

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR COLUMBIA COUNTY, OREGON

In the Matter of Conveying Certain Real)
Property on Nehalem Street, Clatskanie,)
Oregon, to John P. Salisbury and Cathleen)
B. Callahan)
)
[Tax Map ID No. 7N4W08-DB-02401])
_____)

ORDER NO. 61 - 2008

WHEREAS, on October 25, 2005, the Circuit Court of the State of Oregon for the County of Columbia entered of record the General Judgment in *Columbia County v. Hecker, Michael R., et al.*, Case No. 05-2398; and

WHEREAS, on October 27, 2007, pursuant to that General Judgment, Columbia County, a political subdivision of the state of Oregon, acquired certain foreclosed real property through a deed recorded in the deed records of Columbia County as Instrument No. 2007-013480, including a certain parcel of land situated in the City of Clatskanie; and

WHEREAS, this property is referred to as Tax Map ID No. 7N4W08-DB-02401 and is more particularly described as:

Beginning at a point on the Westerly line of Lot 11, Block 8, of original Town of Bryantville (now City of Clatskanie), Columbia County, Oregon that is North 29° 40' East 25 feet from the Southwest corner thereof, said point also being the Northwest corner of that certain tract of land conveyed to Joan L. Peterson Trust, as described in deed recorded as Columbia County Clerk's Fee Number 1992-00329; thence South 60° 20' East, along the Northeasterly line of said Peterson Trust tract, a distance of 9 feet, more or less, to the Southwest corner of that certain tract conveyed to Robert A. Lucas and Stephen D. Peterson, as described in deed recorded as Columbia County Clerk's Fee Number 1999-10067; thence North 29° 40' East, along the Northwesterly line of said Lucas and Peterson tract, a distance of 9 feet, more or less, to the most Southerly corner of that certain tract of land conveyed to Truedson Properties, Inc., as described in deed recorded as Columbia County Clerk's Fee Number 1994-6709; thence North 60° 20' West, along the Southerly line of said Truedson Properties, Inc. tract, a distance of 9 feet, more or less, to it's intersection with the Westerly line of said Lot 11; thence South 29° 40' West, along said Westerly line, a distance of 9 feet, more or less, to the true point of beginning;

and

WHEREAS, the Board of County Commissioners deemed this property surplus to the County's needs, that the highest and best use would be to an adjoining property owner, and directed that letters be sent to the adjoining property owner(s) advising that the property would be placed for auction; and

WHEREAS, John Salisbury and Cathleen Callahan, adjacent property owners, submitted an offer to purchase this parcel to the County; 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 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 \$600, and is unsuited for construction or placement of a dwelling; and

WHEREAS, pursuant to ORS 275.225, notice of private sale was published in a newspaper of general circulation on May 8, 2008, and more than 15 days has elapsed since publication of said notice; and

WHEREAS, no further offers have been received by the County pursuant to this notice; and

WHEREAS, on July 7, 2008, Salisbury & Callahan, LLP, submitted a check to Columbia County in the amount of \$95, the sum of \$50 to purchase this parcel and the sum of \$45.00 to cover recording and handling fees;

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:


1. Pursuant to ORS 275.225, the Board considers \$50 to be a reasonable offer for this property and authorizes the sale of the above-described property to John P. Salisbury and Cathleen B. Callahan for \$50.
2. The Board of County Commissioners shall execute the Quitclaim Deed for Tax Map ID No. 7N4W08-DB-02401 to John P. Salisbury and Cathleen B. Callahan, a copy of which is attached hereto as Exhibit 1 and by this reference incorporated herein, for the sum of \$50, receipt of which is hereby acknowledged.

DATED this 30 day of July, 2008.

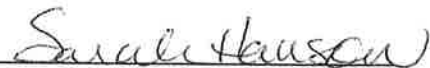
BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By:  _____
Chair

By: not available _____
Commissioner

By:  _____
Commissioner

Approved as to form:

By:  _____
Office of County Counsel

S:\COUNSEL\LANDS\7N4W08 - DB - 02401\ORD 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

AFTER RECORDING, RETURN TO GRANTEE:

John P. Salisbury and Cathleen B. Callahan
Salisbury & Callahan, LLP
Post Office Box 288
Clatskanie, OR 97016-0288

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 **JOHN P. SALISBURY and CATHLEEN B. CALLAHAN**, 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 Map ID No. 7N4W08-DB-02401 and Tax Account No. 26113**. The property is more specifically described on the attached Exhibit A.

The true and actual consideration for this conveyance is \$50.00.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. 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 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

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 Civilian Conservation Corps 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. 61 - 2008 adopted on July 30, 2008, and filed in Commissioners Journal at Book ___, Page ___.

IN WITNESS WHEREOF, the Grantor has executed this instrument this ___ day of July, 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)
)
County of Columbia) ss.

ACKNOWLEDGMENT

This instrument was acknowledged before me on the ___ day of July, 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

EXHIBIT A
to Quitclaim Deed

BOOK 105 PAGE 65

Tax Map ID No. 7N4W08-DB-02401

Beginning at a point on the Westerly line of Lot 11, Block 8, of original Town of Bryantville (now City of Clatskanie), Columbia County, Oregon that is North 29° 40' East 25 feet from the Southwest corner thereof, said point also being the Northwest corner of that certain tract of land conveyed to Joan L. Peterson Trust, as described in deed recorded as Columbia County Clerk's Fee Number 1992-00329; thence South 60° 20' East, along the Northeasterly line of said Peterson Trust tract, a distance of 9 feet, more or less, to the Southwest corner of that certain tract conveyed to Robert A. Lucas and Stephen D. Peterson, as described in deed recorded as Columbia County Clerk's Fee Number 1999-10067; thence North 29° 40' East, along the Northwesterly line of said Lucas and Peterson tract, a distance of 9 feet, more or less, to the most Southerly corner of that certain tract of land conveyed to Truedson Properties, Inc., as described in deed recorded as Columbia County Clerk's Fee Number 1994-6709; thence North 60° 20' West, along the Southerly line of said Truedson Properties, Inc. tract, a distance of 9 feet, more or less, to it's intersection with the Westerly line of said Lot 11; thence South 29° 40' West, along said Westerly line, a distance of 9 feet, more or less, to the true point of beginning.