

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR COLUMBIA COUNTY, OREGON

In the Matter of Conveying Certain Real Property)
off of Mayger-Quincy Road near Clatskanie,)
Oregon to the Zen Community of Oregon)
)
[Tax Map ID Nos. 8N4W26-B0-01002 & 01400])
_____)

ORDER NO. 62 - 2011

WHEREAS, on October 5, 2007, the Circuit Court of the State of Oregon for the County of Columbia entered of record the General Judgment in *Columbia County v. Albertson, et al.*, Case No. 07-2506; and

WHEREAS, on November 2, 2009, 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 Clatskanie which was formerly owned by Agneda Sirnio; and

WHEREAS, this property is referred to as Tax Map ID No. 8N4W26-B0-01002 and Tax Account No. 28205, and is more particularly described as:

All that portion of the Northwest quarter of Section 26, Township 8 North, Range 4 West, Willamette Meridian, Columbia County, Oregon, described as follows: Beginning at a point 18.30 chains West, and 12.28 chains South of the Southeast corner of the Southwest Quarter of Section 23, in Township 8 North of Range 4 West of the Willamette Meridian, Columbia County, Oregon, and running thence West 21 chains; thence North 18.34 chains; thence West 19.13 chains; thence South 39.89 chains; thence East 40.13 chains; thence North 21.55 chains to an Iron Pipe set in the ground by W. T. Watts, formerly County Surveyor for Columbia County, Oregon; thence South 30 feet to the true point of beginning; thence South 200 feet; thence West 127 feet; thence North 200 feet; thence East 127 feet to the point of beginning.

and

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 near City of Clatskanie which was formerly owned by Agneda Sirnio; and

WHEREAS, this property is referred to as Tax Map ID No. 8N4W26-B0-01400 and Tax Account No. 28209, and is more particularly described as:

All that portion of the Northwest quarter of Section 26, Township 8 North, Range 4 West, Willamette Meridian, Columbia County, Oregon, described as follows: Beginning at a point 18.30 chains West, and 12.28 chains South of the Southeast corner of the Southwest Quarter of Section 23, in Township 8 North of Range 4 West of the Willamette Meridian, Columbia County, Oregon, and running thence West 21 chains; thence North 18.34 chains; thence West 19.13 chains; thence South 39.89 chains; thence East 40.13 chains; thence North 21.55 chains to the place of beginning for the following, said place of beginning being marked an Iron Pipe set in the ground by W. T. Watts, formerly County Surveyor for Columbia County, Oregon; and running thence South 30 feet; thence West 327 feet; thence North 30 feet; thence East 327 feet to the place of beginning. Except rights of others in right of way as described and reserved by Nannie E. Miller by deed recorded November 7, 1904 in Columbia County Deed Volume 4, page 339.

and

WHEREAS, these properties were deemed surplus to the County's needs and, pursuant to ORS 275.225, notice of private sale was published in a newspaper of general circulation on May 4, 2011, with more than 15 days having elapsed since publication of said notice; and

WHEREAS, the Zen Community of Oregon submitted an offer to purchase these parcels to the County; and

WHEREAS, on May 19, 2011, the Zen Community submitted one check to Columbia County in the amount of \$1,145, the sum of \$1,089 to purchase the parcel known as Tax Map ID No. 8N4W26-B0-01002 and the sum of \$56 to cover recording and handling fees, and a second check in the amount of \$645, the sum of \$600 to purchase the parcel known as Tax Map ID No. 8N4W26-B0-01400 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 parcel known as Tax Map ID No. 8N4W26-B0-01002 has been assessed a real market value of \$970, and is unsuited for construction or placement of a dwelling, and the parcel known as Tax Map ID No. 8N4W26-B0-01400 has been assessed a real market value of \$500, and is unsuited for construction or placement of a dwelling; and

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

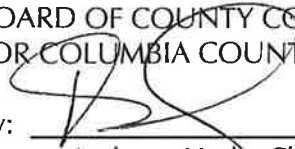
NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. Pursuant to ORS 275.225, the Board finds the offers from the Zen Community of Oregon to be reasonable for these properties and hereby authorizes the sale of the above-described property to the Zen Community of Oregon for \$1,089 and \$600, respectively.

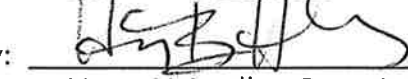
2. The Board of County Commissioners shall execute the Quitclaim Deed for Tax Map ID Nos. 8N4W26-B0-01002 and Tax Account No. 28205 and Tax Map ID No. 8N4W26-B0-01400 and Tax Account No. 28209 to the Zen Community of Oregon, a copy of which is attached hereto as Exhibit A and by this reference incorporated herein, for the sum of \$1,089 and \$600, respectively, receipt of which is hereby acknowledged.

DATED this 3rd day of August, 2011.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: 
Anthony Hyde, Chair

By: 
Earl Fisher, Commissioner

By: 
Henry Heimuller, Commissioner

Approved as to form:

By: 
Office of County Counsel

S:\COUNSEL\LANDS\8N4W26 - B0 - 01002 & 1400\ORDER CONVEY.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

BOOK 0117 PAGE 2694

AFTER RECORDING, RETURN TO GRANTEE:

Zen Community of Oregon
Post Office Box 188
Clatskanie, OR 97016

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 the **ZEN COMMUNITY OF OREGON**, 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. 8N4W26-B0-01002 and Tax Account No. 28206 and Tax Map ID No. 8N4W26-B0-01400 and Tax Account No. 28209. The properties are more specifically described on the attached Exhibit A.

The true and actual consideration for this conveyance is \$ 1,089.00 and \$600 respectively.

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. 62 - 2011 adopted on August 3, 2011, and filed in Commissioners Journal at Book __, Page __.

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

ACKNOWLEDGMENT

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

TAX MAP ID NO. 8N4W26-B0-01002

All that portion of the Northwest quarter of Section 26, Township 8 North, Range 4 West, Willamette Meridian, Columbia County, Oregon, described as follows: Beginning at a point 18.30 chains West, and 12.28 chains South of the Southeast corner of the Southwest Quarter of Section 23, in Township 8 North of Range 4 West of the Willamette Meridian, Columbia County, Oregon, and running thence West 21 chains; thence North 18.34 chains; thence West 19.13 chains; thence South 39.89 chains; thence East 40.13 chains; thence North 21.55 chains to an Iron Pipe set in the ground by W. T. Watts, formerly County Surveyor for Columbia County, Oregon; thence South 30 feet to the true point of beginning; thence South 200 feet; thence West 127 feet; thence North 200 feet; thence East 127 feet to the point of beginning.

TAX MAP ID NO. 8N4W26-B0-01400

All that portion of the Northwest quarter of Section 26, Township 8 North, Range 4 West, Willamette Meridian, Columbia County, Oregon, described as follows: Beginning at a point 18.30 chains West, and 12.28 chains South of the Southeast corner of the Southwest Quarter of Section 23, in Township 8 North of Range 4 West of the Willamette Meridian, Columbia County, Oregon, and running thence West 21 chains; thence North 18.34 chains; thence West 19.13 chains; thence South 39.89 chains; thence East 40.13 chains; thence North 21.55 chains to the place of beginning for the following, said place of beginning being marked an Iron Pipe set in the ground by W. T. Watts, formerly County Surveyor for Columbia County, Oregon; and running thence South 30 feet; thence West 327 feet; thence North 30 feet; thence East 327 feet to the place of beginning. Except rights of others in right of way as described and reserved by Nannie E. Miller by deed recorded November 7, 1904 in Columbia County Deed Volume 4, page 339.