband further acknowledged to me
that she executed the same freely and voluntarily and
without any fear or compulsion from anyone.
In witness whereof I have hereunto set my hand
and affixed my official seal at my office No. 5
Court Street in the City of Boston in the County of
Suffolk and State of Massachusetts this third day of
November A.D. Eighteen hundred and eighty seven.
Recd for Recd Dec. 9th { Comm'n'r } Chas Hall Adams
1887 at 5 o'clock P.M. { Seal } Commissioner for the State of Oregon

Vulcan Powder Co and between the Vulcan Powder Company a corporation
to duly organized and incorporated under the laws of the
State of California party of the first part and the
P. & W. Ry Co Portland and Willamette Valley Railway Company
a corporation duly organized and incorporated under the laws of
the State of Oregon party of the second part witnesseth: That the said party of the
first part for and in consideration of \$750,000
Seven hundred and fifty dollars, has granted
bargained and sold and does by these presents grant
bargain, sell and convey unto the said party of the

second part its successors and assigns for Railway purposes these certain lands and premises, situate in the County of Multnomah in the State of Oregon and which are more particularly described as follows to wit: Being through and across the following tract of land, situated in and being part of Hector B. Campbell Donation Land Claim in Township one South Range one East of the Willamette Meridian - bounded on the East by the Willamette river, on the west by the center line of the McAdams road on the North by the North boundary of said Hector B. Campbell Donation Land Claim on the South by an East and West line parallel to said Northern boundary and one hundred and fifty feet distant therefrom. The North East Corner of said tract of land being the North East corner of said Hector B. Campbell Donation Land Claim. The right of way across being a strip forty feet wide described as follows. Commencing at a point on the North boundary of said tract sixty feet East of the North West Corner thereof thence East along said North boundary forty feet, thence South easterly parallel to and twenty feet distant from the center line of the Portland and Willamette Valley Railway as started and located one hundred and fifty five feet to South boundary of said tract, thence West along said South boundary forty feet thence North westerly parallel to and twenty feet distant from and center line of Railway one hundred and fifty five feet to the place of Commencement containing $1\frac{1}{4}$ acres.

Reference being hereby made for a more complete description of the strip of land conveyed hereby to the actual survey and location upon the ground of the line of the railroad of the said party of the second part and to the survey of said Railway together with the appurtenances, rights and easements thereto belonging or in anywise appertaining and a release of all claims of damages arising from the appropriation thereof for Railroad purposes.

To Have and to hold the premises and Estate hereby conveyed, or intended so to be, unto the said party of the second part, its successors legal representatives and assigns forever, free from all incumbrances except the public road laid out over said premises.

In witness whereof the said party of the first part has hereunto set its hand and affixed its seal the day and year first herein above written.

Rig'd, Sealed and delivered }
in presence of }
James Mason Geo. T. Knox }
State of Oregon }
County of San Francisco }
By O'Newhouse: Secy 1887
{ Corporate Seal }

Be it remembered that on this 21st day of November A.D. 1887 before me the undersigned a Commissioner for the State of Oregon, in and for the said County of San Francisco and State of California, duly Commissioned and qualified, personally came Daniel Meyer President of the Vulcan Powder Company and O'Newhouse Secretary of said Vulcan Powder Company whose names are subscribed to the foregoing instrument as parties thereto, and as President and Secretary of said Vulcan Powder Company both personally known to me to be the individuals named and describing in, and who executed the said instrument and they severally acknowledged to me that he the said Daniel Meyer as President and he the said O'Newhouse as Secretary of the said Vulcan Powder Company, executed the foregoing instrument as and for the act and deed of said Vulcan Powder Company freely and voluntarily and for the uses and purposes therein mentioning, and he the said O. Newhouse being by me duly sworn, did depose and say that he is the Secretary of the Vulcan Powder Company and resides at San Francisco, California and that he is the legal Custodian of and is acquainted with and has in his possession, the corporate seal of the Vulcan Powder Company that the seal affixed to the foregoing instrument is such Corporate seal that the same was so affixed by him as Secretary of said Company, on the

28th day of November A.D. 1887, by order of the Board of Directors of said Company, and that he signed his name thereto

instrument is such Corporate seal that the same was
so attested by him as Secretary of said Company, on the

28th day of November A.D. 1887. By order of the Board of Directors of said Company, and that he signed his name thereto by the like order of the Board of Directors of said Company.
In Witness Whereof, I have hereunto set my hand and affixed my official seal at the City & County of San Francisco California the date first above written.

Geo. J. Throal

Recd for Record Dept { Commrs } A Commissioner for the State of Oregon re-
9th 1887 at 5 o'clock P.M. { Seal } siding at San Francisco California

Wheeler et al. This Indenture made this 3rd day of September A.D. 1887.
To wit between John Wheeler and Arthur Wilson
B. W. V. Ray (parties of the first part, and the Portland and Willamette
Valley Railway Company a corporation duly organized
and incorporated under the laws of the State of Oregon
and having its principal office in Portland, in the State
of Oregon, parties of the second part. Witnesseth: That the said
parties of the first part, for and in consideration of \$700.00
Seven Hundred dollars, also the party of the second
part will construct and maintain two cattle guards upon
said premises on the North and South lines thereof, also
will construct and maintain a suitable crossing for
stock and vehicles over and across said right of
way, have granted bargained and sold, and do by these
presents grant, bargain, sell and convey unto the said
party of the second part its successors and assigns, for
Railway purposes, these certain lands and premises
situate in the County of Multnomah in the State of Oregon
and which are more particularly described as follows to-wit
Commencing on the South boundary line of the one and one half
acre tract conveyed by C. R. Huffman and wife to John
Wheeler which said deed is recorded at page 101 of
Book 80 Records of Deeds of Multnomah County Oregon
which point is south seventy five degrees, fifteen
minutes East Three hundred and thirty nine feet distant

GRANTOR'S NAME AND ADDRESS:

City of Portland
1221 SW Fourth Avenue
Portland, OR 97204

GRANTEE'S NAMES AND ADDRESS:

The Tri-County Metropolitan
Transportation District of Oregon
710 N.E. Holladay Street
Portland, OR 97232

Recorded in MULTNOMAH COUNTY, OREGON
C. Swick, Deputy Clerk

A43 47
Total : 251.00 ATKLM

2005-049993 03/23/2005 02:13:45pm

AFTER RECORDING RETURN TO:

The Tri-County Metropolitan
Transportation District of Oregon
710 N.E. Holladay Street
Portland, OR 97232

STEWART TITLE records this
document as an accommodation
only. No liability is assumed or
accepted for the condition of
title or for the validity or effect
of this document.

UNTIL A CHANGE IS REQUESTED, ALL TAX STATEMENTS SHALL BE SENT TO
THE FOLLOWING ADDRESS:

The Tri-County Metropolitan
Transportation District of Oregon
710 N.E. Holladay Street
Portland, OR 97232

QUITCLAIM DEED

The City of Portland, an Oregon municipal corporation, Grantor herein, hereby releases and
quitclaims to the Tri-County Metropolitan Transportation District of Oregon, an Oregon mass transit
district, Grantee herein, all right, title and interest in and to the real property described in the
Statutory Bargain and Sale Deed and Assignment recorded at Book 2150 Page 1582 in the
Multnomah County records, and as Document Number 88 43258 in the Clackamas County records, a
copy of which is annexed hereto as Exhibit A and incorporated by this reference herein.

The true and actual consideration for this conveyance is \$ -0-

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN
THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND
REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON

EXHIBIT A

STATUTORY BARGAIN AND SALE DEED AND ASSIGNMENT

BOOK 2150 PAGE 1582

Southern Pacific Transportation Company, Grantor, conveys (and to the extent any of the interests are easements, assigns) to the City of Portland, a municipal corporation, the following described real property partially in Multnomah County and partially in Clackamas County, State of Oregon, described on Exhibit A attached hereto, including all tunnels, trestles, roadbed and ballast, track (including spurs and sidings), ties, switches, signals, signs, fences, poles, lines, crossarms, guywires and anchors, and all other appurtenances, including all slope, fill and other easements appurtenant to the right of way, free and clear of all encumbrances created or granted for security purposes, including but not limited to, mortgages, deeds of trust, security agreements and construction and tax liens, but subject to all easements, conditions, reservations and restrictions, if any, of record.

It is the intent of this deed to convey all of Grantor's rights in and to a continuous strip of land and right of way from the Markham Bridge to the junction of Grantor's Tillamook Branch right of way.

Grantor excepts from the property hereby conveyed and reserves unto itself, its successors and assigns,

all minerals and mineral rights, interests, and royalties, including without limiting the generality thereof, oil, gas, and other hydrocarbon substances, as well as metallic or other solid minerals, in and under said property; however, Grantor or its successors and assigns, shall not have the right for any purpose whatsoever to enter upon, into or through the surface of said property in connection therewith.

The true consideration for this conveyance is \$1,200,000.00.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES. [OR § 93.040(1)]

DATED this 21st day of July, 1988.

Approved:

[Signature]
City Engineer

SOUTHERN PACIFIC TRANSPORTATION
COMPANY

APPROVED AS TO FORM

[Signature]
CITY ATTORNEY

By: *[Signature]*
Title: Vice President - Real Estate
Attest: *[Signature]*
Title: ASSISTANT SECRETARY

STATUTORY BARGAIN & SALE
DEED AND ASSIGNMENT
CITY OF PORTLAND

STATE OF CALIFORNIA
City and County of San Francisco

On this 21st day of July, 1988, in the year One Thousand Nine Hundred and Eighty Eight, before me, MARY J. SIMMONS, a Notary Public in and for the City and County of San Francisco, State of California, personally appeared



R. F. MESERK
personally known to me or proved to me on the basis of satisfactory evidence to be the person who executed the within instrument as the VICE President, and
T. E. O'DONNELL personally known to me or proved to me on the basis of satisfactory evidence to be the person who executed the within instrument as the ASSISTANT Secretary of the Corporation that executed the within instrument and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors.
WITNESS my hand and official seal.

[Signature]
Notary Public in and for the City and County of San Francisco, State of California.

Corporation
My Commission Expires June 14, 1991

88 43258

ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930. [ORS 93.040.]

IN WITNESS WHEREOF, the City of Portland has caused this instrument to be executed this 4th day of MARCH, 2005

CITY OF PORTLAND, GRANTOR

B. Williams

By: BRANT WILLIAMS

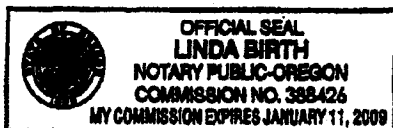
Title: DIRECTOR, OFFICE OF TRANSPORTATION

STATE OF OREGON)
) ss.
County of Multnomah)

This instrument was acknowledged before me this 4 day of March, 2005, by Brant Williams
Director on behalf of the City of Portland.

Linda BIRTH
NOTARY PUBLIC FOR OREGON

My Commission Expires: Jan 11, 2009



ACCEPTED:

Tri-County Metropolitan Transportation
District of Oregon (TriMet)

Tamara Lewis
Tamara Lewis, Deputy General Counsel

APPROVED AS TO FORM

Linda Henry
CITY ATTORNEY
M.H.M.

STATE OF OREGON, County of Multnomah.
March 23, 2005, personally appeared the
above-named Tamara Lewis, Deputy General Counsel,
who is duly authorized to sign the foregoing Quit Claim
Deed on behalf of Tri-County Metropolitan Trans-
portation District of Oregon.

Karmen Faligowski
Notary Public for Oregon

My Commission Expires 5-12-05

Page 2 of 2 - Quitclaim Deed



PARCEL 9-29

The right, privilege and easement to construct, maintain and operate a tunnel and line or lines of railway under those premises abutting upon the Willamette River and located between the South line of the William S. Torrance donation land claim in the Northwest corner of Lot 16, Elk Rock Villas, said easement being 40 feet in width 20 feet on each side of the following described center line of said tunnel;

Beginning at a point on the South line of the William S. Torrance donation land claim, in section 35, Township 1 South, Range 1 east, Willamette Meridian, 118 feet West of the Southeast corner thereof; thence along a curve to the left with a radius of 636.78 feet, the tangent bearing to which at the point of beginning is South 24° 55' West, a distance of 412.3 feet; thence along a taper curve to the left, curvature decreasing 1° 30' every 30 feet, a distance of 150 feet; thence South 19° 02' East 105.2 feet; thence along a taper curve to the right, curvature increasing 1° 30' every 30 feet, a distance of 30 feet, to the Northeast corner of Lot 17, Elk Rock Villas Subdivision in said Section 35, Township 1 South, Range 1 East, Willamette Meridian:

Being that property described in the conveyance from the Oregon Iron and Steel Company, grantor, to the Oregon and California Railroad Company, grantees, dated May 23, 1921, and recorded at Book 854, Page 111 of the Multnomah County Records.

PARCEL 9-32

The right, easement and privilege at any time without hindrance or charge to construct, maintain and operate a railroad tunnel under the premises hereafter described:

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EXHIBIT "A"

Those parcels of land situated in the County of Multnomah, State of Oregon, described as follows:

PARCEL 9-1

A strip of land, 26 feet wide, lying equally 13 feet each side of the original surveyed center line of main track of the former Portland and Willamette Valley Railway Company, now Southern Pacific Transportation Company situated in the southwest quarter of Section 35, Township 1 South, Range 1 East, W.M., extending from the county line between Multnomah County and Clackamas County, northerly to the southerly line of the William S. Torrence Donation Land Claim.

PARCEL 9-28

That property beginning at the Northeast corner of Lot Sixteen [16] Elk Rock Villas in Section 35, Township 1 South, Range 1 East, Willamette Meridian; thence North 73° 57' West, along the North line of said Lot 16 a distance of 117.4 feet to the Northwest corner of said Lot 16; thence South 23° 48' West 100 feet along the West line of said Lot 16; thence South 17° 25' East 180 feet; thence North 9° 46' East 275.7 feet to the Southeasterly corner of Lot 15 of Elk Rock Villas; thence Northerly along the Easterly lines of said Lots 15 and 16 a distance of 530 feet to the place of beginning, containing .95 acres more or less all in Lot 15 and 16 of said Elk Rock Villas:

Being that property described in deed from the Oregon Iron and Steel Company to the Oregon and California Railroad Company dated May 23, 1921, and recorded in Book 854, Page 110 of the Multnomah County Records.

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to the place of beginning; containing 0.07 acres, more or less and being in Section 35, Township 1 South, Range 1 East, Willamette Meridian, Multnomah County, State of Oregon.

Subparcel 9-318

Beginning at a point on the Easterly line of that certain parcel of land conveyed by the Oregon and California Railroad Company to Peter Kerr by deed dated January 10, 1908 and filed June 12, 1908 in the office of the County Clerk of Multnomah County, Oregon, said point of beginning being South 74° 17' 10" West along the North line of Lot 9, Abernethy Heights as platted and filed in the Records of Multnomah County, Oregon 40.00 feet from the Northeast corner thereof, and South 01° 01' West along said Easterly line of the Kerr Tract 242.93 feet; thence continuing along said Easterly line of Kerr tract as follows:

South 01° 01' West 32.07 feet;

South 19° 40' 40" West 129.25 feet;

South 38° 20' West 86.46 feet

to a point that is 3.87 feet Westerly, measured at right angles from the relocated center line of said Oregon and California Railroad Company at Engineer's Station 290 + 15.0; thence North 52° 54' West 11.13 feet to a point; thence north 4° 06 and 1/2' East 28.40 feet to a point; thence North 30° 15 and 1/2' East 201.14 feet to a point which is 13 feet Westerly, measured at right angles from said relocated center line; thence Northerly, parallel to said relocated center line on a curve to the left of 623.78 feet radius, tangent to which bears North 16° 06' 02" East, 13.16 feet to the place of beginning; containing 0.13 acres, more or less, and being in Section 35, Township 1 South, Range 1 East, W.M., Multnomah County, State of Oregon; being that property

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BOOK 2150 PAGE 1585

Beginning at the Southwest corner of tract No. 9 in Abernethy Heights according to the recorded plat thereof on file and of record in the office of the Clerk of Multnomah County; thence East, along the South limit of said tract, to a point which is 80 feet West of the Southeast corner of said tract; thence North 38° 15' East 679.61 feet; thence North 19° 46' East 129.2 feet; thence north 00° 56' East 275 feet to a point in the North boundary limit of said tract and 40 feet Westerly from its Northeast corner, as measured on said North boundary limit; thence Westerly, along said North boundary limit, to the Northwest corner of said tract; thence Southerly, along the West limit of said tract and following the East line of Tuttle Avenue, to the place of beginning, containing 6.68 acres more or less, in Multnomah County, Oregon.

PARCEL 9-31

That property, described as follows:

Subparcel 9-31A

Beginning at the Southeast corner of Lot 8 of Abernethy Heights, as platted and filed in the records of Multnomah County, Oregon; thence South 74° 17' 10" West along the Southerly line of said Lot 8 intersecting the relocated center line of the Oregon and California Railroad Company at Engineer's Station 285 + 12.73, a distance of 26.02 feet to a point which is 13 feet Westerly, measured at right angles, from the relocated center line of the main track of The Oregon and California Railroad Company; thence Northerly parallel to said relocated center line on a curve to the left of 1896.914 feet radius (tangent to which bears North 3° 59' 15" West) a distance of 10.35 feet; thence Northerly parallel to said relocated center line on a curve to the left of 3806.745 feet radius 29.90 feet to a point; thence North 4° 45" West parallel to said relocated center line, 219.87 feet to a point in the Easterly line of said Lot 8, thence South 10° 25' East along the Easterly line of said Lot 8, 256.42 feet

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Also being that property excepted and reserved from the plat of Riverwood records in Book 452, Page 22 of the Multnomah County Records.

EXCEPTING therefrom the property described in deed from the Oregon and California Railroad Company and the Southern Pacific Company, grantors, to Peter Kerr, grantee, dated March 22, 1922 and recorded in Book 888, Page 166 of the Multnomah County Records.

PARCEL 9-4

That property described in a deed from H. C. Leonard, grantor, to the Portland and Yamhill Railroad Company, grantee, dated September 24, 1892 and recorded at Book 190, Page 167 of the Multnomah County Records, being described as a portion of the Riverside property owned by H. C. Leonard, described as follows:

Beginning at a point where the North line of the 1 acre tract heretofore leased to the Macadam Road Company, if extended Easterly, would intersect with the East line of the above described 26 foot strip of land; thence running southerly along said East line of said 26 foot strip, 130 feet; thence Easterly at right angles to said East line of said 26 foot strip, 16 feet; thence Southerly parallel to and 16 feet distant from said East line of said 26 foot strip, to the North line of said 1 acre tract; thence Westerly along said North line and an extension thereof to the place of beginning, containing four-hundredths (4/100) of an acre of land.

PARCEL 9-5

Beginning at a point South 47 and 1/4° West 150 feet distant from the Northeast corner of the following described tract of land situated in Sections 25 and 34 in Township 1 South, Range 1 East, Willamette Meridian: to-wit; commencing at a point on the left bank of the Willamette River where the South

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described in a conveyance from Peter Kerr and Laurie K. Kerr, husband and wife, grantors, to Oregon and California Railroad Company, grantee, by deed dated July 5, 1922, and recorded at Book 886, Page 210 of the Multnomah County Records.

PARCEL 9-2

That property described as Lot numbered Nine (9) in Abernethy Heights, as laid out in the duly recorded plat thereof; being all that land described in a deed from Levy White, Trustee, to the Portland and Yamhill Railroad Company, dated September 14, 1892 and recorded at Book 184, Page 272 of the Multnomah County Records.

Except that portion of the said property which was sold to Peter Kerr, grantee, by the Oregon and California Railroad Company, grantor, by deed dated January 10, 1908.

And further excepting that land sold by the Oregon and California Railroad Company and the Southern Pacific Company, grantors, to Peter Kerr, grantee, by deed dated March 22, 1922, and recorded at Book 888, Page 165 of the Multnomah County Records.

PARCEL 9-3

That property described as a strip of land twenty six (26) feet in width, extending through and across the property formerly owned by H. C. Leonard then [1892] known as the Whitehouse or Riverside property, the said strip of land being 13 feet in width on each side of the center line of the track of the railway laid down and operated through and across the Riverside property; being that land described in a deed from H. C. Leonard, grantor, to the Portland and Yamhill Railroad Company, grantee, dated September 14, 1892, and recorded at Book 190, Page 167 of the Multnomah County Records,

boundary of said Abernethy tract; thence South 1 and 1/2° East about 450 feet to place of beginning, containing .9 acres more or less;

Being that property, described in a conveyance from William Abernethy and Sarah F. Abernethy, husband and wife, and Jacob Kamm and Caroline Kamm, husband and wife, grantors, to the Portland and Willamette Valley Railway Company, grantee, dated July 25, 1894, and recorded at Book 96, Page 19 of the Multnomah County Records.

PARCEL 9-21

That certain tract of land described in City of Portland Ordinance No. 5100 approved June 17, 1887 and in City of Portland Ordinance No. 5442 and further described in a contract from the City of Portland to Wells Gilbert, recorded in Book 131, Page 490 Records of said County, said tract of land lying northerly of the northerly line of land described in deed dated July 25, 1887 from William Abernethy, et al to Portland & Willamette Valley Railway Company, recorded August 2, 1887 in Book 96, Page 19, Deed Records of said County and southerly of the southerly line of land described in deed dated March 27, 1888 from Penumbra Kelly, et al to Portland & Willamette Valley Railway Company recorded April 4, 1888 in Book 102, Page 126, Deed Records of said County.

PARCEL 9-22

A strip of land, 60 feet in width, being 30 feet on each side of the center line of the surveyed and constructed line of the railroad, described as follows, to-wit: Commencing in the meander line upon the left bank of the Willamette River in Section 26, Township 1 South, Range 1 East, at a point South 16° 30' East, 480 links from the original Northeast corner of donation claim no. 45; thence West, along the line of land conveyed by John Doole and wife to Hm. Strong, 34 chains and 36 links to Strong's Southwest corner; thence North, along said Strong's line, 4 chains and 60 links to Northern boundary line of said donation claim; thence West, along said boundary line, 22 chains to Northwest

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side line of the W. S. Torrance Claim meets said river, one chain East of the witness post on the top of Elk Rock; thence, along the meanders of said river, Northeasterly 11 chains to the line of the 29 and 3/4 acre lot sold to H. Williams; thence Northerly along the West line of said lot, 32 chains to a stake at the Northeast corner of said lot, near the McAdam Road; thence North 47° 15' East two chains and 80 links to the Willamette River; thence North 40° West, 7 chains and 35 links to the mouth of a small creek; thence South 47 and 1/4° East 4 chains and 5 links to the center of the McAdam Road; thence South 53 and 1/4° West, 9 chains and 20 links to a stake by creek; thence South 61 and 1/2° West 23 chains and 25 links to a post; thence South 35 chains and 83 links to a post in south side line of claim; thence Easterly, along claim line, 40 chains and 17 links to the place of beginning, containing 163 and 1/3 acres more or less, and running thence from said point of beginning Southeasterly parallel to center line of Portland and Willamette Valley Railway as staked, and 20 feet distant therefrom 495 feet to boundary line between Abernethy and Leonard; thence South, 47 and 1/4° West, along said boundary line, 40 feet; thence Northwesterly parallel to center line of said railway and 20 feet distant therefrom to North boundary line of said Abernethy tract; thence North 47 and 1/4° East, along said North boundary line, 40 feet to the place of beginning, containing .4 acres more or less. Also beginning at a point on East boundary of said Abernethy tract, North 1 and 1/2° West from and 15 feet distant from a stone said to be the South corner of the Leonard tract recorded in Book "I" Page 205 [2457] Record of Deeds of Multnomah County, Oregon; thence Southwesterly parallel to and 30 feet distant from the center line of the Portland and Willamette Railway as staked, about 500 feet to South boundary line of said Abernethy tract which is the division line between Abernethy and the Oregon Iron and Steel Company; thence West, along said boundary, 60 feet; thence Northeasterly, parallel to and 30 feet distant from the center line of said railway, to the before mentioned East

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ALSO, EXCEPTING therefrom all of the land described in deed dated June 28, 1962 from Southern Pacific Company to Oregon Outboard Association, Inc.

PARCEL 9-23

That property described as: Commencing at a point in the North boundary line of the piece of land conveyed by Story to O'Shea by deed recorded on Page 384 of Book 38 Records of Deeds of Multnomah County, State of Oregon, said piece of land being described as commencing at the Northeast corner of William Strong's land at the Willamette River, thence Westerly along said Strong's North line to the East line of the McAdam Road; thence Northerly along said road one hundred (100) feet; thence Easterly parallel with said Strong's North line to the river; thence up said river to the place of beginning; said point being 30 feet East of the center line of the railroad track; thence from said point of commencement Southerly, parallel to and 30 feet distant from the center line of the Portland and Willamette Valley Railway, as located and constructed 100 feet to South boundary of said land, thence Westerly along said South boundary 60 feet; thence northerly parallel to and 30 feet distant from said center line of railway 100 feet to North boundary line of said land; thence Easterly, along said North boundary line, 60 feet to the place of beginning;

Being that property described in conveyance from John F. O'Shea and Louisa O'Shea, husband and wife, and James B. O'Shea and Mary M. O'Shea, husband and wife, grantors, to the Portland and Willamette Valley Railway Company, grantee, dated January 11, 1888, and recorded at Book 100, Page 153 of the Multnomah County Records.

PARCEL 9-6

That property described as follows: A certain strip of land varying from 24 feet to 64 feet in width, being from 12 to 42 feet in width on each side

corner of said claim; thence south, on original claim, 17 chains and 60 links to the Southwest corner of the John Doole land; thence East 62 chains and 50 links to Willamette River; thence by meanders North 48° West 4 chains and 10 links; thence North 16° 30' West 10 chains and 70 links to the place of beginning; containing 85 acres, exclusive of one and 20/100th acres belonging to Macadam Road Company;

Being that property described in a deed from Penumbra Kelly and his wife Mary E. Kelly, H. D. Chapman and his wife, Addy E. Chapman, and Ward S. Stevens and his wife, Margaret A. Stevens, grantors, to the Portland and Willamette Valley Railway Company, grantees, dated March 27, 1888 and recorded at Book 102, Page 126 of the Multnomah County Records.

PARCEL 9-24

A strip of land, 60 feet wide, lying 30 feet each side of the center line of main track of Southern Pacific Transportation Company described as follows:

Beginning at the intersection of said center line with the northerly line of land described in deed dated January 11, 1888 from John F. O'Shea, et al to Portland and Willamette Valley Railway Company, recorded January 13, 1888 in Deed Book 100, Page 153 Records of said County; thence northerly, along last said center line to the southerly line of land described in deed dated July 29, 1887 from Riverview Cemetery Association to Portland and Willamette Valley Railway Company, recorded September 6, 1887 in Deed Book 95, Page 349 Records of said County; last said southerly line being coincident with the southerly line of Hector Campbell Donation Land Claim.

EXCEPTING therefrom all of the land described in deed dated December 13, 1929 from Southern Pacific Company to Frank A. Spencer.

INCLUDING the rights reserved in last said deed dated December 13, 1929.

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PARCEL 9-7

BOOK 2150 PAGE 1594

That property described as follows: Being through and across the following tract of land, situated in and being part of the Hector B. Campbell donation land claim in Township 1 South, Range 1 East of the Willamette Meridian, bounded on the East by the Willamette River, on the West by the center line of the McAdam Road, on the North by the North boundary of said Hector B. Campbell donation land claim, on the south by an East and West line parallel to said Northern boundary and 150 feet distant therefrom, the Northeast corner of said tract of land being the Northeast corner of said Hector B. Campbell donation land claim: The right of way across being a strip 40 feet wide described as follows: Commencing at a point on the North boundary of said tract, 60 feet East of the Northwest corner thereof, thence East along said North boundary 40 feet, thence Southeasterly parallel to and 20 feet distant from the center line of the Portland and Willamette Valley Railway as staked and located 155 feet to South boundary of said tract, thence West along said South boundary 40 feet, thence Northwesterly parallel to and 20 feet distant from said center line of railway 150 feet to the place of commencement, containing 14/100ths acres;

Being that property described in a deed from Vulcan Powder Company, grantor, to the Portland and Willamette Valley Railway Company, grantee, dated November 18, 1887, and recorded at Book 99, Page 117 of the Multnomah County Records.

PARCEL 9-8

That property described in a deed from the Giant Powder Company Consolidated, grantor, to the Oregon and California Railroad Company, grantee,

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of the center line of the railroad as surveyed and located through the said premises, said strip being four thousand six hundred and thirty-five (4,635) feet long and averaging thirty-seven (37) feet in width and containing 3 and 94/100ths acres more or less, and also a certain strip described as follows: Beginning at a point on the West line of the Macadamized road 60 feet Northwesterly from where the said West line of said road intersects the Southern boundary of the former [1887] lands of the Riverview Cemetery Association, running hence North 30 and 3/4° West, parallel to the center line of the railroad, as at that time [1887] surveyed and located, 250 feet to the West line of said Macadamized road, and thence Southerly along the said West line of said road to the place of beginning, containing 6/100ths of an acre, more or less, the said premises above described being a part of that portion of the donation land claim of Hector Campbell, conveyed by H. N. Corbett and wife to the Riverview Cemetery Association by deed dated June 30, 1883, recorded upon Page 93 of Book 68 of the Records of Deeds of Multnomah County; and the center line of the railroad above mentioned be more particularly described as follows: Beginning at a point in the South line of the said portion of the donation claim of Hector Campbell above mentioned 26 feet South, 51° West from the Southeast corner of said tract, and running thence North 30 3/4° West 3,272 feet, thence on a curve to the East of 1146 feet radius, 640 feet, thence North 1 and 1/4° East 394 feet, thence on a curve of 1433 feet radius 329 feet to the North boundary of said tract;

Being that property described in a deed from Riverview Cemetery Association of Portland, grantor, to Portland and Willamette Valley Railway Company, grantee, dated July 29, 1897 and recorded at Book 95, Page 349 of the Deed Records of Multnomah County.

Township 1 South, Range 1 East, of the Willamette Meridian, containing 7/10ths acres more or less, and being a strip 30 feet wide lying 15 feet on each side of the center line of the Portland and Willamette Valley Railway as at present [1887] located and staked.

PARCEL 9-27

That parcel described in a deed from Joseph Weber, grantor, to Oregon and California Railroad Company, grantee, dated January 14, 1919 and recorded at Book 777, Page 28 of the Multnomah County Records, also being:

That property beginning at a point North 53° 16' West 307.49 feet from the Southeast corner of the Stevens donation land claim, Section 22, Township 1 South, Range 1 East, Willamette Meridian, which point is in the Easterly line of Oregon and California Railroad Company's 30 foot right of way; thence North 21° 45' West along said Easterly right of way line paralleling center line of said railroad company's main track and 15 feet distant Easterly therefrom 652.01 feet; hence North 68° 15' East 15 feet to a point; thence South 21° 45' East Parallel to the center line of said railroad company's main track as now constructed and 30 feet distant Easterly therefrom 657.99 feet to a point in the South line of the Joseph Weber Tract; thence West on said South line 16.15 feet to the point of beginning, containing 9825 square feet more or less and also the right to maintain on adjacent lines lands of the grantor the slopes of embankment of the railroad grade of said railroad company.

PARCEL 9-10

That land described in a deed from Robert Irving and Mary Irving, husband and wife, grantors, to Portland and Willamette Valley Railway Company, grantee, dated September 2, 1887, recorded at Book 99, Page 93 of the Multnomah County Records, also being:

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dated January 14, 1897, recorded at Book 236, Page 435 of the Multnomah County Deed Records, and described as follows:

A strip of land thirty (30) feet in width being fifteen (15) feet on each side and parallel with the center line of the main track of the Oregon & California Railroad as the same as staked and located over a parcel of land described as:

Beginning at a stake in the East line of the Portland McAdam Road where the same is intersected by the South line of the Stephens Donation Land Claim; thence North 5° 30' West, tracing the East line of said Macadam Road, 1 chain and 78 links to a Cedar tree 8 inches in diameter; thence North 33° 30' West, tracing the East line of said Macadam Road, 1 chain and 22 links to a point; thence East, parallel with said claim line, 3 chains 74 links below water line in the Willamette River; thence South 18° East 2 chains and 93 links tracing low water line on said river to a point in the South line of said Stevens' claim on the Easterly extension thereof; thence West, tracing claim line, 3 chains and 80 links to the place of beginning, containing 1 acre, more or less.

PARCEL 9-9

That property described in a judgment of condemnation dated September 21, 1887 in Multnomah County Circuit Court Case No. 7653, entitled Portland and Willamette Valley Railway Company, plaintiff vs. John F. O'Shea and James O'Shea, defendants, to-wit:

Beginning at a point North 62° East, distant 98 feet from the Southwest corner of the Tannery tract and the site of the original three mile post on the East side of the McAdam road, thence North 62° East, 30 and 2/10ths feet along the division line between O'Shea and Tannery tract, thence South about 21° East 108 feet to a point on the division line between O'Shea and Giant Powder Company's one acre tract which is 44 feet East of the Northwest corner of said one acre tract, thence West 32 and 3/10ths feet; thence North about 21° West, 933 feet to the place of beginning, all of which is contained in Section 22,

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from said center line at Engineer's Station 167+12.05; thence northerly along said line of right of way to the actual point of beginning, containing 0.29 of an acre, more or less.

PARCEL No. 2. Beginning at the southwest corner of former Lot 1, Block "B", Fulton Park, thence westerly along the extension of the southerly line of said Lot 1, a distance of 40.0 feet to the center line of the originally located main track of the Southern Pacific Company's Newberg Branch at Engineer's Station 160+57.95; thence southerly along said center line a distance of 280.01 feet to Engineer's Station 163+40.01; thence East a distance of 15.03 feet to a point in the easterly line of the right of way of the Southern Pacific Company's Newberg Branch, said point being the actual point of beginning of the parcel of land to be described; thence South 32°-54' 43" East a distance of 101.70 feet to a point; thence South 14° 23' 51" East, a distance of 243.40 feet to a point; thence South 38° 04' 38" West a distance of 40.25 feet to a point in the easterly line of said right of way distant 15 feet easterly measured radially from said center line at Engineer's Station 167+12.05; thence northerly along said line of right of way to the actual point of beginning, containing 0.32 of an acre, more or less.

PARCEL 9-11

That land described in a deed from Frank Precechtel and Veronica Precechtel, husband and wife, grantors, to the Portland and Willamette Valley Railway Company, grantee, dated September 13, 1887, and recorded at Book 99, Page 111, of the Multnomah County Records, described as follows:

Commencing at a point on the South line of the 1 and 1/2 acre tract by one Marquam to F. Precechtel and recorded in Page 290, Book 65 Multnomah County Records, North 79° East and 178 feet distant from the Southwest corner of said

Commencing at a point on the South line of the Zahheiser Tannery Tract [deed for said tract being recorded at Page 625, Records of Deeds Book "F" of Multnomah County, Oregon] North 62° East 104 feet distant from the Southwest corner of said Tannery tract, the same being the Northwest corner of the 6 and 895/1000ths of an acre tract conveyed by P. A. Marquam to O'Shea Bros. and also the site of the old three mile post; thence Northerly, parallel to and ten feet distant from the center line of the Portland and Willamette Valley Railway as located and staked, 180 feet to the North boundary of said Tannery tract; thence Easterly, tracing said North line 21 feet; thence Southerly, parallel to and 10 feet distant from the center line of the Portland and Willamette Valley Railway as located and staked, 180 feet to the South line of said tannery tract; thence tracing said South line, South 62° West 20 and 1/2 feet to the place of beginning, containing 9/100ths acres.

PARCEL 9-33/34

Those parcels of land described in a deed from Joseph Weber, grantor, to Southern Pacific Company, grantee, dated October 21, 1941 and recorded at Book 653, Page 32 of the Multnomah County Records, described as follows:

PARCEL No. 1. Beginning at the southwest corner of former Lot 1, Block "B", Fulton Park; thence westerly along the extension of the southerly line of said Lot 1 a distance of 40.0 feet to the center line of the originally located main track of the Southern Pacific Company's Newberg Branch at Engineer's Station 160+57.95; thence southerly along said center line a distance of 280.01 feet to Engineer's Station 163+40.01; thence West a distance of 15.03 feet to a point in the westerly line of the right of way of the Southern Pacific Company's Newberg Branch, said point being the actual point of beginning of the parcel of land to be described; thence South 17° 24' 54" West a distance of 110.33 feet to a point; thence South 16° 53' 39" East, a distance of 158.53 feet to a point; thence South 36° 47' 07" East a distance of 134.01 feet to a point in the westerly line of said right of way distant 15 feet westerly measured radially

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Commencing at a point on the South line of 1 and 1/2 acre tract of land conveyed to J. B. Lichenthaler by deed recorded on Page 244, Book "N", Multnomah County Records, said point being 243 feet East of the Southwest corner of said 1 and 1/2 acre tract, thence Northerly parallel to and 13 feet distant from the center line of the Portland and Willamette Valley Railway as now located and staked, 156 feet to the North line of said tract, thence tracing said North line East 26 feet, thence Southerly parallel to and 13 feet distant from the said railway center line, 156 feet to the South line of said tract, thence tracing said South line 26 feet Westerly to the point of commencement, containing 9/100ths acres more or less.

PARCEL 9-17

A strip of land, 2 feet wide, the westerly line thereof being coincident with the easterly line of land described in deed from Charles Lieberman, et ux to Portland and Willamette Valley Railway Company, recorded December 9, 1887 in Deed Book 99, Page 103, Records of said County and in deed from D. W. Lichenthaler to Portland and Willamette Valley Railway Company, recorded December 9, 1887 in Deed Book 99, Page 101, Records of said County.

The side lines of said 2 foot wide strip of land to terminate in the easterly prolongation of the southerly line of land described in said deed recorded in Deed Book 99, Page 103 and in the easterly prolongation of the northerly line of land described in said deed recorded in Deed Book 99, Page 103.

PARCEL 9-19

That land described in a deed from E. W. Bingham and Kate J. Bingham, husband and wife, grantors, to the Portland and Willamette Valley Railway Company, grantee, dated July 28, 1888, recorded at Book 137, Page 86, the Multnomah County Records, described as follows:

now 2150 rmt 1599

1 and 1/2 acre tract, thence Northeasterly parallel to and 15 feet distant from the center line of the Portland and Willamette Valley Railway as located and staked 156 feet to the North line of said 1 and 1/2 acre tract, thence East along said North line about 30 feet, thence Southwesterly parallel to and 15 feet distant from the center line of the said railway as located and staked 150 feet to said South line of 1 and 1/2 acre tract, thence South 79° West along said South line about 31 feet to the place of beginning, containing 0.1 acre more or less.

PARCEL 9-15

That property described in a deed from Charles Lieberman and Almira Lieberman, grantors, to Portland and Willamette Valley Railway Company, grantees, dated September 15, 1887, recorded at Book 99, Page 105 of the Multnomah County Records, described as follows:

Commencing at a point on the South line of the tract of land conveyed to Charles Lieberman by deed recorded on Page 393 of Book 61, Multnomah County Records, which point of beginning is 175 feet East of the Southwest corner of said tract, thence Northerly parallel to and 13 feet distant from the center line of the said railway as now located and staked, 75 feet to the North line of said tract, thence East tracing said North line 26 feet, thence Southerly parallel to and 13 feet distant from the center line of said railway 75 feet to South line of said tract, thence West tracing said Southline 26 feet to the point of beginning, containing 4/100ths acres more or less.

PARCEL 9-16:

That land described in a deed from D. W. Lichtenthaler, grantor, to Portland and Willamette Valley Railway Company, grantees, dated September 14, 1887, recorded at Book 99, Page 101, of the Multnomah County Records, described as follows:

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PARCEL 10-2

That property described in a deed from the California Powder Works, grantor, to the Portland and Willamette Valley Railway Company, grantee, dated July 18, 1888, recorded Book 107, Page 348 of the Multnomah County Records, described as follows:

Commencing at a point in the South line of the 1 acre tract conveyed to said California Powder Company by deed recorded at Page 456 of Book 39 of Records of Deeds of Multnomah County, State of Oregon said point of commencement being 218 feet East of the East edge of the McAdam Road; thence Northerly, parallel to and 13 feet distant from the center line of the Portland and Willamette Valley Railway as now located and constructed, 112 and 1/2 feet to the North line of said 1 acre tract; thence tracing said North line East 26 feet; thence Southerly, parallel to and 13 feet distant from said center line of said railway, 112 and 1/2 feet to the South line of said 1 acre tract; thence tracing said South line West 26 feet to the point of commencement, containing 7/100ths acres more or less.

PARCEL 10-3

That land described in a deed from William Geiger and Rosina Geiger, husband and wife, grantors, to the Portland and Willamette Valley Railway Company, grantee, dated November 17, 1887, recorded at Book 99, Page 91 of the Multnomah County Records, described as follows:

Commencing at a point on the South line of the 1 and 15/100ths acre tract conveyed by deed to William Geiger and recorded on Page 161 of Book 77, Records of Deeds of Multnomah County, Oregon, said point of commencement being 217 feet East of the East edge of the Macadam Road and 164 feet East of the Southeast corner of said tract; thence Northerly, parallel to and 13 feet distant from the center line of the Portland and Willamette Valley Railway as

Commencing at a point 30 feet South of the South line of Lot 2 in Block 4 of Southern Portland as shown and designated on the duly recorded map and plat of said Southern Portland and 96 feet East of the West line of said Block 4, continued South 30 feet, thence South 6° 42' East 201.04 feet, thence East 30 feet, thence North 6° 44' West 201.04 feet, thence West 30 feet to the point of beginning.

PARCEL 9-20/10-1

That property described in deed from William Reid and Agnes Reid, grantors, to the Portland and Willamette Valley Railway Company, grantees, dated December 1, 1887, recorded at Book 136, Page 341, of the Multnomah County Records, described as follows:

A strip of land 26 feet wide, lying 13 feet on each side of the center line of the Portland and Willamette Valley Railway as now located and constructed, said center line of railway being more particularly described as follows, commencing at a point on the South boundary line of Southern Portland, 113 feet East of the East line of the McAdam Road, thence North 5 and 1/4° West parallel to and 87 feet distant from the East line of Block 4, a distance of 836 feet across Maine Street, through Block 4 across California Street, and into Lot 11 of Block 5; thence on a curve towards the East with a radius of 1433 feet for 257 and 1/2 feet through Lots 11, 13, 15 and 17 of Block 5, across Vermont Street and into Lot 1 of Block 6; thence on a tangent to said curve 253.7 feet, through Lots 1, 3, 5, 7 and 9, and into Lot 11 of said Block 6; thence in a curve towards the West with a radius of 950 feet for 298.9 feet through Lots 11 and 13 of Block 6 to the center of Bond Street; thence North about 13° West, along the center line of Bond Street, 786 feet to the North boundary line of Southern Portland.

Commencing at a point on the South line of the tract of land conveyed to A. Bissinger by deed recorded at Page 347 of Book 52, Records of Deeds of Multnomah County, State of Oregon, said point of commencement being 215 feet East of the Southwest corner of said tract [said corner being also the Southwest of the 5 and 69/100ths acre tract heretofore conveyed by James Terwilliger to H. C. Hill; thence Northerly, parallel to and 13 feet distant from the center line of the Portland and Willamette Valley Railway as at present located and staked, 217 feet to the North line of said Bissinger tract; thence tracing said North line East 26 feet, thence Southerly, parallel to and 13 feet distant from the center line of said railway, 217 feet to South line of said Bissinger tract; thence tracing said South line West 26 feet to the place of commencement, containing 13/100ths acres more or less.

PARCEL 10-6

That land described in a deed from Phoebe Wager and George Wager, husband and wife, grantors, to the Portland and Willamette Valley Railway Company, grantee, dated September 30, 1887 and recorded at Book 99, Page 113 of the Multnomah County Records, also being:

Commencing at a point on the North line of the 69/100ths acre tract conveyed to Phoebe Wager by deed recorded at Page 392 of Book 79, Records of Deeds of Multnomah County, State of Oregon, said point of commencement being 243 feet East of the Northwest corner of said tract; thence Southerly, parallel to and 13 feet distant from the center line of the Portland and Willamette Valley Railway as now located and staked, 74 feet to the South line of said tract; thence tracing said South line East 26 feet; thence Northerly, parallel to and 13 feet distant from the center line of said railway, 74 feet to the North line of said tract; thence tracing said North line West 26 feet to the place of commencement, containing 4/100ths acres more or less.

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now located and staked, 150 feet to the Northline of said tract; thence tracing said North line East 26 feet; thence Southerly, parallel to and 13 feet distant from the center line of said railway, 150 feet to the South line of said tract; thence tracing said South line West 26 feet to the place of beginning.

PARCEL 10-4

That land described in a deed from Louis Arnold and Mary Arnold, husband and wife, grantors, to the Portland and Willamette Valley Railway Company, grantee, dated November 17, 1887, recorded at Book 99, Page 78 of the Multnomah County Records, described as follows:

Commencing at the point where the center line of the Portland and Willamette Valley Railway as now located and staked intersects the South line of the 5.6 acre tract deeded by Jas. Terwilliger and wife to H. C. Hill and recorded on Page 280, Book "Q", Multnomah County Records, said point of commencement being 180 West of the Southeast corner of said 5.6 acre tract, and said South line of said tract being at the boundary line between the lands of Louis Arnold and A. Bissinger; thence East, along said boundary line, 13 feet; thence Southeasterly, parallel to and 13 feet distant from said center line of railway, 413 feet to the boundary line, between the lands of Louis Arnold and William and Rosina Geiger; thence West, along said boundary line, 26 feet; thence Northwesterly, parallel to and 13 feet distant from said center line of railway, 413 feet to said South line of 5.6 acre tract; thence East, along said South line, the same being the division line between Arnold and Bissinger, 13 feet to the place of commencement, containing 1/4 of an acre, more or less.

PARCEL 10-5

That land described in a deed from Adolph Bissinger and Clara Bissinger, husband and wife, grantors, to Portland and Willamette Valley Railway Company, grantee, dated October 13, 1887, recorded at Book 99, Page 61 of the Multnomah County Records, also being:

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Lichtenthaler's tract and the land of James Terwilliger: Thence Northerly, along the West bank of the Willamette River, 200 feet, more or less, to the South division line between said Terwilliger tract and the land of J. H. Jones; thence East, along said division line, 26 feet; thence Southerly, parallel with said Northerly line, 200 feet, more or less, to the division line between said Lichtenthaler and Terwilliger's land, thence Westerly, along said last named division line, 26 feet to the place of beginning.

Second Tract - Commencing at a point 407 feet East of the point where the East line of the Macadam Road intersects with the North line of the J. H. Jones tract of land; which is the division line between the said Jones and Terwilliger's land, thence Northerly, along the West bank of the Willamette River, 240 feet, to the boundary line between J. S. Keller and said Terwilliger and being the South boundary line of said J. S. Keller, thence East 26 feet along said boundary line; thence Southerly, parallel with the Northerly course, 240 feet, to the division line between said Jones and Terwilliger's land, thence West 26 feet to the place of beginning.

Third Tract - Commencing at a point distant 407 feet East of the point where the East line of the Macadam Road intersects the North line of J. S. Keller's land, which is a division line between the lands of said Keller and said James Terwilliger; thence Northerly, along the West bank of the Willamette River, 1325 feet to the boundary line between Miram Terwilliger and said James Terwilliger; thence East, along said boundary line, 26 feet; thence Southerly, parallel with the Northerly course, 1325 feet to the said boundary line between Keller and said James Terwilliger; thence West 26 feet to the place of beginning.

Fourth Tract - Commencing at a point 546 feet South and 194 East of Northeast corner of Multnomah Street and First Avenue in the City of Portland, being also the Southwest corner of Block 188 in Caruther's Addition to Caruthers

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PARCEL 10-7

That land described in judgment rendered December 14, 1887, in Multnomah County Circuit Court Case No. 13241, entitled Portland and Willamette Valley Railway Company vs. Matthias Koshland and Fannie Koshland, husband and wife, also being:

Beginning at point on the North line of the 1 and 1/6 acre tract conveyed to M. Koshland by deed recorded at Page 302 of Book 77, Records of Deeds of Multnomah County Oregon, said point of beginning being South 75° 15' East 339 feet from the Northwest corner of said 1 and 1/6 acre tract; thence Southerly, parallel to and 13 feet distant from the center line of the Portland and Willamette Valley Railway as now located and staked, 101 feet to the South line of said tract; thence tracing said South line South 75° 15' East 26 feet; thence Northerly parallel to and 13 feet distant from the center line of said railway, 101 feet to the North line of said tract; thence tracing said North line North 75° 15' West 26 feet to the place of beginning, containing 6/100ths acres, more or less.

PARCELS 10-8, 10-9, 10-10/11-1 AND 11-2

That land described in conveyance from James Terwilliger, grantor, to the Portland and Willamette Valley Railway Company, grantee, dated July 13, 1887, recorded at Book 94, Page 332 of the Multnomah County Records, also being:

That land being parts of the donation land claim of the said James Terwilliger and situated in the County of Multnomah, State of Oregon and more particularly bounded and described as follows, to-wit:

First Tract - Commencing at a point 353 feet East of the intersection of the East side line of the Macadam Road with the North boundary line of W. P. Lichtenthaler's tract of land, and being the division line between the said

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Commencing at a point on the North line of the one acre tract of land conveyed to J. S. Keller by deed recorded at Page 27 of Book S, Records of Deeds of Multnomah County, State of Oregon, said point of commencement being 499 feet East of the Northwest corner of said tract, thence Southerly parallel to and 13 feet distant from the center line of the Portland and Willamette Valley Railway, as now located and staked 161 feet to a point on the South line of the one acre tract conveyed to J. S. Keller by deed recorded at Page 255 of Book R, Records of Deeds of said Multnomah County, said point being 490 feet East of the Southwest corner of said tract, thence tracing said South line East 26 feet, thence Northerly parallel to and 13 feet distant from the center line of said railway 161 feet to the North line of the first above-mentioned one acre tract, thence tracing said North line West 26 feet to the place of commencement, containing 1/10 acre.

PARCELS 10-13 AND 10-14

That land described in conveyance from Oregon Furniture Manufacturing Company, grantor, to the Oregon & California Railroad Company, grantee, dated May 7, 1904, and recorded at Book 325, Page 147 of the Multnomah County Records, also being:

Two strips of land each 17 feet in width being one strip on each side of and parallel with and adjacent to the present [1904] right of way strip of the Oregon & California Railroad Company, as the same is located, constructed and operated over and across the following described premises in Multnomah County, State of Oregon, to-wit:

That certain tract of land in Section 15, Township 1 South, Range 1 East South 1 East of the Willamette Meridian, and being a part of the East half (or Philinda Terwilliger's portion) of the donation land claim of James Terwilliger and Philinda Terwilliger, his wife, in the County of Multnomah and

Addition to said city; thence from said point on the division line between the land of Adolph Nicolai and James Terwilliger North 220 feet, more or less, to the South boundary line of the land sold to J. E. Sedlak; thence East 25 feet; thence South 220 feet, more or less, to the North line of said Nicolai's land; thence West 25 feet to the point of beginning.

PARCEL 10-11

That land described in a deed from Eliha K. Jones and Emma J. Jones, husband and wife, grantors, to the Portland and Willamette Valley Railway Company, grantee, dated September 27, 1887, and recorded at Book 99, Page 95 of the Multnomah County Records, described as follows:

Commencing at a point in the South line of the 3 and 1/2 acre tract conveyed to J. Jones by deed recorded at Page 141 of Book Q, Records of Deeds of Multnomah County, State of Oregon, said point of commencement being East 383 feet from the Northwest corner of the 5 and 6/10 acre tract conveyed to N. C. Hill by deed recorded at Page 280 of Book Q, Records of Deeds of Multnomah County, Oregon, then Northerly parallel to and 13 feet distant from the center line of the Portland and Willamette Valley Railway as now located and staked 335 feet to the North line of said 3 and 1/2 acre tract, thence tracing said North line East 26 feet, thence Southerly and parallel to and 13 feet distant from the center line of said railway 335 feet to the South line of said tract, thence West 26 feet to the place of beginning, containing 2/10's acres.

PARCEL 10-12

That property described in a deed from J. S. Keller and Apollonia Keller, husband and wife, grantors, to the Portland and Willamette Valley Railway Company, grantee, dated October 3, 1887, recorded in Book 96, Page 431 of the Multnomah County Records, described as follows:

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of the grantors property situate, lying and being in the northwest quarter of Section 15, Township 1 South, Range 1 East, Willamette Meridian, City of Portland, County of Multnomah, State of Oregon, more particularly described as follows:

Beginning at a point in the Easterly line of the land of the Southern Pacific Company (26 feet wide) that is distant 16 feet South 9° 53' West, measured along said Easterly line, from an iron pipe in the Northwest corner of the land described in deed dated October 9, 1947 from County of Multnomah to Asherton L. and Alace R. Leach, recorded in Book 1267, Page 69, Deed Records of Multnomah County, said iron pipe being distant 13 feet Southerly, measured at right angles from the original located center line of the main track of Southern Pacific Company's Jefferson Street branch; thence South 9° 53' West along said Easterly line, a distance of 400 feet to a point; thence Southwesterly continuing along said Easterly line, on a compound curve to the left (tangent to said compound curve at last mentioned point is last described course) having the following radii, central angles and arc lengths:

<u>Radius</u>	<u>Central Angles</u>	<u>Arc Lengths</u>
11446.17 feet	0° 9' 00"	29.97 feet
5716.60 feet	0° 18' 00"	29.93 feet
3806.75 feet	0° 27' 00"	29.90 feet
2851.83 feet	0° 36' 00"	29.86 feet
2278.88 feet	0° 45' 00"	29.83 feet
1896.91 feet	0° 54' 00"	29.80 feet
1624.09 feet	1° 03' 00"	29.76 feet
1419.47 feet	0° 58' 04"	23.98 feet

to the Southwest corner of said land described in deed dated October 9, 1947, distant 13.04 feet South 89° 54' East from said original located center line of the main track at or near Engineer's Station 99+45.35; thence South 89° 54' East along Southerly line of said land described in last described deed, a distance of 27.09 feet to a point in a line concentric with and distant 40 feet

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State of Oregon, bounded and described as follows, to-wit:

Beginning in an iron pipe in the East side line of the present [1904] established county road No. 680, commonly known as the Macadam Road, which iron pipe is located 1255 feet North and 703 feet West of the Southeast corner of said donation claim, running thence along the East side line of said road, North 20° 8' West 129.90 feet to an iron pipe at the beginning of a curve in said road, thence tracing the East side line of said road, on a curve to the right having a radius of 2252 feet, 366.84 feet to an iron pipe from which the iron pipe at the beginning of the curve above mentioned bears South 25° 39' East 366.41 feet distant, thence East (leaving said road) 713.87 feet to low water mark in the Willamette River, from which an iron pipe bears West 133.45 feet, thence South meandering along the line of the low water mark of said river 481.88 feet to a point from which an iron pipe bears North 89° 18' West 15 feet; thence North 89° 18' West 570.37 feet to the point of beginning, all according to the map or plat of survey made by R. S. Greenleaf in April, 1904.

EXCEPTING therefrom all of the land described in deed dated March 13, 1980 from Southern Pacific Transportation Company to Greenway Landing Development Company, recorded April 25, 1980 in Book 1436, Page 845, Official Records of said County.

PARCEL 10-27/11-35

That property described in an easement from Orville D. Leach and Alace R. Leach, husband and wife, grantors, to Southern Pacific Company, grantee, dated April 17, 1961, also being:

The right and easement to install and maintain the slope of its fill on that certain thirteen thousand one hundred ninety (13,190) square foot portion

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Commencing at a point on the South line of the 10 foot strip of land conveyed to Charles Dietl by deed recorded at Page 211 of Book 30 Records of Deeds of Multnomah County, Oregon said point of commencement being South 75° 30' East, 396 feet from the Southwest corner of said strip, thence Northerly parallel to and 15 feet distant from the center line of the Portland and Willamette Valley Railway as now located and staked 52 feet to the North line of the 1/2 acre tract of land conveyed to Charles Dietl by deed recorded on Page 211 of Book 30, Records of Deeds of Multnomah County, thence tracing said North line South 75° 30' East 30 feet, thence Southerly parallel to and 15 feet distant from the center line of said railway 52 feet to South line of said 10 foot strip of land, thence tracing said South line North 75° 30' West 30 feet to the place of beginning, containing 34/100ths acres more or less.

PARCEL 11-30

The property described in a deed from the First National Bank of Portland, Oregon, grantor, to the Southern Pacific Company, grantee, dated May 24, 1943, recorded at Book 762, Page 335 of the Multnomah County Records, also being:

That land in Section 15, Township 1 South, Range 1 East, Willamette Meridian, County of Multnomah, State of Oregon, described as follows:

Commencing at an iron pipe at the Northwest corner of the Goodnough and Clark 4 acre tract. (Multnomah County Records, Book F, Page 497); thence South 88° 35' feet to a point in the center line of the main track of the Southern Pacific Company between Jefferson Street and St. Joseph at Engineer's Station 86+93.6; thence South 9° 53' West, along said center line, 446.2 feet to a point; thence South 80° 7' East 13.0 feet to a point in the Easterly line of the right of way of the Southern Pacific Company; being the actual point of beginning of the parcel of land to be described; thence South 35° 07' East

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Southeasterly, measured radially, from said original located center line of main track; thence Northeasterly along said concentric line, on a compound curve to the right (tangent to said curve at last mentioned point bears North 4° 48' 18" East) having the following radii, central angles and arc lengths:

<u>Radii</u>	<u>Central Angles</u>	<u>Arc Lengths</u>
1392.47 feet	0° 52' 42"	21.35 feet
1597.09 feet	1° 03' 00"	29.27 feet
1859.91 feet	0° 54' 00"	29.37 feet

to a point; thence north 82° 22' West a distance of 7 feet to a point in a line concentric with and distant 33 feet Southeasterly, measured radially, from said original located center line of main track; thence Northeasterly along last said concentric line, on a compound curve to the right (tangent to said curve at last mentioned point bears North 7° 38' East) having the following radii, central angles and arc lengths:

<u>Radii</u>	<u>Central Angles</u>	<u>Arc Lengths</u>
2258.88 feet	0° 45' 00"	29.57 feet
2831.83 feet	0° 36' 00"	29.65 feet
3785.75 feet	0° 27' 00"	29.74 feet
5695.50 feet	0° 18' 00"	29.83 feet
11426.17 feet	0° 9' 00"	29.91 feet

to a point in a line parallel with and distant 33 feet Southeasterly measured at right angles, from said original located center line of main track; thence North 9° 53' East along last said parallel line, a distance of 400 feet to a point; thence North 80° 07' West a distance of 20 feet to the point of beginning, containing an area of thirteen thousand one hundred ninety (13,190) square feet, more or less.

PARCEL 11-3

The property described in a deed from Charles Dietl, grantor, to Portland and Willamette Valley Railway Company, grantee, dated October 17, 1887, recorded at Book 99, Page 87 of the Multnomah County Records, described as follows:

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"S". Records of Deeds of Multnomah County, State of Oregon, said point of beginning being South 81 and 1/2° East 306 feet from the Southwest corner of said tract, thence Northerly parallel to and 13 feet distant from the center line of the Portland and Willamette Valley Railway as now located and staked 241 feet to the North line of said tract, thence tracing said North line South 88 and 1/2° East 26 feet, thence Southerly parallel to and 13 feet distant from the center line of said railway 241 feet to the South line of said tract, thence tracing said South line North 81 and 1/2° West 26 feet to the place of beginning, containing 14/100ths acres, more or less.

PARCEL 11-6

That land described in a deed from Catherine Fegan [formerly Catherine Malone], grantor, to the Portland and Willamette Valley Railway Company, grantees, dated September 12, 1887, recorded in Book 99, Page 89 of the Multnomah County Records, also being:

Commencing at a point in the North line of the two acre tract conveyed to T. C. Malone by deed recorded at Page 705 of Book "F" Records of Deeds of Multnomah County, State of Oregon, said point of beginning being South 88° 35' East 193 feet from the Northwest corner of said 2 acre tract, thence Southerly parallel to and 13 feet distance from the center line of the Portland and Willamette Valley Railway as now located and staked 194 feet to the South line of said 2 acre tract, thence South 88° 35' east 26 feet, thence Northerly parallel to and 13 feet distant from the center line of the Portland and Willamette Valley Railway as now located and staked 194 feet to the North 88° 35' West 26 feet to the place of beginning, containing 11/100ths acres, more or less.

PARCEL 11-7

That land described in a conveyance from Catherine Fegan, grantor, to the Oregon and California Railroad Company, grantees, dated June 3, 1903 and recorded at Book 401, Page 227 of the Multnomah County Records, described as follows:

A strip of land 17 feet wide adjacent to and East of the company's right of way, deeded to the Portland and Willamette Valley Railway Company by Catherine Fagan by deed dated September 12, 1887, recorded in Book 99, Page 89 and being 194 feet more or less measured along said right of way, said property lying and being in Section 15, Township 1 South, Range 1 East, Willamette Meridian.

EXCEPTING therefrom the easterly 7 feet thereof, described in deed dated April 21, 1958 from Southern Pacific Company to L. S. Baier & Associates, containing an area of 1358 square feet, more or less.

PARCEL 11-6

That land described in a deed from Apollonia Kubler, grantor, to the Portland and Willamette Valley Railway Company, grantee, dated September 20, 1887, and recorded at Book 99, Page 99 of the Multnomah County Records, described as follows:

Commencing at a point on the North line of the 1 acre tract conveyed to Bada and Apollonia Kubler and recorded in Book , Records of Deeds of Multnomah County, State of Oregon at Page , said point of commencement being South 88° 35' East 169 feet distant from the Northwest corner of said 1 acre tract the same being the Southwest corner of the 1 and 1/2 acre tract conveyed to James Bennett, thence Southerly parallel to and 13 feet distant from the center line of the Portland and Willamette Valley Railway 256 feet across said 1 acre tract and the 2 acre tract lying adjacent to the South thereof to a point on the South line of the said 2 acre tract, South 88° 35' East, 193 feet distant from the Southwest corner thereof (said 2 acre tract being that conveyed to Bada Kubler by deed recorded at Page 399 of Book H Records of Deed of Multnomah County, State of Oregon; thence South 88° 35' East along said South

line 26 feet; thence northerly parallel to and 13 feet distant from the center line of said railway 256 feet to the North line of said 1 acre tract, thence North 88° 35' West along said North line 26 feet to the point of beginning, containing 15/100ths acres.

PARCEL 11-9

That land described in a deed from James Bennett and Clara Bennett, husband and wife, grantors, to the Portland and Willamette Valley Railway Company, grantee, dated September 1, 1887, and recorded at Book 59, Page 81 of the Multnomah County Records, described as follows:

Commencing at a point on the North line of the 1 and 1/2 acre tract conveyed to James Bennett which deed is recorded on Page 305 of Book 32 in Record of Deeds of Multnomah County, State of Oregon, said point of commencement being South 88° 35' East, 152 feet distant from the Northwest corner of said tract, which is also the Southwest corner of a three acre tract purchased by John Oberle of James Terwilliger; thence Southerly, parallel to and 13 feet distant from the center line of the Portland and Willamette Valley Railway as located and staked, 121 feet to a point in the South line of said 1 and 1/2 acre tract, South 88° 35' East, 169 feet from Southwest corner of said tract; thence South 88° 35' East 26 feet along said South line; thence northerly, parallel to and 13 feet distant from the center line of the Portland and Willamette Valley Railway as located and staked, 121 feet to a point on the North line of said 1 and 1/2 acre tract; thence North 88° 35' West, along said North line, 26 feet to the place of beginning, containing 7/100ths acres.

PARCEL 11-10

That land described in a deed from John Oberle and Clara Oberle, husband and wife, grantors, to the Portland and Willamette Valley Railway Company, grantee, dated August 29, 1887, and recorded at Book 93, Page 282 of the Multnomah County Records, described as follows:

Commencing at a point in the South line of the 3 acre tract sold by James Terwilliger to John Oberle which said deed is duly recorded in the records of Multnomah County, State of Oregon at Page 253 of Book "G", Records of Deeds of said county, said point of commencement being South 88° 35' East 152 feet distant from the Southwest corner of said 3 acre tract; thence Northerly, parallel to and 13 feet distant from the center line of the Portland and Willamette Valley Railway Company as located and staked, 207 feet to a point in the North line of the said 3 acre tract, distant South 88° 35' East 148 feet from the northwest corner of said tract; thence South 88° 35' East, along said North line, 26 feet; thence Southerly, parallel to and 13 feet distant from the center line of the Portland and Willamette Valley Railway as located and staked, 207 feet to the South line of said 3 acre tract; thence North 88° 35' West, along said South line, 26 feet to the place of beginning, containing 12/100ths acres.

PARCEL 11-36

That property described in a deed from Benz Spring Company, grantor, to Southern Pacific Transportation Company, grantee, dated December 20, 1977, and recorded at Book 1250, Page 275 of Multnomah County Records, described as follows:

A piece or parcel of land situated, lying and being in the Southwest quarter of Section 10, Township 1 South, Range 1 East, Willamette Meridian, County of Multnomah, State of Oregon, and being a portion J. Terwilliger Donation Land Claim, described as follows:

Beginning at the point of intersection of the Northerly line of Oberts tract with the Easterly line of the land of Southern Pacific Transportation Company (30 feet wide), said point being opposite and easterly 15 feet at right

angles from the center line of Southern Pacific Transportation Company's main track (Jefferson Street branch) at Engineer Station 79+22; thence South 88° 35' East, along said Northerly line of Oert's tract, a distance of 10 feet; thence South 12° 34' 05" West 65.18 feet to a point in said Easterly line of Southern Pacific Transportation Company's land (30 feet wide); thence North 3° 45' East, along said Easterly line, 64 feet to the point of beginning containing an area of 320 square feet, more or less.

PARCEL 11-11

That land described in a deed from Adolph Nicolai and Caroline Nicolai, husband and wife, grantors, to the Portland and Willamette Valley Railway Company grantee, dated September 5, 1897, and recorded in Book 99, Page 107 of the Multnomah County Records, described as follows:

Commencing at a point on the South line of the 2 acre tract, conveyed by Timothy Crimons to Adolph Nicolai in November 1881 and which deed is duly recorded in the records of Multnomah County, State of Oregon in Book 50 of Deeds at Page 231, said point of beginning being South 89° East 148 feet distant from the Southwest corner of said 2 acre tract; thence Northerly, parallel to and 13 feet distant from the center line of the Portland and Willamette Valley Railway as located and staked, 123 feet to a point on the North line of said 2 acre tract South 89° East 153 feet distant from the northwest corner of said 2 acre tract; thence along said North line, South 89° East 26 feet; thence Southerly, parallel to and 13 feet distant from the center line of said railway as located and staked, 123 feet to a point on the South line of said 2 acre tract; thence north 89° West, along said South line, 26 feet to the place of beginning, containing 7/100ths acres.

PARCELS 11-22 AND 11-23

That land described in a deed from the Multnomah Trunk Company, grantor, to the Oregon & California Railroad Company, grantee, dated June 10, 1902, and recorded at Book 294, Page 56 of the Multnomah County Records, described as follows:

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Seventeen (17) feet on each side of the right of way of said Oregon & California Railroad Company through that certain property in Multnomah County, Oregon conveyed to said Multnomah Trunk Company by Hiram Terwilliger and others, by deed recorded in Volume 262 at Page 425 Record of Deeds of Multnomah County, Oregon.

PARCEL 11-12

That property described in deed from Anna Sedlak, Clementine F. Sedlak and Philamena M. Sedlak, grantors, to the Portland and Willamette Valley Railway Company, grantee, dated July 22, 1887, and recorded at Book 93, Page 208 of the Multnomah County Records, described as follows:

Commencing at a point in the South boundary of said Sedlak tract where the West line of Willamette Street produced would intersect said South boundary; thence North, along said produced West line of Willamette Street, 204 feet to the North boundary of said tract; thence East, along said North boundary of said tract, 30 feet; thence South 204 feet to the South boundary of said tract; thence West, along said South boundary, 30 feet to the place of beginning, containing 14/100ths acres, more or less.

PARCEL 11-13 AND 11-14

That land described in a deed from Samuel H. Dorrance and James G. Dorrance, grantors, to the Oregon & California Railroad Company, grantee, dated May 24, 1900, recorded at Book 268, Page 220 of the Multnomah County Records, described as follows:

Two strips of land being 15 feet wide on each side of the right of way heretofore granted over the premises more particularly described as follows, to-wit: - that certain piece of land deeded to J. G. Dorrance and S. H. Dorrance by Joseph Pacquet and wife, and B. F. Smith and wife, by deed dated November the

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25th, 1899; and recorded on Page 351, in Book 261, Record of Deeds in Multnomah County, Oregon, and being part of James Terwilliger's donation land claim in Section 15, Township 1 South, Range 1 East of the Willamette Meridian.

PARCEL 11-15

That land described in a deed from Aloys Nunvar, grantor, to the Portland and Willamette Valley Railway, grantee, dated September 20, 1887, and recorded at Book 99, Page 109 of the Multnomah County Records, described as follows:

Commencing at a point in the North line of the tract of land conveyed to Aloys Nunvar by deed recorded at Page 43 of Book 84, Records of Deeds of Multnomah County, State of Oregon, the same being the West 320 feet of a certain piece of land conveyed by James Terwilliger to Joseph E. Sedlak, which said deed is recorded at Page 256, Book 29, Records of Deeds of Multnomah County, State of Oregon, said point of commencement being South 89° East 176 feet from the Northwest corner of said Nunvar tract; thence Southerly, parallel to and 15 feet distant from the center line of the Portland and Willamette Valley Railway as now located and staked, 92 and 1/2 feet to the South line of said tract; thence, along said south line, South 89° East 30 feet; thence Northerly, parallel to and 15 feet distant from the said center line of said railway, 92 and 1/2 feet to the North line of said Nunvar tract; thence, along said North line, North 89° West, 30 feet to the point of commencement containing 6/100ths acres, more or

PARCELS 11-16 AND 11-17

That land described in a deed from Aloys Nunvar, grantor, to the Oregon & California Railroad Company, grantee, dated October 12, 1896, and recorded at Book 237, Page 276 of the Multnomah County Records, described as follows:

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Two strips of land, one on each side of and adjacent to the right of way of the Oregon & California Railroad Company crossing the said Aloys Nunvar's property deeded to the Portland and Willamette Valley Railway Company by and dated September 20, 1887, recorded at Book 99, Page 109, Records of Multnomah County, State of Oregon, the same being parts of the West 320 feet of a certain tract of land conveyed by Jas. Terwilliger to Jos. E. Sedlak as per deed at Page 256, Book 29 of Records of said county, said 2 strips of land hereby conveyed being each 8 feet wide measured at right angles to the railroad track and adjacent to said right of way, one on the East side and one on the West side of said right of way and extending from the north line to the South line of Aloys Nunvar's property.

PARCEL 11-19/12-1

That portion of the land described in deed from the Oregon Railway and Navigation Company, grantor, to the Portland and Willamette Valley Railway Company, grantee, dated July 21, 1887, and recorded at Book 95, Page 52 of the Multnomah County Records, also being:

Beginning at a point in the division line between the lands of the Oregon Railway and Navigation Company and the lands of Sylvester Pennoyer, 480 feet East of the Northwest corner of Block "8" on Lincoln Street in Caruthers' Addition to the City of Portland, thence Southeasterly 470 feet on a curve to a point 125 feet East of the East edge of Hood Street; thence parallel to said Hood Street to the North boundary of Caruthers Street produced; thence on a curve and tangent Southeasterly about 1100 feet to a point 250 feet Northeasterly from the middle of the West line of Block "0" in said Caruthers' Addition; thence Southeasterly on a curve and tangent about 950 feet to a point in the easterly prolongation of the South line of Hood Street 15 feet East of

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the Northeast corner of Block 101 in said Caruther's Addition; thence East 30 feet; thence Northerly parallel to and 30 feet distant from the above mentioned courses about 2770 feet to said division line between Oregon Railway and Navigation Company and Sylvester Pennoyer; thence West 30 feet to the place of beginning, lying southerly of the southerly line of land described in deed dated June 20, 1979 from Southern Pacific Transportation Company to City of Portland, recorded June 28, 1979 in Book 1362, Page 2320, Official Records of said County.

PARCEL 11-20/12-2

That property described in a deed from the Oregon - Washington Railroad & Navigation Company, grantor, to the Oregon & California Railroad Company, grantee, dated November 7, 1913, and recorded in the Multnomah County, Records at Book 649, Page 356, described as follows:

Parcel 1: Beginning at the intersection of the East line of Hood Street and the North line of Lincoln Street extended Eastward in Caruther's Addition to the City of Portland, County of Multnomah, State of Oregon, running thence South 89° 17' and 1/2' East, along the North line of Lincoln Street extended a distance of 279.4 feet; thence Southerly and Southeasterly a distance of 691.44 feet along the arc of a circular curve to the left having a radius of 1432.69 feet, the long cord of which curve is 685.12 feet in length and bears South 10° 1' East; thence South 23° 51' East a distance of 1637.6 feet; thence Southeasterly a distance of 459.20 feet along the arc of a circular curve to the right having a radius of 1485.69 feet, the long cord of which curve is 488 feet in length and bears South 14° 59' East to a point on the North line of Woods Street 39.83 feet Easterly from the intersection of said North line of Woods Street and the center line of Moody Street, formerly called Willamette Street;

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thence North 88° 33' West along said North line of Woods Street a distance of 146.83 feet to the intersection of said North line of Woods Street and the center line of Moody Street formerly called Macadam Road; thence North 1° 57' 35" West 218.19 feet to a point; thence North 24° 18' 35" West 207.93 feet to a point; thence North 31° 11' 50" West 65.23 feet to a point; thence North 41° 06' 05" West 71.25 feet to a point; thence North 10° 25' 25" West 181.64 feet to a point; thence North 5° 22' 45" West 179.47 feet to a point; thence North 73° 48' 35" West 191.37 feet to a point; thence North 67° 31' 25" West 71.35 feet to a point; thence North 38° 26' 5' West 202.57 feet to a point; thence North 29° 42' 05" West 196.57 feet to a point; thence North 17° 55' 25" West 57.88 feet to a point; thence North 21° 09' 45" West 201.36 feet to a point; thence North 23° 06' West 60.53 feet to a point; thence North 19° 20' 30" West 210.23 feet to a point; thence North 12° 54' 45" West 52.78 feet to a point which is South 89° 15' East a distance of 228 feet from a 3/4" x 18" machinists file set on the East line of Hood Street at or near the intersection of said East line of Hood Street and the North line of Caruthers Street, the same being the Southwest corner of Jeremiah Norick or Foundry Tract; thence South 89° 15' East a distance of 57.72 feet to a point; thence East 30 feet to a point; thence North 9° 12' West 233.11 feet to a point; thence West 30 feet; thence North 89° 15' West a distance of 62.08 feet to a gas pipe driven in the East line of Hood Street; thence North 10° 8 and 1/2' West along the East line of Hood Street a distance of 560.56 feet to the point of beginning.

EXCEPTING therefrom all of the land described in deed dated November 1, 1920 from Oregon and California Railroad Company to Oregon Electric Railway Company.

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ALSO, EXCEPTING therefrom all of the land described in deed dated August 25, 1941 from Southern Pacific Company to Orrin K. Hill, et ux."

ALSO, EXCEPTING therefrom all of the land described in deed dated May 18, 1942 from Southern Pacific Company to Orrin K. Hill, et ux.

ALSO EXCEPTING therefrom all of the land described in deed dated July 18, 1958 from Southern Pacific Company to State of Oregon.

ALSO, EXCEPTING therefrom all of the land described in deed dated June 20, 1979 from Southern Pacific Transportation Company to City of Portland, recorded June 28, 1979 in Book 1362, Page 2320, Deed Records of said County.

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PARCELS 8-3/8-4

Those parcels of land situated in the west half of Section 2, Township 2 South, Range 1 East, W.M., County of Clackamas, State of Oregon, described as follows:

Parcel 1:

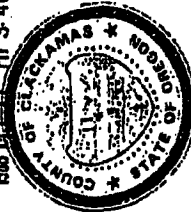
A strip of land, 26 feet wide, lying equally 13 feet each side of the original surveyed center line of main track of the former Portland and Willamette Valley Railway Company, now Southern Pacific Transportation Company, in the north half of the northwest quarter of said Section 2, extending from the county line between Clackamas County and Multnomah County, southerly to the northerly line of land described in deed dated April 15, 1886 from John A. Confer to Portland and Willamette Valley Railway Company recorded July 26, 1886 in Deed Book 27, Page 555, Records of Clackamas County.

Parcel 2:

That portion of the land described in deed dated April 15, 1886 from John A. Confer to Portland and Willamette Valley Railway Company recorded July 26, 1886 in Deed Book 27, Page 555 Records of Clackamas County lying northerly of a line drawn concentric and parallel with and distant northwesterly 30 feet from the center line of main track of Southern Pacific Transportation Company - Tillamook Branch.

STATE OF OREGON
County of Clackamas
I, John F. Kaufman, County Clerk, do hereby certify that the within and foregoing is a true and correct copy of the record as the same appears in the records of said County.

REC'D OCT 17 PM 3:40



Witness my hand and seal of office
John F. Kaufman
County Clerk
Clackamas County, Oregon
88 43258

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IN WITNESS WHEREOF we the grantors above named, have hereunto set our hands and seals this 4th day of March 1914.

Signed sealed and delivered in the presence of us as witnesses:

Henry C Frudhomme

E P Bernard

Clara L Saunders

Edward Saunders

STATE OF OREGON

COUNTY OF MULTNOMAH

SS

BE IT REMEMBERED that on this 4th day of March A D 1914 before me, the undersigned a Notary Public in and for said County and State personally appeared the within named Clara Saunders and Edward Saunders wife and husband who are known to me to be the identical individuals described in and who executed this within instrument and acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein mentioned.

IN TESTIMONY WHEREOF I have hereunto set my hand and notarial seal the day and year last above written.

(Notarial Seal)

Henry C Frudhomme

Sub. for record Mar 5, 1914 at 4:34 P. M.

Notary Public for the State of Oregon.

AL # 40723

O W R R & N CO TO O & C R R CO

KNOW ALL MEN BY THESE PRESENTS that OREGON-WASHINGTON RAILROAD & NAVIGATION COMPANY a corporation duly organized and incorporated under the laws of the State of Oregon, in consideration of one hundred nineteen thousand three hundred thirty seven dollars and forty seven cents (\$119,337.47) to it paid by Oregon and California Railroad Company a corporation of the State of Oregon does hereby grant bargain sell and convey to said Oregon and California Railroad Company its successors and assigns forever except as hereinafter retained and reserved and subject to the reservations and restrictions, stipulations and conditions hereinafter made, the following described parcels of real estate, situate lying and being in the City of Portland, County of Multnomah and State of Oregon.

1 Beginning at the intersection of the east line of Hood Street and the north line of Lincoln Street extended eastward in Caruthers Addition to the City of Portland County of Multnomah State of Oregon running thence south $89^{\circ} 17'$ east along the north line of Lincoln Street extended a distance of 279.4 feet thence southerly and southeasterly a distance of 691.44 feet along the arc of a circular curve to the left having a radius of 1432.69 feet, the long chord of which curve is 685.12 feet in length and bears south $10^{\circ} 1'$ east thence south $23^{\circ} 51'$ east a distance of 1657.6 feet thence southeasterly a distance of 459.20 feet along the arc of a circular curve to the right having a radius of 1485.69 feet, the long chord of which curve is 459 feet in length and bears south $14^{\circ} 59'$ east to a point on the north line of Woods Street 39.83 feet easterly from the intersection of said north line of Woods Street and the center line of Moody Street, formerly called Willamette Street; thence north $33^{\circ} 53'$ west along said north line of Woods Street a distance of 146.83 feet to the intersection of said north line of Woods Street and the center line of Moody Street formerly called Macadam Road; thence north $1^{\circ} 57' 36''$ west 212.19 feet to a point thence north $24^{\circ} 12' 15''$

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west 207.95 feet to a point; thence north 31°11' 50" west 65.23 feet to a point; thence north 41° 06' 05" west 71.25 feet to a point; thence north 10° 25' 25" west 181.64 feet to a point; thence north 5° 22' 45" west 179.47 feet to a point; thence north 73°48' 35" west 191.37 feet to a point; thence north 67° 31' 25" west 71.35 feet to a point; thence north 38° 26' 05" west 202.57 feet to a point; thence north 29° 42' 05" west 196.57 feet to a point; thence north 17° 55' 25" west 57.83 feet to a point; thence north 21° 09' 45" west 201.36 feet to a point; thence north 23° 06' west 60.53 feet to a point; thence north 19° 20' 30" west 210.45 feet to a point; thence north 12°54' 45" west 52.78 feet to a point which is south 89°15' east a distance of 22.8 feet from a 3/4" x 3/4" x 18" machinist's file set on the east line of Hood Street at or near the intersection of said east line of Hood Street and the north line of Caruthers Street, the same being the southwest corner of Jeremiah Work or foundry tract; thence south 89° 15' east a distance of 57.72 feet to a point; thence east 30 feet to a point; thence north 9°12' west 233.11 feet to a point; thence west 30 feet thence north 89° 15' west a distance of 62.08 feet to a gas pipe driven in the east line of Hood Street; thence north 40° 8' west along the east line of Hood Street a distance of 588.560.55 feet to a point of beginning. Said tract or parcel of land is said to contain 13.5784 acres more or less.

2 Starting from the intersection of the east line of Hood Street and the north line of Lincoln Street extended easterly in Caruthers Addition to the City of Portland, County of Multnomah State of Oregon; running thence south 89° 17 1/2' east along the north line of Lincoln Street extended a distance of 279.4 feet to the point of beginning of the parcel of land to be described; running thence south 89° 17 1/2' east along said north line of Lincoln Street being the north line of the Oregon-Washington Railroad & Navigation Company's property, a distance of 270.6 feet more or less to the corner of said property; thence southerly along the east line of said property to a point which is 65 feet southerly from and measured at right angles to the north line of Lincoln Street extended thence north 89°17 1/2' west a distance of 272.7 feet more or less to a point on the east line of the property transferred by the Oregon Washington Railroad & Navigation Company to the Oregon and California Railroad Company by this deed this day and date which is 65 feet from and measured at right angles to the north line of Lincoln Street extended; thence northerly along said east line of said Oregon and California Railroad Company's property along the arc of a circular curve to the right, having a radius of 1432.69 feet, a distance of 65.03 feet to the point of beginning, the tangent of said arc at said point of beginning having a bearing of north 3°49' east. Said tract or parcel of land is said to contain 0.4054 acres more or less.

TOGETHER with the tenements hereditaments and appurtenances thereunto belonging or in anywise appertaining, and also all its estate, right title and interest at law and in equity therein and thereto.

TO HAVE AND TO HOLD the same unto the said Oregon and California Railroad Company its successors and assigns, forever subject however to a perpetual easement which is hereby expressly reserved for the use and benefit of the Oregon-Washington Railroad & Navigation Company, its successors and assigns, for roadway purposes over and across that portion of the above granted premises particularly described as follows:

Starting from a 3/4" x 3/4" x 18" machinist's file set on the east line of Hood Street

set at or near the intersection of said east line of Hood street and the north line of Caruthers street, said file being the southwest corner of the Jeremiah Worick or foundry tract in Caruthers Addition to the City of Portland, County of Multnomah, State of Oregon, running thence south 89° 15' east a distance of 2.28 feet to a point, which is the point of beginning of said easement; thence south 12° 54' 45" east a distance of 52.78 feet to a point; thence south 19° 20' 30" east 210.23 feet to a point; thence south 23° 06' east a distance of 60.53 feet to a point; thence south 21° 09' 45" east a distance of 16.83 feet to a point on the south line of Sheridan street extended easterly thence south 89° 17' east along said south line of Sheridan street, a distance of 338.5 feet to the intersection of said southerly line of Sheridan Street and the east line of the property transferred by this deed from the Oregon-Washington Railroad & Navigation Company to the Oregon and California Railroad Company on this day and date; thence north 23° 51' west along the east line of said property a distance of 65.94 feet to the intersection of said east line of said property and the north line of said Sheridan street extended easterly thence north 89° 17' west along said north line of Sheridan street extended a distance 271.50 feet to a point; thence north 23° 06' west 36.90 feet to a point; thence north 19° 20' 30" west a distance of 240.90 feet to a point on the south line of said Foundry tract; thence north 89° 15' west a distance of 57.6 feet to the point of beginning. Said tract or parcel of land is said to contain 0.8430 acres more or less.

The easement hereby reserved is intended to serve the property of the Oregon-Washington Railroad & Navigation Company, lying to the east and south of the premises hereby granted and to furnish access to said property to the Oregon-Washington Railroad & Navigation Company, its successors and assigns and as a private way to be used by the public under the control of the Oregon-Washington Railroad & Navigation Company its successors and assigns.

Oregon-Washington Railroad & Navigation Company, its successors and assigns, shall, unless and until said roadway be dedicated to the public be liable for the entire cost of the construction improvement and maintenance, both now and hereafter, of said roadway and no part of the cost of such construction, improvement or maintenance shall be borne by or be charge against the Oregon and California Railroad Company its successors or assigns provided however, that all crossings of railroad tracks over or across said roadway shall be installed and maintained at the sole expense of the Oregon and California Railroad Company its successors and assigns.

The surface of the roadway to be constructed by the Oregon-Washington Railroad & Navigation Company, by virtue of the reservation herein contained, shall not be higher than an elevation of thirty three (33) feet above the Portland City datum, at a point which is one hundred seven and two tenths (107.2) feet westerly when measured along the center line of such roadway from the intersection of said center line with the easterly line of the property described in paragraph one of the granting clause of this deed, nor shall the surface of such roadway be higher than an elevation of thirty-seven and seven hundred twenty six thousandths (37.726) feet above Portland City datum at a point which is two hundred forty six and two tenths (246.2) feet westerly when measured along the center line of such roadway from the intersection of said center line with the easterly line of the property described in paragraph one of the granting clause of this deed. The grade of the surface of such roadway

WSL CONSORTIUM FY 2018-19 and FY 2019-20 BUDGETS

	Adopted Budget FY 2018-19	REVISED Budget FY 2018-19 (Approved 9/2018)	ADOPTED Budget FY 2019-20
BEGINNING FUND BALANCE	\$ 452,634	\$ 452,634	\$ 399,687
REVENUES			
Intergovernmental Transfers			
TriMet and Portland contributions	60,000	60,000	60,000
Lake Oswego contribution	30,000	30,000	30,000
Subtotal	<u>90,000</u>	<u>90,000</u>	<u>90,000</u>
Other			
Investment Income	2,000	2,000	2,000
Rents and Leases	12,000	12,000	12,000
Sundry Income	1,000	1,000	1,000
Subtotal	<u>15,000</u>	<u>15,000</u>	<u>15,000</u>
Total Revenues	<u>\$ 105,000</u>	<u>\$ 105,000</u>	<u>\$ 105,000</u>
EXPENDITURES			
Trolley Barn Operations & Maintenance	\$ 6,000	\$ 6,000	\$ 6,000
Rail Line Maintenance	76,000	79,500	71,000
Vintage Trolley Annual Maintenance	23,000	23,000	23,000
One-Time Projects	34,000	-	54,000
Total Expenditures	<u>\$ 139,000</u>	<u>\$ 108,500</u>	<u>\$ 154,000</u>
ENDING FUND BALANCE	<u>\$ 403,187</u>	<u>\$ 399,687</u>	<u>\$ 350,687</u>
ENDING FUND BALANCE FOR CONSORTIUM	\$ 403,187	\$ 399,687	\$ 350,687

1 Funds received in FY17-18 Budget

WSL CONSORTIUM EXPENDITURE DETAIL

	Adopted Expenditures FY 2018-19	REVISED Expenditures FY 2018-19 (Approved 9/2018)	ADOPTED Budget FY 2019-20
TROLLEY BARN OPERATIONS & MAINTENANCE			
Electricity	\$ 2,000	\$ 2,000	\$ 2,000
Repairs and upgrades	4,000	4,000	4,000
Total	\$ 6,000	\$ 6,000	\$ 6,000
RAIL LINE MAINTENANCE			
Brushing	\$ 2,000	\$ 2,000	\$ 2,000
Heavy brushing	10,000	10,000	10,000
Tie replacements	25,000	25,000	15,000
Culvert and catch basin maintenance	5,000	5,000	5,000
Track spraying	7,000	7,000	7,000
Bolt replacement	3,000	3,000	3,000
Gauging and leveling track	8,000	8,000	8,000
Miscellaneous repair expenses	9,000	9,000	9,000
Structural Inspections	5,000	8,500	10,000
ODOT Fee	2,000	2,000	2,000
Total	\$ 76,000	\$ 79,500	\$ 71,000
VINTAGE TROLLEY ANNUAL MAINTENANCE			
Total	\$ 23,000	\$ 23,000	\$ 23,000
ONE-TIME PROJECTS			
Trolley Barn Insulation (approved 2/14/19)	\$ -	\$ -	\$ 16,000
Compressor (approved 2/14/19)	-	-	4,000
One-Time Project (approved 5/15/17)	34,000	-	34,000
Total	\$ 34,000	\$ -	\$ 54,000
TOTAL EXPENSES	\$ 139,000	\$ 108,500	\$ 154,000

WSL CONSORTIUM FY 2019-20 and FY 2020-21 BUDGETS

	Adopted Budget FY 2019-20	Adopted Budget FY 2020-21
BEGINNING FUND BALANCE	\$ 399,687	\$ 458,653
REVENUES		
Intergovernmental Transfers		
TriMet and Portland contributions	60,000	60,000
Lake Oswego contribution	30,000	30,000
Subtotal	<u>90,000</u>	<u>90,000</u>
Other		
Investment Income	2,000	2,000
Rents and Leases	12,000	12,000
Sundry Income	1,000	1,000
Subtotal	<u>15,000</u>	<u>15,000</u>
Total Revenues	<u>\$ 105,000</u>	<u>\$ 105,000</u>
EXPENDITURES		
Trolley Barn Operations & Maintenance	\$ 6,000	\$ 6,000
Rail Line Maintenance	71,000	71,000
Vintage Trolley Annual Maintenance	23,000	23,000
One-Time Projects	54,000	34,000
Total Expenditures	<u>\$ 154,000</u>	<u>\$ 134,000</u>
ENDING FUND BALANCE	<u>\$ 350,687</u>	<u>\$ 429,653</u>
ENDING FUND BALANCE FOR CONSORTIUM	\$ 350,687	\$ 429,653

WSL CONSORTIUM EXPENDITURE DETAIL

	Adopted Expenditures FY 2019-20	Adopted Expenditures FY 2020-21
TROLLEY BARN OPERATIONS & MAINTENANCE		
Electricity	\$ 2,000	\$ 2,000
Repairs and upgrades	4,000	4,000
Total	\$ 6,000	\$ 6,000
RAIL LINE MAINTENANCE		
Brushing	\$ 2,000	\$ 2,000
Heavy brushing	10,000	10,000
Tie replacements	15,000	15,000
Culvert and catch basin maintenance	5,000	5,000
Track spraying	7,000	7,000
Bolt replacement	3,000	3,000
Gauging and leveling track	8,000	8,000
Miscellaneous repair expenses	9,000	9,000
Structural Inspections	10,000	10,000
ODOT Fee	2,000	2,000
Total	\$ 71,000	\$ 71,000
VINTAGE TROLLEY ANNUAL MAINTENANCE		
Total	\$ 23,000	\$ 23,000
ONE-TIME PROJECTS		
Trolley Barn Insulation (approved 2/14/19)	\$ 16,000	\$ -
Compressor (approved 2/14/19)	4,000	-
One-Time Project (approved 5/15/17)	34,000	34,000
Total	\$ 54,000	\$ 34,000
TOTAL EXPENSES	\$ 154,000	\$ 134,000

WSL CONSORTIUM FY 2019-20 and FY 2020-21 BUDGETS

	Adopted Budget FY 2020-21	Adopted Budget FY 2021-22
BEGINNING FUND BALANCE	\$ 458,653	\$ 471,120 *
REVENUES		
Intergovernmental Transfers		
TriMet and Portland contributions	60,000	60,000
Lake Oswego contribution	30,000	30,000
Subtotal	<u>90,000</u>	<u>90,000</u>
Other		
Investment Income	2,000	2,000
Rents and Leases	12,000	12,000
Sundry Income	1,000	1,000
Subtotal	<u>15,000</u>	<u>15,000</u>
Total Revenues	<u>\$ 105,000</u>	<u>\$ 105,000</u>
EXPENDITURES		
Trolley Barn Operations & Maintenance	\$ 6,000	\$ 6,000
Rail Line Maintenance	71,000	77,000
Vintage Trolley Annual Maintenance	23,000	23,000
One-Time Projects	34,000	34,000
Total Expenditures	<u>\$ 134,000</u>	<u>\$ 140,000</u>
ENDING FUND BALANCE	<u>\$ 429,653</u>	<u>\$ 436,120</u>
ENDING FUND BALANCE FOR CONSORTIUM	\$ 429,653	\$ 436,120 **

** Could be \$90,000 less if Portland doesn't pay for FY19, FY20, and FY21

WSL CONSORTIUM EXPENDITURE DETAIL

	Adopted Expenditures FY 2020-21	Adopted Expenditures FY 2021-22
TROLLEY BARN OPERATIONS & MAINTENANCE		
Electricity	\$ 2,000	\$ 2,000
Repairs and upgrades	4,000	4,000
Total	\$ 6,000	\$ 6,000
RAIL LINE MAINTENANCE		
Brushing	\$ 2,000	\$ 2,000
Heavy brushing	10,000	10,000
Tie replacements	15,000	15,000
Culvert and catch basin maintenance	5,000	5,000
Track spraying	7,000	7,000
Bolt replacement	3,000	3,000
Gauging and leveling track	8,000	8,000
Miscellaneous repair expenses	9,000	15,000
Structural Inspections	10,000	10,000
ODOT Fee	2,000	2,000
Total	\$ 71,000	\$ 77,000
VINTAGE TROLLEY ANNUAL MAINTENANCE		
Total	\$ 23,000	\$ 23,000
ONE-TIME PROJECTS		
One-Time Project (approved 5/15/17)	34,000	34,000
Total	\$ 34,000	\$ 34,000
TOTAL EXPENSES	\$ 134,000	\$ 140,000

City of Lake Oswego

Lake Oswego, OR 97034

STATEMENT

Account	Bill Date	Due Date
09-0004	4/8/2021	4/8/2021

Amount Due	Amt Enclosed
\$90,000.00	

----- Retain this portion for your records-----

Lake Oswego, OR 97034

Account	Bill Date	Due Date
09-0004	4/8/2021	4/8/2021

[illegible]

For questions, contact Melissa Henderson at 503-699-7470



INVOICE

Invoice No. 2021-01

Date: 08/30/2021

VINTAGE TROLLEY, INC.

421 SW Sixth Avenue, Suite 750

Portland, OR 97204

rgustafson@sojpdx.com

Bill to:

Catherine Ciarlo

Portland Bureau of Transportation

Active Transportation & Safety Division Manager

1120 SW Fifth Avenue, Suite 800

Portland, OR 97204

Description	Amount Due
Donation for VTI Battery Conversion	\$20,000.00
Invoice Total	\$20,000.00

Please make all checks payable to Vintage Trolley, Inc.

Thank you for your support!

1140 SW 11th, Suite 500



Portland, Oregon 97205

Dear Members of the Portland City Council:

Thank you for your time this evening to consider City of Portland's iconic Willamette Shore Trolley funding request---to replace its archaic, polluting fossil-fuel power source with highly-efficient, clean energy **Battery Power**.

The total cost to retro-fit the Trolley from fossil-fuel to electric battery-power is \$232,000---we are requesting **\$20,000** from City Council.

We also have requests for the same amount to:

PGE

Tri-Met

....and lesser amount out to Businesses and Charitable Foundations.

We have received \$15,000 from Metro's Willamette Shore Right-of-Way Consortium and \$20,000 from City of Lake Oswego. City of Lake Oswego has offered another grant for \$20,000 when City of Portland and TriMet each contribute \$20,000.

Please review the attached materials for further related information.

Final Note: Funding here provides clear benefit to City of Portland, to its history, to its livability, and to its Cultural Institutions.

Thank You,
Bill Failing
President, Vintage Trolley, Inc.



Vintage Trolley:

This Unique Historic Icon Enlivens the Willamette Shore Corridor, with Most of the Line Operating in the City of Portland

Consider these positives:

- The Vintage Trolley connects with the Bancroft terminus in South Waterfront.
- Locals and tourists love this unique, family-friendly experience.
- Attraction Value: Spotlight on the Willamette Shore Corridor and the historic significance of trolleys in Portland.
- The Trolleys are 'press-friendly' – locally and nationally.
- Vintage Trolley has history with Portland Streetcar, MAX Light Rail, and TriMet during its 20-year renaissance.
- Vintage Trolley, Inc. and the City of Portland have been effective partners since the trolley first ran in 1991.
- The City of Portland helped establish the endowment fund at the Oregon Community Foundation that is keeping the trolley supported.
- Vintage Trolley's Battery Power Initiative is supportive of the City of Portland's Climate Action Plan.
- The Trolleys are historic icons and were part of the Oregon Transportation Evolution with these precise reproductions of the 1906 Council Crest car.
- Guest conductors create a colorful, engaging experience for visitors.
- Vintage Trolley has received support from the Willamette Shore Consortium, the City of Lake Oswego, Murdock Trust, and Anne Naito-Campbell.

CITY MANAGER'S OFFICE



September 7, 2018

Vintage Trolley Inc.
Attn: Mr. Bill Failing and Mr. Gerald Fox
1140 SW 11th, Suite 500
Portland, OR 97205

Dear Mr. Failing and Mr. Fox:

Thank you for your recent presentation to our City Council. The Lake Oswego City Council is supportive of your efforts to raise funds toward high-efficient, clean energy battery power. I'm happy to report that at the conclusion of the Council meeting the City Council voted to provide Vintage Trolley, Inc. a \$20,000 grant. In addition, the City Council approved an additional \$20,000 loan, contingent upon the City of Portland and Tri-Met contributing \$40,000 respectively to the project. I hope this pledge will help give Vintage Trolley, Inc. leverage when approaching those entities.

We wish you all the best on your fund raising efforts and please keep us posted on your progress.

Sincerely,

Megan Phelan
Assistant City Manager