

**Grantor's Name and Address:**  
145 SE 82<sup>nd</sup> Ave, LLC  
5821 SE 82<sup>nd</sup> Ave  
Portland, OR 97266

Multnomah County Official Records E Murray, Deputy Clerk	<b>2022-051864</b> 05/20/2022 09:11:21 AM
EASE-EASE Pgs=5 Stn=21 ATRG \$25.00 \$11.00 \$10.00 \$60.00	<b>\$106.00</b>

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

145 SE 82<sup>nd</sup> Ave, LLC, an Oregon limited liability company (“Grantor”), in consideration of the sum of six hundred sixty seven and 24/100 Dollars (\$667.24), and other good and valuable consideration, the receipt whereof is hereby acknowledged, hereby grants unto the City of Portland, a municipal corporation of the State of Oregon, (“Grantee”), which acquires pursuant to its eminent domain power and authority, an easement for public street and right-of-way purposes in the real property, being particularly described as follows (“Subject Property”):

As described on Exhibit A and depicted on Exhibit B attached and incorporated by reference.

All together containing 14 square feet, more or less.

TO HAVE AND TO HOLD, the same easement to the City of Portland for the uses and purposes aforesaid forever.

- A. Grantor represents that to the best of Grantors knowledge after appropriate inquiry under the circumstances, the Subject Property complies with all local, State and Federal environmental laws and regulations.
- B. Grantor represents Grantor has disclosed all knowledge of any release of hazardous substances onto or from the Subject Property, and has disclosed any known report, investigation, survey, or environmental assessment regarding the Subject Property. "Release" and "hazardous substance" have the meaning as defined under Oregon law.
- C. Grantor warrants that there are no underground storage tanks, as defined under Oregon law, presently on or under the Subject Property.

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R/W # 9329-05	<u>After Recording Return to:</u>
1N2E32DD TL 300	<u>Carly Ruggles, City of Portland</u>
	<u>1120 SW 5th Avenue, Suite 1331</u>
	<u>Portland, OR 97204</u>
	<u>Tax Statement shall be sent to: No Change</u>

- D. It is understood and agreed that the Grantee, by accepting this dedication, is not accepting any liability for any release of hazardous substances onto or from the Subject Property, and that the Grantor is not attempting to convey any such liability.
- E. Grantor, on behalf of itself and of its successors and assigns, agrees to defend, indemnify, and hold Grantee and its officers, agents, and employees harmless against all liabilities, damages, losses, claims, demands, actions, and suits (including attorney fees and costs) resulting from the presence or release of hazardous substances onto or from the Subject Property. This provision shall not apply to a release of hazardous substances onto or from the Subject Property caused by the officers, agents or employees of the Grantee. Any action taken pursuant to this provision shall not constitute an admission of liability or waiver of any defenses to liability.
- F. Grantor represents and warrants that Grantor has the authority to grant this easement, that the Subject Property is free from all liens and encumbrances that would materially affect the easement grant, and that Grantor and Grantor's successors will defend the same to the Grantee against all claims and demands of all persons whomsoever.
- G. Grantor agrees that the consideration recited herein is just compensation for the Subject Property or property rights conveyed, which includes damage to the property remainder, if any, resulting from the acquisition or use of said Subject Property or property rights.
- H. The right of repurchase has been waived pursuant to ORS 35.385(1)(b).

*This section is intentionally left blank.*

IN WITNESS WHEREOF, 145 SE 82<sup>nd</sup> Ave, LLC, an Oregon limited liability company, pursuant to its Operating Agreement, duly and legally adopted, has caused these presents to be signed by its Members, this 29 day of April, 2022.

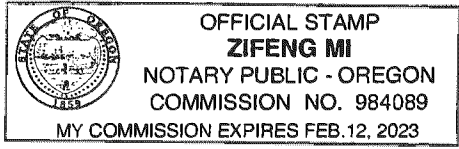
145 SE 82<sup>ND</sup> AVE, LLC,  
AN OREGON LIMITED LIABILITY COMPANY

By [Signature]  
Shan Qing, Member

By [Signature]  
Xingjin Lin, Member

STATE OF Oregon  
County of Clackamas

This instrument was acknowledged before me on April 29<sup>th</sup>, 2022, by Shan Qing and Xingjin Lin, Members of 145 SE 82<sup>nd</sup> Ave, LLC, an Oregon limited liability company.



[Signature]  
Notary Public for (state) Oregon  
My Commission expires 02/12/2023

APPROVED AS TO FORM:

Adrienne DelCotto  
City Attorney

APPROVED AND ACCEPTED:

Chris Armes  
Bureau Director

5/19/2022 | 3:38 PM PDT  
Date

**EXHIBIT A**

**82ND AVENUE CROSSING  
R/W # 9329-05  
EASEMENT FOR RIGHT OF WAY PURPOSES  
1N2E32DD TAX LOT 300**

A portion of that tract of land conveyed by deed to the 145 S.E. 82<sup>ND</sup> Avenue, LLC. recorded in Document No. 2008-120048, Multnomah County Deed Records, situated in the Southeast one-quarter of Section 32, Township 1 North, Range 2 East, of the Willamette Meridian in the City of Portland, County of Multnomah and State of Oregon, more particularly described as follows:

BEGINNING at the Southeast corner of said tract, also being the intersection of the Westerly Right of Way line of S.E 82<sup>ND</sup> Avenue, 35.00 feet from centerline with Northerly Right of Way line of S.E. Ash Street, 30.00 feet from centerline;

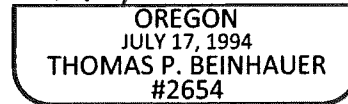
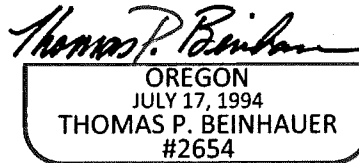
Thence along the South line of said tract, also being said Northerly Right of Way line, North 89°30'20" West, a distance of 4.71 feet;

Thence, leaving said line, North 37°52'58" East, a distance of 7.67 feet, to the East line of said tract, also being said westerly Right of Way line;

Thence, along said line, South 00°01'50" East, a distance of 6.10 feet to the POINT OF BEGINNING.

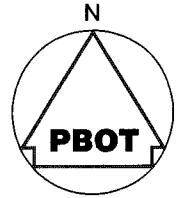
Containing 14 square feet.

Project No. 40624  
Revised: December 8, 2021



EXPIRES 12-31-2021

EXHIBIT B

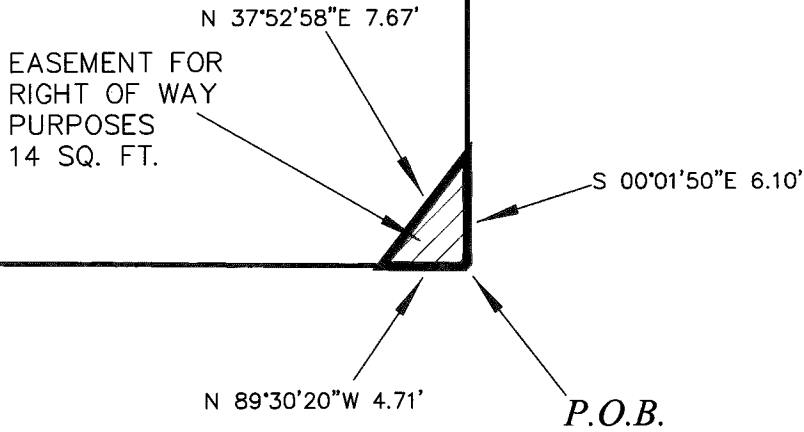


SCALE: 1"= 10'

DOCUMENT NUMBER 2008-120048

35'

SE 82ND AVE.



30'

SE ASH ST.

R/W# 9329-05	EASEMENT FOR RIGHT OF WAY PURPOSES	PREPARED BY: T.P.B.
PROJ# 40624	PROJECT: 82ND AVENUE CROSSING	DATE: 12-8-21

SURVEY SECTION  
 1120 S.W. 5TH AVE., SUITE 1213  
 PORTLAND, OREGON 97204  
 PHONE 503-823-7150

145 S.E. 82ND, LLC  
 145 S.E. 82ND AVENUE  
 1N2E32DD TL 300

