

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. 02-08 5235-000-03200 to
Suellen Rinker and Michael Howard)
_____)

ORDER NO. 68 - 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. 02-08 5235-000-03200, Columbia County, Oregon, which is more particularly described as:

All that portion of the Southeast quarter of the Northeast quarter of Section 35, Township 5 North, Range 2 West, Willamette Meridian, Columbia County, OR as described in deed conveyed to Charles Dick and Bessie Dick, husband and wife, and recorded in Columbia County Deed Records Volume 63 at page 467 that lies Southerly of the South line of that certain tract of land conveyed to Walter Mock and Betty Mock, husband and wife, as described in deed recorded in Columbia County Deed Records Volume 181 at page 874.

The above has been prepared to clarify and avoid errors found in later conveyances, however the parcel intended to be described is more readily apparent when described as follows: All that portion of the Southeast quarter of the Northeast quarter of Section 35, Township 5 North, Range 2 West, Willamette Meridian, Columbia County, OR as described in deed conveyed to Thomas L. Holstine and Mary E. Holstine, husband and wife, recorded in Columbia County Deed Records Volume 34 at page 455, except therefrom all that portion thereof as described in deed conveyed to Harry Howard and Ida Howard, husband and wife, recorded in Columbia County Deed Records Volume 34 at page 519.

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 Michael Howard in the amount of \$155, which exceeds the price requirement of ORS 275.200; and

WHEREAS, on May 17, 2005, Mr. Howard submitted a check to Columbia County in the amount of \$200 representing the purchase offer plus \$45 to cover the required handling and recording fees in the issuance of a quitclaim deed; and

WHEREAS, on May 17, 2005, Mr. Howard requested that, if his offer was accepted, the quitclaim deed be in the name of Suellen Rinker and Michael Howard;

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. On behalf of Columbia County, the Board accepts the offer submitted by Michael Howard for the purchase of certain County-owned real property known as Tax Account No. 02-08 5235-000-03200.

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. 02-08 5235-000-03200 to Suellen Rinker and Michael Howard for the sum of \$155, receipt of which is hereby acknowledged.

DATED this 12th day of October, 2005.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

Approved as to form

By: John K. G. W.
Office of County Counsel

By: _____
Chair

By: Joe Berardis
Commissioner

By: Not Present
Commissioner

S:\COUNSEL\LANDS\523500003200\ORD SELL.wpd

EXHIBIT A

BOOK 093 PAGE 082

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:

Jellen Rinker
Michael Howard
4512 N.E. 47th Avenue
Portland, OR 97218-1614

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 SUELLEN RINKER and MICHAEL HOWARD, 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. 02-08 5235-000-03200.

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

The true and actual consideration for this conveyance is \$155.00

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. ___ - 2005 adopted on October 12, 2005, and filed in Commissioners Journal at Book ___, Page ___.

IN WITNESS WHEREOF, the Grantor has executed this instrument this ___ day of October, 2005.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: _____
Chair

Approved as to form

By: _____
Commissioner

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 October, 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: _____

EXHIBIT A**Tax Account No. 02-08 5235-000-03200**

All that portion of the Southeast quarter of the Northeast quarter of Section 35, Township 5 North, Range 2 West, Willamette Meridian, Columbia County, OR as described in deed conveyed to Charles Dick and Bessie Dick, husband and wife, and recorded in Columbia County Deed Records Volume 63 at page 467 that lies Southerly of the South line of that certain tract of land conveyed to Walter Mock and Betty Mock, husband and wife, as described in deed recorded in Columbia County Deed Records Volume 181 at page 874.

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