



Chad Fackler  
Rembold, Director of Construction  
10305 SW Park Way, Suite 204  
Portland, OR 97225

March 2, 2023

### **ELMONICA STATION – PUBLIC STREET IMPROVEMENTS TO SW BASELINE ROAD**

Dear Mr. Fackler:

This letter confirms that TriMet approves the plans submitted for the modification and replacement of the improvements located on TriMet's real property, located on the south side of SW Baseline Road adjacent to your Elmonica Station project.

The TriMet parcel is shown on the plan attached as Exhibit A, and is described as the land lying in the Southeast One-quarter of Section 6, Township 1 South, Range 1 West of the Willamette Meridian, Washington County, Oregon; and being a portion of those properties described in Parcel 1 of Document No. 2000-002560 of the Washington County Book of Records; said parcel being that portion of said properties lying Northerly of a line being parallel with, and 49.00 feet Southerly of, the centerline of SW Baseline Road ("Parcel").

TriMet approves the modifications proposed by Rembold as detailed on the Public Street Improvements plans dated 10/10/2022 and attached as Exhibits B and C. TriMet's approval is subject to the following conditions:

1. Prior to construction, Rembold will enter into a Permit of Entry (POE) with TriMet. The POE will be a legally binding agreement, signed by both parties, in a form acceptable to TriMet. The POE will contain the following conditions:
  - a. Rembold or its successors in title are responsible for the maintenance and repair of all improvements constructed by Rembold on the Parcel for the two year period following the completion of the improvements, unless the damage is caused by TriMet, in which case TriMet will repair. Beginning in Year 3, Rembold or its successors in title will be responsible for maintenance and TriMet (or its successors in title) will be responsible for repair so long as the damage was not caused by Rembold or anyone acting on its behalf.
  - b. Rembold or its successors in title are responsible for the cost of implementing the improvements on the TriMet Parcel, including all permitting, recording, or any other such fees.

- c. No liens can be placed on the TriMet parcel as a result of the planned improvements, and Rembold will promptly cause any recorded liens to be satisfied and released.
- d. Rembold will defend, indemnify and hold TriMet harmless from any third-party claims related to the construction of the Public Street Improvements.
- e. Prior to construction, Rembold will provide TriMet with any revisions or modifications to the Public Street Improvements Plans originally dated 10/10/2022.
- f. Following construction completion, Rembold to provide TriMet with Project As-Builts for all Public Street Improvement work.

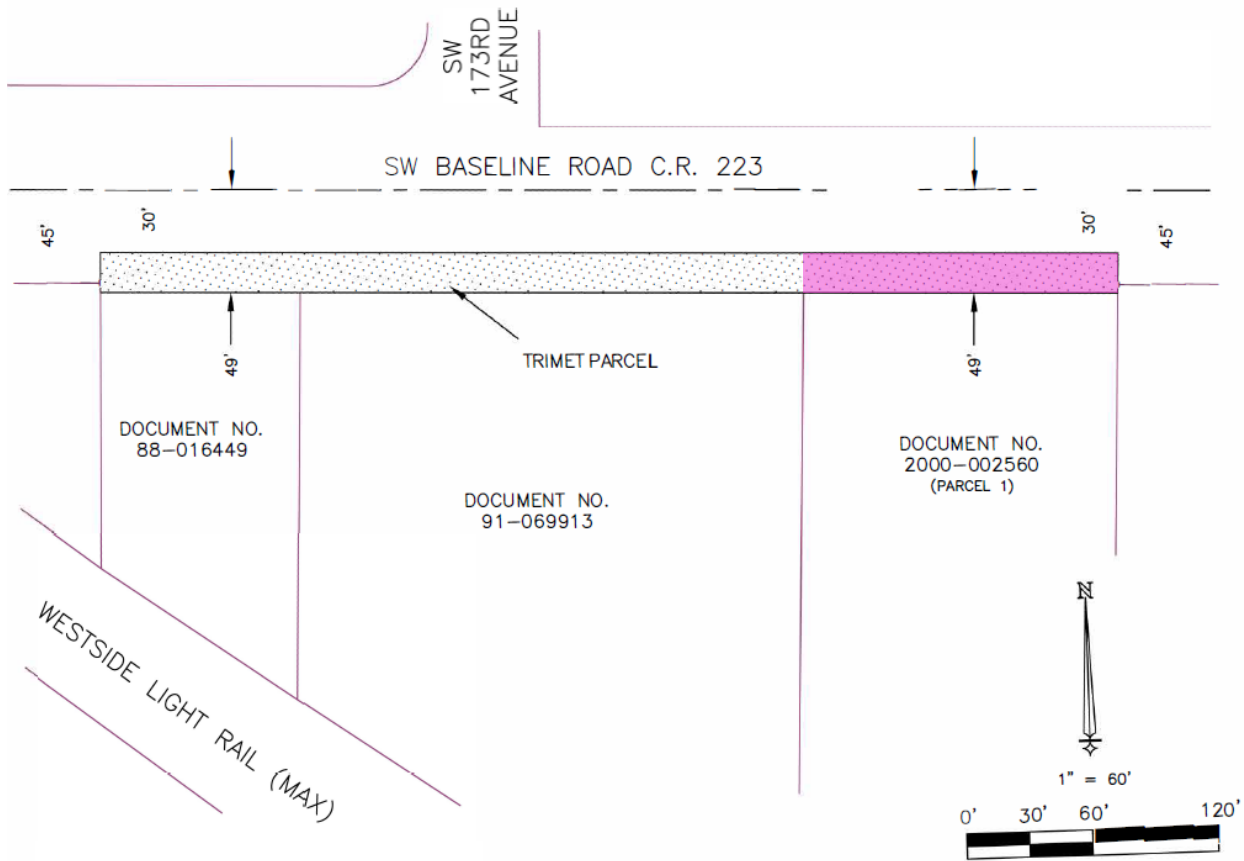
I confirm I have the authority to sign this letter authorizing these modifications to TriMet's land, under the conditions set forth herein.

Yours sincerely,


Lance Erz  
Director of Real Estate and Transit-Oriented Development  
Senior Deputy General Counsel  
[erzl@trimet.org](mailto:erzl@trimet.org) | 503-349-3207

CC: Rembold – Kali Bader; Francis Dardis  
TriMet – Guy Benn; Fiona Lyon; Nick Stewart; Michael McNeill; Libby Winter

# EXHIBIT A – TRIMET PARCEL

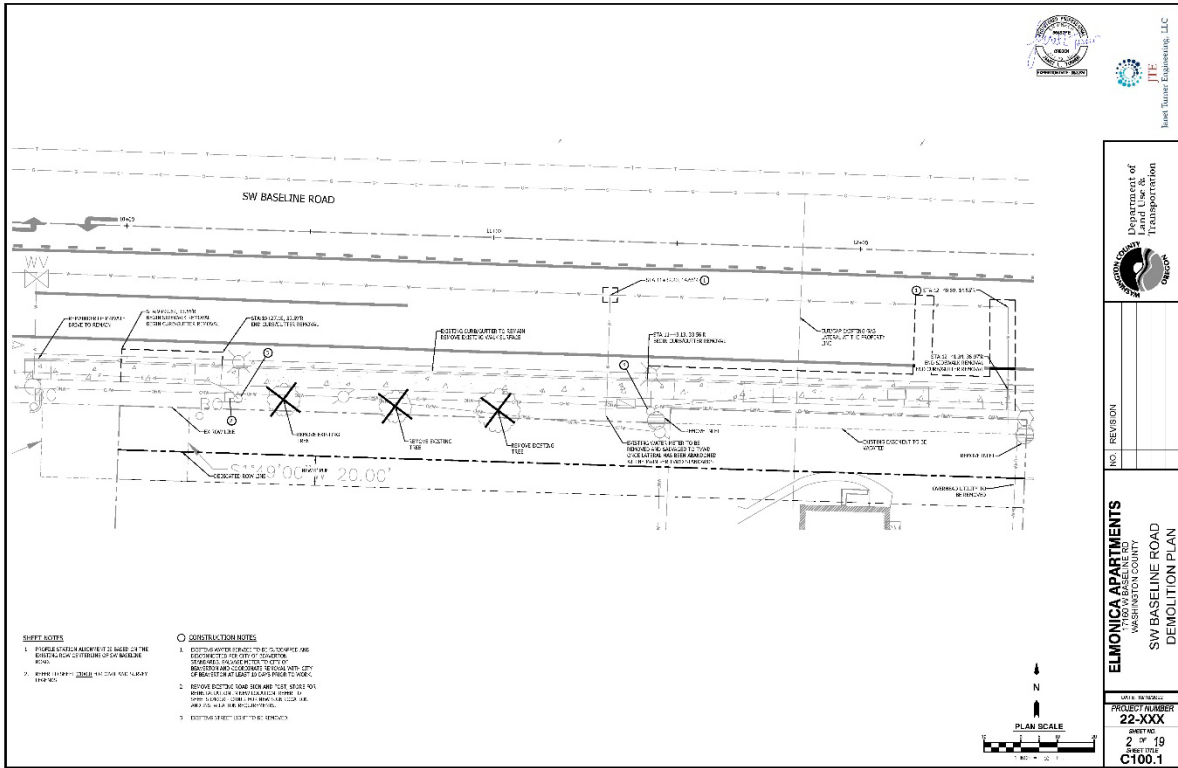


## LEGEND:

-  **Limit of Frontage Improvements**  
Frontage of Parcel 1 (Document No. 2000-002560)

# EXHIBIT B – DEMOLITION PLAN

Date: 10/10/2022



- SHIFT NOTES**
1. SYMBOLS AND DIMENSIONS ARE TO BE BASED ON THE EXISTING AS-BUILT CONDITIONS OF THE BUILDING.
  2. REMOVE EXISTING CONCRETE AND CURB AND SIDEWALK DIMENSIONS.

- CONSTRUCTION NOTES**
1. EXISTING EXTERIOR FINISHES TO BE DEMOLISHED AND EXPOSED TO THE EXISTING FOUNDATION.
  2. REMOVE EXISTING CONCRETE AND CURB AND SIDEWALK DIMENSIONS AND EXPOSED TO THE EXISTING FOUNDATION.
  3. EXISTING EXTERIOR FINISHES TO BE DEMOLISHED.

	NO. REVISION
	ELMONICA APARTMENTS
	DEMOLITION PLAN
PROJECT NUMBER <b>22-XXX</b>	
SHEET NO. <b>2 OF 19</b>	
SHEET TITLE <b>C100.1</b>	

# EXHIBIT C – CIVIL PLAN

Date: 10/10/2022

