

185 - 820

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of Conveying Certain Real Property)
Property off of Honeyman Road, Scappoose,)
Oregon, to Elmer and Lucille Hinkle)
)
[Tax Account No. 01-08 3107-033-00100])
_____)

ORDER NO. 30 - 2007

WHEREAS, on November 3, 2004, *nunc pro tunc* October 29, 2004, the Circuit Court of the State of Oregon for the County of Columbia entered of record the General Judgment in Columbia County v. Carter, F.F. & Grace L., et al, Case No. 04-2352; and

WHEREAS, on November 8, 2006, pursuant to that General Judgment, 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 Scappoose, which was formerly owned by F.F. and Grace L. Carter; and

WHEREAS, this property is referred to as Tax Account No. No. 01-08 3107-033-00100 and is more particularly described as:

Beginning at a point that is 1478.97 feet South and 715.5 feet East and South 64°14' East 554.0 feet and South 64°14' East 123.0 feet and North 20°06' East 352.15 feet from the West one-quarter corner of Section 7, Township 3 North, Range 1 West of the Willamette Meridian, Columbia County, Oregon, said point being the Northeast corner of that certain tract of land conveyed to Roy I. Aman, by deed as described and recorded in Columbia County Deed Volume 152, page 569 and the true point of beginning; thence continuing North 20°06' East, a distance of 176.0 feet to the South line of Honeyman Road; thence North 64°14' West, along the South line of said Honeyman Road, a distance of 9.0 feet to the Northeast corner of Parcel 1 of that certain tract of land conveyed to Elmer Hinkle and Lucille Hinkle, husband and wife, by deed as described and recorded in Columbia County Deed Volume 174, page 701; thence South 20°06' West, along the East line of said Parcel 1 of said Hinkle tract, a distance of 176.0 feet to the Southeast corner thereof, said point being on the North line of said Aman tract and is North 64°14' West 9.0 feet from the true point of beginning; thence South 64°14' East, along the North line of said Aman tract, a distance of 9.0 feet to the true point of beginning.

WHEREAS, on November 29, 2006, Elmer and Lucille Hinkle, who own property adjacent to the County parcel, approached the County with an offer to purchase the parcel and submitted a check to Columbia County in the amount of \$545.00, the sum of \$500.00 to purchase this parcel and the sum of \$45.00 to cover recording and handling fees; and

WHEREAS, ORS 275.225 permits the County to sell county land by private sale, provided that the property is assessed at less than \$5,000 on the most recent assessment roll prepared for the County, and is unsuited for construction or placement of a dwelling under current zoning ordinances and building codes of the County; and

WHEREAS, the property has been assessed at \$440.00, and is unsuited for construction or placement of a dwelling; and

WHEREAS, pursuant to ORS 275.225, notice of private sale was published in newspapers of general circulation on January 12 and January 17, 2007, and more than 15 days has elapsed since publication of said notice; and

WHEREAS, no further offers have been received by the County subsequent to publication of this notice;

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. Pursuant to ORS 275.225, the Board authorizes the sale of the above-described property to Elmer and Lucille Hinkle for \$500.00.

2. The Board of County Commissioners shall execute the Quitclaim Deed for Tax Account No. 01-08 3107-033-00100 to Elmer and Lucille Hinkle, a copy of which is attached hereto as Exhibit 1 and by this reference incorporated herein, for the sale price of \$500 plus \$45 recording and handling fees, receipt of which is hereby acknowledged.

DATED this 14th day of March, 2007.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: [Signature]
Chair

By: _____
Commissioner

By: [Signature]
Commissioner

Approved as to form:

By: [Signature]
Office of County Counsel

S:\COUNSEL\LANDS\3107-033-00100\ORD CONVEY.wpd

GRANTOR'S NAME AND ADDRESS:

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

EXHIBIT 1

BUYER RECORDING, RETURN TO GRANTEE:

Er and Lucille Hinkle
137 Miller Lane
Scappoose, OR 97056

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 **ELMER N. HINKLE and LUCILLE HINKLE**, husband and wife, 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. 01-08 3107-033-00100.**

The property is more specifically described on the attached **Exhibit A.**

The true and actual consideration for this conveyance is \$500

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES 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, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

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.
- 4) A non-exclusive easement for ingress and egress purposes over and across the property for the use by owners of the adjacent properties.

This conveyance is made pursuant to Board of County Commissioners Order No. 30 - 2007 adopted on March ____, 2007, and filed in Commissioners Journal at Book ____, Page ____.

IN WITNESS WHEREOF, the Grantor has executed this instrument this ____ day of March, 2007.

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)
) ss.
County of Columbia)

ACKNOWLEDGMENT

This instrument was acknowledged before me on the ____ day of March, 2007, by Rita Bernhard, Anthony Hyde and Joe Corsiglia as Commissioners of Columbia County, Oregon, on behalf of which the instrument was executed.

Notary Public for Oregon
My Commission Expires: _____