

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

In the Matter of Conveying Certain Real )  
Property to Theodore D. Bush and Beverly )  
J. Bush, husband and wife ) **ORDER NO. 64 - 2004**  
)  
[Tax Account No. 05-10 7404-010-01300 )  
\_\_\_\_\_ )

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 Clatskanie which was formerly owned by Nicholas Snyder, et al., through tax deed recorded as Instrument No. 02-14306 ; and

WHEREAS, this property is referred to as Tax Account No. 05-10 7404-010-01300 and is more particularly described as follows:

Beginning at a point 26.01 chains West of the Northeast corner of Section 4, Township 7 North, Range 4 West, Willamette Meridian, Columbia County, Oregon, said point being at the point of intersection between the North line of said Section 4 and the West line of the Astoria and Columbia River Railroad right of way; thence West 254 feet; thence South 14 degrees 16 minutes East 121.44 feet; thence North 62 degrees 20 minutes East 240.9 feet to the point of beginning.

and

WHEREAS, Theodore and Beverly Bush, adjacent property owners, approached the County with an offer to purchase the lot; and

WHEREAS, the Board of County Commissioners deemed this property surplus to the County's needs, and that the highest and best use would be to an adjoining property owner; 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 \$500.00, and is unsuited for construction or placement of a dwelling; and

WHEREAS, pursuant to ORS 275.225, notice of private sale was published in a newspaper of general circulation on July 22, 2004, and more than 15 days has elapsed since publication of said notice; and

WHEREAS, no further offers have been received by the County pursuant to this notice; and

WHEREAS, on June 8, 2004, Ted Bush submitted a check to Columbia County in the amount of \$545.00, the sum of \$500.00 to purchase this parcel and the sum of \$45.00 to cover recording and handling fees;

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 Theodore and Beverly Bush for \$500.

2. The Board of County Commissioners shall execute the Quitclaim Deed for Tax Account No. 05-10 7404-010-01300 to Theodore D. Bush and Beverly J. Bush, husband and wife, a copy of which is attached hereto as Attachment 1 and by this reference incorporated herein, for the sum of \$500, receipt of which is hereby acknowledged.

DATED this 11<sup>th</sup> day of August, 2004.

BOARD OF COUNTY COMMISSIONERS FOR COLUMBIA COUNTY, OREGON

By: [Signature]  
Chair

By: [Signature]  
Commissioner

By: [Signature]  
Commissioner

Approved as to form:

By: [Signature]  
Office of County Counsel

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QUITCLAIM DEED

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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 **THEODORE D. BUSH and BEVERLY J. BUSH**, husband and wife, 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. 05-10 7404-010-01300.**

The property is more specifically described as:

Beginning at a point 26.01 chains West of the Northeast corner of Section 4, Township 7 North, Range 4 West, Willamette Meridian, Columbia County, Oregon, said point being at the point of intersection between the North line of said Section 4 and the West line of the Astoria and Columbia River Railroad right of way; thence West 254 feet; thence South 14 degrees 16 minutes East 121.44 feet; thence North 62 degrees 20 minutes East 240.9 feet to the point of beginning.

The true and actual consideration for this conveyance is \$500.00 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. 64 - 2004 adopted on August 11, 2004, and filed in Commissioners Journal at Book \_\_\_\_, Page \_\_\_\_.

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

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

By: \_\_\_\_\_  
Chair

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

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

Approved as to form

By: Suzali Hoover  
Office of County Counsel

STATE OF OREGON

County of Columbia

ss.

ACKNOWLEDGMENT

This instrument was acknowledged before me on the \_\_\_\_ day of August, 2004, by Rita Bernhard, Joe Corsiglia and Tony 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

Ted and Beverly Bush  
18711 Beaver Falls Road  
Clatskanie, OR 97016  
[Until a change is requested, send all tax statements to  
Grantee at above address]