

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

**RESOLUTION NO. 2021-085**

Authorizing a Highway Right-of-Way Easement to the Oregon Department of Transportation.

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

- a. The Oregon Department of Transportation (ODOT) is undertaking the Central Systemic Signals and Illumination Project ("Project"). The main objective of this Project includes illumination, intersection work, pedestrian improvements, ADA upgrades, signal work, signs, warnings, striping, utility relocation, and other safety improvements at various locations. The Project will improve safety along several ODOT and City of Portland roadway facilities, one of which impacts County property.
- b. ODOT requests that the County grant a permanent easement, more particularly described in Exhibit 1, for the construction, reconstruction, repair, and maintenance of the public highway system and for the construction and maintenance of utility lines, fixtures and facilities (hereafter, "Easement").
- c. The Easement area is currently used by the County as a sidewalk adjacent to the Multnomah County Building, specifically the northwest corner of the Multnomah Building. The Project will construct pedestrian improvements with the addition of ADA improvements in the Easement area.
- d. In partnership with ODOT, the County Board of Commissioners desires to grant the Easement to ODOT for just compensation valued at \$7,400.00, and finds it to be in the public interest.

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

1. The grant of the Permanent Easement for Highway Right of Way Purposes to the Oregon Department of Transportation for the real property described in Exhibit 1 is approved.
2. The Chair is authorized to execute on behalf of the County a Permanent Easement for Highway Right of Way Purposes in substantial conformance with Exhibit 1.

**ADOPTED the 18th day of November 2021.**

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON



*Deborah Kafoury*

Deborah Kafoury, Chair

REVIEWED:

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

By *Courtney Lords*  
Courtney Lords, Senior Assistant County Attorney

SUBMITTED BY: Tracey Massey, Director, Dept. of County Assets

# EXHIBIT 1

File: 9649004  
Map: RW9649M

## PERMANENT EASEMENT

**MULTNOMAH COUNTY, a political subdivision of the State of Oregon,** Grantor, for the true and actual consideration of \$7,400.00, does grant to the **STATE OF OREGON, by and through its DEPARTMENT OF TRANSPORTATION,** Grantee, its successors and assigns, a permanent easement to construct, reconstruct, repair, and maintain a public highway and its appurtenances and facilities, and also to construct and maintain water, gas, electric and communication service lines, fixtures and facilities, and appurtenances therefore, upon, over, under and across the property described **on Exhibit "A" dated 9/03/2020**, attached hereto and by this reference made a part hereof.

Grantor covenants to and with Grantee, its successors and assigns, that Grantor is the owner of said property, and will warrant the easement rights herein granted from all lawful claims whatsoever.

Grantor agrees that the consideration recited herein is just compensation for the property or property rights conveyed, including any and all reduction in value to Grantor's remaining property, if any, which may result from the acquisition or use of said property or property rights. However, the consideration does not include damages resulting from any use or activity by Grantee beyond or outside of those uses expressed herein, if any, or damages arising from any negligence.

In construing this document, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this document shall apply equally to corporations and to individuals.

**AFTER RECORDING RETURN TO:**  
OREGON DEPARTMENT OF TRANSPORTATION  
RIGHT OF WAY SECTION  
  
4040 FAIRVIEW INDUSTRIAL DRIVE SE MS#2  
SALEM OR 97302-1142

Map and Tax Lot #: 1S1E02CB-8900

Property Address: 501 W/SE Hawthorne Blvd Portland,  
OR 97216 (South of 501 SE Hawthorne Blvd)

**EXHIBIT 1**

**File: 9649004**  
**Map: RW9649M**

It is understood and agreed that the delivery of this document is hereby tendered and that terms and obligations hereof shall not become binding upon the State of Oregon Department of Transportation, unless and until accepted and approved by the recording of this document.

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**MULTNOMAH COUNTY, a political subdivision  
of the State of Oregon**

By \_\_\_\_\_  
Chairperson

By \_\_\_\_\_  
County Commissioner

By \_\_\_\_\_  
County Commissioner

ATTEST:

\_\_\_\_\_  
County Clerk

STATE OF OREGON, County of \_\_\_\_\_

Dated \_\_\_\_\_, 20\_\_\_\_. Personally appeared \_\_\_\_\_,

\_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_, who,

being sworn, stated that they are the Chairperson, County Commissioners and County Clerk of Multnomah County, a political subdivision of the State of Oregon, and that this instrument was voluntarily signed on behalf of the County by authority of an order of the Board of Commissioners. Before me:

\_\_\_\_\_  
Notary Public for Oregon  
My Commission expires \_\_\_\_\_

Accepted on behalf of the Oregon Department of Transportation

\_\_\_\_\_

# EXHIBIT 1

EXHIBIT A - Page 1 of 1

File 9649004  
Drawing RW9649M

Marcus Reedy, PLS, 1 Alliance Geomatics - 9/03/2020

## Permanent Easement for Highway Right of Way Purposes

A parcel of land lying in Lot 1, Block 61, STEPHENS ADDITION TO EAST PORTLAND, in Section 2, Township 1 South, Range 1 East, W.M., Multnomah County, Oregon; the said parcel being a portion of that property designated as Parcel 2 and described in that Quit Claim Deed to Multnomah County, a political subdivision of the State of Oregon, recorded May 4, 1999, as Document No. 99-090089, of Multnomah County Records; said parcel is more particularly described as follows:

Beginning at a point being 4.20 feet South and 80.00 feet East of a 1-1/4" brass plug being a reference monument to the Northeast corner Lot 8, Block 60, STEPHENS ADDITION TO EAST PORTLAND, as documented in Multnomah County Record of Survey No. 63230; thence South 89°51'29" East parallel with the Northerly line of said Lot 1, Block 61, STEPHENS ADDITION TO EAST PORTLAND, 17.50 feet; thence South 0°08'31" West, 1.10 feet; thence North 89°51'29" West, 16.40 feet; thence South 0°11'36" West 11.40 feet; thence North 89°48'24" West, 1.10 feet; thence North 0°11'36" East, parallel to the Westerly line of said Lot 1, 12.50 feet to the point of beginning.

Bearings are based on the Oregon Coordinate Reference System, Portland Zone, NAD 83 (2011) epoch 2010.00.

This parcel of land contains 32 square feet, more or less outside the existing right of way.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Marcus Reedy*

OREGON  
JULY 21, 1998  
MARCUS T. REEDY  
2871

RENEWS: 12-31-2020