

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.) **ORDER NO. 31 - 2005**
03-12 6210-000-00609 to Franklin Simmons) (To Execute and Deliver Quitclaim Deed)
and Debbie A. Hobbins)
_____)

WHEREAS, the County owns and wishes to sell a certain parcel of land that is known as Tax Account No. 03-12 6210-000-00609, Columbia County, Oregon, which is more particularly described as:

Beginning at the Southwest corner of the Northwest quarter of the Southeast quarter of Section 10, Township 6 North, Range 2 West, Willamette Meridian, Columbia County, Oregon; thence South 86° 51' East along the South line of said Northwest quarter of the Southeast quarter, a distance of 462.00 feet to the Southwest corner of the Robert R. Saum, Jr., tract as described in Deed Book 255 at page 295, thence North 1° 43' 30" East along the East line of said Saum tract; a distance of 664.40 feet to the Southwest corner of the David J. Trummer tract, as described in Deed Book 270 at page 648 and the true point of beginning of the parcel herein described; thence continuing North 1° 43' 30" East, a distance of 314.23 feet to the Northeast corner of the Robert R. Saum, Jr. tract, as described in Fee No. 89-6992, Deed Records of Columbia County, Oregon; thence South 89° 45' West along the North line of said Saum tract, a distance of 10.00 feet; thence South 1° 43' 30" West, a distance of 314.23 feet, thence North 89° 45' East, a distance of 10.00 feet to the true point of beginning.

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 \$500; 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 Franklin Simmons and Debbie A. Hobbins in the amount of \$120, which exceeds the price requirement of ORS 275.200; and

WHEREAS, on June 8, 2005, Mr. Simmons and Ms. Hobbins submitted a check to Columbia County in the amount of \$165 representing the purchase offer plus \$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 Franklin Simmons and Debbie A. Hobbins for the purchase of certain County-owned real property known as Tax Account No. 03-12 6210-000-00609.

2. The Board of County Commissioners shall execute the Quitclaim Deed, attached hereto as Exhibit 1 and by this reference incorporated herein, conveying Tax Account No. 03-12 6210-000-00609 to Franklin Simmons and Debbie A. Hobbins for the sum of \$120, receipt of which is hereby acknowledged.

DATED this 29 day of June, 2005.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

Approved as to form

By: John K. [Signature]
Office of County Counsel

By: [Signature]

Chair

By: [Signature]
Commissioner

By: [Signature]
Commissioner

S:\COUNSEL\LANDS\62100000609\ORD SELL.wpd

GRANTOR'S NAME AND ADDRESS:

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

EXHIBIT 1

~~BOOK~~ **089** PAGE **166**

AFTER RECORDING, RETURN TO GRANTEE:

Debbie A. Hobbins
Franklin Simmons
70450 Nick Thomas Road
Rainier, OR 97048

QUITCLAIM DEED

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 **FRANKLIN SIMMONS and DEBBIE A. HOBBS**, hereinafter called Grantees, and unto their 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. 03-12 6210-000-00609**.

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

The true and actual consideration for this conveyance is \$120.

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. 31 - 2005 adopted on June 29 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

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 June, 2005, by Anthony Hyde, Rita Bernhard and Joe Corsiglia as Commissioners of Columbia County, Oregon, on behalf of which the instrument was executed.

Notary Public for Oregon
My Commission Expires: _____

Tax Account No. 03-12 6210-000-00609

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