

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of the Sale of Real Property)
Acquired by Columbia County Referred)
to as Tax Account No. 01-01 3202-044-00600)
_____)

ORDER NO. 86 - 2006

WHEREAS, ORS 275.030 provides that whenever the Board of County Commissioners considers it to be in the best interest of the County to sell any real property acquired in any manner by the County, it shall enter an order on its records directing the sale of the property; and

WHEREAS, the Board considers it to be in the best interest of the County to sell the real property commonly referred to as Tax Account No. 01-01 3202-044-00600 and more particularly described as:

Tract C, NEUMAN'S ADDITION TO BELLA VISTA, Columbia County,
Oregon

and

WHEREAS, this property is assessed at less than \$5,000 and is unsuited for the construction or placement of a dwelling thereon and, pursuant to ORS 275.225, can be sold by private sale; and

WHEREAS, the property is sloped and lies near the top of a ridge, and an open space easement is advisable.

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. The Columbia County Natural Resources Administrator is directed to sell the real property described above.
2. The sale shall be conducted through a written bid auction with the property being conveyed to the highest bidder.
3. The Terms and Conditions of the sale are attached hereto as Exhibit A and by this reference incorporated herein.
4. A Notice of Private Sale of such real property shall be published in *The Chronicle* and in *The Spotlight*, newspapers of general circulation in Columbia County, at least 30 days prior to the deadline set for receipt of written bids.
5. The minimum price for this parcel of real property to be sold shall be the sum of \$500.
6. The property shall be conveyed via a quitclaim deed which shall reserve an Open Space Easement on the entire property in substantially the following form:
 - a) No construction of residential dwellings or commercial or industrial buildings may occur on the property;
 - b) No paving will be allowed on the property;

c) This Open Space Easement is perpetual, shall run with the land, and shall be binding on all future owners, their heirs successors and assigns. This easement is expressly for the benefit of the adjacent property owners and may be enforced by any of these parties.

DATED this 8th day of November, 2006.

Approved as to form

By: John K. H. H.
Office of County Counsel

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: [Signature]
Chair

By: [Signature]
Commissioner

By: [Signature]
Commissioner

S:\COUNSEL\LANDS\3202-044-00600\ORDER HAVE SALE.wpd

**TERMS AND CONDITIONS OF SALE**

(SALE OF TAX ACCOUNT NO. 01-01 3202-044-00600
BY WRITTEN BID)

1. The sale shall be conducted through a written bid auction.
2. The minimum bid set for this property by the Board of County Commissioners is \$500. An additional fee of \$45.00 will be charged to cover recording and handling fees
3. The written bid shall contain:
 - a. The name, address, telephone number and e-mail address of the person or entity submitting the bid;
 - b. Tax Account No. 3202-044-00600;
 - c. The amount of the bid;
 - d. The name, address, telephone number and e-mail address of the person or entity to whom the property is to be conveyed.
 - e. A statement, signed by the person or entity submitting the bid, that

Should I/we be the highest bidder, I/we am/are committed to purchasing the property for the amount stated, plus the recording and handling fees of \$45, and that sum shall be delivered to Columbia County within 72 hours of receiving notice of winning the bid.
4. The written bid shall be addressed and mailed to:

Cynthia Zemaitis
Natural Resources Administrator
Columbia County Courthouse
230 Strand, Room 318
St. Helens, OR 97051
5. The written bid must be received at the above address by 5:00 p.m. on the ____ day of _____, 2006, or it shall be disqualified.

6. The written bids will be opened at 10:00 a.m. the following day, _____, 2006.
7. The sale shall be to the highest and best bidder.
8. The successful bidder is expected to pay the full amount (amount of bid plus \$45 recording/handling fees) in cash or cashier's check within 72 hours of receiving notice of the successful bid. Personal checks will not be accepted. The payment should be delivered to the Natural Resources Administrator.
9. This property will be sold AS-IS without covenants or warranties, subject to any municipal liens, and title will be transferred by quitclaim deed. Quitclaim deeds will be prepared within thirty (30) days after receipt of final payment.
10. The quitclaim deed shall reserve an Open Space Easement on the entire property providing that:
 - a. No construction of residential dwellings or commercial or industrial buildings may occur on the property;
 - b. No paving will be allowed on the property; and
 - c. That this Open Space Easement is perpetual, shall run with the land, and shall be binding on all future owners, their heirs successors and assigns. This easement is expressly for the benefit of the adjacent property owners and may be enforced by any of these parties.
11. All rights to any County, public, forest or C.C.C. roads are hereby reserved for the benefit of Columbia County, Oregon.
12. Columbia County reserves and retains all of the minerals, mineral rights, ore, metals, metallic clay, oil, gas, hydrocarbon substances and any other substances as may be determined by the Board of County Commissioners in, on or under all real properties to be sold, if any, 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.

[Approved on November 8, 2006, by the Board of County Commissioners under Order No. 86 - 2006).

S:\COUNSEL\LANDS\3202-044-00600\TERMS AND CONDITIONS.wpd