

Exhibit 4

Grantor Name & Address:

TriMet
1800 SW 1st Avenue, Suite 300
Portland, OR 97201

TRAFFIC SIGNAL EASEMENT

KNOW ALL PERSONS BY THESE PRESENTS, that **Tri-County Metropolitan Transportation District of Oregon**, a mass transit district organized under the laws of the State of Oregon, (“Grantor”), for good and valuable non-monetary consideration, the receipt whereof is hereby acknowledged, hereby grants unto the City of Portland, a municipal corporation of the State of Oregon, (“Grantee”), an easement for construction and perpetual use of a traffic signal ("Easement"), over, under and across real property in the City of Portland, County of Multnomah and State of Oregon, more particularly described as follows ("Easement Area"):

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

Contains 31 square feet, more or less.

- A. Grantor represents and warrants that Grantor has the authority to grant the Easement and that the Easement Area is free from all liens and encumbrances that would materially affect the Easement grant, except as set forth herein, and that it will defend the Grantee against the lawful claims and demands of all persons whomsoever with respect to any liens or encumbrances that would materially affect the Easement grant, except as set forth herein.
- B. The Grantor, its successors and assigns, agree to defend, indemnify and hold harmless the Grantee, its officers, agents, and employees 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.

R/W # 9263

After Recording Return to:

1N1E36AA

Lance Lindahl, City of Portland

1120 SW 5th Avenue, Suite 1331

Portland, OR 97204

Tax Statement shall be sent to: No Change

- C. Grantor agrees that the consideration recited herein is just compensation for the property or property rights conveyed, which includes damage to the property remainder, if any, resulting from the acquisition or use of said property or property rights.
- D. The Easement herein granted does not convey and right or interest to title in the property, except as stated herein.
- E. The use of the Easement is limited to construction, maintenance, inspection, and reconstruction of traffic signal facilities, including signals, poles, vehicle and pedestrian detection equipment, sensors, and traffic related communications equipment.
- F. Grantor shall be responsible for maintaining all pavement markings associated with the traffic signal.
- G. Easement Area is limited to a depth of 20.00 feet below the surface of the pavement and to a height of 35.00 feet above ground surface. Grantor reserves the use and control of the property located below that depth and above the height of the easement area.
- H. The Easement herein shall bind the heirs and assigns of Grantor and shall inure to the benefit of the successors in title of the Grantee.

TO HAVE AND TO HOLD, the above described and granted premises unto said City for the uses and purposes aforesaid forever.

IN WITNESS WHEREOF, Tri-County Metropolitan Transportation District of Oregon has caused these presents to be signed by its Director of Real Estate and Transit-Oriented Development, this _____ day of _____, 20_____.

TRI-COUNTY METROPOLITAN TRANSPORTATION
DISTRICT OF OREGON

By: _____
Lance Erz, Director of Real Estate and Transit-Oriented Development

State of OREGON

County of MULTNOMAH

This instrument was acknowledged before me on _____, 20_____, by Lance Erz, as Director of Real Estate and Transit-Oriented Development of the Tri-County Metropolitan Transportation District of Oregon, a mass transit district organized under the laws of the State of Oregon.

Notary Public for OREGON

My Commission expires _____

APPROVED AS TO FORM:

City Attorney

APPROVED AND ACCEPTED:

Bureau Director or designee

Date

9263 TRAFFIC SIGNAL EASEMENT

EXHIBIT A

TRAFFIC SIGNAL EASEMENT

BEING A PORTION OF VACATED NE 42ND AVENUE, AND LOCATED IN THE NW 1/4 OF SECTION 31, TOWNSHIP 1 NORTH, RANGE 2 EAST, WILLAMETTE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT A POINT ON THE WESTERLY LINE OF PARCEL 1, PARTITION PLAT 2016-087, SAID POINT BEING $S0^{\circ}13'54''W$, A DISTANCE OF 3.83 FEET FROM THE MOST WESTERLY NORTHWEST CORNER OF SAID PARCEL 1;

THENCE CONTINUING ALONG SAID WESTERLY LINE, $S0^{\circ}13'54''W$, A DISTANCE OF 2.00 FEET;

THENCE $N89^{\circ}27'18''W$, A DISTANCE OF 15.40 FEET;

THENCE $N0^{\circ}13'54''E$, A DISTANCE OF 2.00 FEET MORE OR LESS, TO THE NORTH LINE OF VACATED 42ND AVENUE;

THENCE $S89^{\circ}27'18''E$, ALONG SAID NORTH LINE OF VACATED 42ND AVENUE, A DISTANCE OF 15.40 FEET MORE OR LESS TO THE POINT OF BEGINNING;

BASIS OF BEARINGS: WESTERLY LINE OF PARCEL 1, PARTITION PLAT 2016-087.

CONTAINING: 31 SQUARE FEET MORE OR LESS.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

David W. Taylor

OREGON
FEBRUARY 8, 2000
DAVID W. TAYLOR
#53762

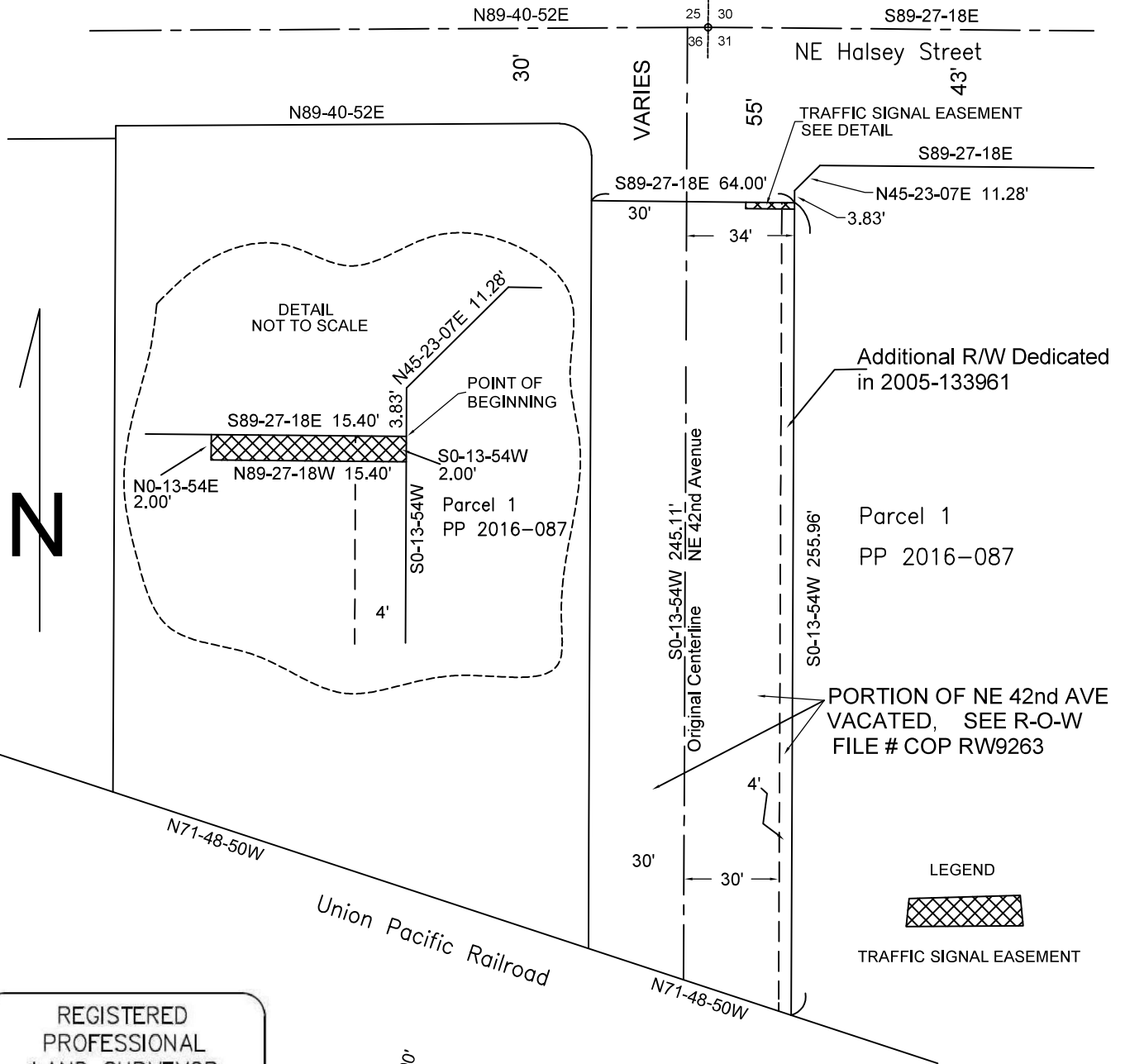
RENEWS JUNE 30, 2024

EXHIBIT B

TRAFFIC SIGNAL EASEMENT

T.1N., R.1E., W.M.

T.1N., R.2E., W.M.



REGISTERED
PROFESSIONAL
LAND SURVEYOR

David W. Taylor

OREGON
FEBRUARY 8, 2000
DAVID W. TAYLOR
#53762

RENEWS JUNE 30, 2024

REAL ESTATE AND TRANSIT ORIENTED DEVELOPMENT DEPARTMENT
TRIMET LEGAL SERVICES DIVISION