

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR COLUMBIA COUNTY, OREGON

In the Matter of Conveying Certain Real Property)
to Columbia Hills Development Company)
)
[Tax Map ID No. 3N2W22-AD-11100])
_____)

ORDER NO. 49 - 2009

WHEREAS, on October 11, 2006, the Circuit Court of the State of Oregon for the County of Columbia entered of record the General Judgment in *Columbia County v. Lowrey, David, et al.*, Case No. 06-2433; and

WHEREAS, on October 22, 2008, 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 David Lowrey; and

WHEREAS, this property is referred to as Tax Map ID No. 3N2W22-AD-11100 and is more particularly described as follows:

Lot 27, Block 18, Hillcrest Par 1, Columbia County,
Oregon.

and

WHEREAS, the Board of County Commissioners deemed this property surplus to the County's needs, and the property was offered for sale through the County's website; and

WHEREAS, ORS 275.225 permits the County to sell county land by private sale, provided that the property has a real market value of 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 applicable zoning ordinances and building codes; and

WHEREAS, the property has a real market value of \$1,000, and is unsuited for construction or placement of a dwelling; and

WHEREAS, in Spring 2009, the County received several offers to purchase the property; and

WHEREAS, pursuant to ORS 275.225, notice of private sale was published in a newspaper of general circulation on April 22, 2009, and more than 15 days has elapsed since publication of said notice; and

WHEREAS, on June 9, 2009, Columbia County held a telephonic auction whereby the individuals submitting written offers were invited to bid on the property; and

WHEREAS, Columbia Hills Development Company submitted the highest bid to purchase the parcel, said bid being in the amount of \$3,000; and

WHEREAS, on June 30, 2009, Columbia Hills Development tendered to Columbia County the amount of \$3,000 representing the highest bid for purchase of this parcel plus \$45 to cover the required handling and recording fees in the issuance of a quitclaim deed;

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 Columbia Hills Development Company for \$3,000.

2. The Board of County Commissioners shall execute the Quitclaim Deed for Tax Account No. 3N2W22-AD-11100 to Columbia Hills Development, a copy of which is attached hereto as Exhibit A and by this reference incorporated herein, for the sum of \$3,000 plus \$45 handling and recording fees, receipt of which is hereby acknowledged.

DATED this 5th day of ~~July~~^{Aug}, 2009.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: [Signature]
Chair

By: [Signature]
Commissioner

By: [Signature]
Commissioner

Approved as to form:

By: [Signature]
Office of County Counsel

S:\COUNSEL\LANDS\3N2W22 - AD - 11100\ORDER PRIV SALE.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 A

FOR RECORDING, RETURN TO GRANTEE:

Columbia Hills Development
c/o Mike Stone
50606 Crystal Ridge Drive
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 **COLUMBIA HILLS DEVELOPMENT COMPANY**, an Oregon corporation, 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. 3N2W22-AD-11100 and Tax Account No. 6329. The property is more specifically described as: Lot 27, Block 18, Hillcrest Part 1, Columbia County, Oregon.

The true and actual consideration for this conveyance is \$3,000.

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. 49 - 2009 adopted on July ____, 2009, and filed in Commissioners Journal at Book ____, Page ____.

IN WITNESS WHEREOF, the Grantor has executed this instrument this ____ day of July, 2009.

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 July, 2009, by Rita Bernhard, Anthony Hyde and Earl Fisher as Commissioners of Columbia County, Oregon, on behalf of which the instrument was executed.

Notary Public for Oregon