

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR COLUMBIA COUNTY, OREGON

In the Matter of Conveying Certain Real Property )  
on Summit Drive in Columbia Acres Part 3 near )  
Scappoose, Oregon, to Oregon Curly Willow, LLC )  
 )  
[Tax Map ID No. 01-08 3N2W23-AD-13200] )  
 )  
\_\_\_\_\_ )

**ORDER NO. 13 - 2008**

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 near the City of Scappoose which was formerly owned by Iler and Mrytle Fritz; and

WHEREAS, this property is referred to as Tax Map ID No. 01-08 3N2W23-AD-13200 and is more particularly described as:

Lot 14, Block 17, Columbia Acres Number 3, Columbia County, Oregon.

and

WHEREAS, ORS 275.225 permits the County to sell county land by private sale, provided that the property is assessed at less than \$15,000 on the 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 given a real market value of \$1,000 and is unsuitable for construction or placement of a dwelling under current zoning ordinances and building codes of the County; and

WHEREAS, the County received an offer of \$1,000 to purchase the property from Xcel Properties; and

WHEREAS, pursuant to ORS 275.225, notice of private sale was published in a newspaper of general circulation on September 26, 2007, and more than 15 days has elapsed since publication of said notice; and

WHEREAS, subsequent to the publication of the notice of private sale the County received a second offer of \$1,500 from Mary Schaer on behalf of Oregon Curly Willow, LLC, said purchase offer being accompanied by a check in the amount of \$1,545, which included \$45 for recording and handling fees; and

WHEREAS, a limited auction was conducted through telephone and electronic mail and both individuals were given the chance to increase their offers for this property; and

WHEREAS, Mary Schaer tendered the highest offer for this property in the amount of \$2,000; and

WHEREAS, on or about December 29, 2007, Mary Schaer submitted an additional check to Columbia County in the amount of \$500, bringing the offer on this property to \$2,000 and including the sum of \$45 to cover recording and handling fees;

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 Oregon Curly Willow, LLC for \$2,000.

2. The Board of County Commissioners shall execute the Quitclaim Deed for the property referred to as Tax Map ID No. 3N2W23-AD-13200 to Oregon Curly Willow, LLC, a copy of which is attached hereto as Exhibit 1 and by this reference incorporated herein, for the sum of \$2,000, receipt of which is hereby acknowledged.

DATED this 13<sup>th</sup> day of February, 2008.

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

By: [Signature]  
Chair

Approved as to form:

By: [Signature]  
Office of County Counsel

By: Not Present  
Commissioner

By: [Signature]  
Commissioner

S:\COUNSEL\LANDS\3N2W23-AD-13200\ORDER CONVEY.wpd

**GRANTOR'S NAME AND ADDRESS:**

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

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**FOR RECORDING, RETURN TO GRANTEE:**

Oregon Curly Willow, LLC  
c/o Mary Schaer  
5694 NW 179th Avenue  
Portland, OR 97229

**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 **OREGON CURLY WILLOW, LLC**, hereinafter called Grantee, and unto its 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 Map ID No. 01-08 3N2W23-AD-13200 and Tax Account No. 7063.**

The property is more specifically described as Lot 14, Block 17, Columbia Acres Number 3, Columbia County, Oregon.

The true and actual consideration for this conveyance is \$2,000

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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, 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.

This conveyance is made pursuant to Board of County Commissioners Order No. \_\_\_ - 2008 adopted on \_\_\_\_\_, 2008, and filed in Commissioners Journal at Book \_\_\_, Page \_\_\_.

IN WITNESS WHEREOF, the Grantor has executed this instrument this \_\_\_ day of \_\_\_\_\_, 2008.

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     )  
                                  )     ss.  
County of Columbia    )

**ACKNOWLEDGMENT**

This instrument was acknowledged before me on the \_\_\_ day of \_\_\_\_\_ 2008, by Anthony Hyde, Joe Corsiglia, and Rita Bernhard as Commissioners of Columbia County, Oregon, on behalf of which the instrument was executed.

\_\_\_\_\_  
Notary Public for Oregon  
My Commission Expires: \_\_\_\_\_