

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of Selling Certain County-Owned
Real Property Known as Tax Account No.
04-03 4512-000-01200 to Richard E. Cook

)
) **ORDER NO. 21 - 2005**
) (To Execute and Deliver Quitclaim Deed)
)

WHEREAS, the County owns and wishes to sell a certain parcel of land that is known as Tax Account No. 04-03 4512-000-01200, Columbia County, Oregon, which is more particularly described as:

Beginning at the center of Section 12, Township 4 North, Range 5 West, Willamette Meridian, Columbia County, Oregon as established by Thomas S. Wilkes, County Surveyor, on the 12th day of March, 1882 and recorded in Book A of Survey records for Columbia County on page 36 thereof; thence North 89° 22' West 700 feet; thence North 510 feet, more or less, to a white stake being the true point of beginning of the herein described tract; thence North 89° 22' west 257 feet to a white stake; thence North 15° 45' West 860 feet, more or less, to the Nehalem River; thence Easterly, up the Nehalem River to a point bearing North 15° 45' West from the point of beginning, thence South 15° 45' West to the point of beginning. EXCEPT therefrom that portion contracted for sale to Robert L. Crocker, et ux, as described in contract recorded February 10, 1977 in Columbia County Deed Book 210 page 118. Also, EXCEPT therefrom that portion conveyed to William J. Darm, et ux, as described by deed recorded May 7, 1979 in Columbia County Deed Book 223, page 684.

Said property being a wedge-shaped parcel off of Kirk Road near Vernonia, Oregon; and

WHEREAS, pursuant to ORS 275.110 to 275.160, the County duly prepared and published a "Notice of Sale" and subsequently offered the parcel for sale at the Sheriff's auction held on October 15, 2002, for a minimum bid of \$4,160; and

WHEREAS, no bids were received at the Sheriff's sale for said parcel of land; and

WHEREAS, pursuant to ORS 275.200, the Board of County Commissioners for Columbia County, Oregon, may sell by private sale any lands the County has acquired in any manner, if any such lands remain unsold after attempts to sell such lands under ORS 275.120 to 275.160; and

WHEREAS, pursuant to ORS 275.200, Columbia County may sell this parcel at private sale without further notice at such price as the Board of Commissioners deems reasonable, but at a price no less than 15 percent of the minimum bid set under ORS 275.110 for the Sheriff's sale; and

WHEREAS, subsequent to the auction held on October 15, 2002, Columbia County received a written offer to purchase the parcel from Richard E. Cook in the amount of \$624, which meets the price requirement of ORS 275.200; and

WHEREAS, on September 28, 2004, Mr. Cook submitted a check to Columbia County in the amount of \$624 representing the purchase offer plus a check in the amount of \$45 to cover the required handling and recording fees in the issuance of a quitclaim deed;

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. On behalf of Columbia County, the Board accepts the offer submitted by Richard E. Cook for the purchase of certain County-owned real property known as Tax Account No. 04-03 4512-000-01200 .

2. The Board of County Commissioners shall execute the Quitclaim Deed, attached hereto as Exhibit A and by this reference incorporated herein, conveying Tax Account No. 04-03 4512-000-01200 to Richard E. Cook for the sum of \$624, receipt of which is hereby acknowledged.

DATED this 15th day of June, 2005.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

Approved as to form

By: John K. L. L.

Office of County Counsel

By: [Signature]

Chair

By: [Signature]

Commissioner

By: [Signature]

Commissioner

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QUITCLAIM DEED

BOOK 088 PAGE 159

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 **RICHARD E. COOK**, hereinafter called Grantee, and unto his heirs, successors and assigns, all 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, to wit: **Tax Account No. 04-03 4512-000-01200**.

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

The true and actual consideration for this conveyance is \$624.00.

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. 21 - 2005 adopted on June 1, 2005, and filed in Commissioners Journal at Book __, Page __.

IN WITNESS WHEREOF, the Grantor has executed this instrument this __ day of June, 2005.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: _____
Chair

By: _____
Commissioner

Approved as to form

By: _____
Office of County Counsel

By: _____
Commissioner

STATE OF OREGON)
)
County of Columbia) ss.

ACKNOWLEDGMENT

This instrument was acknowledged before me on the ____ day of June, 2005, by Anthony Hyde, Joe Corsiglia and Rita Bernhard as 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
for Columbia County, Oregon
Columbia County Courthouse, Room 331
230 Strand
St. Helens, OR 97051

AFTER RECORDING RETURN TO GRANTEE:
Richard E. Cook
58625 Kirk Road
Vernonia, OR 97064

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

EXHIBIT A

BOOK 089 PAGE 160

Tax Account No. 04-03 4512-000-01200

Beginning at the center of Section 12, Township 4 North, Range 5 West, Willamette Meridian, Columbia County, Oregon as established by Thomas S. Wilkes, County Surveyor, on the 12th day of March, 1882 and recorded in Book A of Survey records for Columbia County on page 36 thereof; thence North 89° 22' West 700 feet; thence North 510 feet, more or less, to a white stake being the true point of beginning of the herein described tract; thence North 89° 22' west 257 feet to a white stake; thence North 15° 45' West 860 feet, more or less, to the Nehalem River; thence Easterly, up the Nehalem River to a point bearing North 15° 45' West from the point of beginning, thence South 15° 45' West to the point of beginning. EXCEPT therefrom that portion contracted for sale to Robert L. Crocker, et ux, as described in contract recorded February 10, 1977 in Columbia County Deed Book 210 page 118. Also, EXCEPT therefrom that portion conveyed to William J. Darm, et ux, as described by deed recorded May 7, 1979 in Columbia County Deed Book 223, page 684.