

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR COLUMBIA COUNTY, OREGON

In the Matter of Conveying Certain County-Owned )  
Real Properties Known as Tax Account Nos. 04-01 )  
4405-014-13800 and 04-01 4404-023-03700 to )  
the City of Vernonia, Oregon )  
\_\_\_\_\_ )

**ORDER NO. 51 - 2005**

WHEREAS, on October 6, 1999, *nunc pro tunc* October 4, 1999, the Circuit Court of the State of Oregon for the County of Columbia entered of record the Judgment and Decree in Columbia County v. Holaday, et al., Case No. 99-2374C; and

WHEREAS, on October 9, 2001, 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 in the City of Vernonia which was formerly owned by Christopher D. and Julie A. Cameron; and

WHEREAS, this property is referred to as Tax Account No. 04-01 4405-014-13800 and is more particularly described as follows:

Lot 9, Block 1, Central Addition to Vernonia,  
Columbia County, Oregon

and

WHEREAS, on October 7, 2002, *nunc pro tunc* October 1, 2002, the Circuit Court of the State of Oregon for the County of Columbia entered of record the Judgment and Decree in Columbia County v. Neuman, et al., Case No. 02-2308; and

WHEREAS, on October 7, 2004, 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 in the City of Vernonia which was formerly owned by Christopher D. and Julie A. Cameron; and

WHEREAS, this property is referred to as Tax Account No. 04-01 4404-023-03700 and is more particularly described as follows:

Lots 8, 9 and 10, Block 3, Town of Vernonia,  
Columbia County, Oregon, all lying East of Central  
Addition

and

WHEREAS, the Board of County Commissioners deemed both properties surplus to the County's needs; and

WHEREAS, the City of Vernonia requested, in July 2002, that both parcels be transferred to the City; and

WHEREAS, ORS 271.310(1) authorizes Columbia County to sell, exchange, convey or lease their interest in certain real property not needed for public use to any governmental body whenever the public interest may be furthered, the consideration for such transfer being cash or real property, or both; and

WHEREAS, Columbia County has determined that the above-described property is not needed for public use and the public interest would be furthered in transferring ownership of these properties to the City of Vernonia; and

WHEREAS, Columbia County and the City of Vernonia entered into a Memorandum of Understanding on or about November 5, 2002, whereby the City agreed to accept jurisdiction of those portions of Cleveland Road (now know as Rose Avenue) and Alder Street lying within City limits in exchange for the two parcels referenced above, said Memorandum of Understanding being attached hereto as Exhibit 1 and by this reference incorporated herein;

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. Columbia County shall relinquish title to the real properties described above to the City of Vernonia for \$1.00 and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, plus the cost of recording the deed.
2. This conveyance shall be by Quitclaim Deeds duly prepared by County Counsel and executed by the Board of Commissioners.

DATED this 20 day of July, 2005.

Approved as to form

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

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

By: [Signature]  
Chair

By: [Signature]  
Commissioner

By: [Signature]  
Commissioner

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THIS MEMORANDUM OF UNDERSTANDING ("MOU") is by and between COLUMBIA COUNTY, a political subdivision of the State of Oregon (hereinafter referred to as the "County"), and the CITY OF VERNONIA, a municipal corporation within the County (hereinafter referred to as the "City").

WHEREAS, certain real property, which has been assigned Tax Account No. 04-01 4405-014-13800, was foreclosed upon for nonpayment of real property taxes in *Columbia County v. Holaday, et al*, Case No. 99-2374C, said property, listed as Parcel No. 99-026 in said foreclosure proceeding, being more particularly described as

Lot 9, Block 1, Central Addition to Vernonia, Columbia County, Oregon.

And located at 872 Weed Avenue, Vernonia, Oregon (hereinafter the "Weed Avenue property"); and

WHEREAS, the County is in the process of foreclosing upon an adjoining piece of property assigned Tax Account No. 04-01 4404-023-03700, in *Columbia County v. Neuman, et al*, Case No. 02-2308, which is generally described as a strip of property approximately 13.43' by 150' running behind the Weed Avenue property west of the alley between Lew's and the Old Bowling Alley, said property, listed as Parcel No. 02-024 in said foreclosure proceeding, being more particularly described as:

Part of Lots 8, 9 and 10, Block 3, Vernonia, Columbia County, Oregon

(Hereinafter the "strip property"); and

WHEREAS, City has requested that County transfer title to the Weed Avenue property and the strip property described above to the City of Vernonia for expansion of the City's downtown core area; and

WHEREAS, City and County have engaged in negotiations for the transfer of title to the City of Vernonia in exchange for the City's acceptance of jurisdiction over a portion of two streets within City limits;

NOW, THEREFORE, IT IS HEREBY AGREED by the County and the City as follows:

- (1) With regard to Cleveland Road (Rose Avenue):
  - (a) the County shall pave the gravel section of Cleveland Road (Rose Avenue) from the end of the existing asphalt to the City limits (approximately 850 feet). The width of the asphalt shall be 20 feet and the compacted depth shall be 3 inches.
  - (b) the County shall perform all grading, ditch relocation, and road widening to

accommodate a 20 foot paved surface. The corner shall be super-elevated about 2% to the inside corner to eliminate the need for a ditch on the outside. County shall replace driveway culverts if necessary for the road widening.

- (c) the City shall locate and adjust all water and sewer manholes and valves.
  - (d) the City shall accept jurisdiction of this portion of Cleveland Road (Rose Avenue) upon completion of the work outlined herein.
- (2) With regard to Alder Street:
- (a) the County will supply labor and equipment to work with City employees to locate, identify, and clean all drainage facilities along Alder Street to allow the City to sketch and inventory the facilities.
  - (b) the City shall accept jurisdiction of Alder Street upon completion of the work outlined herein.
- (3) In exchange for the City's agreement to accept jurisdiction of the above public rights-of-way, and upon the completion of the work outlined and the actual, formal acceptance of jurisdiction by the City, the County shall convey to the City of Vernonia via quitclaim deed all its right, title and interest in the Weed Avenue property.
- (4) In addition, the County shall convey to the City of Vernonia via quitclaim deed all its right, title and interest, if any, in the strip property should said property not be redeemed by its record owner and the County takes deed to the property in approximately October 2004.

Dated this 5<sup>th</sup> day of November, 2002.

CITY OF VERNONIA

By: [Signature]  
City Administrator (Title)

By: \_\_\_\_\_  
\_\_\_\_\_  
(Title)

BOARD OF COUNTY COMMISSIONERS FOR COLUMBIA COUNTY, OREGON

By: [Signature] 11/13/02  
Chair

By: [Signature]  
Commissioner

By: [Signature]  
Commissioner

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