

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of Conveying Certain Real Property)
off of Williams Street Near 3rd Street, Scappoose,)
Oregon to Richard and Margaret Smith)
)
[Tax Map ID No. 3N2W12-AC-00120])
_____)

ORDER NO. 15 - 2010

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, including a certain parcel of land situated in the City of Scappoose which was formerly owned by Michael Hecker; and

WHEREAS, this property is referred to as Tax Map ID No. 3N2W12-AC-00120 and Tax Account No. 3325, and is more particularly described as:

All that portion of Lot 15, Block 5, The Don's, Columbia County, Oregon, described as follows: beginning at the Northwest corner of said Lot 15, thence East, along the North line thereof, a distance of 2 feet; thence Southerly, in a straight line, to a point on the South line of said Lot 15 which is East, 1 foot from the Southwest corner of said Lot 15; thence West, along the South line of said lot 15, a distance of 1 foot to the Southwest corner of said Lot 15; thence North, along the West line of said lot 15, a distance of 100 feet to the point of beginning.

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 was available; and

WHEREAS, Richard and Margaret Smith, adjacent property owners, submitted an offer to purchase this parcel to the County; and

WHEREAS, on March 9, 2010, Richard and Margaret Smith submitted a check to Columbia County in the amount of \$245, the sum of \$200 to purchase this parcel and the sum of \$45 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 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 current zoning ordinances and building codes of the County; and

WHEREAS, the property has been assessed a real market value of \$500, 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 March 24, 2010, 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;


NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

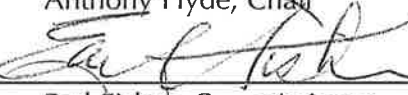
1. Pursuant to ORS 275.225, the Board finds this to be a reasonable offer for this property and hereby authorizes the sale of the above-described property to Richard and Margaret Smith for \$200.

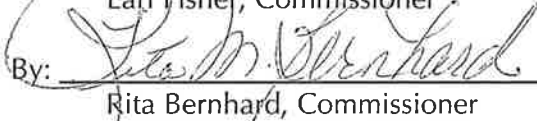
2. The Board of County Commissioners shall execute the Quitclaim Deed for Tax Map ID No. 3N2W12-AC-00120 and Tax Account No. 3325 to Richard and Margaret Smith, a copy of which is attached hereto as Exhibit 1 and by this reference incorporated herein, for the sum of \$200, receipt of which is hereby acknowledged.

DATED this 14th day of April, 2010.

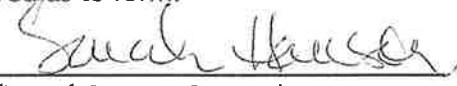
BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: 
Anthony Hyde, Chair

By: 
Earl Fisher, Commissioner

By: 
Rita Bernhard, Commissioner

Approved as to form:

By: 
Office of County Counsel

S:\COUNSEL\LANDS\3N2W12 - AC - 00120\ORDER CONVEY APO.wpd

GRANTOR'S NAME AND ADDRESS:

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

BOOK 113 PAGE 378

EXHIBIT 1

RECORDER RECORDING, RETURN TO GRANTEE:

Richard and Margaret Smith
55559 Fullerton Road
Warren, OR 97053

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 **RICHARD SMITH and MARGARET SMITH**, 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 Map ID No. 3N2W12-AC-00120 and Tax Account No. 3325. The property is more specifically described on the attached Exhibit A.

The true and actual consideration for this conveyance is \$ 200.00.

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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. 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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

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. 15 - 2010 adopted on April 14, 2010, and filed in Commissioners Journal at Book ___, Page ___.

IN WITNESS WHEREOF, the Grantor has executed this instrument this 14th day of April, 2010.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: _____
Anthony Hyde, Chair

By: _____
Earl Fisher, Commissioner

By: _____
Rita Bernhard, Commissioner

Approved as to form

By: _____
Office of County Counsel

ACKNOWLEDGMENT

STATE OF OREGON)
) ss.
County of Columbia)

This instrument was acknowledged before me on the ____ day of April, 2010, by Anthony Hyde, Earl Fisher 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 113 PAGE 379

Tax Map ID No. 3N2W12-AC-00120

All that portion of Lot 15, Block 5, The Don's, Columbia County, Oregon, described as follows: beginning at the Northwest corner of said Lot 15, thence East, along the North line thereof, a distance of 2 feet; thence Southerly, in a straight line, to a point on the South line of said Lot 15 which is East, 1 foot from the Southwest corner of said Lot 15; thence West, along the South line of said lot 15, a distance of 1 foot to the Southwest corner of said Lot 15; thence North, along the West line of said lot 15, a distance of 100 feet to the point of beginning.