

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON**

**RESOLUTION NO. 2013-156**

Authorizing a Right-of-Way Easement to the City of Portland.

**The Multnomah County Board of Commissioners Finds:**

- a. The Oregon Department of Transportation (ODOT) transferred jurisdiction of portions of State Highway 99, which includes a portion of SE Grand Avenue, to the City of Portland ("City") in 2003. Included within the transfer of the jurisdictional right of way area, was the area directly abutting the County-owned Multnomah Building. At that time, the County leased from ODOT a portion of the public right-of-way on SE Grand in which the Multnomah Building encroached into the public right-of-way ("encroachment area").
- b. Subsequently, the City constructed the extension of the Portland Streetcar Project ("Project") along SE Martin Luther King Blvd and SE Grand Avenue. Previously in 2010 and 2011, the County, pursuant to County/City Intergovernmental Agreement, (County Contract No. 4600008288), had dedicated certain easements to the City in conjunction with the Project.
- c. The City seeks dedication from the County of certain additional right of way easements (relating to the Project) of County-owned property directly abutting the above identified City streets as more particularly described in Exhibit 1 attached hereto, captioned: "Right of Way Purposes Easement" ("new easement areas"). Final completion of the Project includes these dedications.
- d. The County is currently working with the City whereby the City will seek to vacate the encroachment area, resulting in County's unencumbered fee simple ownership of the encroachment area. In exchange for the City's vacation of the encroachment area, the County agrees to dedicate the new easement areas.

**The Multnomah County Board of Commissioners Resolves:**

1. The grant of the Right of Way Purposes Easement to the City of Portland for the real property described in Exhibit 1 is approved.
2. The Chair is authorized to execute on behalf of the County a Right Of Way Purposes Easement in substantial conformance with Exhibit 1.

**ADOPTED the 14th day of November 2013.**

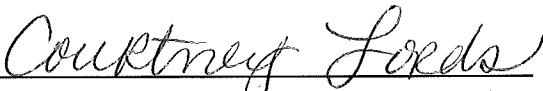


BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

---

Marissa Madrigal, Acting Chair

REVIEWED:  
JENNY M. MADKOUR, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By   
Courtney Lords, Assistant County Attorney

SUBMITTED BY: Sherry Swackhamer, Interim Director, Dept. of County Management.

Exhibit 1

**Grantor's Name & Address:**

Multnomah County  
401 N Dixon Street  
Portland, OR 97227

**RIGHT-OF-WAY PURPOSES EASEMENT**

KNOW ALL PERSONS BY THESE PRESENTS, that **Multnomah County**, a Political Subdivision of the State of Oregon, **Grantor**, in consideration of the sum of One and no/100 Dollars (\$1.00), and other good and valuable consideration, to it paid by the **City of Portland**, a municipal corporation of the State of Oregon, the receipt whereof is hereby acknowledged, hereby grants unto the City of Portland, **Grantee**; which purchases pursuant to its eminent domain power and authority, an easement for public street and right of way purposes in the real property, more particularly described in Exhibits A1 and A2 and depicted on Exhibits B1 and B2 attached hereto and by this reference made a part hereof (the "Easement Areas").

TO HAVE AND TO HOLD, the same easement to the City of Portland for the uses and purposes aforesaid forever.

- A. It is understood and agreed that the City, by accepting this dedication, is not accepting any liability for any release of hazardous substances onto or from the Subject Property.
- B. Grantor represents that it has the authority to grant this easement.
- C. 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 Easement Areas or property rights.

---

R/W # 7266-2

1S1E02BB & 1S1E02BC

After Recording Return to:

Dee A. Walker, City of Portland

1120 SW 5<sup>th</sup> Avenue, 8<sup>th</sup> Floor

Portland, OR 97204

Tax Statement shall be sent to: No Change

- D. Grantor reserves all other rights not conveyed herein, but will not exercise said rights in any manner that would be inconsistent or interfere with or materially affect rights herein granted.
- E. This easement shall bind the successors of Grantor and shall inure to the benefit of the successors in title of Grantee.
- F. As additional consideration for this Grant; Grantee shall be responsible for all maintenance, inspection, repair, replacement or reconstruction obligations with respect to the new and expanded sidewalk and pedestrian facilities in the Easement Areas and immediately adjacent thereto at the locations depicted on the attached Exhibits B1 and B2.
- G. Grantor reserves a reasonable right of access for construction, maintenance, repair, and re-construction of its rights-of-way structures. Grantor will restore the Easement Areas to a condition that is as good as condition existing prior to any maintenance or repair activities.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed the date and year written below.

MULTNOMAH COUNTY has caused these presents to be executed by the Chair of the Multnomah County Board of Commissioners on 11/14, 2013 by authority of a Resolution of the Board of County Commissioners heretofore entered of record.

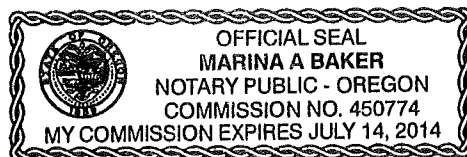


BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

Marissa Madrigal, Acting Chair

STATE OF OREGON                     )  
  ) ss  
COUNTY OF MULTNOMAH    )

This Deed was acknowledged before me this 22<sup>nd</sup> day of November 2013, by Marissa Madrigal, to me personally known as Chair of the Multnomah County Board of Commissioners, on behalf of the County by authority of the Multnomah County Board of Commissioners.



Marina A. Baker  
Notary Public for Oregon;  
My Commission expires: 7/14/2014

REVIEWED:

JENNY M. MADKOUR, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By Courtney Lords  
Courtney Lords, Assistant County Attorney



R/W #7266-2  
Multnomah County  
Block 98, East Portland  
1S1E02BB  
Revised 9/15/11

## EXHIBIT "A1"

### **PARCEL 1, STREET DEDICATION**

A parcel of land situated in the Northwest one-quarter of Section 2, Township 1 South, Range 1 East, W.M., City of Portland, Multnomah County, Oregon, and being a portion of that property described in Warranty Deed to Multnomah County, Oregon, recorded June 27, 1956 in Book 1791, Page 513, Multnomah County Records, more particularly described as follows:

Beginning at a point on the westerly right-of-way line of S. E. Grand Avenue which is North 88° 12' 31" West 10.00 feet from the northeast corner of Block 98 in the duly recorded plat of East Portland; thence along said right-of-way line South 01° 47' 29" West 47.44 feet to a point of non-tangent curvature; thence along the arc of a 99.00 foot radius curve to the left, the radial center of which bears South 65° 55' 34" West, through a central angle of 40° 24' 12", an arc distance of 69.81 feet (the long chord of which bears North 44° 16' 32" West 68.37 feet) to the southerly right-of-way line of S. E. Morrison Street; thence along said right-of-way line South 88° 12' 31" East 49.24 feet to the Point of Beginning.

This parcel contains 889 square feet, more or less.

### **PARCEL 2, STREET DEDICATION**

A parcel of land situated in the Northwest one-quarter of Section 2, Township 1 South, Range 1 East, W.M., City of Portland, Multnomah County, Oregon, and being a portion of that property described in Warranty Deed to Multnomah County, Oregon, recorded January 19, 1956 in Book 1765, Page 309, Multnomah County Records, more particularly described as follows:

Beginning at a point on the northerly right-of-way line of S. E. Belmont Street which is North 88° 12' 31" West 10.00 feet from the southeast corner of Block 98 in the duly recorded plat of East Portland; thence along said right-of-way line North 88° 12' 31" West 67.08 feet; thence North 66° 22' 54" East 17.39 feet to a point of curvature; thence along the arc of a 99.50 foot radius curve to the left, through a central angle of 45° 34' 26", an arc distance of 79.14 feet (the long chord of which bears North 43° 35' 41" East 77.07 feet) to the westerly right-of-way line of S. E. Grand Avenue; thence along said right-of-way line South 01° 47' 29" West 64.91 feet to the Point of Beginning.

This parcel contains 1,515 square feet, more or less.

### **PARCEL 3, STREET DEDICATION**

A parcel of land situated in the Northwest one-quarter of Section 2, Township 1 South, Range 1 East, W.M., City of Portland, Multnomah County, Oregon, and being a portion of that property described in Warranty Deed to Multnomah County, Oregon, recorded March 6, 1956 in Book 1772, Page 312, Multnomah County Records, more particularly described as follows:

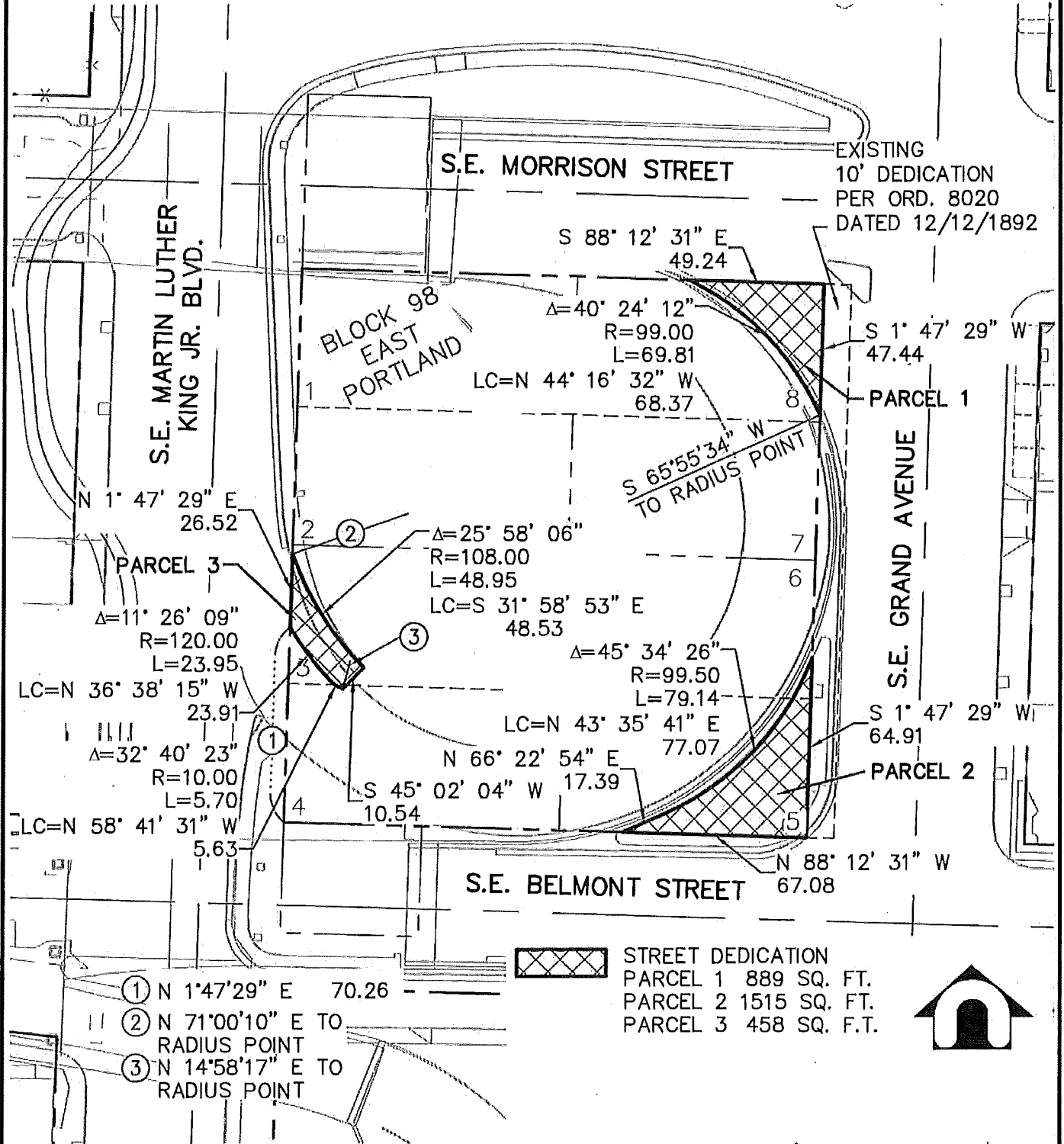
Beginning at a point on the easterly right-of-way line of S. E. Martin Luther King, Jr. Boulevard which is North 01° 47' 29" East 70.26 feet from the southwest corner of Block 98 in the duly recorded plat of East Portland; thence along said right-of-way line North 01° 47' 29" East 26.52 feet to a point of non-tangent curvature; thence along the arc of a 108.00 foot radius curve to the left, the radial center of which bears North 71° 00' 10" East, through a central angle of 25° 58' 06", an arc distance of 48.95 feet (the long chord of which bears South 31° 58' 53" East 48.53 feet); thence South 45° 02' 04" West 10.54 feet to a point of non-tangent curvature; thence along the arc of a 10.00 foot radius curve to the right, the radial center of which bears North 14° 58' 17" East, through a central angle of 32° 40' 23", an arc distance of 5.70 feet (the long chord of which bears North 58° 41' 31" West 5.63 feet) to a point of compound curvature; thence along the arc of a 120.00 foot radius curve to the right, through a central angle of 11° 26' 09", an arc distance of 23.95 feet (the long chord of which bears North 36° 38' 15" West 23.91 feet) to the Point of Beginning.

This parcel contains 458 square feet, more or less.

The bearings of this description are based on the Oregon Coordinate System of 1983, north zone, 1991 adjustment.



# EXHIBIT "B1"



**DAVID EVANS  
AND ASSOCIATES INC.**

2100 Southwest River Parkway  
Portland Oregon 97201  
Phone: 503.223.6663

PROJECT

**PORTLAND STREETCAR LOOP**

SHEET

TITLE

**STREET DEDICATION**

**BLOCK 98, EAST PORTLAND**

**1**

DWG. REF.

SvEm10Ursx0050

PROJECT

URSX0000-0050

SCALE

1" = 50'

AMENDMENT NO.

3

DRAWN BY

TAS

DESIGN BY

PNS

APPROVED BY

DATE

9/15/11



R/W #7266-2  
Multnomah County  
Block 92, East Portland  
1S1E02BC  
Revised 9/15/11

EXHIBIT "A2"

**PARCEL 1, STREET DEDICATION**

A parcel of land situated in the Northwest one-quarter of Section 2, Township 1 South, Range 1 East, W.M., City of Portland, Multnomah County, Oregon, and being a portion of that property described in Warranty Deed to Multnomah County, Oregon, recorded January 11, 1956 in Book 1764, Page 52, Multnomah County Records, more particularly described as follows:

Beginning at a point on the westerly right-of-way line of S. E. Grand Avenue which is North 88° 12' 31" West 10.00 feet from the northeast corner of Block 92 in the duly recorded plat of East Portland; thence along said right-of-way line South 01° 47' 29" West 44.90 feet to a point of non-tangent curvature; thence along the arc of a 95.00 foot radius curve to the left, the radial center of which bears South 66° 28' 58" West, through a central angle of 38° 52' 21", an arc distance of 64.45 feet (the long chord of which bears North 42° 57' 13" West 63.22 feet) to the southerly right-of-way line of S.E. Madison Street; thence along said right-of-way line South 88° 12' 31" East 44.51 feet to the Point of Beginning.

This parcel contains 770 square feet, more or less.

**PARCEL 2, STREET DEDICATION**

A parcel of land situated in the Northwest one-quarter of Section 2, Township 1 South, Range 1 East, W.M., City of Portland, Multnomah County, Oregon, and being a portion of that property described in Warranty Deed to Multnomah County, Oregon, recorded February 27, 1956 in Book 1771, Page 110, Multnomah County Records, more particularly described as follows:

Beginning at a point which is North 88° 12' 31" West 10.00 feet and North 01° 47' 29" East 5.00 feet from the southeast corner of Block 92 in the duly recorded plat of East Portland; thence along the northerly right-of-way line of S.E. Hawthorne Street North 88° 12' 31" West 53.31 feet to a point of non-tangent curvature; thence along the arc of a 120.00 foot radius curve to the left, the radial center of which bears North 26° 36' 36" West, through a central angle of 38° 30' 14", an arc distance of 80.64 feet (the long chord of which bears North 44° 08' 18" East 79.13 feet) to the westerly right-of-way line of S.E. Grand Avenue; thence along said right-of-way line South 01° 47' 29" West 58.49 feet to the Point of Beginning.

This parcel contains 1,203 square feet, more or less.

**PARCEL 3, STREET DEDICATION**

A parcel of land situated in the Northwest one-quarter of Section 2, Township 1 South, Range 1 East, W.M., City of Portland, Multnomah County, Oregon, and being a portion of that property described in Warranty Deeds to Multnomah County, Oregon, recorded January 3, 1956, in Book

1762, Page 388 and January 5, 1956 in Book 1763, Page 209, Multnomah County Records, more particularly described as follows:

Beginning at a point on the easterly right-of-way line of S. E. Martin Luther King, Jr. Boulevard which is South 01° 47' 29" West 70.48 feet from the northwest corner of Block 92 in the duly recorded plat of East Portland; thence along the arc of a 113.00 foot radius curve to the left, the radial center of which bears North 86° 56' 19" East, through a central angle of 41° 50' 31", an arc distance of 82.52 feet (the long chord of which bears South 23° 58' 56" East 80.70 feet); thence South 45° 05' 48" West 12.00 feet to a point of non-tangent curvature; thence along the arc of a 125.00 foot radius curve to the right, the radial center of which bears North 45° 05' 48" East, through a central angle of 20° 57' 10", an arc distance of 45.71 feet (the long chord of which bears North 34° 25' 37" West 45.46 feet) to said right-of-way line; thence North 01° 47' 29" East 44.73 feet to the Point of Beginning.

This parcel contains 713 square feet, more or less.

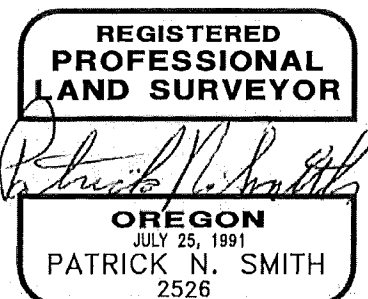
#### **PARCEL 4, STREET DEDICATION**

A parcel of land situated in the Northwest one-quarter of Section 2, Township 1 South, Range 1 East, W.M., City of Portland, Multnomah County, Oregon, and being a portion of that property described in Warranty Deed to Multnomah County, Oregon, recorded January 5, 1956 in Book 1763, Page 209 Multnomah County Records, more particularly described as follows:

Beginning at a point on the easterly right-of-way line of S. E. Martin Luther King, Jr. Boulevard which is North 01° 47' 29" East 14.23 feet from the southwest corner of Block 92 in the duly recorded plat of East Portland; thence along said right-of-way line North 01° 47' 29" East 16.53 feet to a point of non-tangent curvature; thence along the arc of a 75.00 foot radius curve to the left, the radial center of which bears North 52° 10' 45" East, through a central angle of 25° 24' 47", an arc distance of 33.27 feet (the long chord of which bears South 50° 31' 38" East 32.99 feet) to a point of compound curvature; thence along the arc of a 175.00 foot radius curve to the left, through a central angle of 4° 45' 46", an arc distance of 14.55 feet (the long chord of which bears South 65° 36' 55" East 14.54 feet) to the northerly right-of-way line of S.E. Hawthorne Street; thence along said right-of-way line North 88° 12' 31" West 18.51 feet; thence North 56° 14' 22" West 22.12 feet; thence South 44° 08' 53" West 3.36 feet to the Point of Beginning.

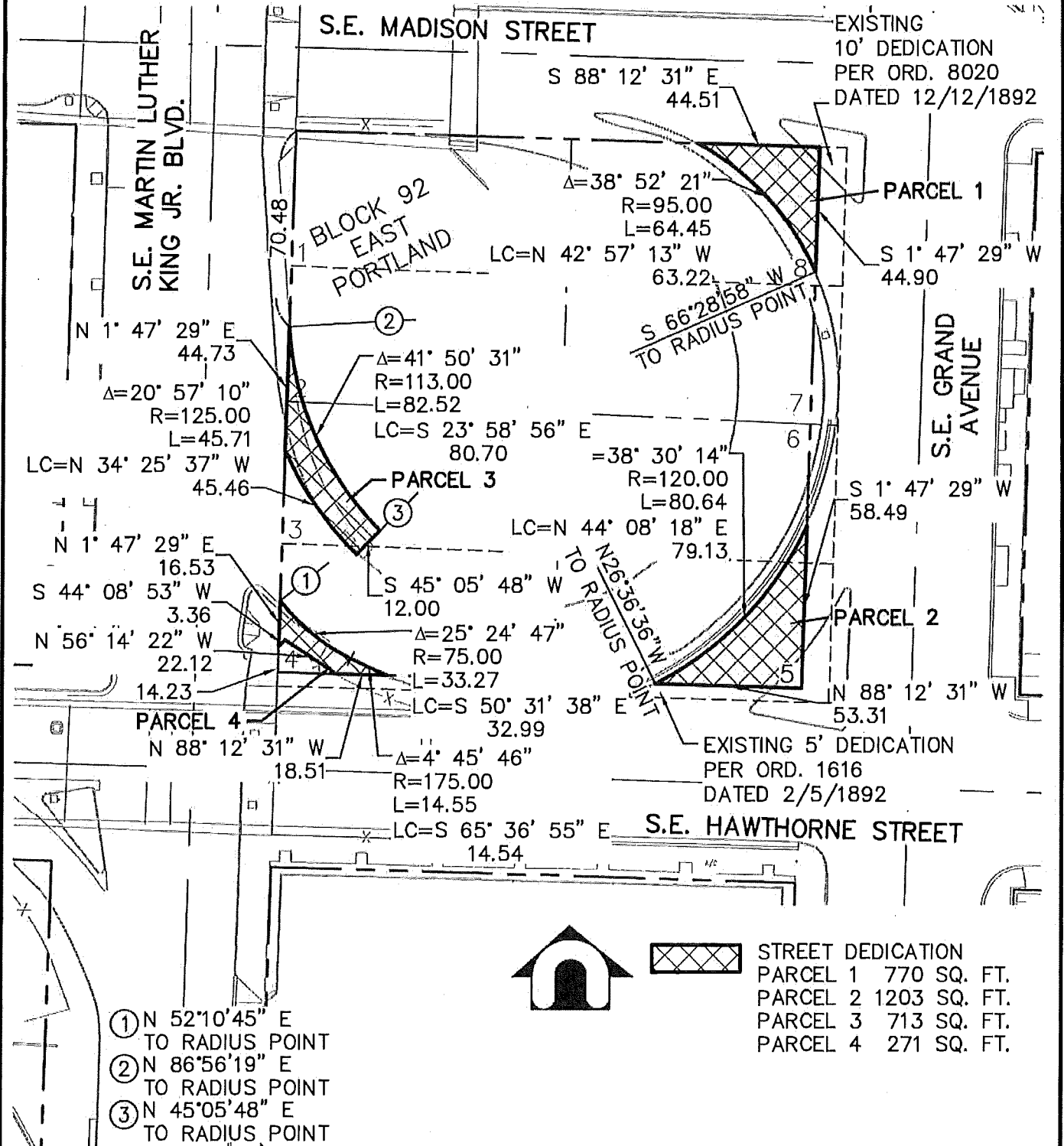
This parcel contains 271 square feet, more or less.

The bearings of this description are based on the Oregon Coordinate System of 1983, north zone, 1991 adjustment.



RENEWAL 6/30/12

EXHIBIT "B2"



**DAVID EVANS  
AND ASSOCIATES INC.**

2100 Southwest River Parkway  
Portland Oregon 97201  
Phone: 503.223.6663

PROJECT

PORTLAND STREETCAR LOOP

SHEET

TITLE

STREET DEDICATION

BLOCK 92, EAST PORTLAND

DWG. REF.

SvEm09Ursx0050

PROJECT

URSX0000-0050

SCALE

1" = 50'

AMENDMENT NO.

2

DRAWN BY

TAS

DESIGN BY

PNS

APPROVED BY

DATE

9/15/11

1