

**PROSPER PORTLAND**

Portland, Oregon

**RESOLUTION NO. 7514**

**AUTHORIZING GRANT OF AN ACCESS EASEMENT TO MULTNOMAH COUNTY FOR MAINTENANCE AND OPERATIONS UNDER THE BROADWAY BRIDGE**

**WHEREAS**, in 1987, Prosper Portland Board acquired property located at 1111 NW Naito Parkway and an adjacent parcel under the Broadway Bridge as part of its acquisition of Union Station (collectively, the "Property");

**WHEREAS**, since acquisition, Prosper Portland has informally provided access to Multnomah County ("County") for maintenance and operation of the Broadway Bridge;

**WHEREAS**, the County is seeking a recorded easement on and over the Property in order to ensure continued maintenance access for the operations and safety of the Broadway Bridge;

**WHEREAS**, the Property is contemplated as a future site for affordable housing if inadequate progress toward affordable housing goals is made on Prosper Portland's property located at the site of the former United States Postal Service, and the proposed access easement has been determined to be unlikely to interfere with this possible future use of the Property; and

**WHEREAS**, Prosper Portland is willing to provide this access easement to the County for maintenance and operations under the Broadway Bridge.

**NOW, THEREFORE, BE IT RESOLVED**, that the Executive Director is authorized to execute and record an access easement with the County, substantially in the form of the easement attached as Exhibit A to this resolution, in order to provide the County access on and over the Property for maintenance and operation of the Broadway Bridge;

**BE IT FURTHER RESOLVED**, that the Executive Director is authorized to execute any amendments or other modifications to the access easement, so long as the terms of the same do not materially increase Prosper Portland's obligations or risks, as determined by the Executive Director in consultation with Prosper Portland's General Counsel; and

**BE IT FURTHER RESOLVED**, that with the affirmative vote of no less than four commissioners for this resolution, this resolution will become effective immediately upon its adoption, and otherwise it will take effect thirty days after adoption.

Adopted by the Prosper Portland Commission on January 24, 2024



Pam Feigenbutz, Recording Secretary

**Grantors:**

Prosper Portland  
220 N.W. Second Ave. Suite 200  
Portland, Or. 97209

Broadway Bridge  
Item No. 2023-01

**After recording return to:**

Grantee: Multnomah County; attn: Patrick Hinds  
Land Use & Transportation Division, Bldg. #425

## Easement

The City of Portland, acting by and through Prosper Portland, “**Grantor**”, grants to MULTNOMAH COUNTY, a Political Subdivision of the State of Oregon, “**Grantee**”, an easement for accessing, inspecting, replacing, repairing, maintaining and operating the Broadway Bridge over, upon, and across the following real property as described in the attached Exhibit A-1, A-2, A-3, and A-4 (collectively, the Property) and shown on attached Exhibit B-1, B-2, B-3, and B-4.

Grantor represents and warrants that Grantor has the authority to do this grant.

Grantee, by accepting this easement, is not accepting liability for any preexisting release of hazardous substances onto or from the Property, and Grantor is not attempting to convey any such liability.

Grantor shall not grant or allow any subsequent uses or activities in the easement area described in Exhibit A-1, A-2, A-3, and A-4 that would interfere with the Grantee’s use of said easement. Upon written notice to Grantee by Grantor, the parties will meet to negotiate a modification to this easement that allows Grantee to fulfill its maintenance and operations responsibilities, but also addresses any new circumstances that have been raised by Grantor in its written notice.

Subject to the limits of the Oregon Tort Claims Act and Oregon Constitution, each party agrees to indemnify, hold harmless and defend the other, and its directors, officers, employees and agents, from and against all claims, suits, actions of whatsoever nature, damages or losses, and all expenses and costs incidental to the investigation and defense thereof including reasonable attorneys’ fees, resulting from or arising out of the activities of the other, its officers, employees or agents under this easement.

The true consideration paid for this grant stated in terms of dollars is \$0.00, but consists of other value given, which is the whole consideration.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2024

**Grantor: For Prosper Portland**

\_\_\_\_\_  
Kimberly Branam

\_\_\_\_\_  
Executive Director

STATE OF OREGON            )  
  ) ss  
County of Multnomah        )

This instrument was acknowledged before me on \_\_\_\_\_, 2024, by Kimberly Branam, Executive Director of Prosper Portland.

\_\_\_\_\_  
Notary Public for Oregon  
My Commission Expires: \_\_\_\_\_

The described property is accepted for use in conjunction with the Broadway Bridge on behalf of the Board of County Commissioners of Multnomah County, Oregon, pursuant to Ordinance No. 619 and Executive Order No. 199.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2024

By: \_\_\_\_\_  
Jon Henrichsen, P.E., County Engineer  
for Multnomah County, Oregon

REVIEWED:  
By Jenny M. Madkour, County Attorney  
For Multnomah County, Oregon

By: \_\_\_\_\_  
Courtney Lords, Assistant County Attorney

## EXHIBIT A-1

### Broadway Bridge Item No. 2023-01

#### PARCEL 1 – MAINTENANCE EASEMENT

A parcel of land, as shown on attached Exhibit B, located in the Northwest One-Quarter of Section 34, Township 1 North, Range 1 East, of the Willamette Meridian, City of Portland, Multnomah County, Oregon, and being a portion of Parcel 1 of Partition Plat No. 2001-69, Multnomah County Plat Records, being more particularly described as follows:

**COMMENCING** at a found 5/8" Iron Rod at the most easterly corner of said Parcel 1, said point also being on the southwesterly right of way line of NW Naito Parkway;

**THENCE** along said southwesterly right of way line, North 39°57'05" West, a distance of 140.04 feet to the intersection of said southwesterly right of way line with the northwesterly line of that "Easement for Overhead Approaches Pier Support" per Book 537, Page 412, recorded in 1911, Multnomah County Deed Records, said point being the **POINT OF BEGINNING** of the herein described parcel;

**THENCE** departing said southwesterly right of way and along said northwesterly easement line, South 51°31'36" West, a distance of 49.81 feet to a point of non-tangent curvature;

**THENCE** departing said northwesterly easement line, 62.83 feet along the arc of a 40.00-foot radius curve to the right through a central angle of 90°00'00" (the long chord of which bears North 06°31'36" East, 56.57');

**THENCE** North 51°31'36" East, a distance of 8.77 feet to a point on said southwesterly right of way line;

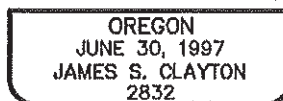
**THENCE** along said southwesterly right of way line, South 39°57'05" East, a distance of 40.01 feet to the **POINT OF BEGINNING**.

*Said parcel contains 1,628 square feet of land, more or less.*

This legal description along with the basis of bearings thereof, was prepared based on that Partition Plat Number 2001-69, Multnomah County Plat Records.



James S. Clayton  
Digitally signed by James S. Clayton  
Date: 2023.02.14 08:57:48 -08'00'






RENEWS: 1/1/2024

# EXHIBIT B-1

BROADWAY BRIDGE  
EASEMENT PARCEL 1  
ITEM NO. 2023-01

PARCEL 2  
PARTITION PLAT NO. 2001-69

### LEGEND

-  PROPERTY LINE
-  EASEMENT LINE
-  PARCEL AREA
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT

NW NAITO PARKWAY

N51°31'36"E  
8.77'

L=62.83'  
R=40.00'  
Δ=90°00'00"  
CH.=N06°31'36"E  
CH. LENGTH=56.57'

S39°57'05"E  
40.01'

PARCEL 1 AREA:  
1,628 S.F.±

PARCEL 1  
PARTITION PLAT NO. 2001-69

EXISTING 70' EASEMENT  
PER BOOK 537, PAGE 412  
1911

BROADWAY  
BRIDGE

P.O.C.  
FOUND 5/8"  
IRON ROD

RAILROAD

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

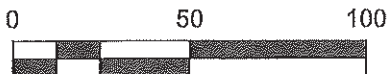
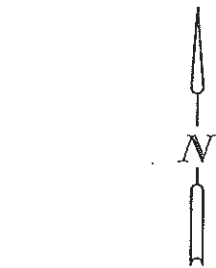
James S. Clayton

Digitally signed by James S.  
Clayton  
Date: 2023.02.14 08:58:51 -08'00'

OREGON  
JUNE 30, 1997  
JAMES S. CLAYTON  
2832

RENEWS: 1/1/2024

UNION  
STATION



SCALE: 1" = 50'



DEPARTMENT OF COMMUNITY SERVICES  
COUNTY SURVEYOR'S OFFICE  
1600 S.E. 190TH AVE.,  
PORTLAND, OR. 97233-5910

## EXHIBIT A-2

### Broadway Bridge Item No. 2023-01

#### PARCEL 2 – MAINTENANCE EASEMENT

A parcel of land, as shown on attached Exhibit B, located in the Northwest One-Quarter of Section 34, Township 1 North, Range 1 East, of the Willamette Meridian, City of Portland, Multnomah County, Oregon, and being a portion of Parcel 1 of Partition Plat No. 2001-69, Multnomah County Plat Records, being more particularly described as follows:

**COMMENCING** at a found 5/8" Iron Rod at the most easterly corner of said Parcel 1, said point also being on the southwesterly right of way line of NW Naito Parkway;

**THENCE** along said southwesterly right of way line, North 39°57'05" West, a distance of 140.04 feet to the intersection of said southwesterly right of way line with the northwesterly line of that "Easement for Overhead Approaches Pier Support" per Book 537, Page 412, recorded in 1911, Multnomah County Deed Records, said point being the **POINT OF BEGINNING** of the herein described parcel;

**THENCE** departing said southwesterly right of way line and along said northwesterly easement line, South 51°31'36" West, a distance of 244.81 feet to a point on the southwesterly line of said Parcel 1;

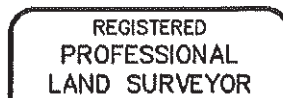
**THENCE** departing said northwesterly easement line, and along said southwesterly line of Parcel 1, North 39°55'10" West, a distance of 10.00 feet;

**THENCE** departing said southwesterly line of Parcel 1, North 51°31'36" East, a distance of 244.81 feet to a point on said southwesterly right of way line of NW Naito Parkway;

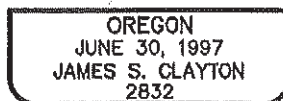
**THENCE** along said southwesterly right of way line, South 39°57'05" East, a distance of 10.00 feet to the **POINT OF BEGINNING**.

*Said parcel contains 2,448 square feet of land, more or less.*

This legal description along with the basis of bearings thereof, was prepared based on that Partition Plat Number 2001-69, Multnomah County Plat Records.



James S. Clayton  
Digitally signed by James S. Clayton  
Date: 2023.02.14 08:54:55 -08'00'




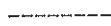

RENEWS: 1/1/2024

# EXHIBIT B-2

BROADWAY BRIDGE  
EASEMENT PARCEL 2  
ITEM NO. 2023-01

PARCEL 2  
PARTITION PLAT NO. 2001-69

### LEGEND

-  PROPERTY LINE
-  EASEMENT LINE
-  PARCEL AREA
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT

PARCEL 1  
PARTITION PLAT NO. 2001-69

PARCEL 2 AREA:  
2,448 S.F.±

S39°57'05"E  
10.00'

P.O.B.

EXISTING 70' EASEMENT  
PER BOOK 537, PAGE 412  
1911

N39°57'05"W 140.04'

P.O.C.  
FOUND 5/8"  
IRON ROD

RAILROAD

N39°55'10"W  
10.00'

BROADWAY  
BRIDGE

N51°31'36"E 244.81'  
S51°31'36"W 244.81'



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

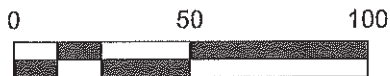
James S. Clayton

Digitally signed by James S.  
Clayton  
Date: 2023.02.14 09:00:05 -08'00'

OREGON  
JUNE 30, 1997  
JAMES S. CLAYTON  
2832

RENEWS: 1/1/2024

UNION  
STATION



SCALE: 1" = 50'



DEPARTMENT OF COMMUNITY SERVICES  
COUNTY SURVEYOR'S OFFICE  
1600 S.E. 190TH AVE.,  
PORTLAND, OR. 97233-5910

## EXHIBIT A-3

### Broadway Bridge Item No. 2023-01

#### PARCEL 3 – MAINTENANCE EASEMENT

A parcel of land, as shown on attached Exhibit B, located in the Northwest One-Quarter of Section 34, Township 1 North, Range 1 East, of the Willamette Meridian, City of Portland, Multnomah County, Oregon, and being a portion of Parcel 1 of Partition Plat No. 2001-69, Multnomah County Plat Records, being more particularly described as follows:

**COMMENCING** at a found 5/8" Iron Rod at the most easterly corner of said Parcel 1, said point also being on the southwesterly right of way line of NW Naito Parkway;

**THENCE** along the southeasterly line of said Parcel 1, South 50°03'00" West, a distance of 244.81 feet to the most southerly corner of said Parcel 1;

**THENCE** along the southwesterly line of said Parcel 1, North 39°55'10" West, a distance of 146.35 feet to the intersection of said southwesterly line of Parcel 1 with the northwesterly line of that "Easement for Overhead Approaches Pier Support" per Book 537, Page 412, recorded in 1911, Multnomah County Deed Records, said point being the **POINT OF BEGINNING** of the herein described parcel;

**THENCE** departing said northwesterly easement line, and along said southwesterly line of Parcel 1, North 39°55'10" West, a distance of 40.01 feet;

**THENCE** departing said southwesterly line of Parcel 1, North 51°31'36" East, a distance of 8.77 feet to the beginning of a tangent curve;

**THENCE** 62.83 feet along the arc of a 40.00-foot radius curve to the right through a central angle of 90°00'00" (the long chord of which bears South 83°28'24" East, 56.57') to a point on said northwesterly easement line;

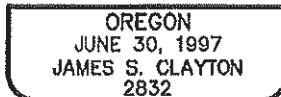
**THENCE** along said northwesterly easement line, South 51°31'36" West, a distance of 47.76 feet to the **POINT OF BEGINNING**.

*Said parcel contains 1,587 square feet of land, more or less.*

This legal description along with the basis of bearings thereof, was prepared based on that Partition Plat Number 2001-69, Multnomah County Plat Records.



James S. Clayton  
Digitally signed by James S. Clayton  
Date: 2023.02.14 08:56:04 -08'00'



RENEWS: 1/1/2024


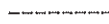



# EXHIBIT B-3

BROADWAY BRIDGE  
EASEMENT PARCEL 3  
ITEM NO. 2023-01

PARCEL 2  
PARTITION PLAT NO. 2001-69

### LEGEND

-  PROPERTY LINE
-  EASEMENT LINE
-  PARCEL AREA
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT

PARCEL 1  
PARTITION PLAT NO. 2001-69

NW NAITO PARKWAY

BROADWAY BRIDGE

EXISTING 70' EASEMENT  
PER BOOK 537, PAGE 412  
1911

P.O.C.  
FOUND 5/8"  
IRON ROD

PARCEL 3 AREA:  
1,587 S.F.±

L= 62.83'  
R= 40.00'  
Δ= 90°00'00"  
CH.=S83°28'24"E  
CH. LENGTH=56.57'

N51°31'36"E  
8.77'

N39°55'10"W  
40.01'

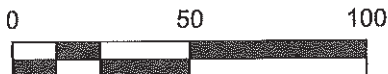
S51°31'36"W  
47.76'

P.O.B.

N39°55'10"W 146.35'

S50°03'00"W 244.81'

RAILROAD



SCALE: 1" = 50'

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

James S. Clayton  
Digitally signed by James S. Clayton  
Date: 2023.02.14 09:00:59 -08'00'

OREGON  
JUNE 30, 1997  
JAMES S. CLAYTON  
2832

RENEWS: 1/1/2024

UNION  
STATION



DEPARTMENT OF COMMUNITY SERVICES  
COUNTY SURVEYOR'S OFFICE  
1600 S.E. 190TH AVE.,  
PORTLAND, OR. 97233-5910

## EXHIBIT A-4

### Broadway Bridge

Item No. 2023-01

#### PARCEL 4 – MAINTENANCE EASEMENT

A parcel of land, as shown on attached Exhibit B, located in the Northwest One-Quarter of Section 34, Township 1 North, Range 1 East, of the Willamette Meridian, City of Portland, Multnomah County, Oregon, and being a portion of Parcel 1 of Partition Plat No. 2001-69, Multnomah County Plat Records, being more particularly described as follows:

**COMMENCING** at a found 5/8" Iron Rod at the most easterly corner of said Parcel 1, said point also being on the southwesterly right of way line of NW Naito Parkway;

**THENCE** along said southwesterly right of way line, North 39°57'05" West, a distance of 70.02 feet to the intersection of said southwesterly right of way line with the southeasterly line of that "Easement for Overhead Approaches Pier Support" per Book 537, Page 412, recorded in 1911, Multnomah County Deed Records; said point being the **POINT OF BEGINNING** of the herein described parcel;

**THENCE** departing said southwesterly right of way line, and along said southeasterly easement line, South 51°31'36" West, a distance of 244.85 feet to the intersection of said southeasterly easement line with the southwesterly line of said Parcel 1;

**THENCE** departing said southeasterly easement line, and along said southwesterly line of Parcel 1, South 39°55'10" East, a distance of 10.00 feet;

**THENCE** departing said southwesterly line of Parcel 1, North 51°31'36" East, a distance of 244.86 feet to a point on said southwesterly right of way line of NW Naito Parkway;

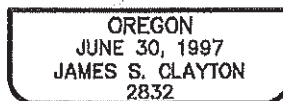
**THENCE** along said southwesterly right of way line, North 39°57'05" West, a distance of 10.00 feet to the **POINT OF BEGINNING**.

*Said parcel contains 2,448 square feet of land, more or less.*

This legal description along with the basis of bearings thereof, was prepared based on that Partition Plat Number 2001-69, Multnomah County Plat Records.



James S. Clayton  
Digitally signed by James S. Clayton  
Date: 2023.02.14 08:57:04 -08'00'



RENEWS: 1/1/2024

# EXHIBIT B-4

BROADWAY BRIDGE  
EASEMENT PARCEL 4  
ITEM NO. 2023-01

PARCEL 2  
PARTITION PLAT NO. 2001-69

NW NAITO PARKWAY

### LEGEND

- PROPERTY LINE
- - - EASEMENT LINE
- ▨ PARCEL AREA
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT

PARCEL 1  
PARTITION PLAT NO. 2001-69

EXISTING 70' EASEMENT  
PER BOOK 537, PAGE 412  
1911

P.O.B.  
N39°57'05"W  
70.02'  
10.00'  
P.O.C.  
FOUND 5/8" IRON ROD

RAILROAD

BROADWAY BRIDGE

PARCEL 4 AREA:  
2,448 S.F.±

10'  
S51°31'36"W 244.85'  
N51°31'36"E 244.86'



S39°55'10"E  
10.00'

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

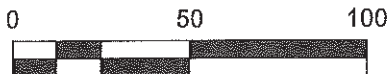
James S. Clayton

Digitally signed by James S. Clayton  
Date: 2023.02.14 09:02:09 -08'00'

OREGON  
JUNE 30, 1997  
JAMES S. CLAYTON  
2832

RENEWS: 1/1/2024

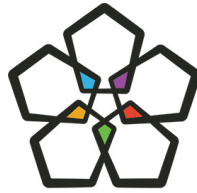
UNION  
STATION



SCALE: 1" = 50'



DEPARTMENT OF COMMUNITY SERVICES  
COUNTY SURVEYOR'S OFFICE  
1600 S.E. 190TH AVE.,  
PORTLAND, OR. 97233-5910



**PROSPER  
PORTLAND**  
Building an Equitable Economy

**RESOLUTION NO. 7514**

**RESOLUTION TITLE:**

AUTHORIZING GRANT OF AN ACCESS EASEMENT TO MULTNOMAH COUNTY FOR MAINTENANCE AND OPERATIONS UNDER THE BROADWAY BRIDGE


Adopted by the Prosper Portland Commission on January 24, 2024

PRESENT FOR VOTE	COMMISSIONERS	VOTE		
		Yea	Nay	Abstain
<input checked="" type="checkbox"/>	Chair Gustavo J. Cruz, Jr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Commissioner Marcelino J. Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Commissioner William Myers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Commissioner Michi Slick	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Commissioner Serena Stoudamire Wesley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> <b>Consent Agenda</b>		<input type="checkbox"/> <b>Regular Agenda</b>		

**CERTIFICATION**

**The undersigned hereby certifies that:**

*The attached resolution is a true and correct copy of the resolution as finally adopted at a Board Meeting of the Prosper Portland Commission and as duly recorded in the official minutes of the meeting.*

	<p><b>Date:</b></p> <p>January 29, 2024</p>
<p><b>Pam Feigenbutz, Recording Secretary</b></p>	