

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR COLUMBIA COUNTY, OREGON

In the Matter of Conveying Certain County-Owned)
Real Property Known as Tax Account No. 03-02)
7235-014-00300 to Val Massey and Rebecca Massey)
_____)

ORDER NO. 81 - 2004

WHEREAS, certain real property in Columbia County, Oregon, which has been assigned Tax Account No. 03-02 7235-014-00300, was foreclosed upon for nonpayment of back taxes in *Columbia County v. Neuman, et al.*, Case No. 02-2308 said property listed as Parcel No. 02-019 in said foreclosure proceeding, being more particularly described as:

Tract 19, Prescott Homes, Columbia County, Oregon.

and

WHEREAS, the records of the Columbia County Assessor's Office listed Val W. Massey and Rebecca E. Massey as the record owners of Parcel No. 02-019 at the time of the foreclosure, and tax statements and notices of foreclosure were sent to the listed record owners; and

WHEREAS, judgment was entered in *Columbia County v. Neuman, et al.*, Case No. 02-2308, on October 7, 2002, *nunc pro tunc* October 1, 2002, and ownership of said Parcel No. 02-019 was thereafter conveyed to Columbia County, Oregon, by deed recorded in the deed records of the Columbia County Clerk as Instrument No. 2004-012942; and

WHEREAS, on November 5, 2004, Larry Hudnall, on behalf of Val Massey, contacted Columbia County and advised that he would like to make arrangements to pay off the taxes, penalties, interest and fees accrued on the property formerly owned by the Masseys and conveyed to Columbia County, Oregon, by deed recorded as Instrument No. 2004-012942 and to seek reconveyance of such property to the Masseys; and

WHEREAS, Val Massey has made a written request to purchase back the property formerly owned by the Masseys, a copy of said request being attached hereto as Exhibit A and by this reference incorporated herein,

WHEREAS, the total amount currently due for back taxes, interest, penalties and fees on the Masseys' property is \$7,799.25, as reflected on the Calculations for Reconveyance form attached hereto as Exhibit B and by this reference incorporated herein; and

WHEREAS, on November 8, 2004, Mr. Hudnall tendered a certified check in the amount of \$7,844.25 to Columbia County to completely pay the back taxes, interest, penalties and

fees assessed up to November 13, 2004, on the Masseys' property, and to cover the costs of handling and recording a Quitclaim Deed, a copy of said check attached hereto as Exhibit C and by this reference incorporated herein; and,

WHEREAS, ORS 275.180 provides that the County, in its discretion, may, without public notice, sell and convey by deed signed by the Board of County Commissioners to the record owner any property acquired by the county for delinquent taxes for not less than the amount of taxes and interest accrued and charged against such property at the time of purchase by the county with interest thereon at the rate of six percent per annum from the date of such purchase; and

WHEREAS, the payment required to be made under ORS 275.180 on Tax Account No. 7235-014-00300 has been paid;

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

- (1) Val W. Massey and Rebecca E. Massey are authorized to repurchase the property referred to as Tax Account No. 7235-014-00300 for the sum of \$7,799.25, payment of which is hereby acknowledged.
- (2) A quitclaim deed, a copy of which is attached hereto as Exhibit D and incorporated herein by this reference, reconveying the property to Val W. Massey and Rebecca E. Massey shall be signed by this Board and recorded in the records of the County Clerk with recording fees being paid from the proceeds.

DATED this 10th day of November, 2004.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: [Signature]
Chair

By: _____
Commissioner

By: [Signature]
Commissioner

Approved as to form

By: [Signature]
Office of County Counsel

S:\COUNSEL\LANDS\723501400300\ORD RECONVEY.wpd

11-05-04
To the Board of Commissioners and Book 088 PAGE 368
Zemaitis.

EXHIBIT A

At this time I am in the process of selling my interest in the house and grounds located at 72738 Blakely Street, Rainier (Prescott), Oregon ^{to island} Larry Hudnall, 66650 Bishop Creek, OR 97054 (Phone 503-556-0607 or 503-369-0371 cell).

If the board sees fit to reconvey my property back to me, I will sell my interest and will pay all taxes & fees due prior to such conveyance. Rebecca has previously signed an agreement to release her interest.

Mr Hudnall will clean & refurbish the property so that it will more than comply with county ordinances pertaining to trash and cars and such.

It should be noted that Mr Hudnall reserves the right to back out the agreement if so advised by attorney.

Val Massey 11-5-04

**CALCULATIONS FOR RECONVEYANCE OF
FORECLOSED PROPERTY UNDER ORS 275.180**

Computation of Amount Required for Reconveyance: (cash or certified check only)

Name: **MASSEY, VAL & REBECCA**
Account: **03-02 7235-014-00300**

Date Calculation: 27-Oct-04
Date of Judgmt & Decree: 01-Oct-02
Proposed date of Reconveyance 13-Nov-04

1	Principal delinquent taxes as of 10/01/02 (see Ex. 1 to Judgment & Decree of foreclosure)	\$1,786.48
2	Interest through 10/01/02 (see Ex. 1 to Judgment & Decree of foreclosure)	\$599.33
3	TOTAL (Judgment & Decree)	\$2,385.81
4	Penalty (5% of line 3)	\$119.29
5	Number of days in foreclosure x interest at 9% per annum	\$455.33
6	Title Search Fee	\$150.00
7	Total Amount Due on Foreclosed Taxes	\$5,496.24

	318	2004
# of days in foreclosure	774	365
		2003
		91
		2002
	774	

8	Subsequent Years of Unpaid Taxes	
	Year: 2002/2003	\$560.61
	Interest on taxes	\$156.97
	Year: 2003/2004	\$576.43
	Interest on taxes	\$51.24
	Year: 2004/2005	\$591.88
	Interest on taxes	\$0.00
	Total Amount Taxes Due and Owing	\$1,937.12
9	Staff Time	\$365.89
10	GRAND TOTAL NEEDED FOR RECONVEYANCE	<u>\$7,799.25</u>

STAFF INVOLVEMENT:

	Hours	Rate	Total
Cynthia Zemaitis, Natural Resources Administrator	5	\$27.35	\$136.75
Robert Crain, Code Enforcement Officer	9.5	\$24.12	\$229.14
			<u>\$365.89</u>

EXHIBIT B

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Previous Record Owner: **MASSEY, VAL & REBECCA**

Tax Account No: 03-02 7235-014-00300

INTEREST CALCULATIONS ON UNPAID TAXES 2002, 2003 & 2004

Interest Rate Per Month or Portion Thereof

1.33330%

YEAR	2002/2003	TOTAL TAXES DUE	\$560.61	
	TAXES DUE	INTEREST PERIOD	# OF MONTHS	INTEREST DUE
One-third due November 15, 2002	\$186.87	Interest from 11/16/02 to 2/15/03	3	\$7.47
Two-thirds due February 15, 2003	\$373.74	Interest from 2/16/03 to 5/15/03	3	\$14.95
Total due from May 16, 2003 to date of pay-off, November 13, 2004	\$560.61	Interest from 5/16/03 to 11/13/04	18	\$134.54
				<u>\$156.97</u>

YEAR	2003/2004	TOTAL TAXES DUE	\$576.43	
	TAXES DUE	INTEREST PERIOD	# OF MONTHS	INTEREST DUE
One-third due November 15, 2003	\$192.14	Interest from 11/16/03 to 2/15/04	3	\$7.69
Two-thirds due February 15, 2004	\$384.29	Interest from 2/16/04 to 3/15/04	1	\$5.12
Total due from May 16, 2004 to date of pay-off, November 13, 2004	\$576.43	Interest from 5/16/04 to 11/13/04	5	\$38.43
				<u>\$51.24</u>

YEAR	2004/2005	TOTAL TAXES DUE	\$591.88	
	TAXES DUE	INTEREST PERIOD	# OF MONTHS	INTEREST DUE
One-third due November 15, 2004	\$197.29	Interest from 11/16/04 to 2/15/05	0	\$0.00
Two-thirds due February 15, 2005	\$394.59	Interest from 2/16/05 to 5/15/05	0	\$0.00
Total due May 15, 2005	\$591.88	Interest from 5/16/05 to _____	0	\$0.00
				<u>\$0.00</u>

X RECEIVED BY *Larry R. Hoodnall*

612416

11-08-04 10:15:05 122455 Larry Hoodnall 0119
CHECK NUMBER: 000612416 CHECK AMOUNT: 7844.25
Columbia County

DETACH THIS PORTION BEFORE DEPOSITING

ST. HELENS COMMUNITY FEDERAL CREDIT UNION
ST. HELENS BRANCH 52691 COLUMBIA RIVER HWY. ST. HELENS, OREGON 97051 503-397-2376
SCAPOOSE BRANCH 52691 COLUMBIA RIVER HWY. SCAPOOSE, OR 97058 503-397-2376
RAINIER BRANCH 118 EAST A STREET RAINIER, OR 97048 96-7634-3232

612416

DATE: 11-08-04 CHECK NO.: 000612416 AMOUNT: 7,844.25
VOID AFTER 90 DAYS
SEVEN THOUSAND EIGHT HUNDRED FORTY FOUR AND 25 DOLLARS

PAY TO THE ORDER OF: Columbia County
St. Helens Community Federal Credit Union
L. Hoodnall
AUTHORIZED SIGNATURE

EXHIBIT C

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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 VAL W. MASSEY and REBECCA E. MASSEY, 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. 03-02 7235-014-00300.

The property is more specifically described as: Tract 19, Prescott Homes, Columbia County, Oregon.

The true and actual consideration for this conveyance is \$7,799.25.

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. 81 - 2004 adopted on November 10, 2004, and filed in Commissioners Journal at Book ____, Page ____.

IN WITNESS WHEREOF, the Grantor has executed this instrument this 10th day of November, 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 November, 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:
Val and Rebecca Massey
72738 Blakely Street
Rainier, OR 97048

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