

**RESOLUTION No. 6021**

Authorizing the Right of Way Easement Dedication for the  
Madison High School Modernization Project Located at 2735 NE 82<sup>nd</sup>, Portland, Oregon

**RECITALS**

- A. The Madison High School Modernization Project is part of the 2017 School Improvement Bond.
- B. The design of the P



**PORTLAND PUBLIC SCHOOLS  
OFFICE OF SCHOOL MODERNIZATION**

501 North Dixon Street / Portland, OR 97227  
Telephone: (503) 916-2222

**Date:** January 7, 2019  
**To:** School Board  
**From:** Dan Jung, Chief Operating Officer  
Dana White, Director of Planning & Real Estate Management  
**Subject:** Madison High School Modernization Right-of-Way Easement Dedication

---

**BACKGROUND**

The Madison High School Modernization project (the Project) is part of the 2017 School Improvement Bond.

The design of the Project requires new street improvements such as sidewalks, ADA accessible ramps, and crosswalks which both enhance the property and are required by City code.

These new street improvements require a right-of-way easement dedication to the Portland Bureau of Transportation and are a condition of the issuance of the Project's building permit. See Attachments A and B.

The right-of-way easement for the Madison High School street improvements includes approximately three thousand, eight hundred and five (3,805) square feet of land. The easement consists of 3 feet to 5 feet sections of frontage along the streets adjacent to Madison High School located at 2735 NE 82<sup>nd</sup> Street, and including small sections less than 27 square feet as generally depicted in red on Attachment C (the Madison Easement).

**RELATED POLICIES/BEST PRACTICES of District Real Property**

Right-of-Way easements for street improvements are a standard requirement of obtaining a building permit on large construction projects and are provided to the City at no cost.

**ANALYSIS OF SITUATION**

Denying the Madison Easement would delay the issuance of the Project's building permit, which is needed by February 2020 to meet the current construction schedule. Any delays in construction could have implications to both the Project budget and the occupancy of the building for the 2021/22 school year.

**FISCAL IMPACT**

There are no fiscal impacts to approving the Madison Easement dedication.

**COMMUNITY ENGAGEMENT (IF APPLICABLE)**

NA

**Grantor's Name and Address:**  
SCHOOL DISTRICT NO. 1J,  
MULTNOMAH COUNTY, OREGON  
501 N. DIXON STREET  
PORTLAND, OREGON 97227



**EASEMENT FOR RIGHT-OF-WAY PURPOSES**

**School District No. 1J, Multnomah County, Oregon**, (“Grantor”), for good and valuable non-monetary consideration, the receipt whereof is hereby acknowledged, hereby grants unto the City of Portland, a municipal corporation of the State of Oregon, (“Grantee”), which acquires pursuant to its eminent domain power and authority, an easement for public street and right-of-way purposes in the real property, being particularly described as follows (“Subject Property”):

As described on Exhibits A, B, C, D & E and depicted on Exhibits A1, B1, C1, D1, & E1 attached hereto and by this reference made a part hereof.

ALLTOGETHER Containing 3,805 square feet, more or less.

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

- A. Grantor represents that to the best of its knowledge after appropriate inquiry under the circumstances, the Subject Property is in compliance with all local, State and Federal environmental laws and regulations.
- B. Grantor represents that it has disclosed all knowledge of any release of hazardous substances onto or from the Subject Property, and disclosed any known report, investigation, survey, or environmental assessment regarding the Subject Property. "Release" and "hazardous substance" shall have the meaning as defined under Oregon law.
- C. Grantor warrants that there are no underground storage tanks, as defined under Oregon law, presently on or under the Subject Property.

---

R/W # 8957

1N2E29AD TL 03200 & 00100

After Recording Return to :

Sarah Johnston, City of Portland

1120 SW 5th Avenue, 8th Fl

Portland, OR 97204

Tax Statement shall be sent to: No Change

- D. It is understood and agreed that the Grantee, by accepting this dedication, is not accepting any liability for any release of hazardous substances onto or from the Subject Property, and that the Grantor is not attempting to convey any such liability.
- E. Subject to the limitations of the Oregon Constitution and Oregon Tort Claims Act (ORS

IN WITNESS WHEREOF, Portland Public School District No. 1 has caused these presents to be signed

LEGAL DESCRIPTION  
EASEMENT FOR RIGHT-OF-WAY PURPOSES  
OWNER: SCHOOL DISTRICT NO.1  
TAX LOT NO.1N2E29DA 100

JOB NO. 8175  
11/19/19 DH

EXHIBIT "A"

A 50 FOOT STRIP OF LAND LOCATED AS FOLLOWS:



Land Surveyors

LEGAL DESCRIPTION  
EASEMENT FOR RIGHT-OF-WAY PURPOSES

JOB NO. 8175  
11/19/19 DH

[REDACTED]

EXHIBIT "B"

A TRACT OF LAND LOCATED IN THE NORTHEAST ONE QUARTER SECTION  
[REDACTED]

*[Handwritten Signature]*

DATE OF SIGNATURE: 11-21-19







# Land Surveyors

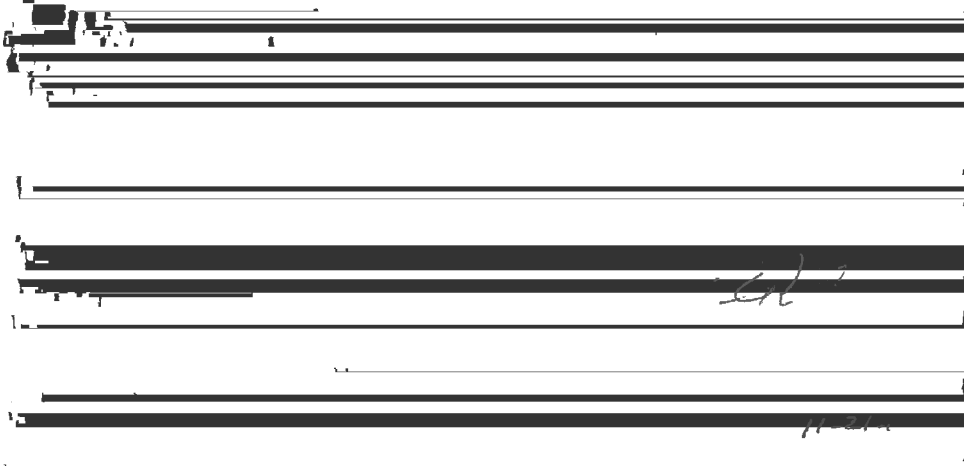
LEGAL DESCRIPTION  
EASEMENT FOR RIGHT-OF-WAY PURPOSES

JOB NO. 8175  
11/10/10 D.L.

TAX LOT NO. 1N2E29AD 3200

EXHIBIT "E"

A TRACT OF LAND LOCATED IN THE NORTH EAST CORNER



4107 SE International Way, Suite 705, Milwaukie Oregon 97222

Fax:

DATE OF SIGN  
EXPIRES: 12/1

MICHAEL

JUN 9

RE  
PRO  
LAND

N00°34'22"E  
5.00'

Scale: :



VACATED ROSE STREET

TAX LOT 10  
MAR - N 2E-29

"NON-PAREL ADDITION"

BL CK 2

S89° 7' 1" E 510.00'  
N69° 7' 31" E 570.00'

NE 81ST AVENUE

VACATED BONITA STREET

POINT OF COMMENCEMENT  
BRASS DISK AT THE EAST 1/4  
CORNER SECTION 29, T.1N., R.2E., W.M.

"ITION"

NE 80TH AVENUE

30' 30'

NE TH

"A1"

S89°19'27"E  
4.33'



**4.33' EASEMENT FOR  
RIGHT OF WAY PURPOSES  
- 29 SQUARE FEET**

N00°40'33"E  
6.74'

S00°40'33"W  
6.74'

N89°19'27"W  
4.33'

**TRUE POINT  
OF BEGINNING**

**PORTLAND  
PUBLIC SCHOOLS  
TAX LOT 3200  
MAP 1N-2E-29AD**

45'

**NE 82ND AVENUE**

N00°40'33"E 631.45'

**REGISTERED  
PROFESSIONAL  
LAND SURVEYOR**

**OREGON  
JULY 16, 1987  
MICHAEL A. RADEMACHER  
2303**

N

**POINT OF COMMENCEMENT**  
BRASS DISK AT THE EAST  
1/4 CORNER SECTION 29,  
T.1N., R.2E., W.M.

**NE RUSSELL  
STREET**

W

E

**IBIT "B1"**

NE ALAMEDA STREET

TRUE POINT  
OF BEGINNING

30'

VACATED NE ALAMEDA STREET

45'

N89°48'13"W 816.78'

N89°48'13"W  
3.00'

N00°38'02"E  
30.16'

S00°38'02"W  
30.00'

3.00' EASEMENT FOR

ENUE

L=80.47'  
R=53.00'  
D=86°50'48"

N00°40'33"E 860.26'

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

POINT OF COMMENCEMENT  
BRASS DISK AT THE EAST 1/4

*Handwritten signature*

NE RUSSELL  
STREET

S

Scale: 1" = 40'

"C1"

8175 TL 3200C Dedic.dwg

**COMPASS** Land Surveyors  
4107 SE International Way, Suite 705  
Milwaukie, Oregon 97222 503-653-9093

LOCATED IN THE NE 1/4 OF SECTION 29  
T.1N., R.2E., W.M., CITY OF PORTLAND  
MULTNOMAH COUNTY, OREGON

2

2

LOT 12, BLOCK 11  
"SUBDIVISION OF LOT 22 GLENHAVEN PARK"

N00°40'33"E  
3.00'

30'

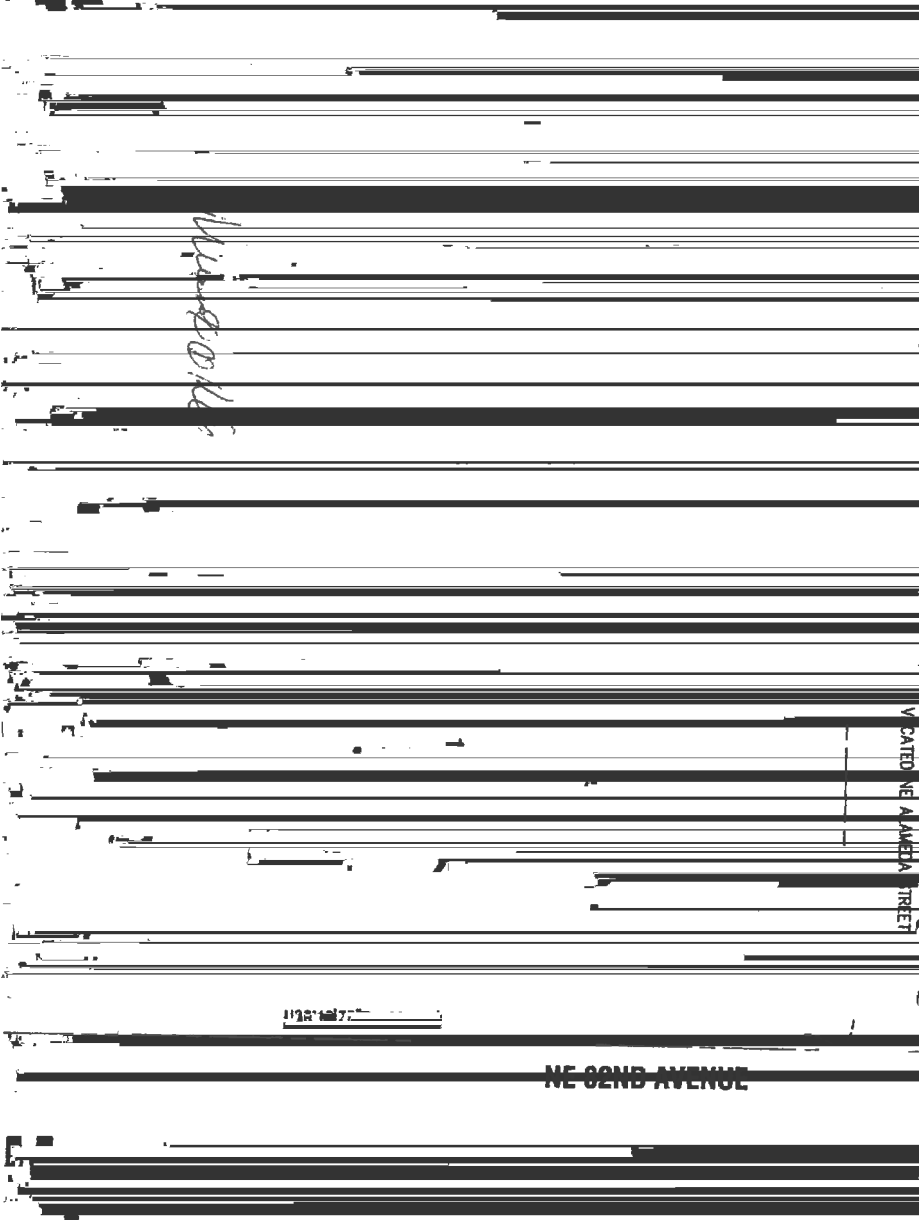
S89°48'1"  
N89°48'13"W

L=19.97'  
R=12.66'  
D=90°23'51"  
CH=N44°33'  
17.98'

3.00' EASEMENT  
RIGHT OF WAY PL.  
446 SQUARE FEET

W

Scale



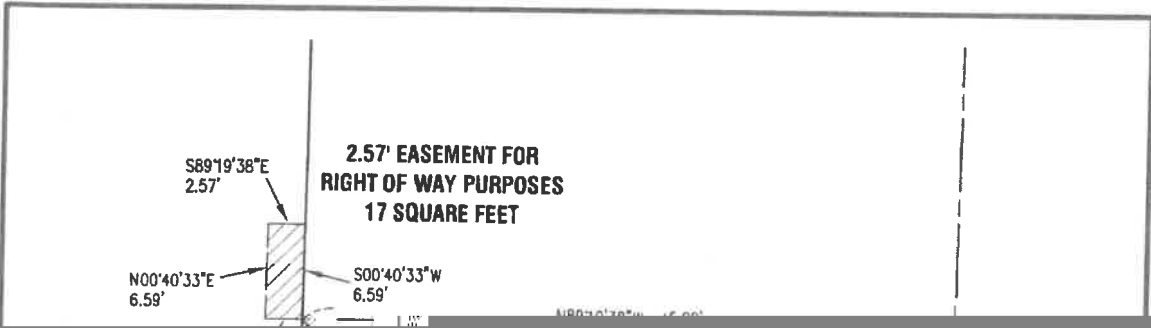
V. SATED NE ALAMEDA STREET

NE 02ND AVENUE

45'

"D1"

DATE: 11/20/2017



N89°19'38\"/>

PORTLAND  
PUBLIC SCHOOLS  
TAX LOT 3200  
MAP 1N-2E-29AD

45'

N00°40'33\"/>

REGISTERED

*[Signature]*  
PROFESSIONAL  
LAND SURVEYOR

N

EXHIBIT #1



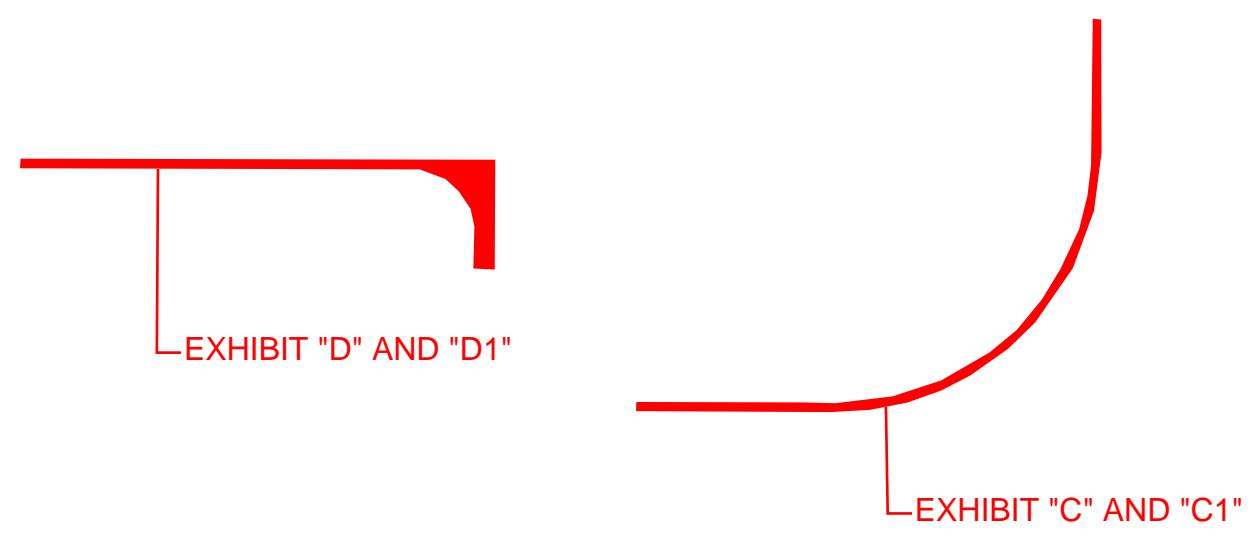


EXHIBIT "B" AND "B1"

EXHIBIT "E" AND "E1"

