

Multnomah County Official Records	<b>2022-095154</b>
E Murray, Deputy Clerk	10/18/2022 09:07:39 AM
EASE-EASE Pgs=5 Stn=68 ATJN	\$106.00
\$25.00 \$11.00 \$10.00 \$60.00	

**Grantors's Name and Address:**  
Halsey Property Investment, LLC  
215 SE 102<sup>nd</sup> Ave, Ste 100  
Portland, OR 97216

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

**Halsey Property Investment, LLC, an Oregon limited liability company, ("Grantor"),** in consideration of the sum of Sixteen Thousand Six Hundred and no/100 Dollars (\$16,600.00), 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 360 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 # 9281-26  
1N2E28CC 3700

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, agree 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 warrant 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, Halsey Property Investment, LLC, an Oregon limited liability company, pursuant to its Operating Agreement, duly and legally adopted, has caused these presents to be signed by its Member, this 19 day of September, 2022

**HALSEY PROPERTY INVESTMENT, LLC,  
AN OREGON LIMITED LIABILITY COMPANY**

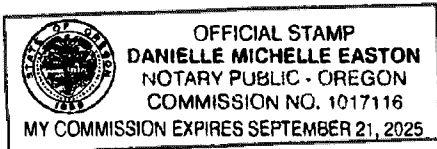
By: Frank Investment Group, LLC, an Oregon limited liability company, as Member

W B Frank

By: William B. Frank, as Member

STATE OF Oregon  
County of Multnomah

This instrument was acknowledged before me on September 19, 2022, by William B. Frank as a Member of Frank Investment Group, LLC, an Oregon limited liability company, as Member of Halsey Property Investment, LLC, an Oregon limited liability company.



Danielle Michelle Easton  
Notary Public for (state) Oregon  
My Commission expires 9/21/25

APPROVED AS TO FORM:

Adrianna DelCotto

City Attorney

APPROVED AND ACCEPTED:

David E. McEldowney

Bureau Director or designee

9/27/2022 | 3:36 PM PDT

Date

R/W # 9281-26  
NE HALSEY (65<sup>TH</sup> – 92<sup>ND</sup>)  
1N2E28CC-3700  
EASEMENT FOR RIGHT-OF-WAY PURPOSES

**EXHIBIT A**

A portion of that tract of land conveyed by deed to Halsey Property Investment, LLC, recorded in Document Number 2022-023673, Multnomah County Deed Records, situated in the Southwest One-Quarter of Section 28, Township 1 North, Range 2 East of the Willamette Meridian, City of Portland, County of Multnomah, State of Oregon, being more particularly described as follows:

BEGINNING at the intersection of the Northerly Right-of-Way line of NE Halsey Street (width varies from centerline) and the Easterly Right-of-Way line of NE 84<sup>th</sup> Avenue (50.00 feet in width), said point also being the Southwest corner of Lot 23, Block 2 of the duly recorded plat of Railway Addition, Multnomah County Plat Records;

Thence, along said Easterly Right-of-Way line, North 00°39'17" East, a distance of 11.87 feet to the point of a non-tangent curve to the left, of which the radius point lies North 35°34'59" East, a radial distance of 212.50 feet;

Thence, leaving said Right-of-Way line, Southeasterly along the arc, through a central angle of 22°14'29", a distance of 82.49 feet (a chord bearing South 65°32'15" East and a chord distance of 81.97 feet) to the Easterly line of Lot 21, Block 2 of the duly recorded plat of Railway Addition;

Thence, along said Easterly line of Lot 21, South 00°39'17" West, a distance of 3.57 feet to a point on the Northerly Right-of-Way line of NE Halsey Street, also being the Southeast corner of said Lot 21;

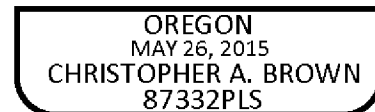
Thence, along said Northerly Right-of-Way line, North 71°03'01" West, a distance of 78.99 feet to the Southwest corner of Lot 23, Block 2 of the duly recorded plat of Railway Addition, also being a point on the Easterly Right-of-Way line of NE 84<sup>th</sup> Avenue, also being the POINT OF BEGINNING.

Containing 360 square feet.

Job # 40871  
Revised: September 26, 2022

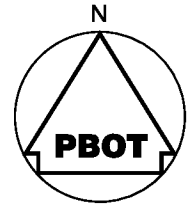


*Christopher A. Brown*



EXPIRES 12-31-2023

EXHIBIT B



SCALE: 1" = 20'

**RAILWAY  
ADDITION**

BLOCK 2

23                      22                      21                      20

8401 NE HALSEY ST.  
DOCUMENT NO. 2022-023673

50'  
NE 84TH AVE.

LENGTH = 82.49'  
RADIUS = 212.50'  
DELTA = 22°14'29"  
CHORD BEARING = S 65°32'15" E  
CHORD = 81.97'

N 00°39'17" E 11.87'

P.O.B.

EASEMENT FOR RIGHT-OF-WAY  
PURPOSES  
360 SQ. FT.

N 71°03'01" W 78.99'

S 00°39'17" W 3.57'

40'

NE HALSEY ST.

R/W# 9281-26	EASEMENT FOR RIGHT-OF-WAY PURPOSES	PREPARED BY: CAB
PROJ# 40871	PROJECT: NE HALSEY (65th-92nd)	DATE: 9/26/2022

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

HALSEY PROPERTY INVESTMENT, LLC  
8401 NE HALSEY ST.  
1N2E28CC-3700

