

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

In the Matter of Conveying Certain Real Property )  
off of Division Street South in St. Helens, Oregon )  
to Jimmy L. Gortler and Kenna L. Gortler )  
(  
[Tax Map ID No. 4N1W08-CB-01700] )  
\_\_\_\_\_ )

**ORDER NO. 21 - 2011**

WHEREAS, on November 17, 2008, the Circuit Court of the State of Oregon for the County of Columbia entered of record the General Judgment in *Columbia County v. Burum, et al.*, Case No. 08-2646; and

WHEREAS, on October 11, 2010, 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 St. Helens which was formerly owned by Arthur and Fannie Lund; and

WHEREAS, this property is referred to as Tax Map ID No. 4N1W08-CB-01700 and Tax Account No. 17060, and is more particularly described as:

A strip of land, 20 feet in width, lying within the John McNulty Donation Land Claim, Section 8, Township 4 North, Range 1 West of the Willamette Meridian, Columbia County, Oregon, more particularly described as follows:

Beginning at a point on the Westerly right-of-way of Division County Road, said point being South 89°35' West, a distance of 5.3 feet and North 20°10' East, a distance of 246.8 feet from the Northeast corner of Tract 26 of the McNulty Heights Subdivision; thence North 69°50' West, a distance of 362.5 feet; thence North 20°10' East, a distance of 186.2 feet; thence South 69°50' East, a distance of 20 feet; thence South 20°10' West, a distance of 166.2 feet; thence South 69°50' East, a distance of 342.5 feet; thence South 20°10' West, a distance of 20 feet to the point of beginning.

SUBJECT, BUT NOT LIMITED TO:

Easement for Electrical Transmission line, etc., granted to Portland General Electric Company, recorded in Deed Book 69 page 359, Columbia County Records.

Right-of-Way Easement granted to the McNulty Water Association, recorded in Deed Book 156 page 204, Columbia County Records.

Easement and Road Maintenance agreement, including terms and provisions thereof, granted to owners of property abutting said road easement. Recorded September 11, 1978 Book 18 page 298.

WHEREAS, this property was deemed surplus to the County's needs, that the highest and best use would be to an adjoining property owner, and notices were sent to the adjoining property owner(s) advising that the property would be placed for sale; and

WHEREAS, Jimmy and Kenna Gortler, adjacent property owners, submitted an offer to purchase this parcel to the County; and

WHEREAS, on October 21, 2010, Jimmy and Kenna Gortler submitted a check to Columbia County in the amount of \$556, the sum of \$500 to purchase this parcel and the sum of \$56 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 January 11, 2011, 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 Jimmy L. Gortler and Kenna L. Gortler for \$500.

2. The Board of County Commissioners shall execute the Quitclaim Deed for Tax Map ID No. 4N1W08-CB-01700 and Tax Account No. 17060 to Jimmy L. Gortler and Kenna L. Gortler, a copy of which is attached hereto as Exhibit A and by this reference incorporated herein, for the sum of \$500, receipt of which is hereby acknowledged.

DATED this 16<sup>th</sup> day of March, 2011.

Approved as to form:

By: Shirley Lawson  
Office of County Counsel

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

By: [Signature]  
Anthony Hyde, Chair

By: [Signature]  
Earl Fisher, Commissioner

By: [Signature]  
Henry Heimuller, Commissioner

**GRANTOR'S NAME AND ADDRESS:**

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

BK 117-Pg 935

**AFTER RECORDING, RETURN TO GRANTEE:**

Jimmy L. Gortler and Kenna L. Gortler  
35211 Echo Lane  
St. Helens, OR 97051

**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 **JIMMY L. GORTLER** and **KENNA L. GORTLER**, husband and wife, tenants by the entirety, 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. 4N1W08-CB-01700 and Tax Account No. 17060. The property is more specifically described on the attached Exhibit A.

The true and actual consideration for this conveyance is \$ 500.00.

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. 21 - 2011 adopted on March 16, 2011, and filed in Commissioners Journal at Book \_\_, Page \_\_.

IN WITNESS WHEREOF, the Grantor has executed this instrument this      day of March, 2011.

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

By: \_\_\_\_\_  
Anthony Hyde, Chair

Approved as to form

By: \_\_\_\_\_  
Earl Fisher, Commissioner

By: \_\_\_\_\_  
Office of County Counsel

By: \_\_\_\_\_  
Henry Heimuller, Commissioner

STATE OF OREGON    )  
                              )  
County of Columbia    )      ss.

ACKNOWLEDGMENT

This instrument was acknowledged before me on the \_\_\_\_ day of March, 2011, by Anthony Hyde, Earl Fisher and Henry Heimuller, as Commissioners of Columbia County, Oregon, on behalf of which the instrument was executed.

\_\_\_\_\_  
Notary Public for Oregon

BK 117-Pg 937

**EXHIBIT A**  
to Quitclaim Deed

Tax Map ID No. 4N1W08-CB-01700

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