

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of Conveying Certain Real)
Property to Columbia County Self-Help, Inc.) SECOND AMENDED
[Tax Account Nos. 02-01-2-4104-024-08300) ORDER NO. 77 - 04
and 02-01-2-4104-024-08400])
_____)

WHEREAS, Columbia County Self-Help, Inc. ("Self-Help"), is a domestic non-profit public benefit corporation that is exempt from federal income taxes under section 501(c)(3) of the Internal Revenue Code; and

WHEREAS, Self-Help would like to acquire the land and building owned by the Grace Baptist Church of St. Helens, Oregon, located at 125 North 17th Street in St. Helens, Oregon (the "real property"), for the purpose of establishing a family resource center; and

WHEREAS, the real property is currently designated as Tax Account Nos. 02-01-2-4104-024-08300 and 02-01-2-4104-024-08400 for assessment and taxation purposes, and is more particularly described as follows:

Lots 9, 10, 13, 14 and 15, Block 145, City of St. Helens, Columbia County, Oregon;

and

WHEREAS, the County has received a Community Development Block Grant (CDBG) in the amount of \$385,000 provided by the Oregon Economic and Community Development Department which it will use to help Self-Help acquire the property; and

WHEREAS, pursuant to the terms of the CDBG contract, a public agency such as Columbia County must be a grant sponsor and must own the real property where the project is located in order to receive the CDBG funds; and

WHEREAS, in addition, a requirement of CDBG funding is the deed to the property must be subject to the condition that the property be used only for CDBG-eligible activities for at least five years after construction of the project; and

WHEREAS, in order to meet the requirements of CDBG funding, it is proposed that Self-Help would purchase the real property with the CDBG funds provided by the County and other funds it has acquired, Self-Help would sell the real property to the County in exchange for the CDBG funds the County contributed, and the County would then convey the property back to Self-Help, Inc., subject to deed restrictions as stated above; and

WHEREAS, Columbia County is willing to both receive and convey the real property in order that Columbia County Self-Help, Inc., may establish a family resource center as proposed; and

WHEREAS, pursuant to ORS 275.030, a county may sell and convey real estate owned by the county in a manner provided in ORS chapter 271 if the real estate was not acquired by foreclosure for nonpayment of real property taxes and the county governing body deems it not to the best interest of the county to sell and convey in the manner provided under ORS 275.120, 275.140 to 275.160 and 275.260; and

WHEREAS, the real property would not be acquired by foreclosure for nonpayment of real property taxes; and

WHEREAS, ORS 275.120, 275.140 to 275.160 and 275.260 establish a process whereby an auction is conducted by the sheriff and properties are sold to the highest bidder; and

WHEREAS, the auction procedure is not appropriate for this circumstance where the CDBG grant is specifically for the purpose of enabling Self-Help to establish a family resource center; and

WHEREAS, pursuant to ORS 271.330(2), any political subdivision is granted express power to relinquish the title to any of its property to a qualifying nonprofit corporation for the purpose of providing any of the following:

- (A) Low income housing;
- (B) Social services; or
- (C) Child care services; and

WHEREAS, the family resource center being proposed by Self-Help has all of the purposes provided for by the statute;

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. The Board of County Commissioners deems it not to the best interest of the county to sell and convey the real property proposed for the family resource center in the manner provided under ORS 275.120, 275.140 to 275.160 and 275.260.

2. The Board authorizes the purchase of the above-described real property from Columbia County Self-Help, Inc., for \$385,000.00 using only the CDBG funds for the purchase.

3. Pursuant to ORS 271.330(2), the Board authorizes the conveyance of the above-described real property to Columbia County Self-Help, Inc., for \$0.00, subject to the deed restrictions applicable to CDBG-funded projects.

4. The Board of County Commissioners is authorized to execute the Quitclaim Deed for the above-described real property to Columbia County Self-Help, Inc., a copy of which is attached hereto as Exhibit "A" and incorporated herein by this reference.

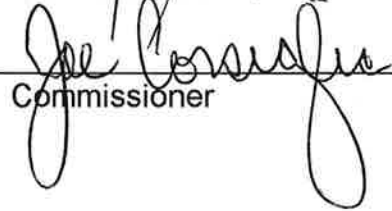
[Note: This order was amended to correct the County's purchase price and to delete reference to Ford Family Foundation funds which were contributed by Self-Help directly to Grace Baptist Church outside of escrow.]

DATED this 15th day of December, 2004.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: 
Chair

By: _____
Commissioner

By: 
Commissioner

Approved as to form:

By: 
Office of County Counsel
H:\BOC\CAT\Family Resource Center\Order4.wpd

EXHIBIT "A"

QUITCLAIM DEED

COLUMBIA COUNTY, a political subdivision of the State of Oregon, hereinafter called Grantor, does hereby release and quitclaim unto COLUMBIA COUNTY SELF-HELP, INC., an Oregon non-profit corporation, hereinafter called Grantee, and unto its successors and assigns, all of its 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:

Lots 9, 10, 13, 14 and 15, Block 145, City of St. Helens, Columbia County, Oregon.

The true and actual consideration for this conveyance is \$15,000.00.

The described property is to remain in use as a Family Resource Center providing social services to low income persons until December 31, 2009. This restriction shall remain enforceable by grantor through that date.

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.

DATED this ____ day of _____, 2004.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: _____
Chair

By: _____
Commissioner

By: _____
Commissioner

ACKNOWLEDGMENT

STATE OF OREGON)
)
County of Columbia)

ss.

EXHIBIT "A"

This instrument was acknowledged before me on the ____ day of _____, 2004, by Rita Bernhard, Tony Hyde and Joe Corsiglia as the Board of County Commissioners of Columbia County, Oregon, on behalf of which the instrument was executed.

Notary Public for Oregon

My Commission Expires: _____

GRANTOR'S NAME AND ADDRESS:

Board of County Commissioners
Room 331, Courthouse
230 Strand
St. Helens, Oregon 97051

AFTER RECORDING RETURN TO GRANTEE:

Columbia County Self-Help, Inc.
310 Columbia Boulevard
St. Helens, Oregon 97051
[Until a change is requested, send all tax statements to
Grantee at above address.]