

EXHIBIT A

EASEMENT

The STATE OF OREGON, acting by and through the STATE BOARD OF HIGHER EDUCATION, on behalf of PORTLAND STATE UNIVERSITY, herein-after called Grantor, grants, to the extent of its interests and as hereinafter provided, to the CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON, hereinafter called Grantee, a perpetual easement to lay, construct and maintain a meter vault below the surface of the following described real property in Multnomah County, Oregon:

BEGINNING at a point on the south line of S. W. Mill Street, and the northwest corner of Block 268 of Burrages Plat of the City of Portland; Thence S.20°52' West 239.00 feet along the East line of S.W. 12th Avenue to the true point of beginning; Thence continuing along said line 10.67 feet to a point; Thence S.69°08' East 12.0 feet to a point; Thence N.20°52' East 10.67 feet to a point; Thence N.69°08' West 12.0 feet to the true point of beginning; All in the N.E. 1/4 of Section 4, T1S., R1E., W.M., Multnomah County, Oregon.

This grant of easement is subject to the following provisions:

1. The said meter vault shall be constructed and located below the surface of the above-described real property by Grantee as surveyed and located by the City Engineer of Grantee.
2. Grantee, its contractors, subcontractors, agents and employes shall have the right of ingress to and egress from the above-described real property for the purposes of this easement and shall leave the above-described real property in as good condition as before any such ingress and egress.
3. The said meter vault shall be so constructed so as to do no damage to the above-described real property which shall be left in as good condition as before said construction.
4. If the operation of said installations shall be abandoned, all rights granted hereunder shall terminate thereupon.
5. This easement may be revoked by the Grantor upon any violation of the provisions hereof.
6. No building shall be erected upon said easement right of way without the written consent of the Chief Engineer of the Bureau of Water Works.

7. This instrument does not grant or convey to the City of Portland any right or title to the surface of the soil upon said meter vault easement except for the purpose of laying down, inspecting, restoring and replacing the same.

8. This easement shall bind and benefit the successors and assigns of the respective parties hereto.

Dated this 22nd day of May, 1972.

STATE OF OREGON, acting by and through
the STATE BOARD OF HIGHER EDUCATION
on behalf of PORTLAND STATE UNIVERSITY

By George H. Layman
George H. Layman, President

By R. L. Collins
R. L. Collins, Secretary

STATE OF OREGON
County of Multnomah
May 22, 1972

Personally appeared George H. Layman, known to me to be the President of the State Board of Higher Education, and acknowledged the foregoing instrument to be his voluntary act taken pursuant to powers delegated by said Board to him as President thereof.
Before me:

By Joan Ogley
Notary Public for Oregon
My commission expires: July 9, 1972

STATE OF OREGON
County of Multnomah
May 22, 1972

Personally appeared R. L. Collins, known to me to be the Secretary of the State Board of Higher Education, and acknowledged the foregoing instrument to be his voluntary act taken pursuant to powers delegated by said Board to him as Secretary thereof.
Before me:

By Joan Ogley
Notary Public for Oregon
My commission expires: July 9, 1972

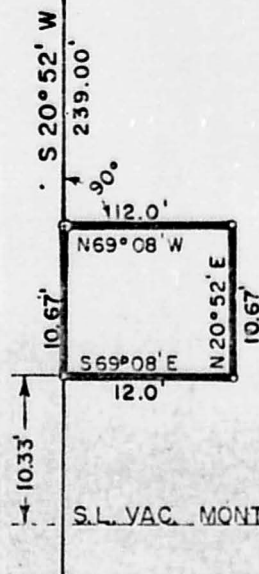
APPROVED AS TO FORM:
Robert D. Kindley
ASSISTANT ATTORNEY GENERAL
OREGON STATE BOARD OF HIGHER EDUCATION

4-AJ-46

S.W. MILL ST.

BLOCK 268
BURRAGE PLAT
OF CITY OF PORTLAND

S.W. 12th. AVE.



S.W. VAC. MONTGOMERY ST.

FOR SERVICE VAULT SEE
DRW'G.

AN EASEMENT FOR THE PURPOSE OF INSTALLING, MAINTAINING, OR REPLACING A METER VAULT, SAID EASEMENT DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT ON THE SOUTH LINE OF S.W. MILL ST., AND THE NORTHWEST CORNER OF BLOCK 268 OF BURRAGES PLAT OF THE CITY OF PORTLAND THENCE S 20° 52' W 239.00 FEET ALONG THE EAST LINE OF S.W. 12th AVE. TO THE TRUE POINT OF BEGINNING, THENCE CONTINUING ALONG SAID LINE 10.67 FEET TO A POINT, THENCE S 69° 08' E 12.0 FEET TO A POINT, THENCE N 20° 52' E 10.67 FEET TO A POINT, THENCE N 69° 08' W 12.0 FEET TO THE TRUE POINT OF BEGINNING, ALL IN THE N.E. 1/4 OF SEC. 4 T1S, R1E WM. MULTNOMAH COUNTY OREGON.

CITY OF PORTLAND, OREGON
BUREAU OF WATER WORKS

EASEMENT

FOR WATER SERVICE VAULT
S.W. 12th AVE.
AT VACATED MONTGOMERY

SCALE 1" = 10' 0" DRAWN BY MOCK
DATE 3-3-72 CHECKED BY FOUILL
1/4 SEC. 3128 JOB NO.
CHARGE WORK ORDER NO.

APPROVED - SEWER AND STREET OPENINGS
CITY ENG. BY

APPROVED *[Signature]* PRIM. ENGINEER
APPROVED *[Signature]* CHIEF ENGINEER

EXHIBIT B

EASEMENT

The STATE OF OREGON, acting by and through the STATE BOARD OF HIGHER EDUCATION, on behalf of PORTLAND STATE UNIVERSITY, herein-after called Grantor, grants, to the extent of its interests and as hereinafter provided, to the CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON, hereinafter called Grantee, a perpetual easement to lay, construct and maintain a meter vault below the surface of the following described real property in Multnomah County, Oregon:

BEGINNING at a point on the south line of S. W. Montgomery Street and the northeast corner of Block 240 of Burrages Plat of the City of Portland, Thence S.69°08' E. 12.4 feet along the south line of S.W. Montgomery Street to a point which is the true point of beginning; Thence continuing along said line 12.0 feet to a point; Thence S.20°52' West 9.0 feet to a point; Thence N.69°08' West 12.0 feet to a point; Thence N.20°52' East 9.0 feet to the true point of beginning; All in the N.E. 1/4 of Section 4, T1S., R1E., W.M., Multnomah County, Oregon.

This grant of easement is subject to the following provisions:

1. The said meter vault shall be constructed and located below the surface of the above-described real property by Grantee as surveyed and located by the City Engineer of Grantee.
2. Grantee, its contractors, subcontractors, agents and employees shall have the right of ingress to and egress from the above-described real property for the purposes of this easement and shall leave the above-described real property in as good condition as before any such ingress and egress.
3. The said meter vault shall be so constructed so as to do no damage to the above-described real property which shall be left in as good condition as before said construction.
4. If the operation of said installations shall be abandoned, all rights granted hereunder shall terminate thereupon.
5. This easement may be revoked by the Grantor upon any violation of the provisions hereof.
6. No building shall be erected upon said easement right of way without the written consent of the Chief Engineer of the Bureau of Water Works.

7. This instrument does not grant or convey to the City of Portland any right or title to the surface of the soil upon said meter vault easement except for the purpose of laying down, inspecting, restoring and replacing the same.

8. This easement shall bind and benefit the successors and assigns of the respective parties hereto.

Dated this 22nd day of May, 1972.

STATE OF OREGON, acting by and through
the STATE BOARD OF HIGHER EDUCATION
on behalf of PORTLAND STATE UNIVERSITY

By George H. Layman
George H. Layman, President

By R. L. Collins
R. L. Collins, Secretary

STATE OF OREGON
County of Multnomah
May 22, 1972

Personally appeared George H. Layman, known to me to be the President of the State Board of Higher Education, and acknowledged the foregoing instrument to be his voluntary act taken pursuant to powers delegated by said Board to him as President thereof.
Before me:

By Jean Olesky
Notary Public for Oregon
My commission expires: July 9, 1972

STATE OF OREGON
County of Multnomah
May 22, 1972

Personally appeared R. L. Collins, known to me to be the Secretary of the State Board of Higher Education, and acknowledged the foregoing instrument to be his voluntary act taken pursuant to powers delegated by said Board to him as Secretary thereof.
Before me:

By Jean Olesky
Notary Public for Oregon
My commission expires: July 9, 1972

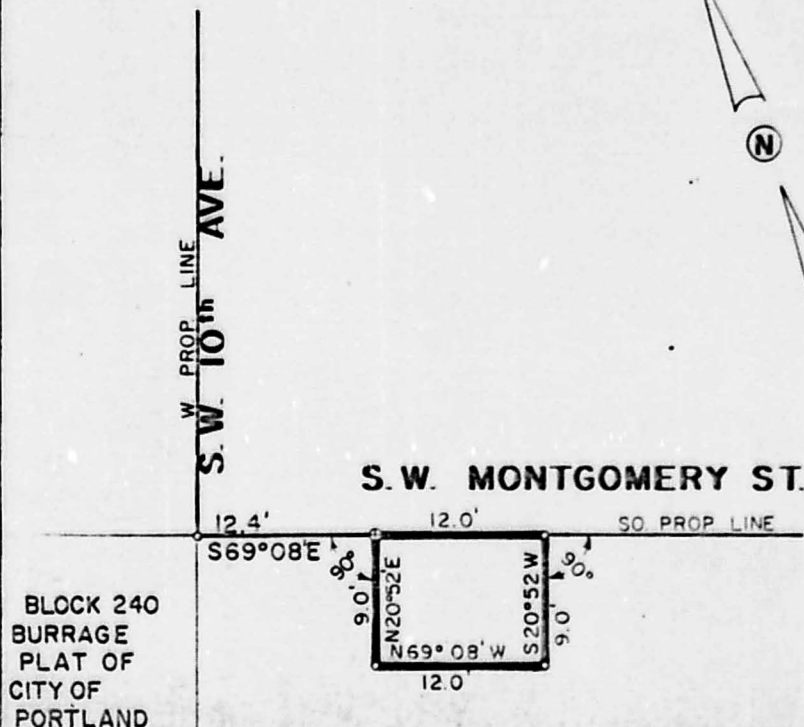
APPROVED AS TO FORM:

Robert D. Anderson
ASSISTANT ATTORNEY GENERAL
STATE BOARD OF HIGHER EDUCATION

4-AJ-47

AN EASEMENT FOR THE PURPOSE OF
INSTALLING, MAINTAINING OR REPLACING
A METER VAULT, SAID EASEMENT
DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH
LINE OF S.W. MONTGOMERY ST., AND
THE NORTHEAST CORNER OF BLOCK
240 OF BURRAGES PLAT OF THE
CITY OF PORTLAND THENCE S69°08'E
12.4 FEET ALONG THE SOUTH LINE
OF S.W. MONTGOMERY ST. TO A POINT
WHICH IS THE TRUE POINT OF BEGINNING,
THENCE CONTINUING ALONG SAID LINE
12.0 FEET TO A POINT, THENCE
S20°52'W 9.0 FEET TO A POINT,
THENCE N69°08'W 12.0 FEET TO A POINT,
THENCE N20°52'E 9.0 FEET TO THE
TRUE POINT OF BEGINNING, ALL IN
THE N.E. 1/4 OF SEC. 4 T1S, R1E WM.
MULTNOMAH CO. OREGON.



FOR SERVICE VAULT SEE
DRW.G.

CITY OF PORTLAND, OREGON
BUREAU OF WATER WORKS

EASEMENT
FOR WATER SERVICE VAULT
S.W. MONTGOMERY ST.
AT VACATED 10th AVE.

SCALE 1" = 10'0" DRAWN BY MGCK
DATE 3-3-72 CHECKED BY *Full*
1/4 SEC. 3128 JOB NO.
CHARGE WORK ORDER NO.

APPROVED - SEWER AND STREET OPENINGS
CITY ENG. BY

APPROVED *[Signature]* PRIN. ENGINEER
APPROVED *[Signature]* CHIEF ENGINEER

ORDINANCE No. 134717

An ordinance accepting two easements for water service vaults at SW 12th Avenue and vacated Montgomery Street and at SW Montgomery Street and vacated 10th Avenue, from the State of Oregon, acting by and through the State Board of Higher Education, and declaring an emergency.

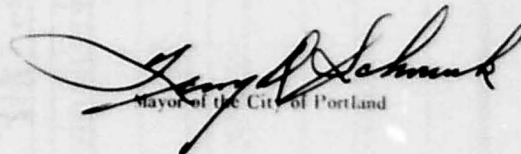
The City of Portland ordains:

Section 1. The Council finds that it is necessary and desirable in connection with efficient water service to Portland State University that two water service vaults be constructed and located at SW 12th Avenue and vacated Montgomery Street and at SW Montgomery Street and vacated 10th Avenue; that acceptance of easements for such vaults from the State of Oregon, acting by and through the State Board of Higher Education, has been recommended by the Chief Engineer, Bureau of Water Works, and approved by the Commissioner in charge thereof; now, therefore, acceptance of two easements for water service vaults at SW 12th Avenue and vacated Montgomery Street and at SW Montgomery Street and vacated 10th Avenue, hereby is authorized, said easements being more particularly described in Exhibits A and B attached to the original only of this ordinance and by this reference made a part hereof.

Section 2. Upon acceptance of said easements by the City, the City Auditor shall place said easements of record with Multnomah County.

Section 3. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the city of Portland in this: In order that the needed easements for efficient water service may be accepted without unnecessary delay; therefore, an emergency hereby is declared to exist and this ordinance shall be in force and effect from and after its passage by the Council.

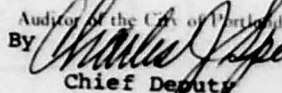
Passed by the Council, JUN 14 1972


Mayor of the City of Portland

Attest:

GEORGE YERKOVICH

Commissioner Anderson
LVN:jw 6/7/72

Auditor of the City of Portland
By 
Chief Deputy

Page No.

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Anderson	1	
Goldschmidt	1	
Ivancie	1	
McCready	1	
Schrunk		2

FOUR-FIFTHS CALENDAR	
Anderson	
Goldschmidt	
Ivancie	
McCready	
Schrunk	

Calendar No. 1793

ORDINANCE No. 134717

Title

An Ordinance accepting two easements for water service vaults at SW 12th Avenue and vacated Montgomery Street and at SW Montgomery Street and vacated 10th Avenue, from the State of Oregon, acting by and through the State Board of Higher Education, and declaring an emergency.

Filed JUN 8 1972

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND
By Gordon Crall
Deputy

INTRODUCED BY
Commissioner Anderson

DRAWN BY
LVN:jw
Date June 7, 1972

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration
Safety
Utilities
Works <u>Ray E. Anderson</u>
City Attorney <u>WV</u>

NOTED BY THE CITY AUDITOR
<u>SC</u>
<u>MC</u>

APPROVED
Date
By
City Engineer
Date
By