

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

In the Matter of the grant of a REAL)
ESTATE OPTION for the acquisition of)
Permanent Sign and Slope Easements on)
County Land at the Exposition Center)
Parcel, George W. Force DLC, T2N, R1E,))
WM, Multnomah County, Oregon.)

O R D E R
92-84

It appearing that Oregon Department of Transportation desires to improve N. Marine Drive in the vicinity of Multnomah County's Exposition Center in order to serve present and future transportation needs in that area; and

It appearing that a suitable location for a traffic direction sign and a portion of the slope from N. Marine Drive is on the parcel of land upon which is located the Exposition Center and parking lot; and

It appearing that Oregon Department of Transportation has requested a Real Estate Option to acquire two easements totalling approximately 2,365 square feet upon said parcel upon which to locate said sign and slope in consideration of the sum of \$1,000; and

It being determined that the requested Real Estate Option to acquire said easements will have little or no effect upon the use or value of said parcel, that the requested easements will assist in maintaining the transportation service provided by N. Marine Drive and the Board being fully advised in the matter:

It is ORDERED that Multnomah County execute this Real Estate Option and Permanent Easements before the Board this date and that the County Chair be, and she is hereby, authorized and directed to execute the same on behalf of Multnomah County.

Dated this 14th day of May, 1992.

REVIEWED:

LAURENCE KRESSEL, County
Counsel for Multnomah
County, Oregon

By

John L. DuBay

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

By

Gladys McCoy, County Chair

REAL ESTATE OPTION

Fed. Aid No: NA

Grantor	<u>Multnomah County</u>	Address	<u>C/O Larry F. Nichols</u>
Grantor		Address	<u>County Engineer/Director</u>
			<u>1620 S.E. 190th Ave.</u>
			<u>Portland, OR 97233</u>
Section	<u>Swift Interchange-Delta Park</u>	Highway	<u>Pacific (I-5)</u>
County	<u>Multnomah</u>	Purpose	<u>Permanent Easement for Slopes</u>

IN CONSIDERATION of the offer to the undersigned for an easement upon the hereinafter described property, the undersigned hereby gives and grants to the State of Oregon, by and through its Department of Transportation, upon the terms and conditions hereinafter stated, the option to purchase an easement upon the property described on Exhibit "A" attached, bearing date of Feb. 6, 1992 and covering two parcels, subject to special provisions contained in Exhibit(s) _____ attached and by this agreement made a part of this option.

The Oregon Transportation Commission shall have the irrevocable right, at any time, within six (6) _____ months from the date hereof, to accept this option.

The undersigned, hereinafter referred to as "Grantors," agree to deliver to the State of Oregon, by and through its Department of Transportation, hereinafter referred to as "State," an easement to said property. Grantors further agree not to sell or encumber said property during the term of this option.

Upon delivery of said easement and the clearing of title satisfactory to State, Grantors, in the usual course and through the usual channels of auditing claims against State, shall be paid the sum of (\$1,000.00) One thousand and no/100 dollars _____ (Less \$ _____) for items as listed on Exhibit(s) _____ as full payment of the purchase thereof.

Grantors shall surrender possession of the property upon payment from the State. Written notice to vacate the property will not be required.

Grantors do not have to provide title insurance. State will pay all recording charges for documents required.

Grantors acknowledge all items of damages, all sums of money to be paid, and all things to be done by State are in this option. Grantor agree, the consideration recited herein is just compensation for the optioned property, including any and all damages to grantors remaining property, if any, which may result from the acquisition or use of said property and the construction or improvement of the highway. All claims for damages, injury or loss on account of failure to close this option are hereby expressly waived.

NOTICE: BEFORE SIGNING THIS OPTION BE SURE ALL OBLIGATIONS, INCLUDING THOSE YOU EXPECT STATE TO PERFORM, ARE SET OUT IN THIS OPTION AND THAT YOU FULLY UNDERSTAND ALL OF THE TERMS OF THIS OPTION.

Dated this 14th day of May, 19 92

Gladys McCoy
Gladys McCoy
Multnomah County Chair

REVIEWED

By

[Signature]
MULTNOMAH COUNTY COUNSEL

EXHIBIT A

File R58906
Multnomah County
REP 02-06-92 1A-13-24
Parcels 1 and 2

Survey Approval Project
Section: Swift Intchge. - Delta Park Intchge.
Highway: Pacific
Throughway

PARCEL 1 - Permanent Easement For Slopes and Curbs

A parcel of land lying in the George W. Force D.L.C. No. 39, Township 2 North, Range 1 East, W.M., Multnomah County, Oregon and being a portion of that property designated as Parcel III and described in that deed to Multnomah County, recorded August 9, 1965 in Book 353, Page 11, Multnomah County Record of Deeds; the said parcel being that portion of said property lying between lines at right angles to the "US" center line at Engineer's Stations "US" 13+00 and "US" 17+34.51 and included in a strip of land variable in width, lying on the Southwesterly side of said center line which center line is described as follows:

Beginning at Engineer's center line Station "US" 12+22.79, said station being 800.37 feet North and 1301.11 feet West of the Southeast corner of Section 33, Township 2 North, Range 1 East, W.M.; thence South $65^{\circ} 03' 33''$ East 111.72 feet; thence on a spiral curve right (the long chord of which bears South $59^{\circ} 43' 45''$ East 398.62 feet) 400 feet; thence on a 716.20 foot radius curve right (the long chord of which bears South $45^{\circ} 21' 33''$ East 92.44 feet) 92.50 feet; thence on a spiral curve right (the long chord of which bears South $30^{\circ} 59' 20''$ East 398.62 feet) 400 feet; thence South $25^{\circ} 39' 33''$ East 397.34 feet to Engineer's center line Station "US" 26+24.35.

The widths in feet of the strip of land above referred to are as follows:

Station	to	Station	Width on Southwesterly Side of Center Line
"US"13+00		"US"15+00	45 in a straight line to 51
"US"15+00		"US"16+00	51
"US"16+00		"US"17+34.51	51 in a straight line to 45

EXCEPT therefrom that property designated as Parcel 1 and described in that deed to the State of Oregon, by and through its Department of Transportation, Highway Division, recorded March 19, 1990 in Book 2285, Page 1017, Multnomah County Record of Deeds.

Bearings are based upon the Oregon Co-ordinate System, North Zone.

(CONTINUED ON PAGE 2)

The parcel of land to which this description applies contains 1,965 square feet, more or less.

PARCEL 2 - Permanent Easement for Sign

A parcel of land lying in the George W. Force D.L.C. No. 39, Township 2 North, Range 1 East, W.M., Multnomah County, Oregon; the said parcel being that portion of said D.L.C. lying between lines at right angles to the "US" center line at Engineer's Station "US" 7+90 and "US" 8+00 and included in a strip of land 50 feet in width, lying on the Southwesterly side of said center line which center line is described as follows:

Beginning at Engineer's center line Station "US" 7+00, said station being 1020.82 feet North and 1775.14 feet West of the Southeast corner of Section 33, Township 2 North, Range 1 East, W.M.; thence South $65^{\circ} 03' 33''$ East 634.51 feet to Engineer's center line Station "US" 13+34.51.

Bearings are based upon the Oregon Co-ordinate System of 1927, North Zone.

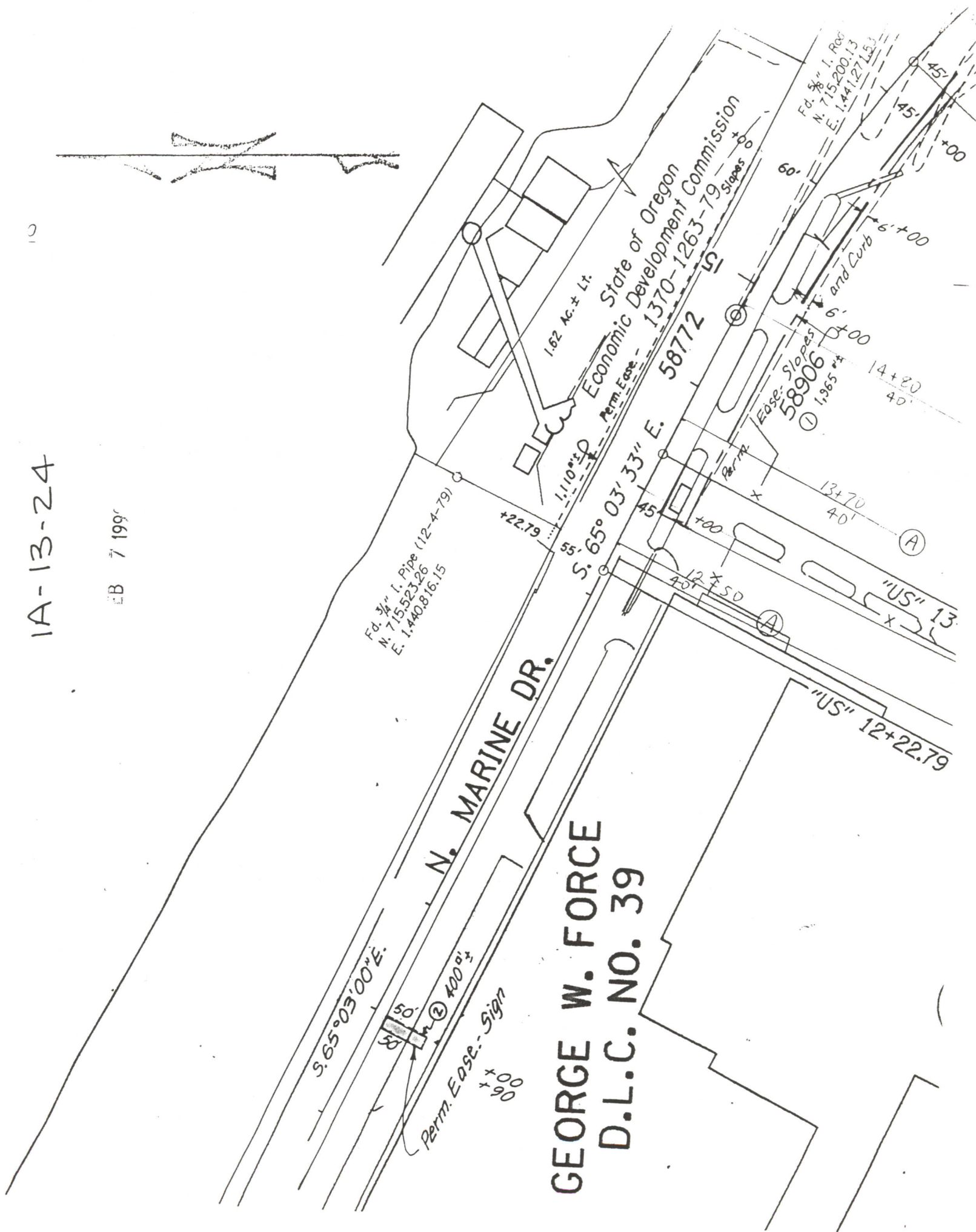
The parcel of land to which this description applies contains 400 square feet, more or less.

rep

02-06-92

NOTE: Parcels 1 and 2 Access Controlled by Permit.
Outside Area: 43.01 acres, more or less, right
Prior File R58177.

B 7 199c



ORIGINAL

PERMANENT EASEMENTS

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, Grantor, grants to the STATE OF OREGON, by and through its DEPARTMENT OF TRANSPORTATION, Highway Division, Grantee, its successors and assigns, a permanent easement to construct and maintain slopes, and to install curbs, upon the hereinafter described Parcel 1, and a permanent easement for the construction, installation and maintenance of a highway sign upon the hereinafter described Parcel 2, said property being described as follows:

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Bearings are based upon the Oregon Co-ordinate System of 1927, North Zone.

The parcel of land to which this description applies contains 400 square feet, more or less.

IT IS UNDERSTOOD that the easements herein granted do not convey any right, or interest in the above-described property, except for the purposes stated herein, nor prevent Grantor from the use of said property; provided, however, that such use shall not be permitted to interfere with the rights herein granted or endanger the lateral support of the highway, or to interfere in any way with the relocation, construction, and maintenance of said utilities, and their appurtenances, as granted hereinabove.

Also the rights of the owner of any relocated utilities shall be the same as previously existed in that portion of the utilities being relocated.

IT IS ALSO UNDERSTOOD that these easements shall be subject to the same conditions, terms and restrictions contained in the easements, licenses and/or permits granted to the owner of any facilities being relocated.

Highway Division
File 58906
1A-13-24

IT IS ALSO UNDERSTOOD that Grantor shall not place or erect any buildings or structures upon the easement areas without the written consent of Grantee.

IT IS FURTHER UNDERSTOOD that nothing herein contained is intended to create any obligation on the part of Grantee for the maintenance of said utilities.

The true and actual consideration received by Grantor for these easements is \$1,000.00.

Dated this 14th day of May, 1992.

REVIEWED:
LAURENCE KRESSEL, COUNTY
COUNSEL FOR MULTNOMAH
COUNTY, OREGON.

By


John L. DuBay

MULTNOMAH COUNTY, OREGON

By

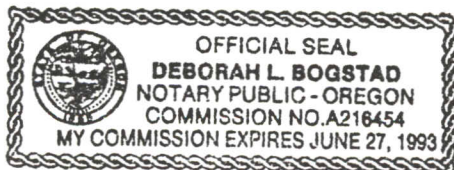

COUNTY CHAIR

Return to:
Oregon State Highway Division
Right of Way Section
417 Transportation Bldg.
Salem, Oregon 97310

STATE OF OREGON)
) ss
COUNTY OF MULTNOMAH)

On this 14th day of May, 1992, A.D., before me, a Notary Public in and for the County of Multnomah and State of Oregon, personally appeared Gladys McCoy, Chair, Multnomah County Board of Commissioners, to me personally known, who being duly sworn did say that said instrument was signed and sealed on behalf of said County by authority of the Multnomah County Board of Commissioners, and that said instrument is the free act and deed of said County.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed by official seal the day and year first in this, my certificate, written.



Deborah L. Bogstad
Notary Public for Oregon
My Commission expires: 6/27/93