

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

RESOLUTION NO. 2021-084

Proposed Vacation of a Slope Easement on N.E. 257th Drive, County Road No. 4931, Pursuant to ORS 368.341 and ORS 368.351.

The Multnomah County Board of Commissioners Finds:

- a. The slope easement affected by this proposed vacation, was acquired by Multnomah County in 1986 in conjunction with the construction of N.E. 257th Drive, County Road No. 4931.
- b. The slope easement to be vacated is more particularly described in Exhibit 1, attached hereto. Multnomah County does not maintain, nor have plans to develop, the slope easement. The purpose for this slope easement vacation is to facilitate the development of vacant private property which abuts N.E. 257th Drive.
- c. Get R Done LLC, an Oregon limited liability company, petitioner, has submitted a petition to vacate the slope easement in compliance with ORS 368.341(3). A copy of the petition is attached to this Resolution as Exhibit 2.
- d. Pursuant to ORS 368.351 (1) the County Engineer has prepared a report which finds the proposed slope easement vacation to be in the public interest. The Agenda Placement Request constitutes the County Engineer's report.
- e. As required under MCC 27.054, the County has received a total of \$1265.00 from the petitioner, of which \$200.00 applies to a feasibility study performed by the County. The remaining \$1065.00 will be applied to the vacation proceeding. The total costs for this vacation, including administrative costs, are \$7772.33. Administrative costs include staff time for research, review, analyses, and document preparation. The balance owed by the petitioners at the date of this hearing is \$6507.33.
- f. Upon vacation, the portion of slope easement described in said Exhibit 1 will remain subject to the rights of any existing public utility that has improvements located within that former public way.

The Multnomah County Board of Commissioners Resolves:

1. Subject to the petitioner's payment of all funds due as provided above under MCC 27.054, the slope easement, as more particularly described in the attached Exhibit 1, is vacated, excepting the easement rights any existing utilities may have in the vacated property under ORS Chapter 368.
2. Pursuant to MCC 27.054, the total cost for this vacation proceeding incurred by the County is \$7772.33; and Get R Done LLC, the petitioner, is directed to pay the remaining amount of \$6507.33 to the County.

3. This slope easement is within the city limits of the City of Troutdale. ORS 368.361(3) requires that the City of Troutdale adopts an Order or Resolution which concurs with the County's findings.
4. The Transportation Division of the Department of Community Services will record and file this Resolution in accordance with ORS 368.356(3), only upon receipt of the total amount due under MCC 27.054; as set forth in Resolve Clause No. 2, and upon receipt of the City of Troutdale's Order or Resolution, as set forth in Resolve Clause No.3.
5. Upon the recording and filing of this Resolution, the County Surveyor will mark the plat, if applicable, as provided under ORS 271.230, and title in the underlying property shall vest as provided under ORS 368.366.

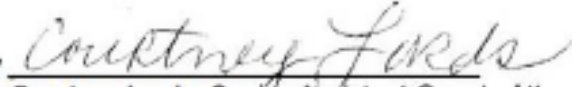
ADOPTED this 18th day of November, 2021.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Deborah Kafoury, Chair

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

By 
Courtney Lords, Senior Assistant County Attorney

Submitted by: Jaime Waltz, Interim Director, Department of Community Services



AKS ENGINEERING & FORESTRY, LLC
12965 SW Herman Road, Suite 100, Tualatin, OR 97062
P: (503) 563-6151 | www.aks-eng.com

AKS Job # 8485

OFFICES IN: BEND, OR - KEIZER, OR - TUALATIN, OR - VANCOUVER, WA

EXHIBIT 1

Slope Easement Vacation

A tract of land located in the Southwest One-Quarter of Section 25, Township 1 North, Range 3 East, Willamette Meridian, City of Troutdale, Multnomah County, Oregon, and being more particularly described as follows:

Commencing at the northeast corner of parcel 2 of partition plat number 1996-201; thence along the easterly line of said parcel 2, South $01^{\circ}33'00''$ West 529.17 feet to the Point of Beginning being 10.00 feet northwesterly of the northwesterly right-of-way line of NE 257th Drive (45.00 feet from legal centerline); thence along a line being parallel to said northerly right-of-way line, North $48^{\circ}33'28''$ East 166.73 feet; thence North $41^{\circ}26'32''$ West 10.00 feet to a line parallel with and 20.00 feet northwesterly of the northwesterly right-of-way line of NE 257th Drive; thence along said parallel line, North $48^{\circ}33'28''$ East 55.35 feet; thence continuing along said parallel line on a curve to the left with a Radius of 465.36 feet, Central Angle of $04^{\circ}46'34''$, an Arc Length of 38.79 feet, and a Chord of North $46^{\circ}10'11''$ East 38.78 feet; thence North $46^{\circ}13'06''$ West 10.00 feet to a line parallel with and 30.00 feet northwesterly of the northwesterly right-of-way line of NE 257th Drive; thence along said parallel line along a non-tangent curve to the left (with a radial bearing of North $46^{\circ}13'06''$ West) with a Radius of 455.36 feet, Central Angle of $42^{\circ}08'12''$, an Arc Length of 334.88 feet, and a Chord of North $22^{\circ}42'48''$ East 327.39 feet; thence South $88^{\circ}21'18''$ East 15.00 feet to a line parallel with and 15.00 feet northwesterly of the northwesterly right-of-way line of NE 257th Drive; thence along said parallel line, North $01^{\circ}38'42''$ East 109.94 feet; thence South $88^{\circ}21'18''$ East 12.00 feet to a line parallel with and 3.00 feet northwesterly of the northwesterly right-of-way line of NE 257th Drive; thence along said parallel line, South $01^{\circ}38'42''$ West 109.94 feet; thence continuing along said parallel line on a curve to the right with a Radius of 482.36 feet, Central Angle of $46^{\circ}54'46''$, an Arc Length of 394.95 feet, and a Chord of South $25^{\circ}06'05''$ West 384.01 feet; thence South $48^{\circ}33'28''$ West 228.61 feet; thence North $01^{\circ}33'00''$ East 9.57 feet to the Point of Beginning.

The above described tract of land contains 14,432 square feet, more or less.

09/17/2021

REGISTERED
PROFESSIONAL
LAND SURVEYOR

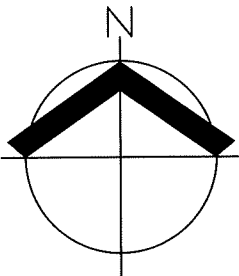
OREGON
JANUARY 11, 2005
ROBERT D. RETTIG
60124LS

RENEWS: 12/31/22

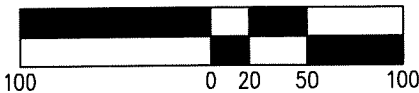
EXHIBIT B

A TRACT OF LAND LOCATED IN THE SOUTHWEST 1/4 OF
SECTION 25, TOWNSHIP 1 NORTH, RANGE 3 EAST,
WILLAMETTE MERIDIAN, CITY OF TROUTDALE, MULTNOMAH
COUNTY, OREGON

CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	465.36'	4°46'34"	38.79'	N46°10'11"E 38.78'
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SCALE: 1" = 100 FEET

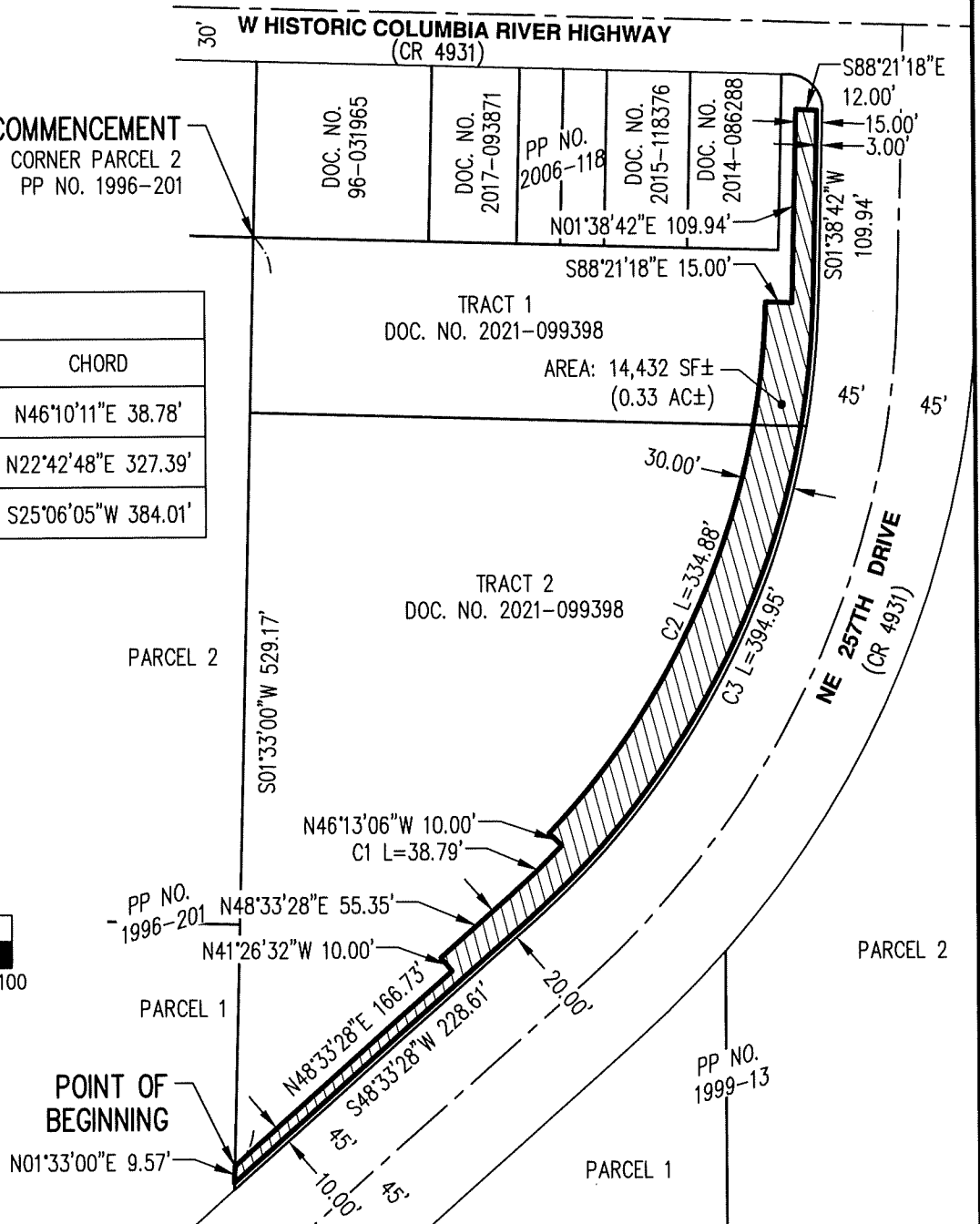


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RENEWS: 12/31/22



SLOPE EASEMENT VACATION

AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD, STE 100
TUALATIN, OR 97062
503.563.6151 WWW.AKS-ENG.COM



**EXHIBIT
B**

DRWN: KLH
CHKD: RDR
AKS JOB:
8485

October 4, 2021

EXHIBIT 2



Multnomah County
Transportation Division
1620 SE 190th Avenue
Portland, OR 97233

Via Mail & E-Mail: ROW.Permits@multco.us
patrick.j.hinds@multco.us

Petition for Slope Easement Vacation | SW 257th Drive, Troutdale, Oregon

On behalf of the Applicant, Valerie Hunter with Get R Done, LLC, AKS Engineering & Forestry, LLC (AKS) herewith submits a formal petition to vacate. This letter and accompanying enclosures serve as a petition to vacate a slope easement on a property located on SW 257th Drive in Troutdale, Oregon. Said property currently includes part of two existing slope easements benefitting Multnomah County. This document has been prepared in conformance with applicable subsections of Oregon Revised Statutes (ORS) §368.341.

§368.341 | Initiation of Vacation Proceedings

(1) A county governing body may initiate proceedings to vacate property under [ORS 368.326 \(Purpose of vacation procedures\)](#) to [368.366 \(Vesting of vacated property\)](#) if:

- (a) The county governing body adopts a resolution meeting the requirements of this section;
- (b) The person who holds title to property files with the county governing body a petition meeting the requirements of this section and requesting that the property be vacated; or
- (c) The owner of property abutting public property files with the county governing body a petition meeting the requirements of this section and requesting vacation of the public property that abuts the property owned by the person.

Response: The intent of this petition is to cause the initiation by the county, the governing body, to adopt a resolution meeting the requirements of this section. The person who holds title to the subject property, Get R Done, LLC, has provided authorization for AKS to submit a petition to vacate on their behalf. This criterion is met.

(2) A county governing body adopting a resolution under this section shall include the following in the resolution:

- (a) A declaration of intent to vacate property;
- (b) A description of the property proposed to be vacated; and
- (c) A statement of the reasons for the proposed vacation.

Response: Please accept this petition as a declaration of intent to vacate property. A legal description, and exhibit of the property to be vacated is illustrated in Attachment 1. The purpose of the easement extinguishment and vacation is to facilitate the construction of an approved food cart pod establishment and associated improvements along 257th Drive (ref. City of Troutdale LU-0003-2021). The existing slope abutting SW 257th Drive appears to have been created when the roadway was built. This area needs to be graded in order to facilitate this project. A portion of the project area is level and requires grading within the slope easements in order to avoid the

potential for stormwater ponding and soil erosion.

(3) Any person filing a petition under this section shall include the following in the petition:

(a) A description of the property proposed to be vacated;

Response: A legal description and exhibit map of the easement to be vacated is illustrated in Attachment 1. This criterion is met.

(b) A statement of the reasons for requesting the vacation;

Response: As mentioned in response to the previous criterion (2a-c), the purpose of the easement extinguishment and vacation is to facilitate the construction of an approved food farm pod facility and associated improvements along 257th Drive (ref. City of Troutdale LU-0003-2021).

(c) The names and addresses of all persons holding any recorded interest in the property proposed to be vacated;

Response: The names and addresses of all persons holding any recorded interest in the easement to be vacated are included in this petition, as Attachment 2. This criterion is met.

(d) The names and addresses of all persons owning any improvements constructed on public property proposed to be vacated;

Response: There are no additional persons owning property on the easements to be vacated. This criterion is met.

(e) The names and addresses of all persons owning any real property abutting public property proposed to be vacated;

Response: The names and addresses of all persons owning property abutting the easement to be vacated are included in Attachment 3. This criterion is met.

(f) Signatures, acknowledged by a person authorized to take acknowledgments of deeds, of either owners of 60 percent of the land abutting the property proposed to be vacated or 60 percent of the owners of land abutting the property proposed to be vacated; and

Response: Authorization and acknowledgement of neighboring property owners abutting the easement to be vacated are included in this petition as Attachment 3. This criterion is met.

(g) If the petition is for vacation of property that will be redivided in any manner, a subdivision plan or partitioning plan showing the proposed redivision.

Response: The easement to be vacated is not planned to be subdivided or partitioned. However, a property line adjustment has been approved by the City. This is illustrated in Attachment 1. To the extent applicable to this requirement is met.

(4) The county governing body may require a fee for the filing of a petition under this section. [1981 c.153 §37]

Response: A check in the amount of \$1,065.00 for the filing fee has been submitted to and received by Multnomah County. This criterion is met.

In conclusion, the required findings have been made, and this written letter and accompanying documentation demonstrate that the application is consistent with the applicable provisions of ORS §368.341, Initiation of Vacation Proceedings. Should you have questions or require additional information, please let me know.

Sincerely,



Chris Goodell, AICP, LEED^{AP}, Associate
AKS ENGINEERING & FORESTRY, LLC
12965 SW Herman Road, Suite 100
Tualatin, OR 97062
503.563.6151 | chrisg@aks-eng.com

Attachments

Attachment 1 – Legal Description & Exhibit Map

Attachment 2 – List of Abutting Property Owners with Recorded Interest

Attachment 3 – Abutting Property Owners Authorization

Attachment 4 – Title Report

Attachment 1: Legal Description & Exhibit Map



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AKS Job # 8485

OFFICES IN: BEND, OR - KEIZER, OR - TUALATIN, OR - VANCOUVER, WA

EXHIBIT A

Slope Easement Vacation

A tract of land located in the Southwest One-Quarter of Section 25, Township 1 North, Range 3 East, Willamette Meridian, City of Troutdale, Multnomah County, Oregon, and being more particularly described as follows:

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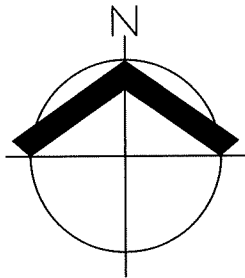
RENEW: 12/31/22

EXHIBIT B

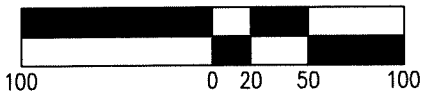
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WILLAMETTE MERIDIAN, CITY OF TROUTDALE, MULTNOMAH
COUNTY, OREGON

POINT OF COMMENCEMENT
NE CORNER PARCEL 2
PP NO. 1996-201

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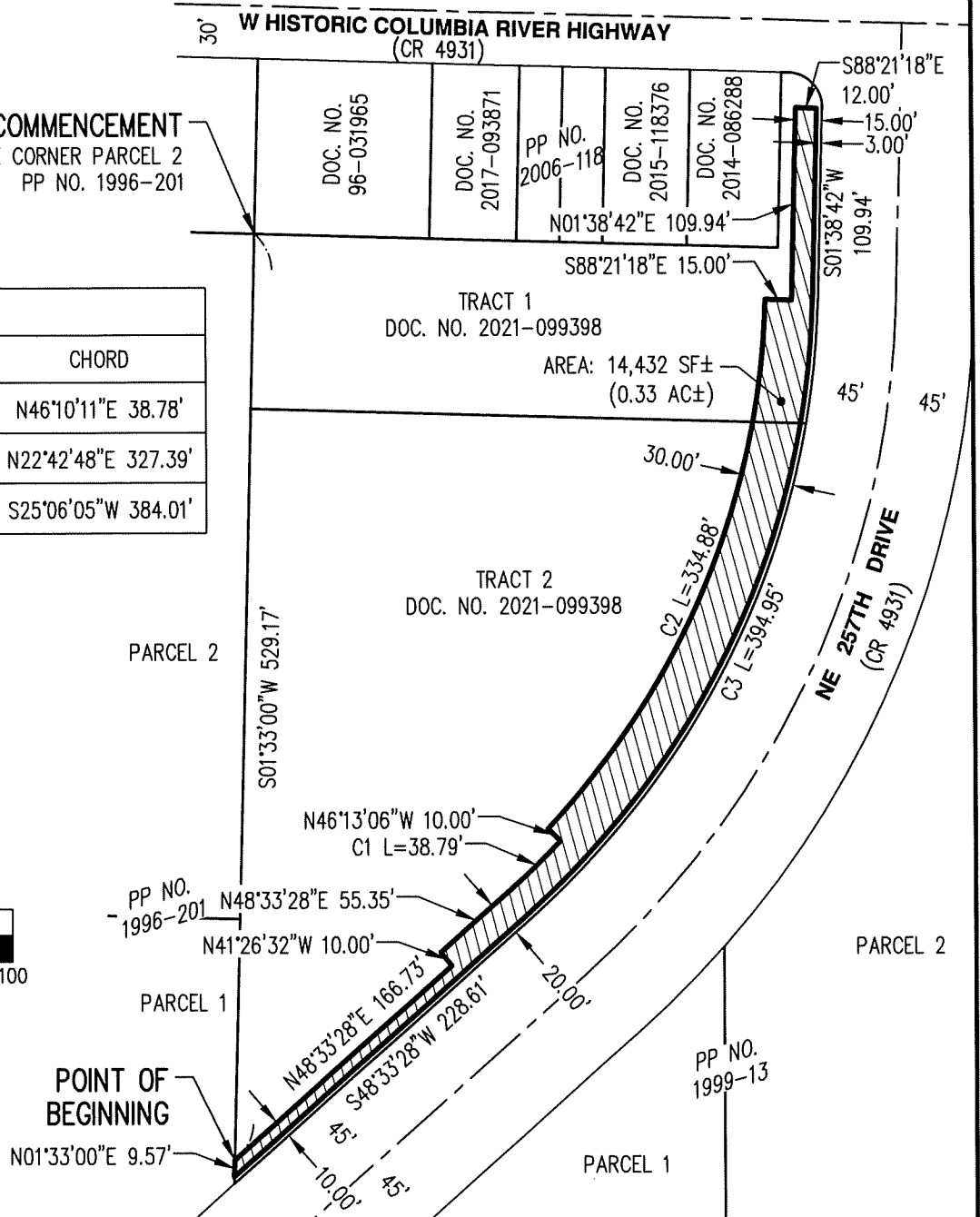


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RENEWS: 12/31/22



SLOPE EASEMENT VACATION

AKS ENGINEERING & FORESTRY, LLC
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TUALATIN, OR 97062
503.563.6151 WWW.AKS-ENG.COM



EXHIBIT
B

DRWN: KLH
CHKD: RDR
AKS JOB:
8485

Attachment 2: List of Abutting Property Owners with Recorded Interest

List of Abutting Property Owners with Recorded Interest

Interest	Property Owner	Mailing Address
Easement for utility lines granted to City of Troutdale, as more fully set forth in the document recorded September 29, 1969 in Book 699, Page 1280. Affects: As located (Tract I)	City of Troutdale	219 E. Historic Columbia River Highway Troutdale, OR 97060
Easement for utility lines granted to City of Troutdale, as more fully set forth in the document recorded July 27, 1971 in Book 802, Page 1176. Affects: As located	City of Troutdale	219 E. Historic Columbia River Highway Troutdale, OR 97060
Easement for slopes granted to Multnomah County, as more fully set forth in the document recorded August 14, 1986 in Book 1928, Page 2414 as Instrument No. 063809. Affects: As located	Multnomah County	401 N Dicon St. Portland, OR 97227
Right to make necessary slopes for cuts or fills upon property herein described as granted in deed, Recorded: September 29, 1988; Book: 2142; Page: 1891; Instrument No.: 076116; Grantee: Multnomah County.	Multnomah County	401 N Dicon St. Portland, OR 97227

Attachment 3: Abutting Property Owners Authorization

List of Abutting Property Owners

Tax Lot ID No.(s)	Property Address	Property Owner	Mailing Address
1N3E25CB-02502 1N3E25CB-03400	340-342 N SW 4 th St. Troutdale, OR 97060	City of Troutdale	219 E. Historic Columbia River Highway Troutdale, OR 97060
1N3E25CB-01200 1N3E25CB-02300 1N3E25CB-02400 1N3E25CB-02401	SW 257 th Ave. Troutdale, OR 97060	Get R Done, LLC	13551 SE 145 th Ave. Happy Valley, OR 97015
1N3E25CB-02501	SW 257 th Ave. Troutdale, OR 97060	Multnomah County	401 N Dicon St. Portland, OR 97227
1N3E25CB-01100	246 W. Historic Columbia River Hwy Troutdale OR 97060	Rosehill Investments, LLC	2001 Sixth Ave., Suite 2300 Seattle, WA 98121-2522
1N3E25CB-02001	576 SW Halsey St. Troutdale, OR 97060	Troutdale Mini Storage, LLC	5005 Meadows Rd., Suite 420 Lake Oswego, OR 97035

PETITION TO VACATE SLOPE EASEMENT

STATE OF OREGON)

)ss

COUNTY OF MULTNOMAH)

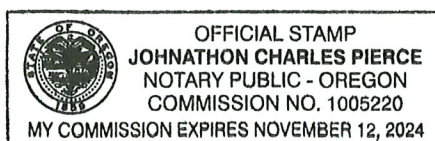
I, CHRIS DAMGEN, being duly sworn, depose and say that on this 27 day of AUGUST 2021, acknowledge that I am authorized to sign on behalf of the property owner for the property(ies) listed below. I consent to approval of the proposed vacation as shown on the attached exhibit and authorize Multnomah County to proceed with their review of the formal request to vacate the slope easements associated with the Recorded Document No.'s 88-2142-1891 and 86-1928-2414, which are located along SW 257th Avenue in the City of Troutdale, State of Oregon.

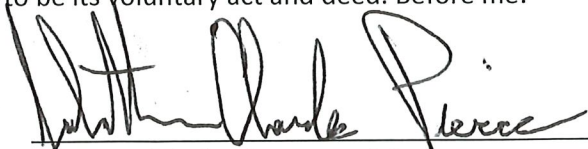
Tax Lot ID No.(s)	Property Address	Property Owner	Mailing Address
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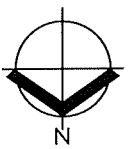
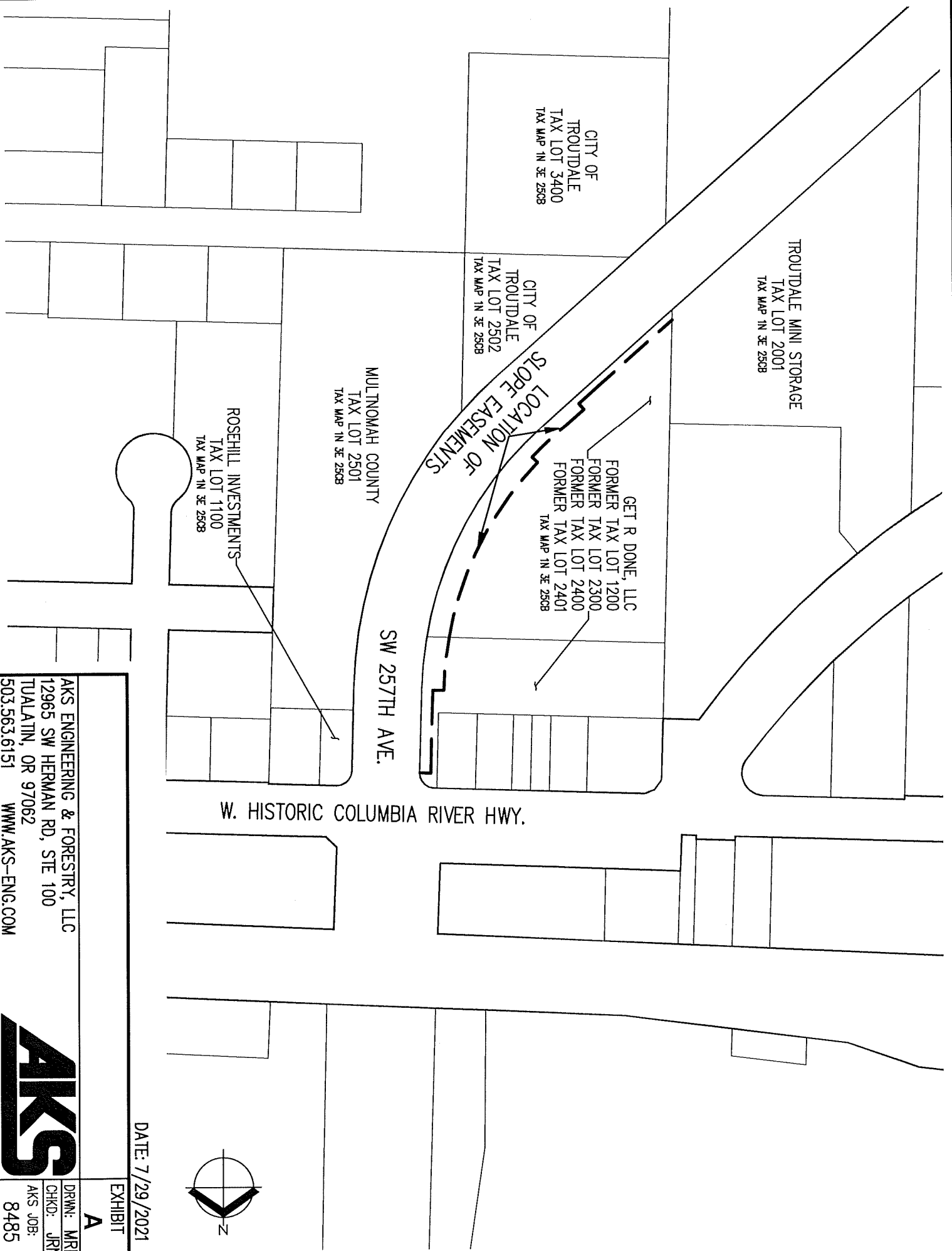
I further state that I have reviewed the attached exhibit concurrently, with signature of this document.

<u>CHRIS DAMGEN</u>	<u>COMMUNITY DEVELOPMENT DIR.</u>
Name	Title
<u></u>	<u>8/27/21</u>
Signature	Date

On this 27 day of AUGUST, 2021, CHRIS DAMGEN personally appeared before me JOHNATHAN PIERCE who stated that (s)he is the COMMUNITY DEV DIRECTOR of TROUTDALE, a corporation, and that the instrument was signed in behalf of the said corporation by authority of its board of directors and acknowledged said instrument to be its voluntary act and deed. Before me:




 Notary Public for the State of Oregon
 My Commission Expires 11/12/2024



DATE: 7/29/2021

AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 503.563.6151 WWW.AKS-ENG.COM	
AKS	DRWN: MRR
	CHKD: JRN
AKS JOB: 8485	

EXHIBIT
A

PETITION TO VACATE SLOPE EASEMENT

STATE OF Oregon

)ss

COUNTY OF Clackamas

I, Valerie S. Hunter, being duly sworn, depose and say that on this 2 day of Aug 2021, acknowledge that I am authorized to sign on behalf of the property owner for the property(ies) listed below. I consent to approval of the proposed vacation as shown on the attached exhibit and authorize Multnomah County to proceed with their review of the formal request to vacate the slope easements associated with the Recorded Document No.'s 88-2142-1891 and 86-1928-2414, which are located along SW 257th Avenue in the City of Troutdale, State of Oregon.

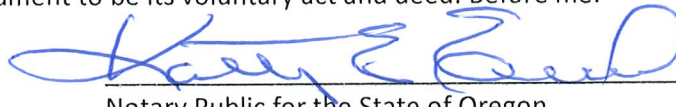
Tax Lot ID No.(s)	Property Address	Property Owner	Mailing Address
1N3E25CB-01200	SW 257 th Ave.	Get R Done, LLC	13551 SE 145 th Ave.
1N3E25CB-02300	Troutdale, OR 97060		Happy Valley, OR 97015
1N3E25CB-02400			
1N3E25CB-02401			

I further state that I have reviewed the attached exhibit concurrently, with signature of this document.

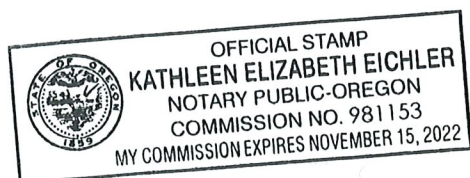


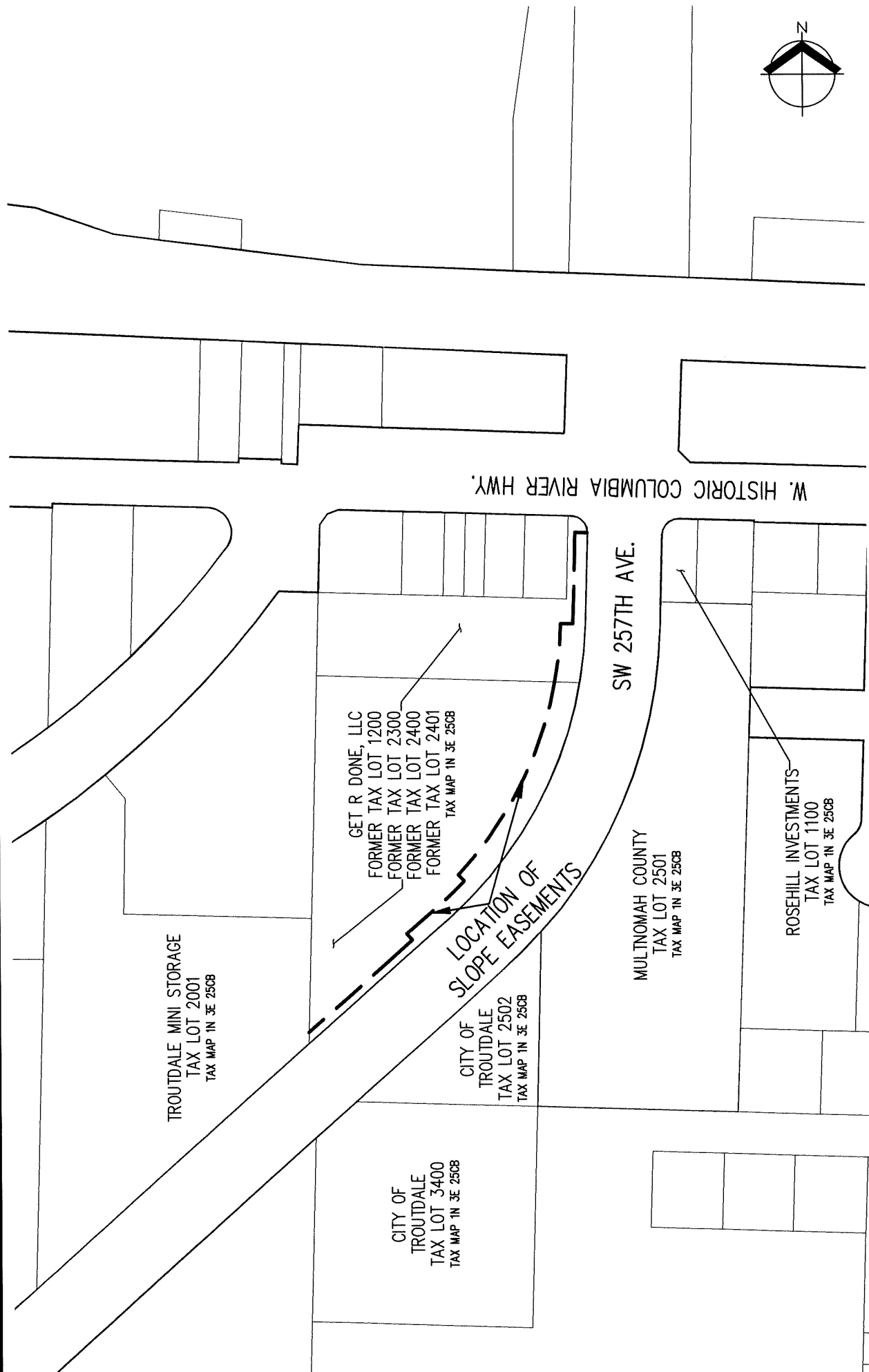
 Signature
 Valerie Hunter – Registered Agent

On this 2 day of Aug, 2021, Valerie S Hunter personally appeared before me ~~Kathleen E Eichler~~ who stated that (s)he is the Registered Agent of Get R Done LLC a corporation, and that the instrument was signed in behalf of the said corporation by authority of its board of directors and acknowledged said instrument to be its voluntary act and deed. Before me:



 Notary Public for the State of Oregon
 My Commission Expires 11/15/22





DATE: 7/29/2021

AKS	AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 503.563.6151 WWW.AKS-ENG.COM	EXHIBIT A	DRWN: MRR CHKD: JRN AKS JOB: 8485
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PETITION TO VACATE SLOPE EASEMENT

STATE OF WA)


)ss

COUNTY OF KING)

I, Richard Piacentini, being duly sworn, depose and say that on this 18th day of August 2021, acknowledge that I am authorized to sign on behalf of the property owner for the property(ies) listed below. I consent to approval of the proposed vacation as shown on the attached exhibit and authorize Multnomah County to proceed with their review of the formal request to vacate the slope easements associated with the Recorded Document No.'s 88-2142-1891 and 86-1928-2414, which are located along SW 257th Avenue in the City of Troutdale, State of Oregon.

Tax Lot ID No.(s)	Property Address	Property Owner	Mailing Address
1N3E25CB-01100	246 W. Historic Columbia River Hwy Troutdale OR 97060	Rosehill Investments, LLC	2001 Sixth Ave., Suite 2300 Seattle, WA 98121-2522

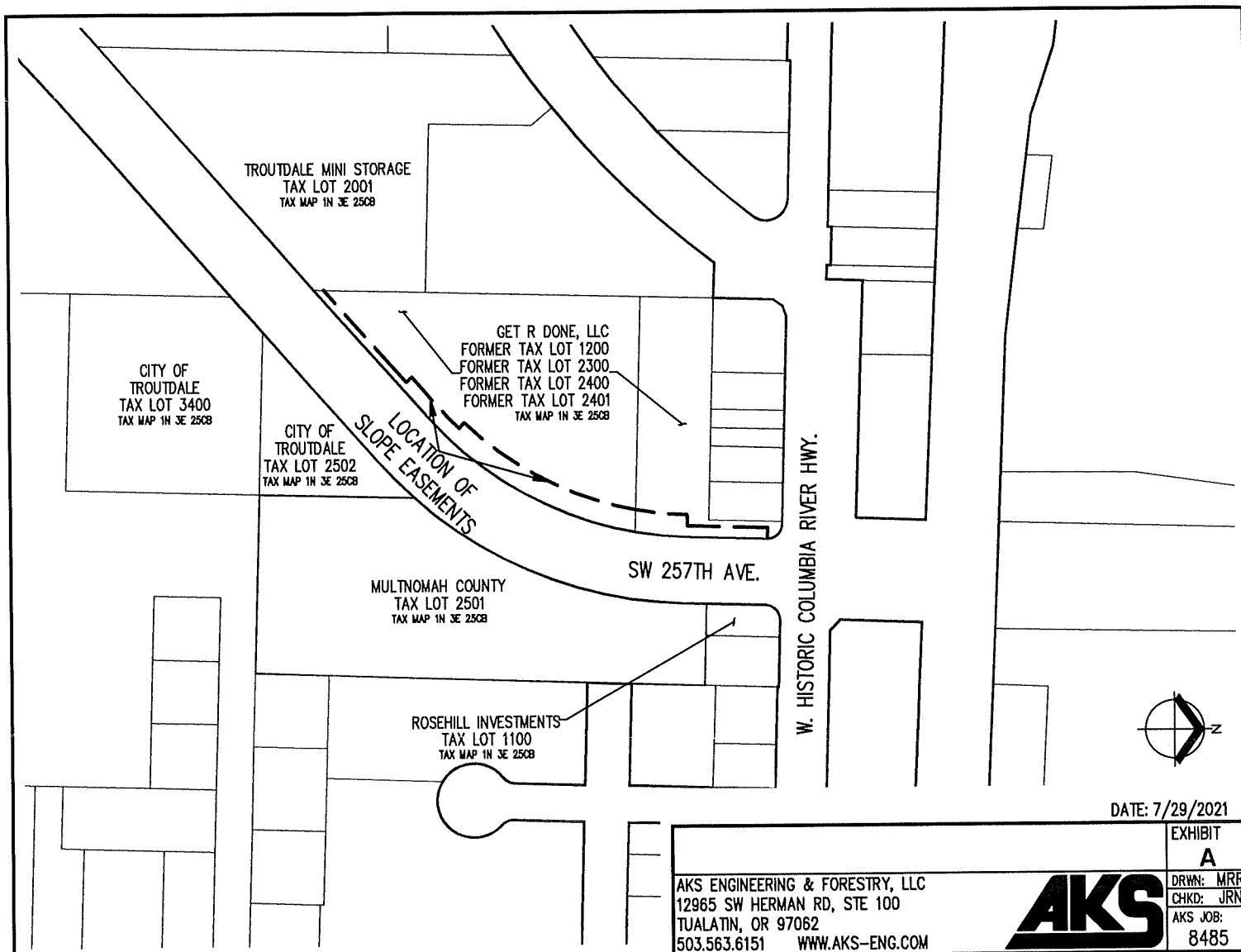
I further state that I have reviewed the attached exhibit concurrently, with signature of this document.

<u>Richard Piacentini</u> Name	<u>MANAGER</u> Title
 Signature	<u>8/18/21</u> Date

On this 18th day of August, 2021, Richard Piacentini personally appeared before me who stated that (s)he is the Manager of Rosehill Investments LLC a corporation, and that the instrument was signed in behalf of the said corporation by authority of its board of directors and acknowledged said instrument to be its voluntary act and deed. Before me:



Danelle W Hickman
 Notary Public for the State of ~~Oregon~~ WASHINGTON
 My Commission Expires 3-30-2024



DATE: 7/29/2021

AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD, STE 100
TUALATIN, OR 97062
503.563.6151 WWW.AKS-ENG.COM



EXHIBIT
A
DRWN: MRR
CHKD: JRN
AKS JOB:
8485

PETITION TO VACATE SLOPE EASEMENT

STATE OF COLORADO)

)ss

COUNTY OF ARAPAHOE)

I, Brandon S. Togashi, being duly sworn, depose and say that on this 4th day of August 2021, acknowledge that I am authorized to sign on behalf of the property owner for the property(ies) listed below. I consent to approval of the proposed vacation as shown on the attached exhibit and authorize Multnomah County to proceed with their review of the formal request to vacate the slope easements associated with the Recorded Document No.'s 88-2142-1891 and 86-1928-2414, which are located along SW 257th Avenue in the City of Troutdale, State of Oregon.

Tax Lot ID No.(s)	Property Address	Property Owner	Mailing Address
1N3E25CB-02001	576 SW Hasley St. Troutdale, OR 97060	Troutdale Mini Storage, LLC	5005 Meadows Rd., Suite 420 Lake Oswego, OR 97035

I further state that I have reviewed the attached exhibit concurrently, with signature of this document.

Brandon S. Togashi

Authorized Person of NSA-Northwest II, LLC, Chief Manager of Northwest II
Chief Manager, LLC, Chief Manager of Troutdale Mini Storage, LLC

Name

Title

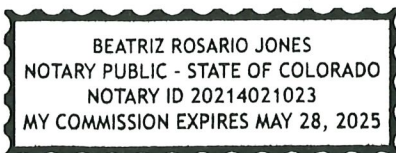
Signature

Date

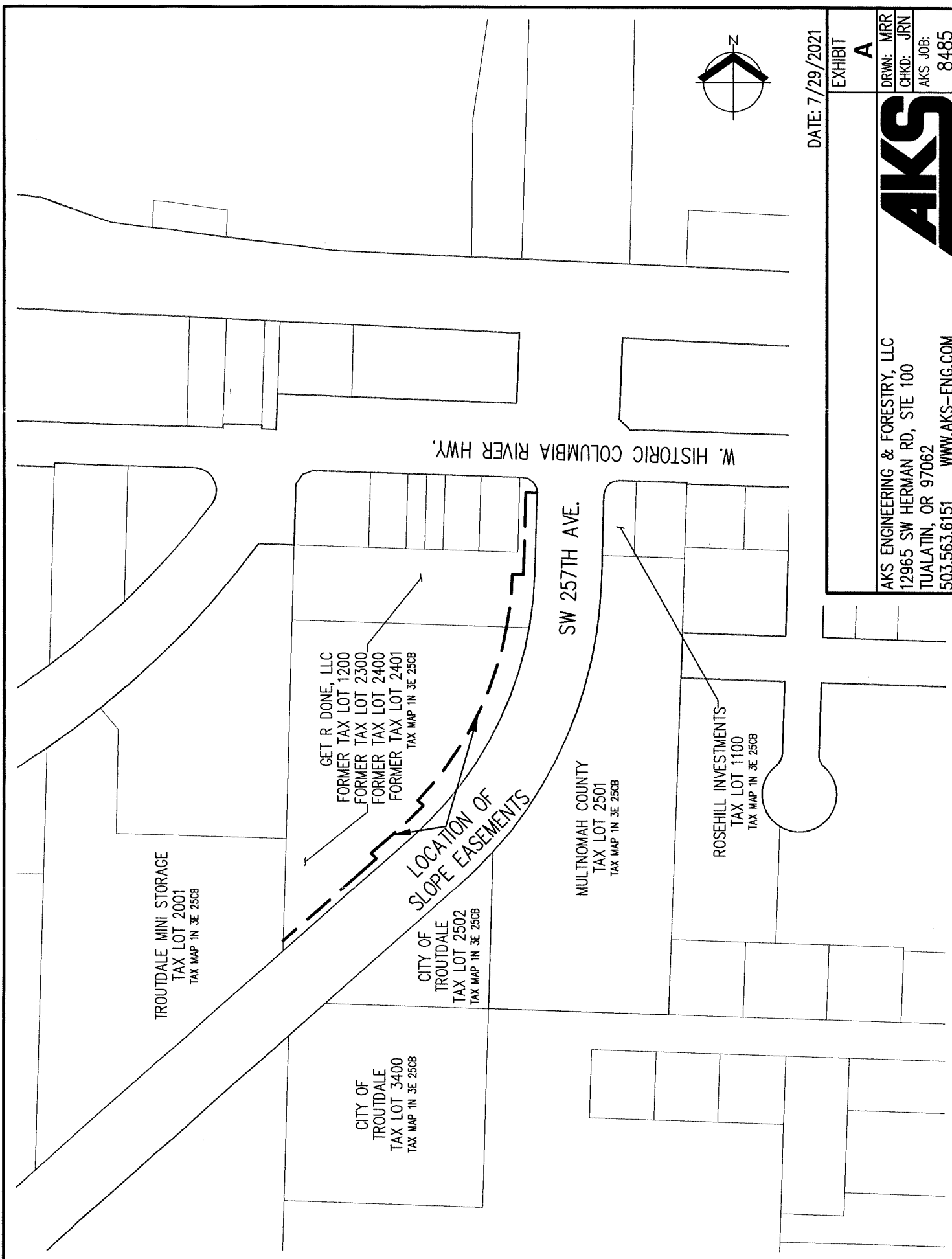
On this 4th day of August, 2021, Brandon S. Togashi personally appeared before me

Beatriz Rosario Jones who stated that (s)he is the Authorized Person of NSA-Northwest II, LLC, Chief Manager of Northwest II Chief Manager, LLC, Chief Manager of Troutdale Mini Storage, LLC

a corporation, and that the instrument was signed in behalf of the said corporation by authority of its board of directors and acknowledged said instrument to be its voluntary act and deed. Before me:



Beatriz Rosario Jones
Notary Public for the State of Oregon Colorado
My Commission Expires 05/28/2025



W. HISTORIC COLUMBIA RIVER HWY.

SW 257TH AVE.

DATE: 7/29/2021

AKS	EXHIBIT	A
	DRWN:	MRR
	CHKD:	JRN
	AKS JOB:	8485
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 503.563.6151 WWW.AKS-ENG.COM		

Attachment 4: Title Report



PRELIMINARY TITLE REPORT
Supplemental No.: 1

Date: August 03, 2021
Effective Date: July 29, 2021

Escrow Officer Kathy Eichler
Phone: (503) 290-5510
Email: Kathy.Eichler@stewart.com
Title Officer Mark Davison
Email: mark.davison@stewart.com

File No.: 1299210
Your Escrow Number:
Customer Reference:
Loan Number: 160019840

Property Address NYA NE 257th Drive, Troutdale, OR 97060

PRIOR REPORT DATED 6/29/2021 IS SUPPLEMENTED FOR THE FOLLOWING:

Effective Date Changed
Amended Legal Description
Amended Liability Amount & Premium Fee
Deleted Exception No. 14

	Liability	Premium
ALTA 2006 Loan Policy Standard	\$2,150,000.00	\$2,869.00
Short Term Rate		
(Underwriting Fee 11%)		
Proposed Insured: Lewis & Clark Bank		
Government Service Fee		\$80.00

Stewart Title Company is prepared to issue on request and on recording of the appropriate documents, a policy or policies of Stewart Title Guaranty Company as applied for, with coverages as indicated, based on this preliminary report.

The estate or interest in the land described or referred to in this Preliminary Report is:

FEE SIMPLE

Title to the said estate or interest in the land is at the Effective Date vested in:

Get R Done LLC, an Oregon limited liability company

Subject only to the exceptions shown herein and to the terms, conditions and stipulations contained in the policy form. No liability is assumed until a full premium has been paid and a policy issued.

LEGAL DESCRIPTION: SEE EXHIBIT "A" ATTACHED HERETO

EXHIBIT "A"

LEGAL DESCRIPTION

TRACT I:

A tract of land located in the Southwest One-Quarter of Section 25, Township 1 North, Range 3 East, Willamette Meridian, City of Troutdale, Multnomah County, Oregon, and being more particularly described as follows:

Commencing at the southeasterly corner of Parcel I of Partition Plat 1996-201, Multnomah County Plat Records, also being on the northwesterly right-of-way line of SW 257th Avenue (45.00 feet from centerline); thence along the east line of said Partition Plat, North 01°33'00" East 442.84 feet to a line which is parallel with and 100.00 feet southerly of, when measured at right angles to, the north line of Document Number 2013-137738, Multnomah County Records, and the Point of Beginning; thence continuing along said east line, North 01°33'00" East 100.00 feet to the northwest corner of said deed; thence along the north line of said deed, South 88°15'02" East 300.10 feet to the southeast corner of Document Number 2014-086288, Multnomah County Records; thence along the east line of said deed, North 01°36'51" East 100.19 feet to the south right-of-way line of Historic Columbia River Highway (30.00 feet from centerline); thence along said south right-of-way line, South 88°16'13" East 3.68 feet; thence continuing along said south right-of-way line (variable width from centerline) on a curve to the right with a Radius of 20.00 feet, a Delta of 89°54'55", a Length of 31.39 feet, and a Chord of South 43°18'45" East 28.26 feet to said northwesterly right-of-way line of SW 257th Avenue; thence along said northwesterly right-of-way line, South 01°38'42" West 109.94 feet; thence continuing along said northwesterly right-of-way line on a curve to the right with a Radius of 485.36 feet, a Delta of 08°19'34", a Length of 70.53 feet, and a Chord of South 05°48'29" West 70.47 feet to said parallel line; thence along said parallel line, North 88°15'02" West 318.42 feet to the Point of Beginning.

TRACT II:

A tract of land located in the Southwest One-Quarter of Section 25, Township 1 North, Range 3 East, Willamette Meridian, City of Troutdale, Multnomah County, Oregon, and being more particularly described as follows:

Beginning at the southeasterly corner of Parcel 1 of Partition Plat 1996-201, Multnomah County Plat Records, also being on the northwesterly right-of-way line of SW 257th Avenue (45.00 feet from centerline); thence along the east line of said Partition Plat, North 01°33'00" East 442.84 feet to a line which is parallel with and 100.00 feet southerly of, when measured at right angles to, the north line of Document Number 2013-137738, Multnomah County Records; thence along said parallel line, South 88°15'02" East 318.42 feet to said northwesterly right-of-way line of SW 257th Avenue; thence along said northwesterly right-of-way line on a non-tangent curve to the right (Radial Bearing of North 80°01'44" West) with a Radius of 485.36 feet, a Delta of 38°35'12", a Length of 326.87 feet, and a Chord of South 29°15'52" West 320.73 feet; thence continuing along said northwesterly right-of-way line, South 48°33'28" West 231.40 feet to the Point of Beginning.

[MAP](#)

THE MAP CONNECTED HERewith IS BEING PROVIDED AS A COURTESY AND FOR INFORMATIONAL PURPOSES ONLY; THIS MAP SHOULD NOT BE RELIED UPON. FURTHERMORE, THE PARCELS SET OUT ON THIS MAP MAY NOT COMPLY WITH LOCAL SUBDIVISION OR BUILDING ORDINANCES. STEWART ASSUMES NO LIABILITY, RESPONSIBILITY OR INDEMNIFICATION RELATED TO THE MAPS NOR ANY MATTERS CONCERNING THE CONTENTS OF OR ACCURACY OF THE MAP.

GENERAL EXCEPTIONS

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.
6. Minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities relating thereto, whether or not appearing in the Public Records or listed in Schedule B. The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.

SPECIAL EXCEPTIONS

7. 2021-2022 taxes, a lien not yet payable.
8. City liens, if any of the City of Troutdale. We find none as of June 21, 2021.
9. Easement for utility lines granted to City of Troutdale, as more fully set forth in the document recorded September 29, 1969 in [Book 699, Page 1280](#).
Affects: As located
(Tract I)
10. Easement for utility lines granted to City of Troutdale, as more fully set forth in the document recorded July 27, 1971 in [Book 802, Page 1176](#).
Affects: As located
11. Easement for slopes granted to Multnomah County, as more fully set forth in the document recorded August 14, 1986 in [Book 1928, Page 2414](#) as Instrument No. 063809.
Affects: As located
12. Right to make necessary slopes for cuts or fills upon property herein described as granted in deed, Recorded: September 29, 1988; [Book: 2142; Page: 1891](#); Instrument No.: 076116; Grantee: Multnomah County.

Said document is a re-record of instrument recorded July 20, 1988 in [Book: 2121; Page: 918](#); Instrument No.: 054686.
13. Please be advised that our search did not disclose any open deeds of trust of record. If you should have knowledge of any outstanding obligation, please contact the title department immediately for further review prior to closing.
14. Deleted.
15. The attached Commercial Title Affidavit must be completed in full, notarized and submitted to the Company for review prior to closing.

END OF EXCEPTIONS

NOTES:

NOTE (a): We find no judgments or Federal Tax Liens against Get R Done LLC or Troutdale Station Inc.

NOTE (b): Taxes paid in full for 2020-2021:

Levied Amount: \$2,795.27

Account No.: [R320528](#)

Levy Code: 242

Map No.: 1N3E25CB-02300

Affects Parcel I

NOTE (c): As disclosed by the county tax rolls, the 2020-2021 real market value for said property is:

Land: \$343,450.00

Improvements: \$0.00

Total: \$343,450.00

NOTE (d): Taxes paid in full for 2020-2021:

Levied Amount: \$210.66

Account No.: [R320665](#)

Levy Code: 242

Map No.: 1N3E25CB-01200

Affects Parcel II

NOTE (e): As disclosed by the county tax rolls, the 2020-2021 real market value for said property is:

Land: \$23,080.00

Improvements: \$0.00

Total: \$23,080.00

NOTE (f): Taxes paid in full for 2020-2021:

Levied Amount: \$106.18

Account No.: [R320581](#)

Levy Code: 242

Map No.: 1N3E25CB-02400

Affects Parcel III

NOTE (g): As disclosed by the county tax rolls, the 2020-2021 real market value for said property is:

Land: \$8,340.00

Improvements: \$0.00

Total: \$8,340.00

NOTE (h): Taxes paid in full for 2020-2021:

Levied Amount: \$1,132.41

Account No.: [R320666](#)

Levy Code: 242

Map No.: 1N3E25CB-02401

Affects Parcel IV

NOTE (i): As disclosed by the county tax rolls, the 2020-2021 real market value for said property is:

Land: \$160,940.00

Improvements: \$0.00

Total: \$160,940.00

NOTE (j): We find the following Deeds of record on the subject property recorded within the last 24 months:

Type of Document: Statutory Warranty Deed

Dated: March 10, 2021

Recorded: April 5, 2021

Instrument No.: [2021-055306](#)
Re-recorded: April 21, 2021
Instrument No.: [2021-064806](#)

NOTE: Any map or sketch enclosed as an attachment herewith is furnished for information purposes only to assist in property location with reference to streets and other parcels. No representation is made as to accuracy and the company assumes no liability for any loss occurring by reliance thereon.

After the issuance of a preliminary title report, if a transaction is consummated in reliance thereon, but without requiring the issuance of the title policy applied for, the full scheduled charge applicable to the type of coverage normally issued on such transactions will apply.



Authorized Countersignature

If you have any questions regarding this report or your escrow, please contact your Escrow Officer Kathy Eichler
Phone: (503) 290-5510 Fax: (866) 360-6799.

ESCROW OFFICER LOCATION:

Stewart Title Company
9200 SE Sunnybrook Blvd., Ste 180
Clackamas, OR 97015
Kathy.Eichler@stewart.com

TITLE OFFICE LOCATION:

Stewart Title Company
1000 SW Broadway Rd, Ste 1600
Portland, OR 97205