

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

In the Matter of Conveying Certain Real Property )  
to Daryl D. Irvin and Donald L. Irvin )  
 )  
[Tax Account No. 01-08 3224-023-01700] )  
\_\_\_\_\_ )

**ORDER NO. 30 - 2004**

WHEREAS, on October 9, 2000, *nunc pro tunc* October 2, 2000, the Circuit Court of the State of Oregon for the County of Columbia entered of record the Judgment and Decree in *Columbia County v. Transition Support Services, Inc., et al*, Case No. 00-2420; and

WHEREAS, on November 8, 2002, pursuant to that Judgment and Decree, Columbia County, a political subdivision of the state of Oregon, acquired certain foreclosed real property, including a certain parcel of land situated outside the City of Scappoose which was formerly owned by Elizabeth (Hennessey) Wood, through tax deed recorded as Instrument No. 01-14306; and

WHEREAS, this property is referred to as Tax Account No. 01-08 3224-023-01700 and is more particularly described as follows:

Lot 17, Block 9, COLUMBIA ACRES No. 2,  
Columbia County, Oregon.

and

WHEREAS, the Board of County Commissioners deemed this property surplus to the County's needs, and the property was offered for sale through the County's website; and

WHEREAS, ORS 275.225 permits the County to sell county land by private sale, provided that the property is assessed at less than \$5,000 on the most recent assessment roll prepared for the County, and is unsuited for construction or placement of a dwelling under current zoning ordinances and building codes of the County; and

WHEREAS, the property has been assessed at \$440.00, and is unsuited for construction or placement of a dwelling; and

WHEREAS, on March 15, 2004, the County received an offer to purchase the property; and

WHEREAS, pursuant to ORS 275.225, notice of private sale was published in a newspaper of general circulation on March 31, 2004, and more than 15 days has elapsed since publication of said notice; and

WHEREAS, thereafter the County received several offers to purchase this parcel of county-owned property; and

WHEREAS, on April 27, 2004, Columbia County held a telephonic auction whereby the individuals submitting written offers were invited to bid on the property; and

WHEREAS, Daryl Irvin and Donald Irvin submitted the highest bid to purchase the parcel, said bid being in the amount of \$1,350, meeting the price requirement of ORS 275.200; and

WHEREAS, on April 27, 2004, Daryl Irvin and Donald Irvin submitted cash to Columbia County in the amount of \$1,395 representing the highest bid for purchase of this parcel plus \$45 to cover the required handling and recording fees in the issuance of a quitclaim deed; and

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. Pursuant to ORS 275.225, the Board authorizes the sale of the above-described property to Daryl Irvin and Donald Irvin for \$1,350.
2. The Board of County Commissioners shall execute the Quitclaim Deed for Tax Account No. 01-08 3224-023-01700 to Daryl D. Irvin and Donald L. Irvin, a copy of which is attached hereto as Exhibit A and by this reference incorporated herein, for the sum of \$1,350 plus \$45 handling and recording fees, receipt of which is hereby acknowledged.

DATED this 12<sup>th</sup> day of May, 2004.

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

By:   
Chair

By: \_\_\_\_\_  
Commissioner

By:   
Commissioner

Approved as to form:

By:   
Office of County Counsel

S:\COUNSEL\LANDS\322402301700\ORDER PRIV SALE.wpd

**EXHIBIT A**  
**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 **DARYL D. IRVIN and DONALD L. IRVIN**, hereinafter called Grantees, and unto their heirs, successors and assigns, 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. 01-08 3224-023-01700.**

The property is more specifically described as: Lot 17, Block 9, COLUMBIA ACRES No. 2, Columbia County, Oregon.

The true and actual consideration for this conveyance is \$1350.00

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. 30 - 2004 adopted on May 12, 2004, and filed in Commissioners Journal at Book \_\_\_\_, Page \_\_\_\_.

IN WITNESS WHEREOF, the Grantor has executed this instrument this \_\_\_\_ day of May, 2004.

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 May, 2004, by Rita Bernhard, Joe Corsiglia 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:**  
Daryl Irvin and Donald Irvin  
13190 S.E. 45th  
Milwaukie, OR 97222

[Until a change is requested, send all tax statements to Grantee at above address].