

## BEFORE THE BOARD OF COUNTY COMMISSIONERS

## FOR COLUMBIA COUNTY, OREGON

In the Matter of Conveying Certain County )  
 Owned Real Property Known as Tax Map ID )  
 No. 5N2W36-C0-00900 and Tax Account )  
 No. 17597 to Peggy Tarbell, Trustee of the )  
 Tarbell Family Revocable Trust )

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ORDER NO. 15 - 2014

WHEREAS, certain real property in Columbia County, Oregon, which has been assigned Tax Account No. 17597 and Tax Map ID No. 5N2W36-C0-00900, (the "Property") was foreclosed upon for non-payment of ad valorem real property taxes in *Columbia County v. Adams, Richard L. & Donna E., et al.*, Case No. 11-2503; and

WHEREAS, the Property is more particularly described as:

The East Half of the Southwest Quarter of Section 36, Township 5 North, Range 2 West of the Willamette Meridian, EXCEPTING THEREFROM THE FOLLOWING:

(Tract 1) Land described in deed to Charles Tarbell, et al., recorded September 10, 1903 in Book 3 at Page 154, deed records of Columbia County, Oregon.

(Tract 2) Land described in deed to Ray E. Tarbell, et ux., by Pearly Brown, dated November 24, 1914 and recorded in Book 21 at Page 147, said deed records.

(Tract 3) Land described in deed to J. F. Quinn, et al., recorded February 11, 1936, in Book 58 at Page 539, said deed records.

(Tract 4) Land described in deed to F. L. Hedges, et al., recorded October 22, 1945 in Book 81 at Page 125, said deed records.

(Tract 5) Land described in deed to Fred Luttrell and Elladonah Luttrell, husband and wife, dated May 31, 1967 and recorded in Book 165 at Page 404, said deed records.

(Tract 6) Land described in deed to Fred Luttrell, dated November 1, 1972 and recorded in Book 189 at Page 78, said deed records.

(Tract 7) Land described in deed to Yankton Baptist Church, an Oregon Corporation, dated November 17, 1986 and recorded in Book 266 at Page 628, said deed records.

(Tract 8) Land described in deed to Charles R. Parks and Katherine A. Parks, husband and wife, dated November 17, 1986 and recorded in Book 266 at Page 635, deed records; and

WHEREAS, general judgment was entered in *Columbia County v. Adams, Richard L. & Donna E., et al*, Case No. 11-2503, on January 20, 2012, *nunc pro tunc* October 6, 2011, and ownership of the Property was thereafter conveyed to Columbia County, Oregon, by deed recorded in the deed records of the Columbia County Clerk as Instrument No. 2013-008254 on October 8, 2013; and

WHEREAS, on April 17, 2014, Peggy Tarbell submitted a written offer to purchase the Property for \$19,407.07; and

WHEREAS, on April 29, 2014, Peggy Tarbell tendered a check in the amount of \$19,407.07 to Columbia County to apply toward the delinquent taxes, interest, penalties and fees on the subject Property, said sum being the total amount owed in taxes, interest, penalties and administrative fees as of May 14, 2014; and

WHEREAS, ORS 275.180 provides that the County, in its discretion may at any time, without the publication of notice, sell and convey by deed signed by the Board of County Commissioners to the record owner any property acquired by the County for delinquent taxes for not less than the amount of taxes and interest accrued and charged against such property at the time of purchase by the County with interest thereon at the rate of six percent per annum from the date of such purchase; and

WHEREAS, George and Francis Tarbell, Trustees of the Tarbell Family Revocable Trust are the owners of record as reflected in County records; and

WHEREAS, George and Francis Tarbell are deceased and Peggy Tarbell was named as the Successor Trustee of the Tarbell Family Revocable Trust in the Trust Agreement; and

WHEREAS, Peggy Tarbell, Trustee of the Tarbell Family living Trust, is the record owner of the Property for purposes of ORS 275.180; and

WHEREAS, Peggy Tarbell has offered to make the minimum payment required to be made under ORS 275.180 to purchase the Property; and

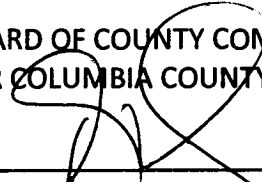
WHEREAS, Columbia County entered into a Purchase and Sale Agreement with Peggy Tarbell, Trustee of the Tarbell Family Revocable Trust on May 14, 2014;

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

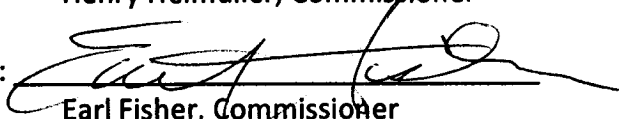
- 1) Peggy Tarbell, Trustee of the Tarbell Family Revocable Trust, is authorized to purchase the property referred to as Tax Map ID No. 5N2W36-CO-00900 for the sum of \$19,407.07.
- 2) A quitclaim deed, a copy of which is attached hereto as Exhibit 1 and incorporated herein by this reference, reconveying the property to Peggy Tarbell, Trustee of the Tarbell Family Revocable Trust, shall be signed by this Board and recorded in the records of the County Clerk with costs after funds have cleared.

DATED this 14<sup>th</sup> day of May, 2014.

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

By:   
Anthony Hyde, Chair

By:   
Henry Heimuller, Commissioner

By:   
Earl Fisher, Commissioner

Approved as to form

By:   
Office of County Counsel

**GRANTOR'S NAME AND ADDRESS:**

Board of County Commissioners  
for Columbia County, Oregon  
c/o County Counsel's Office  
230 Strand, Room 318  
St. Helens, OR 97051

**BOOK 0118 PAGE 3953**

**EXHIBIT 1**

**AFTER RECORDING, RETURN TO GRANTEE:**

Peggy Tarbell, Trustee  
Tarbell Family Revocable Trust  
33349 Pittsburg Road  
St. Helens, OR 97051

Until a change is requested, all tax statements shall be sent to  
Grantee at the address so indicated, above

**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 **PEGGY TARBELL, TRUSTEE OF THE TARBELL FAMILY REVOCABLE TRUST**, hereinafter called Grantee, all right, title and interest in and to the following described parcel of real property situated in the County of Columbia, State of Oregon, Tax Map ID No. 5N2W36-C0-00900 and Tax Account No. 17597, and more particularly described in Exhibit A, attached.

The true and actual consideration for this conveyance is \$19,407.07.

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 - 2014 adopted on the day of May, 2014, and filed in Commissioners Journal at Book \_\_\_, Page \_\_\_.

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, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. 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, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

IN WITNESS WHEREOF, the Grantor has executed this instrument this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

Approved as to form

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

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

STATE OF OREGON     )  
                              )  
County of Columbia    )     ss.

ACKNOWLEDGMENT

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2014, by Anthony Hyde, Chair, Board of County Commissioners of Columbia County, Oregon, on behalf of which the instrument was executed.

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

EXHIBIT A

BOOK 0118 PAGE 3955

Tax Map ID No. 5N2W36-C0-00900  
Tax Account No. 17597

The East Half of the Southwest Quarter of Section 36, Township 5 North, Range 2 West of the Willamette Meridian, EXCEPTING THEREFROM THE FOLLOWING:

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