

AFTER RECORDING, RETURN TO:

City of Beaverton
Attn: Public Works, Engineering Division
PO Box 4755
Beaverton, OR 97076

Washington County, Oregon	2020-015916
D-DD	02/25/2020 02:59:23 PM
Str=2 S AKINS	
\$45.00 \$11.00 \$5.00 \$60.00	\$121.00
I, Margaret Garza, Interim Director of Assessment and Taxation and Ex-Officio County Clerk for Washington County, Oregon, do hereby certify that the within instrument of writing was received and recorded in the book of records of said county.	
Margaret Garza, Interim Director of Assessment and Taxation, Ex-Officio	

NO CHANGE IN TAX STATEMENTS

GRANTOR: George J. Choban and Anastasia Choban
4245 NW 175th Ave.
Portland, OR 97229

GRANTEE/CITY: City of Beaverton, an Oregon municipal corporation

DEDICATION OF RIGHT-OF-WAY

BACKGROUND

- A. Grantor owns real property legally described in **Exhibit A** ("Property") and depicted in **Exhibit B**, both of which are incorporated by these references.
- B. The City, its heirs, successors and assigns, constructs, manages and maintains public rights-of-way throughout the city.
- C. The City requests a dedication of right-of-way on the Property in the location described in **Exhibit C** ("Right-of-Way") and depicted in **Exhibit D**, which are attached and incorporated by these references.

NOW, THEREFORE, the true consideration for this dedication consists in part of other property or value given or promised, the receipt and sufficiency of which is acknowledged, the parties agree as follows:

1. Dedication of Right-of-Way. Grantor, its heirs, successors and assigns, grants and conveys to the City, a perpetual and permanent Dedication of Right-of-Way ("Dedication") for street, sidewalk, bicycle, storm drainage, and utility purposes over the Property in the location described in Exhibit C and depicted in Exhibit D.
1. City's Rights. This Dedication shall be interpreted broadly to allow the City and its officers, employees, agents, assigns, public utility providers and independent contractors to use the easement for all purposes related to right-of-way and utilities. The City has the right to excavate, construct, install, place, lay, operate, inspect, maintain, relocate, add to, and remove right-of-way improvements, underground pipelines and/or cables and related structures and facilities within the Right-of-Way. The City has the right to cut, trim, and remove trees or other vegetation within the Right-of-Way, and the right to remove other obstructions that may endanger or interfere with the construction, reconstruction, maintenance, inspection, efficient service, or removal of all or any part of its right-of-way or respective utility system from the Right-of-Way without the necessity at any time of getting consent or compensating Grantor.

- 2. Grantor's Warranties. Grantor warrants that it is the owner in fee simple and has the legal right to convey the Right-of-Way to the City. Grantor also warrants that the Right-of-Way is free of all taxes, liens, and encumbrances. Grantor shall defend this Dedication against all lawful claims and demands of anyone claiming a right granted by Grantor. Grantor warrants to the City that the person executing this Agreement on behalf of Grantor is duly authorized to make this conveyance.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSONS RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Signatures on Following Page

THIS DEDICATION is granted this 20th day of February, 2020.

INDIVIDUAL OWNER(S) SIGN BELOW:

Owner's Signature

George Choban
George Choban

STATE OF OREGON)
) ss.

County of Washington)

This instrument was acknowledged before me on

February, 20, 2020 by
George Choban (Name).

Alex Tollefson
Notary Public for Oregon
My commission expires Dec 29, 2023



Second Owner's Signature (if applicable)

Anastasia Choban
Anastasia Choban

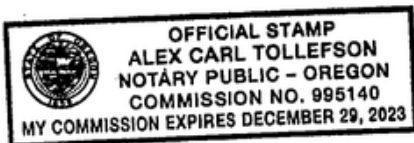
STATE OF OREGON)
) ss.

County of Washington)

This instrument was acknowledged before me on

February, 20, 2020 by
Anastasia Choban (Name).

Alex Tollefson
Notary Public for Oregon
My commission expires Dec 29, 2023



PARTNERSHIP, LLC, CORPORATION, TRUST, OR OTHER LEGAL ENTITY SIGN BELOW:

Entity name

Signature

Printed Name of Person, Title

STATE OF OREGON)
) ss.

County of _____)

This instrument was acknowledged before me on

_____, 20__ by _____ (Name of person)
_____, _____ (Title) of _____ (Name of entity).

Notary Public for _____
My commission expires _____

THIS DEDICATION is accepted by the City of Beaverton, Oregon.

Denny Doyle
Mayor, City of Beaverton

STATE OF OREGON)
) ss.
County of Washington)

This instrument was acknowledged before me on February 25, 2020, by
Mayor Denny Doyle.



Rachel M Solonika
Notary Public for Oregon
My commission expires: July 31 2020

Approved as to form:

Approved as to legal description:

Megan Houston
City Attorney

David G. Winship PLS 2165
City Surveyor

EXHIBIT A

Legal Description of Property

PARCEL 1 (Shell):

Lot 2, Partition Plat No. 2011-018, Washington County, Oregon (1.53 acres)

PARCEL 2 (Restaurant):

Beginning at the Southeast corner of the Josiah Hall Donation Land Claim No. 58 in Section 3, Township 1 South, Range 1 West, Willamette Meridian, Washington County, Oregon, thence North along the East line of said Donation Land Claim 160 feet; thence West, parallel with the South line of said Donation Land Claim 280 feet; thence South parallel with the East line of said Donation Land Claim 160 feet to the South line of said Donation Land Claim; thence East 280 feet to the point of beginning.

EXHIBIT B

Map of Property

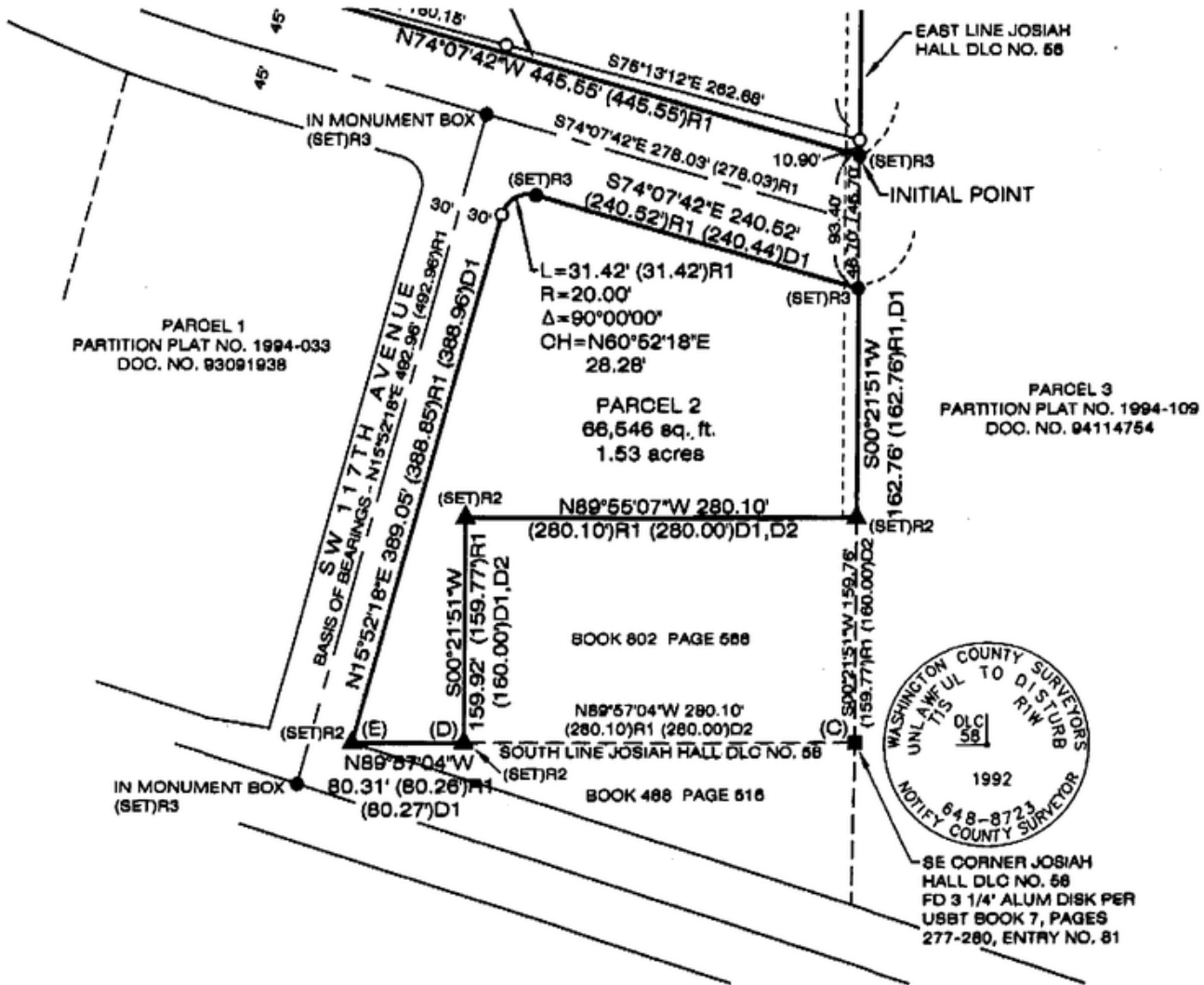


EXHIBIT C

Legal Description of Easement



SW Barnes Rd and SW Choban Lane
January 15, 2020

File No. 5
Tax Map 1S103BA
Tax Lots 01300, 01400,
& 02300

PARCEL 1 (RIGHT-OF-WAY DEDICATION)

A parcel of land situate in the Josiah Hall Donation Land Claim (DLC) No. 58 and the northwest one-quarter of Section 3, Township 1 South, Range 1 West of the Willamette Meridian, City of Beaverton, Washington County, Oregon and being a portion of that property conveyed to George J. Choban and Anastasia Choban in that Statutory Bargain and Sale Deed, recorded March 1, 2018, as Document No. 2018-014807 and in that Warranty Deed, recorded June 11, 1963, in Book 488, Page 516, both in Washington County Deed Records; said parcel being that portion of said property more particularly described as follows:

Beginning at the Southeast corner of the Josiah Hall Donation Land Claim (DLC) No. 58, being a found 3-1/4 inch aluminum cap in concrete marked "Washington County Surveyor T1S R1W DLC58 1992", said point also being on the East line of said property; thence along said East line South 01°22'13" West, a distance of 112.86 feet to the Southeast corner of said property, said point also being the Northeast corner of the right-of-way of SW Choban Lane, and being at a point of non-tangent curvature with a radial bearing of North 17°10'31" East; thence along said Northerly right-of-way and the arc of a 28607.89 foot radius curve to the right, through a central angle of 00°01'48" (the long chord of which bears North 72°48'35" West 14.95 feet), an arc distance of 14.95 feet; thence leaving said Northerly right-of-way North 45°20'13" East, a distance of 11.46 feet; thence North 00°20'13" East, a distance of 289.03 feet; thence North 89°38'31" West, a distance of 9.50 feet; thence North 00°20'41" East, a distance of 118.10 feet; thence South 74°08'00" East, a distance of 13.68 feet; thence along the arc of a 2935.00 foot radius curve to the right, through a central angle of 00°05'31" (the long chord of which bears South 74°05'14" East 4.71 feet), an arc distance of 4.71 feet to the East line of said property; thence along said East line South 00°20'13" West, a distance of 301.80 to the point of beginning.



The parcel of land to which this description applies contains 4,455 square feet, more or less.

The bearings of this description are established on Survey Number 33415, Washington County Survey Records.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

A handwritten signature in black ink, appearing to read "Stephen C. Williams". The signature is written in a cursive, flowing style.

OREGON
MAY 10, 2011
STEPHEN C. WILLIAMS
84070

RENEWS 06-30-20

EXHIBIT D

Map of Easement

