

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of Conveying Certain County-)
Owned Real Property to the Rainier School)
District #13)
)
Tax Account No. 03-05 7218-000-00400U1)
_____)

ORDER NO. 12 - 2003

WHEREAS, ORS 271.310(1) authorizes Columbia County to sell, exchange, convey or lease their interest in certain real property not needed for public use to any governmental body whenever the public interest may be furthered, the consideration for such transfer being cash or real property, or both; and

WHEREAS, on April 9, 1979, the Circuit Court of the State of Oregon for the County of Columbia entered of record the Judgment and Decree in *Columbia County v. Arola, et al*, Case No. 24964; and

WHEREAS, on April 10, 1980, pursuant to that Judgment and Decree, Columbia County, a political subdivision of the state of Oregon, acquired certain foreclosed real property, including a one-half interest in a parcel of land situated outside the City of Rainier which was formerly owned by The Briarcliff Golf & Country Club, Inc.; and

WHEREAS, the [Rainier] School District # 13 has remained the owner of the remaining one-half interest in and to this same parcel; and

WHEREAS, in an electronic communication dated December 18, 2002, Wayne Kostur, Superintendent for the Rainier School District #13, advised that Rainier School District #13 had accepted the Board of County Commissioners' offer to transfer title of Columbia County's one-half interest in this parcel of County-owned property, generally described as a roadway to property owned by the Rainier School District and located off of the Old Columbia River Highway; and

WHEREAS, a map of the subject property is attached hereto as Exhibit A and by this reference incorporated herein; and

WHEREAS, the County-owned parcel is legally described and given a current assessed value as follows:

Tax Account No. 03-05 7218-000-00400U1

\$600 AV

Commencing at a point on the North line of the right of way of the Columbia River Highway, 697.79 feet West and 298.81 feet North of the Southeast corner of the Northwest quarter of Northwest quarter of Section 18 in Township 7 North, Range

63°15'18" East 76.77 feet; thence Northerly 84.79 feet along a curve to the right with a radius of 573 feet to a point 537.41 feet West and 394.21 feet North of the said Southeast corner of the Northwest quarter of Northwest quarter; thence North 0°13'55" East 66.72 feet; thence along a curve to the right with a radius of 70 feet through a central angle of 90°27'45" for a distance of 110.52 feet; thence South 89°18'20" East 217.18 feet; thence North 0°41'40" East 30 feet; thence North 89°18'20" West 327.99 feet; thence South 0°13'55" West 264.25 feet; thence North 89°25'55" West 120 feet to the place of beginning.

WHEREAS, Columbia County has determined that the above-described property is not needed for public use and the public interest would be furthered to transfer ownership of this property to the Rainier School District.

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. Columbia County shall relinquish title to the real property described above to the Rainier School District #13 for the consideration of \$1.00, plus the cost of handling and recording the deed, receipt of which is hereby acknowledged.
2. This conveyance shall be by Quitclaim Deed, duly prepared by County Counsel and executed by the Board of Commissioners, a copy of which is attached hereto as Exhibit B and by this reference incorporated herein.

DATED this 19th day of February, 2003.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

Approved as to form

By: John K. Kyles
Office of County Counsel

By: Joel Corsiglia
Chair

By: Debra M. Bernhard
Commissioner

By: [Signature]
Commissioner

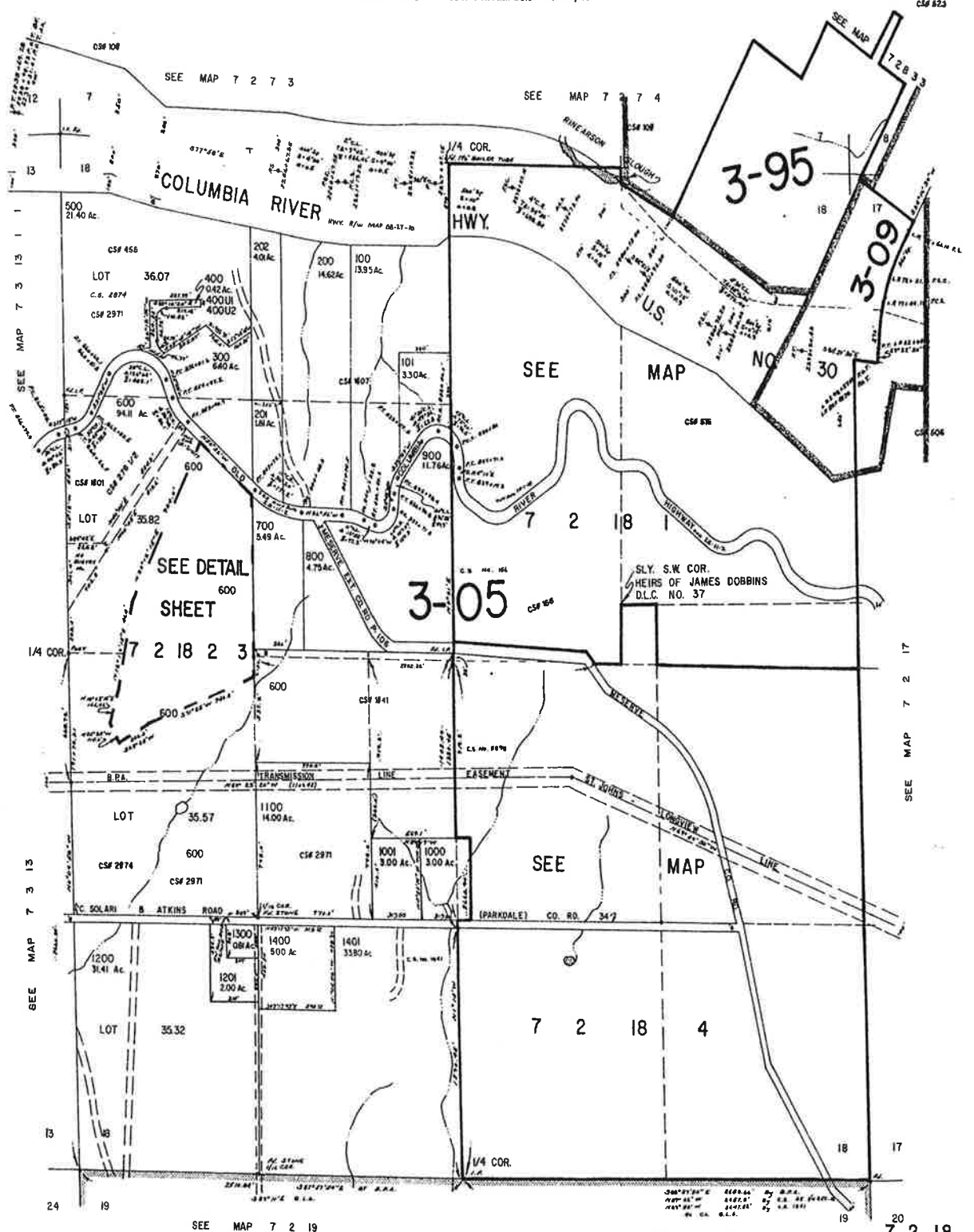
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EXHIBIT A

7218-000-0040001

SECTION 18 T.7N. R.2W. W.M.
COLUMBIA COUNTY
THIS MAP HAS BEEN PREPARED FOR ASSESSMENT PURPOSES ONLY
Scale: 1" = 400' Current Revision Date: 11/10/00

7 2 18
& INDEX



SEE MAP 7 2 19

SEE MAP 7 2 19 1 1

7 2 18
& INDEX

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, that the COUNTY OF COLUMBIA, a political subdivision of the State of Oregon, hereinafter called Grantor, for the consideration hereinafter stated, does hereby release and quitclaim unto the RAINIER SCHOOL DISTRICT #13, hereinafter called Grantee, all their right, title and interest in and to the following described parcel of real property situated in the County of Columbia, State of Oregon, described as follows, to wit: Tax Account No. 03-05 7218-000-00400U1.

The property is more specifically described as: see Exhibit A, attached.

The true and actual consideration for this conveyance is \$1.00 and other valuable consideration.

THIS INSTRUMENT WILL 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 APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

This conveyance is subject to the following exceptions, reservations and conditions:

- 1) This property is conveyed AS-IS without covenants or warranties, subject to any municipal liens, easements and encumbrances of record.
- 2) All rights to any County, public, forest or C.C.C. roads are hereby reserved for the benefit of Columbia County, Oregon.
- 3) All rights to any minerals, mineral rights, ore, metals, metallic clay, oil, gas or hydrocarbon substances in, on or under said property, if any, including underground storage rights, and also including the use of such water from springs, creeks, lakes or wells to be drilled or dug upon the premises as may be necessary or convenient for such exploration or mining operations, as well as the conducting of operations related to underground storage and production of gaseous substances on the property, are specifically excepted, reserved and retained for the benefit of Columbia County, Oregon, together with the right of ingress and egress thereto for the purpose of exercising the rights hereby excepted, reserved and retained.

This conveyance is made pursuant to Board of County Commissioners Order No. 12 - 2003 adopted on February 19, 2003, and filed in Commissioners Journal at Book ___, Page ___.

IN WITNESS WHEREOF, the Grantor has executed this instrument this ___ day of February, 2003.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: _____
Chair

By: _____
Commissioner

By: _____
Commissioner

Approved as to form

By: _____
Office of County Counsel

STATE OF OREGON)
County of Columbia)

ss.

ACKNOWLEDGMENT

This instrument was acknowledged before me on the ___ day of February, 2003, by Joe Corsiglia, Rita Bernhard and Anthony Hyde, as Commissioners of Columbia County, Oregon, on behalf of whom the instrument was executed.

Notary Public for Oregon
My Commission Expires: _____

GRANTOR'S NAME AND ADDRESS:
Board of County Commissioners
for Columbia County, Oregon
Columbia County Courthouse, Room 331
230 Strand
St. Helens, OR 97051

AFTER RECORDING RETURN TO GRANTEE:
Rainier School District #13
Post Office Box 160
Rainier, OR 97048
[Until a change is requested, send all tax statements to
Grantee at above address]

EXHIBIT A**[Tax Account No. 03-05 7218-000-00400U1]**

Commencing at a point on the North line of the right of way of the Columbia River Highway, 697.79 feet West and 298.81 feet North of the Southeast corner of the Northwest quarter of Northwest quarter of Section 18 in Township 7 North, Range 2 West, Willamette Meridian, Columbia County, Oregon; running thence Southeasterly along the North line of said right of way 101.4 feet; thence North $63^{\circ}15'18''$ East 76.77 feet; thence Northerly 84.79 feet along a curve to the right with a radius of 573 feet to a point 537.41 feet West and 394.21 feet North of the said Southeast corner of the Northwest quarter of Northwest quarter; thence North $0^{\circ}13'55''$ East 66.72 feet; thence along a curve to the right with a radius of 70 feet through a central angle of $90^{\circ}27'45''$ for a distance of 110.52 feet; thence South $89^{\circ}18'20''$ East 217.18 feet; thence North $0^{\circ}41'40''$ East 30 feet; thence North $89^{\circ}18'20''$ West 327.99 feet; thence South $0^{\circ}13'55''$ West 264.25 feet; thence North $89^{\circ}25'55''$ West 120 feet to the place of beginning.