

Multnomah County Official Records
E Murray, Deputy Clerk

2023-001082

01/06/2023 03:52:45 PM

EASE-EASE Pgs=6 Stn=67 ATMH
\$30.00 \$11.00 \$10.00 \$60.00

\$111.00

Grantor's Name and Address:

B&U Properties
16657 SW Rigert Rd
Beaverton, OR 97007

EASEMENT FOR RIGHT-OF-WAY PURPOSES

B&U Properties, an Oregon limited liability company, ("Grantor"), in consideration of the sum of one thousand three hundred thirty four and 58/100 Dollars (\$1,334.58), 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 29 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.

R/W # 9329-07
1N2E33CC TL 9700

After Recording Return to:

Carly Ruggles, City of Portland

1120 SW 5th Avenue, Suite 1331

Portland, OR 97204

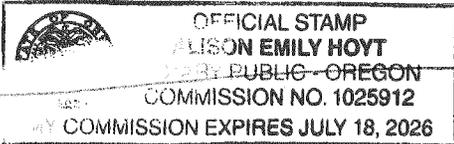
Tax Statement shall be sent to: No Change

- 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, B&U Properties, 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 3 day of November, 2022

B&U PROPERTIES,
AN OREGON LIMITED LIABILITY COMPANY



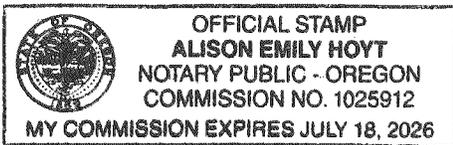
By

[Signature]
Uday Seelam, member

AA

By

[Signature]
Sanjeeva Seelam, member

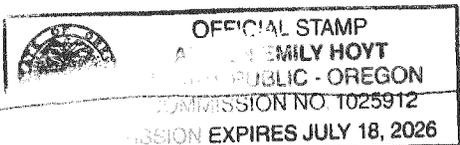


By

[Signature]
Ben Bui, member

STATE OF Oregon
County of Multnomah

This instrument was acknowledged before me on November 3 ^{5th} 11/03 AA, 2022, by Uday Seelam as member of B&U Properties, an Oregon limited liability company.

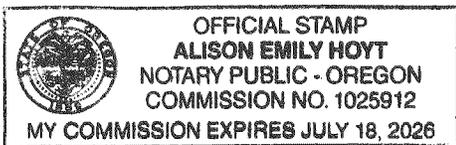


AA

[Signature]
Notary Public for (state) Oregon
My Commission expires 07/18/2026

STATE OF Oregon
County of Multnomah

This instrument was acknowledged before me on November, 3 ^{AA 88th} 11/03, 2022, by Sanjeeva Seelam as member of B&U Properties, an Oregon limited liability company.

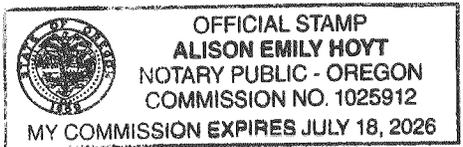


[Signature]
Notary Public for (state) Oregon
My Commission expires 07/18/2026

STATE OF Oregon
County of Multnomah

November 3, 2022 *BS*
11/03/22 *AH*

This instrument was acknowledged before me on 11/03/22, 20 22 by Ben Bui as member of B&U Properties, an Oregon limited liability company.



Alison Emily Hoyt
Notary Public for (state) Oregon
My Commission expires 07/18/2026

APPROVED AS TO FORM:

Adrienne DellCotto
City Attorney

APPROVED AND ACCEPTED:

Catherine Ciardo
Bureau Director or designee

12/6/2022 | 1:32 PM PST
Date

EXHIBIT A

**82ND AVENUE CROSSING
R/W # 9329-07
EASEMENT FOR RIGHT OF WAY PURPOSES
1N2E33CC TAX LOT 9700**

A portion of that tract of land conveyed by deed to B & U Properties, recorded in Document No. 2021-172851, Multnomah County Deed Records, situated in the Southwest one-quarter of Section 33, 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 Northwest corner of said tract, also being the intersection of the Easterly Right of Way line of S.E 82ND Avenue, 35.00 feet from centerline with Southerly Right of Way line of S.E. Ash Street, 30.00 feet from centerline;

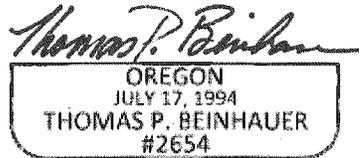
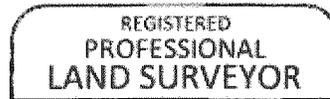
Thence along the North line of said tract, also being said Southerly Right of Way line, South 89°35'00" East, a distance of 7.30 feet;

Thence, leaving said line, South 42°27'19" West, a distance of 10.80 feet, to the West line of said tract, also being said Easterly Right of Way line;

Thence, along said line, North 00°01'50" West, a distance of 8.02 feet to the POINT OF BEGINNING.

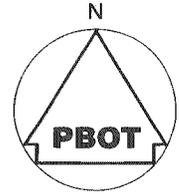
Containing 29 square feet.

Project No. 40624
Revised: October 28, 2022



EXPIRES 12-31-2023

EXHIBIT B



SCALE: 1"= 10'

SE ASH ST.

30'

P.O.B.

S 89°35'00"E 7.30'

N 00°01'50"W 8.02'

S 42°27'19"W 10.80'

EASEMENT FOR
RIGHT OF WAY
PURPOSES
29 SQ. FT.

TERRACE
PARK

DOCUMENT NUMBER 2021-172851

LOT 5 BLOCK 1

35'

SE 82ND AVE.

REVISED : OCTOBER 28, 2022

R/W# 9329-07	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	B & U PROPERTIES 8214 S.E. ASH STREET 1N2E33CC TL 9700	