

Grantor's Name and Address:
 4211 Columbia Blvd., LLC
 300 SE Hearthwood
 Vancouver, WA 98664

Multnomah County Official Records
 E Murray, Deputy Clerk

2023-015955

03/20/2023 03:31:47 PM

EASE-EASE Pgs=6 Stn=85 ATTC
 \$30.00 \$11.00 \$10.00 \$60.00

\$111.00

EASEMENT FOR RIGHT-OF-WAY PURPOSES

4211 Columbia Blvd., LLC, an Oregon limited liability company, ("Grantor"), in consideration of the sum of Sixty Thousand Two Hundred Thirty Four and 98/100 Dollars (\$60,234.98), 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.

Contains 1,299 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 Grantor's 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 # 9219-04

1N2E18BC TL 460

After Recording Return to:

Kara Campbell, 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, 4211 Columbia Blvd., LLC, an Oregon limited liability company, LLC, an Oregon limited liability company, pursuant to its Operating Agreement, duly and legally adopted, has caused these presents to be signed by its Manager this 31 day of JANUARY, 2023.

4211 Columbia Blvd., LLC
AN OREGON LIMITED LIABILITY COMPANY

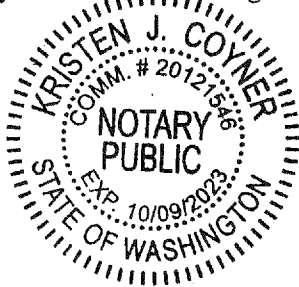
By

Larry Mackin
Larry Mackin, Manager

STATE OF WASHINGTON

County of CLARK

This instrument was acknowledged before me on JAN 31, 2023, by Larry Mackin as a Manager of 4211 Columbia Blvd., LLC, an Oregon limited liability company.



Kristen J. Coyner
Notary Public for (state) WA
My Commission expires 10/9/23

APPROVED AS TO FORM:

Approved as to form
by Eric Shaffner
for the City Attorney

City Attorney

APPROVED AND ACCEPTED:

David E. McElDowney

2/23/2023 | 11:30 AM PST

Bureau Director or designee

Date

EXHIBIT A

**N.E. 46TH AVENUE AND N.E. BRYANT STREET L.I.D.
R/W # 9219-04
EASEMENT FOR RIGHT OF WAY PURPOSES
1N2E18BC TAX LOT 4600**

A portion of that tract of land conveyed to 4211 Columbia Blvd., LLC, by deed, recorded in Document No. 2017-084480, Multnomah County Deed Records, situated in the Northwest one-quarter of Section 18, Township 1 North, Range 2 East, of the Willamette Meridian in the City of Portland, County of Multnomah and State of Oregon, as shown on the attached Exhibit "B", being more particularly described as follows:

BEGINNING at the Northwest corner of said tract, said point also being on the Easterly Right of Way line of N.E. 42nd Avenue, 31.00 feet from centerline;

Thence, leaving said Right of Way line, along the North line of said tract, South 88°48'50" East, a distance of 1.00 feet;

Thence, South 01°12'06" West, a distance of 45.87 feet, to a point of tangent circular curve;

Thence, Southerly, a distance of 55.74 feet along the arc of a circular curve to the left having a radius of 102.00 feet and through a central angle of 31°18'44" (long chord bears, South 14°27'16" East, a distance of 55.05 feet) to a point of non-tangency;

Thence, North 56°56'07" East, a distance of 2.00 feet, to a point of non-tangent circular curve;

Thence, Southeasterly, a distance of 10.50 feet along a non-tangent circular curve to the left of which the radius point lies, North 59°56'55" East, a distance of 100.00 feet, through a central angle of 06°00'54", (long chord bears, South 33°03'32" East, a distance of 10.49 feet), to a point of non-tangency;

Thence, South 56°56'07" West, a distance of 2.00 feet, to a point of a non-tangent circular curve;

Thence, Southeasterly, a distance of 64.27 feet along a non-tangent circular curve to the left of which the radius point lies, North 53°59'33" East, a distance of 102.00 feet, through a central angle of 36°06'09", (long chord bears, South 54°03'31" East, a distance of 63.21 feet), to a point of tangency;

Thence, South 72°06'36" East, a distance of 63.78 feet, to the East line of said tract;

Thence, along said East line, South 00°02'48" West, a distance of 0.53 feet, to the Southeast corner of said tract, also being a point on the Northerly Right of Way line of N.E. Columbia Boulevard, 40.50 feet from centerline;

Thence, along said Northerly Right of Way line, North 72°06'36" West, a distance of 140.74 feet, to the Southwest corner of said tract;

Thence, along the West line of said tract, also being said Easterly Right of Way line of N.E. 42nd Avenue, 31.00 feet from centerline, North 01°12'06" East, a distance of 122.00 feet to the POINT OF BEGINNING.

Containing 1,299 square feet.

Project No. 40872

May 14, 2021

Revised: January 9, 2023

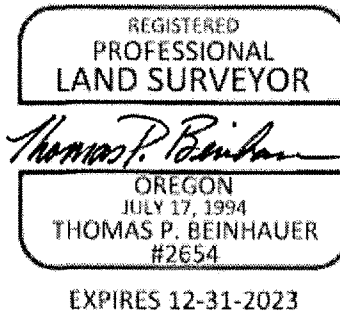
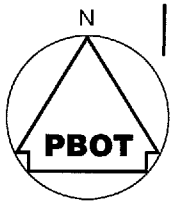


EXHIBIT B



SCALE: 1" = 30'

42ND AVENUE

25'

42ND AVENUE

N 1°12'06"E 122.00'

N.E.

35'

N.E. COLUMBIA BLVD.

40.5'

P.O.B.

S 88°48'50"E 1.00'

31'

S 1°12'06"W 45.87'

R= 102.00'
 D= 31°18'44"
 L= 55.74'
 C= 55.05'
 S 14°27'16"E

DOCUMENT NO. 2017-084480

N 56°56'07"E 2.00'

R= 100.00'
 D= 6°00'54"
 L= 10.50'
 C= 10.49'
 S 33°03'23"E

EASEMENT FOR RIGHT OF WAY
 PURPOSES
 1,299 SQ. FT.

S 56°56'07"W 2.00'

R= 102.00'
 D= 36°06'09"
 L= 64.27'
 C= 63.21'
 S 54°03'31"E

S 72°06'36"E 63.78'

S 00°02'48"W 0.53'

N 72°06'36"W 140.74'

REVISED: JANUARY 9, 2023

R/W# 9219-04

EASEMENT FOR RIGHT OF WAY PURPOSES

PREPARED BY: TPB

PROJ# 40872

PROJECT: N.E. 46TH AVENUE & N.E. BRYANT STREET L.I.D.

DATE: 5-14-21

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

4211 COLUMBIA BLVD., LLC.
 6710 N.E. 42ND AVENUE
 1N2E18BC TAX LOT 4600

PBOT
 PORTLAND BUREAU OF TRANSPORTATION