

File: 3800  
Willamette Shore Line Consortium  
County: Multnomah

## PERMIT OF ENTRY

In order to allow the City of Portland and its contractors ("Permittee") to enter onto the Willamette Shore Line Right of Way ("ROW") to perform certain construction activities associated with the SW Moody River Parkway-Gibbs Reconstruction Project ("Work"), the Tri-County Metropolitan Transportation District of Oregon ("TriMet"), as Right-of-Way Agent for the Willamette Shoreline Consortium, owner of the ROW ("Owner"), grants to Permittee and its employees, contractors, and representatives the right to enter upon the site shown on the attached Exhibit A and Exhibit B (the "Site").

All rights and responsibilities of ownership remain with Owner. It is understood and agreed that no title interest is granted as part of this Permit.

To the extent permitted by the Oregon Tort Claims Act and the Oregon Constitution, Permittee agrees to indemnify, hold harmless, and defend TriMet and Owner for any and all injuries to persons or property, including legal fees, arising from Permittee's use of the Site for the Work. Further, Permittee shall require its contractor(s) to indemnify, hold harmless, and defend TriMet and Owner for any and all injuries to persons or property, including legal fees, arising from the use of the Site for the Work by such contractor, its employees, representatives, or subcontractors.

The consideration for this permit is \$ Non-Monetary.

This Permit of Entry shall be effective as of May 1, 2011 and shall continue through June 15, 2012.

DATED this 31<sup>st</sup> day of May, 2011.

CITY OF PORTLAND

By: Tom Miller

Title: Director

TRI-COUNTY METROPOLITAN  
TRANSPORTATION DISTRICT OF  
OREGON, Right of Way Agent for  
the Willamette Shore Line  
Consortium.

By: D. Blocher

Daniel W. Blocher, P.E.

184698



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Executive Director

Approved as to Form:

APPROVED AS TO FORM

*Paula Neary*

City Attorney

Approved as to Form:

By:

*Britney Colton*

Britney Colton,  
Deputy General Counsel



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## EXHIBIT "A"

## LEGAL DESCRIPTION

March 2, 2011

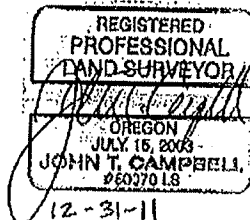
A portion of that tract of land described in that Quitclaim Deed to Tri-County Metropolitan Transportation District of Oregon, an Oregon Mass Transit District, recorded March 23, 2005 in Document No. 2005-049993, Multnomah County Deed Records, located in the North One-Half of Section 10 and the South One-Half of Section 3, Township 1 South, Range 1 East of the Willamette Meridian, City of Portland, Multnomah County, Oregon and being more particularly described as follows:

Being that portion of the above-described Document No. 2005-049993 depicted as Tax Lot 200 on Multnomah County Assessors Tax Map 1S 1E 10BA on the date of this legal description and as shown on the attached Tax Map;

Said Tax Lot 200 is bounded on the east by the westerly right-of-way line of S.W. Moody Avenue, bounded on the south by the north line of S.W. Woods Street, bounded on the west by U.S. Highway I-5, and bounded on the north by the easterly prolongation of the southerly line of S.W. Sheridan Street as shown on attached Exhibit "B"

Excepting therefrom Parcel No. 2 of Deed to the State of Oregon recorded September 15, 1958 in Book 1917 Pages 309-311, Multnomah County Deed Records,

Containing approximately 2.35 acres more or less per the above-described tax map.



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