

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON
ACTING AS THE TRUSTEES OF THE COLUMBIA HEALTH DISTRICT

| | | |
|---|---|------------------|
| In the Matter of a Statement of |) | |
| Dissolution and Liquidation, Certifying the |) | ORDER No. 7-2016 |
| Final Accounting of the Columbia Health |) | |
| District, and Terminating its Corporate |) | |
| Existence |) | |

WHEREAS, on April 28, 2011, the Columbia Health District Board filed Resolution No. 2011-06, a copy of which is attached hereto as Attachment 1, with the Columbia County Clerk, initiating the dissolution of the District; and

WHEREAS, on May 26, 2011, the Columbia Health District adopted Resolution No. 2011-07, a copy of which is attached hereto as Attachment 2, making findings of fact and a plan for dissolution and liquidation as required by ORS 198.925; and

WHEREAS, a District wide special election took place on September 20, 2011, on the question of whether the Columbia Health District should be dissolved, its indebtedness liquidated and its assets disposed of in accordance with the proposed plan of dissolution; and

WHEREAS, dissolution was approved by a vote of 5,535 in favor and 541 opposed; and

WHEREAS, upon canvassing the vote, the Board of the Columbia Health District adopted Resolution No. 10-13-2011, a copy of which is attached hereto as Attachment 3, declaring the district dissolved and designating the Board of Commissioners for Columbia County as the board of trustees for the purpose of winding up the affairs of the District; and

WHEREAS, notice to creditors, a copy of which is attached hereto as Attachment 4, and is incorporated herein by this reference, was published on September 9, 2015, and no creditors provided notice of a claim; and

WHEREAS, on September 23, 2015, the Board of County Commissioners acting as the trustees of the Columbia Health District adopted Order No. 45-2015, a copy of which is attached hereto as Attachment 5, and executed a quitclaim deed conveying all remaining real property to the City of St. Helens, pursuant to ORS 198.955; and

WHEREAS, the Board of County Commissioners for Columbia County, acting as the trustees of the Columbia Health District, has paid all of the debts of the District or secured releases thereof, and has fully settled the affairs of the District consistent with ORS 198.945; and

WHEREAS, on September 21, 2015, surplus funds remaining to the credit of the District, after payment of the indebtedness of the District as of June 30, 2015, were certified to the County Assessor and credited to each property appearing on the tax roll pursuant to ORS 198.955(3)(b); and

WHEREAS, a final accounting of the liquidation of the District has been prepared which is attached hereto as Attachment 6 and is incorporated herein by this reference;

NOW THEREFORE IT IS HEREBY ORDERED as follows:

1. The Board of County Commissioners, acting as the trustees of the Columbia Health District, hereby certify the final accounting which is attached hereto as Attachment 6. An audit for Fiscal Year 2016 shall be conducted.
2. The Columbia Health District has been dissolved and its affairs liquidated.
3. From the date of this Order the corporate existence of the Columbia Health District is terminated for all purposes.
4. All accounts of the Columbia Health District shall be closed and notification shall be made to government agencies as may be necessary.
5. All books and records of the District have been deposited in the office of the County Clerk.
6. This Order shall be recorded in the Columbia County Commissioners' Journal.

Dated this 18th day of May, 2016.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON
acting as trustees of the Columbia Health
District

Approved as to form

By: [Signature]
Office of County Counsel

By: [Signature]
Anthony Hyde, Chair

By: [Signature]
Henry Heimuller, Commissioner

By: [Signature]
Earl Fisher, Commissioner

STATE OF OREGON)
) ss.
County of COLUMBIA)

This instrument was subscribed and sworn to before me on the 18th day of May, 2016, by Anthony Hyde, Henry Heimuller, and Earl Fisher, Columbia County Commissioners, as trustees of the Columbia Health District, on behalf of which the instrument was executed.


Notary Public for Oregon

ATTACHMENT 1

**Columbia Health District
Resolution 2011-06**

BCC
COLUMBIA COUNTY
BOARD OF COMMISSIONERS
MAY 09 2011
cc

**A Resolution of the Columbia Health District Board of Directors
to Dissolve the Columbia Health District**

Whereas, the Columbia Health District (District) is a special district formed under ORS Chapter 198, and existing and exercising legal authority under ORS Chapter 440;

Whereas at the November 2, 2004 election District voters approved formation of the District and also approved a permanent tax rate limit of \$0.38 per \$1,000 of assessed value for the District;

Whereas at the November 2, 2010 election District voters approved Measure 5-209 that, among other things, purported to terminate District authority to levy property taxes within its permanent tax rate limit;

Whereas on March 28, 2011 the Columbia County Circuit Court issued an order that declares Measure 5-209 unconstitutional and unenforceable in its entirety;

Whereas the District Board of Directors (Board) finds that despite its unconstitutionally the strong voter support for Measure 5-209 makes it impossible for the District to continue;

Whereas the District has a Public Health Services Agreement (Agreement) with Columbia County (County) and on April 6, 2011 the Board gave the County Board of Commissioners formal notice of its intent to terminate the Agreement and transfer all District assets and liabilities relating to public health services to the County no later than June 30, 2011; and

Whereas the Board finds that it is in the best interest of the inhabitants of the District for the District to be dissolved and liquidated.

Therefore it is resolved:

The Columbia Health District Board of Directors determines its intention to dissolve and liquidate the Columbia Health District and initiates dissolution proceedings under ORS 198.920(2).

Within 30 days of this resolution the Board of Directors will prepare findings of fact and a proposed plan of dissolution and liquidation and file them with the Columbia County Clerk under ORS 198.925.

Within 10 days of filing the findings and plan, the Board of Directors will call an election to submit to District voters the question of whether the District shall be dissolved and liquidated under ORS 198.935(2).

This Resolution takes effect upon its adoption.

Adopted April 28, 2011


COLUMBIA HEALTH DISTRICT
Jay Tappan, Chair, Board of Directors

ATTACHMENT 2

**Columbia Health District
Resolution 2011-07**

A Resolution of the Columbia Health District Board of Directors Adopting Findings of Fact and a Plan for Dissolution and Liquidation of the Columbia Health District

Whereas, the Columbia Health District (District) is a special district formed under ORS Chapter 198, and existing and exercising legal authority under ORS Chapter 440;

Whereas at the November 2, 2004 election District voters approved formation of the District and also approved a permanent tax rate limit of \$0.38 per \$1,000 of assessed value for the District;

Whereas at the November 2, 2010 election District voters approved Measure 5-209 that, among other things, purported to terminate District authority to levy property taxes within its permanent tax rate limit;

Whereas on March 28, 2011 the Columbia County Circuit Court issued an order that declared Measure 5-209 unconstitutional and unenforceable in its entirety;

Whereas the District Board of Directors (Board) finds that despite its unconstitutionality the strong voter support for Measure 5-209 makes it impossible for the District to continue its existence;

Whereas the District has a Public Health Services Agreement (Agreement) with Columbia County (County) and on April 6, 2011 the Board gave the County Board of Commissioners formal notice of its intent to terminate the Agreement no later than June 30, 2011 and began the dissolution process; and

Whereas, the Columbia County Board of Commissioners on May 25 approved and signed Amendment No. 2 to the LPHSA that it is in the best interest of the residents of Columbia County and the parties to terminate the Agreement, and on May 26 the CHD Board co-signed.

Whereas the Board finds that it is in the best interest of the inhabitants of the District for the District to be dissolved and liquidated.

Therefore it is resolved:

The Columbia Health District Board of Directors by Resolution 2010-06 on April 28, 2011 declared its intention to dissolve and liquidate the Columbia Health District and initiated dissolution proceedings under ORS 198.920(2).

{00149817; 1 }

Return to: Columbia Health District
PO Box 995
St. Helens, OR 97051

COLUMBIA COUNTY, OREGON 2011-003940
MR-RES
Cnt=1 Pgs=12 HUSERB 05/27/2011 01:52:22 PM
\$60.00 \$11.00 \$15.00 \$5.00 \$10.00 = \$101.00



00140760201100039400120129

I, Elizabeth E. Huser, County Clerk for Columbia County, Oregon
certify that the instrument identified herein was recorded in the Clerk
records.

Elizabeth E. Huser - County Clerk

The Board of Directors adopts the findings of fact and plan of dissolution and liquidation contained in Exhibit A in compliance with ORS 198.925 and will file them with the Columbia County Clerk.


Within 10 days of filing the findings and plan, the Board of Directors will call an election to submit to District voters the question of whether the District shall be dissolved and liquidated under ORS 198.935(2).

This Resolution takes effect upon its adoption.

Adopted May 26, 2011

BOARD OF COLUMBIA HEALTH DISTRICT
COLUMBIA COUNTY, OREGON


Jay Tappan, Chair


Gary Heide, Vice Chair


Lisa Galovich


Diane Hutson

**EXHIBIT A
COLUMBIA HEALTH DISTRICT
FINDINGS OF FACT
PLAN OF DISSOLUTION AND LIQUIDATION**

The Columbia Health District Board of Directors under ORS 198.920(2) has declared its intention to dissolve and liquidate the District.

Under ORS 198.925, the Board makes findings of fact as follows:

A. Outstanding bond, coupon and other indebtedness

CHD has no outstanding bonds
Contracts with providers have been terminated or transferred.
Costs of actions required for CHD dissolution
Potential costs of unemployment for CHD public health employees being laid off due to budget cuts
CHD owns 310 shares of Stancorp Financial Group, Inc. that were given to CHD based on the retirement account savings of CHD employees. Those shares have been transferred to employees by Resolution 2011-05, May 26, 2011

B. Description of each parcel of real property and interest in real property.

The District owns the fee title to real property located at 2370 Gable Road, St. Helens, Oregon 97051. The property contains a 3,850 square-foot, wood-frame, one-story building constructed around 1960. The current value of the improvements, building and land is \$117,750. A copy of the legal description is contained in Attachment 1. A mortgage on this property held by US Bank was paid off in April 2011.

The District owns the fee title to real property located on Millard Road in St. Helens Oregon, known as the hospital property. It was purchased in a transaction with the City of St. Helens, the St. Helens School District and the District with funds from District property taxes. The value of the land and improvements is \$3.3 million. A copy of the legal description is contained in Attachment 2.

C. Uncollected taxes levied by the district are unknown.

The Columbia County Treasurer estimates that uncollected taxes levied by the District as of a September 20, 2011 election will be \$1,500. Given the comparatively small amount of taxes owed the District, the large number of properties contributing to the delinquency and the considerable administrative burden in identifying and listing individual properties for which taxes are owed, this summary substantially complies with ORS 198.925(1)(c).

- D. The District owns personal property, other than real property, valued at \$67,559. An inventory is attached as Attachment 3. The only personal property of the District valued at over \$5,000 in value is a 2002 Chevy Trailblazer, purchased with state public health funds, and a generator, purchased with state public health funds
- E. The District maintains the following accounts with balances shown as of May 24, 2011:
 - Local Government Investment Pool: \$473,889.43
 - US Bank: \$23,725.97
- F. Estimated Cost of Dissolution, including legal, elections and transfer of public health contract: \$514,662.

Under ORS 198.930, the Board Plan for Dissolution and Liquidation:

For dissolution, the District will transfer before June 30, 2011 all public health service assets of the District including the Gable Road real property and all obligations of the District including the Public Health Services Agreement to Columbia County. The County has the legal authority to and agrees to assure the outstanding indebtedness of the dissolving District, and to continue to assure public health services to the residents of the District.

For liquidation, the District will designate the County Board of Commissioners as the District Board of Trustees for the purpose of winding up the affairs of the District if a majority of the voters approve dissolution of the District.

Adopted May 26, 2011

ATTACHMENT 1

COLUMBIA HEALTH DISTRICT
BOUNDARY DESCRIPTION

Beginning at the Southeast border of Columbia County where it meets with the center line of the Multnomah Channel and proceeding in a Northerly direction along the center line of the Multnomah Channel approximately ten miles to a point on the Easterly extension of the South line of the H. M. Knighton D L C #39 in Section 3, T4N, RIW; thence Easterly, along said Easterly extension of the South line of the H. M. Knighton DLC #39, a distance of 0.25 miles more or less to a point on the State Boundary between Washington and Oregon in the Oregon-Washington Compact center of the Columbia River, said State Boundary also being the Easterly line of Columbia County; thence Northerly, following said State and County Boundary line a distance of 1 1.0 miles more or less, to the intersection of the East boundary of Columbia County to the North boundary line of Section 18 of T6N, RIW and then proceeding West along the North boundary of Section 18, T6N, RIW and along the North boundary lines of Sections 13 to 18 of T6N, R2W and Sections 13 to 16 of T6N, R3W and then proceeding South along the West boundary line of Sections 16, 21, 28, & 33 of T6N, R3W and continuing South along the West boundary lines of Sections 4, 9, 16, 21, 28, & 33 of T5N, R3W and continuing South along the West boundary lines of Sections 4, 9, T6, 21, 28, & 33 of T4N, R3W to the Columbia County line and then turning East along the south boundary line of Sections 33 & 34 of T4N, R3W and then proceeding South along the West boundary of Sections 2 & 11 of T3N, R3W, and then East along the South boundary of Sections 11 & 12, T3N, R3W and then South along the West boundary line of Section 18 of T3N, R2W, also along the Columbia County line with Washington County and then proceeding East along the Southern boundary lines of Sections 18, 17 & 16 of T3N, R2W and then proceeding South along the West boundary line of Section 22 of T3N, R2W and then proceeding East along the Southern boundary of Columbia County common to Multnomah County and along the Northern boundary lines of Sections 27, 26, & 25 of T3N, R2W and continuing East along Section 30 T3N, RIW to the center line of the Multnomah Channel also known as the beginning point.

{00149835; 1}Resolution 2011-07
Exhibit A
Attachment 1

ATTACHMENT 2

COLUMBIA HEALTH DISTRICT
BOUNDARY DESCRIPTION

Legal Description of Adjusted Deed Book 144 Page 313

A portion of the John McNulty Donation Land Claim No. 50, located in the Northwest One-Quarter and in the Southwest One-Quarter of Section 8, Township 4 North, Range 1 West, Willamette Meridian, Columbia County, Oregon and being more particularly described as follows:

Beginning at the northeast corner of Lot 23 of "Firlok Park", being a 1 inch iron pipe on the southerly right-of-way line of Maple Street (25.00 feet from centerline), thence along said southerly right-of-way line North 88 06'31" East 149.48 feet to a point from which 1-1/2 inch iron pipe bears South 09°22'10" East 1.21 feet; thence along the westerly line of Book 148 Page 96 South 09 22'10" East 110.07 feet to a 1/2 inch iron pipe; thence along the southwesterly line of said Book 148 Page 96 South 46 07'00" East 25.20 feet to a point in the center of McNulty Creek; thence along the center of said creek along the following courses: North 11 15' 12" West 7 .92 feet; North 65 31 '40" East 27.61 feet; North 8105'05" East 67.62 feet; South 80 37'07" East 53.35 feet to the northeast corner of Deed 148 Page 94 from which a 5/8 inch iron rod with a yellow plastic cap inscribed "AKS ENGR." bears South 01 33'00" East 20.00 feet; thence along the east line of said Deed South 01 33'00" East 1325.99 feet to a 5/8 inch iron rod with a yellow plastic cap inscribed "AKS ENGR." being the True Point of Beginning; thence continuing along said east line South 01 33'00" East 693.90 feet to a 5/8 inch iron rod with a yellow plastic cap inscribed "DEWEY SURVEYING INC." on the northerly right-of-way line of Millard County Road (20.00 feet from centerline); thence along said northerly right-of-way line North 88 15'37" West 525.01 feet to a 5/8 inch iron rod with a yellow plastic cap inscribed "DEWEY SURVEYING INC."; thence along the west line of Deed Book 144 Page 313 North 01 33'54" West 694.09 feet to a 5/8 inch iron rod with a yellow plastic cap inscribed "AKS ENGR."; thence leaving the east line of said Book 144 Page 313 South 88 14'26" East 525.20 feet to the True Point of Beginning.

The above described tract of land contains 8.35 acres, more or less. The Basis of Bearings is per Columbia County Survey Number 4882.

**Attachment 3
Columbia Health District Findings of Fact**

Pauley Rogers & Co. P.C. auditors summarized CHD capital assets for the year ending June 30, 2010, after depreciation:

| | |
|---------------------------------------|-------------|
| Equipment and Fixtures | \$67,559.00 |
| Public Health Clinic and Improvements | \$13,750.00 |

Not subject to depreciation:

| | |
|--|-------------|
| Gable Road property | \$104,000 |
| Millard Road Property and Improvements | \$3,297,382 |

The following CHD assets are essential to providing public health services:

Property, building at 2370 Gable Road, 3,850 sq ft

The Following CHD inventory is essential to providing public health services:

Office Equipment:

| | |
|------------------------|----|
| COPY MACHINE | 1 |
| CONFERENCE TABLE | 1 |
| PLASTIC CHAIRS | 17 |
| GREEN PADDED CHAIRS | 7 |
| COMPUTER CHAIRS | 3 |
| DESK CHAIRS | 23 |
| FRONT DESK STOOLS | 2 |
| SHREDDERS | 3 |
| LARGE SHREDDER | 1 |
| POSTAGE MACHINE | 1 |
| PRINTER CABINET | 1 |
| PRINTERS | 17 |
| MINI PROJECTOR | 1 |
| MAIL CABINET | 1 |
| COMPUTER WORKSTATIONS | 16 |
| COMPUTER MONITOR | 11 |
| EPSON EX PROJECTOR | 2 |
| FAX MACHINE | 1 |
| KEY BOARDS | 11 |
| DIGITAL CAMARA | 1 |
| TRANSPARENCY PROJECTOR | 1 |

| | |
|------------------------------------|----|
| LAPTOP CCOMPUTERS | 16 |
| FIRE EXTINGUISHERS | 2 |
| SMALL TABLE | 1 |
| SMALL ROUND TABLE | 2 |
| CUPBOARDS | 5 |
| TABLES | 7 |
| GARBAGE CANS | 4 |
| DELL SERVER | 1 |
| APC SMART 1500 UPS UNITS | 2 |
| AIRCONDITIONER UNIT | 1 |
| DELL POWER CONNECT SWITCH | 1 |
| CISCO NETWORK CONNECT SWITCH | 1 |
| EDGEWATER FIREWALL | 1 |
| BASLIN USB 2.0 HI-SPEED HARD DRIVE | |
| OFFICE DESKS | 22 |
| BOOKSHELF | 12 |
| PHONES | 21 |
| STORAGE CABINETS | 5 |
| OFFICE DESK W/ HUTCH | 12 |
| 6 DRAW FILE | 4 |
| LONG FOLDING TABLE | 1 |
| WHITE BOARDS | 4 |
| SATELLITE PHONES W/CASES | 2 |
| CELL PHONES | 6 |
| WALL MOUNT RADIO W/CHARGER | 1 |
| WEATHER RADIOS | 2 |
| BULLETIN BOARDS | 12 |
| LAPTOP BAG | 1 |
| CHART FILE CASE | 6 |
| FOUR DRAWE FILE CABINET | 21 |
| TWO DRAWER FILE CABINET | 7 |
| CASIO SOLAR CLACULATOR | 1 |
| DIGITAL VOICE RECORDER | 1 |
| HEAVY DUTY 3 HOLE PUNCH | 2 |
| CALCULATOR PRINTERS | 2 |
| 3 DRAWER STORAGE BIN | 1 |
| MAGLITE | 1 |
| LUGGAGE SETS | 2 |
| PHONE HANDSET | 3 |
| PAPER CUTTER | 2 |

| | |
|------------------------|----|
| PAMPHLET RACKS | 11 |
| BENCHES | 5 |
| AV CART | 1 |
| TV& COMPUTER | |
| PROJECTOR | 1 |
| DIAPER DECK | 1 |
| DIAPER DISPOSAL CAN | 1 |
| ROLLING WHITE BOARD | 1 |
| STORAGE SHEDS | 2 |
| LARGE FANS | 2 |
| SHELVING UNITS | 2 |
| TABLE TOP TV/VCR UNITS | 2 |
| PROJECTOR SCREEN | 1 |

Medical Equipment

| | |
|-------------------------|----|
| MED GRADE REFRIGERATORS | 2 |
| FLOOR LAMPS | 4 |
| EXAM TABLES | 2 |
| HANDICAPPED EXAM TABLE | 2 |
| EXAM LIGHTS | 4 |
| ULTRASOUND MACHINE | 1 |
| DOPPLER | 1 |
| FETAL MONITOR | 1 |
| CENTRIFUGE | 1 |
| EXAM STOOLS | 5 |
| SNELLEN EYE CHARTS | 2 |
| HEMOSTAT | 3 |
| OTOSCOPE | 2 |
| NEBULIZER | 1 |
| BP CUFFS ASSORTED | 11 |
| AUTOMATIC BP CUFF | 1 |
| STETHOSCOPES | 6 |
| COLPOSCOPE | 1 |
| EXAM TRAYS | 4 |
| HOME VISIT SCALES | 2 |
| SCALES | 6 |
| BABY SCALES | 2 |
| MEASURING BOARD | 3 |
| MIRRORS | 2 |
| MICROSCOPES | 2 |

| | |
|------------------------------|---|
| STERILIZER | 1 |
| LAB GRADE REFRIGERATOR | 2 |
| SMALL FREEZERS | 2 |
| WALL CABINET | 1 |
| PORTABLE FREEZER UNIT | 1 |
| PORTABLE REFRIGERATOR | 1 |
| DIGITAL THERMOMETER | 1 |
| BLOOD DRAW DESK | 1 |
| SMALL O2 CANISTER | 1 |
| RECORDING DIGITAL THERM | 3 |
| CLINICAL SUPPLIES & MEDICINE | |
| ROLLING CART | 4 |
| EXAM SCREENS | 2 |
| BIO-JECTORS | 2 |
| TOOLS FOR EXAMS | |

Medical Supplies

| | |
|--|----|
| 2 BOXES OF LACTINA BREAST PUMP REPLACEMENT PARTS | |
| 1 BOX MISCELLANEOUS PUMP REPLACEMENT PARTS | |
| 4 BOXES HANDHELD BREAST PUMPS | |
| MEDICAL AND NURSING BOOKS | |
| BREAST PUMPS | 30 |
| HOSPITAL GRADE BREAST PUMPS | 17 |
| ASSORTED BIO-JECTOR SUPPLIES | |
| SYRINGES | |
| COOLERS | |
| GERM STATION SUPPLIES | |

Public Health Preparedness Equipment and Supplies:

| | |
|--------------------------------|----|
| LABEL MAKER | 1 |
| VHF RADIOS W/CHARGERS | 4 |
| PUSH TO TALK RADIOS W/CHARGERS | |
| AND TRAVEL CASE | 22 |
| TWO WAY RADIO HEADSETS | 20 |
| RADIATION DETECTOR | 1 |
| COLD LAMINATOR | 2 |
| LAMINATOR STAND | 1 |
| ID BADGE MAKER W/SUPPLIES | 1 |
| CANNON POWERSHOT CAMARA | 1 |
| SUPPLY TRAILER W/POD SUPPLIES | 1 |

| | |
|------------------------------|-----|
| N95 RESIRATORS | 80 |
| SURGICAL FACE MASKS | 500 |
| PARTICULATE RESPIRATOR MASKS | 200 |
| SAFETY PARTICULATE MASKS | 100 |
| SAFETY GLASSES | 16 |
| GOWNS & GLOVES | |

Other:

| | |
|----------------------------------|---|
| LADDER | 1 |
| HAND TRUCK | 1 |
| COFFEE MAKER | 1 |
| TOASTER | 1 |
| MICROWAVE | 1 |
| DISHWASHER | 1 |
| TV | 1 |
| BOSE RADIO | 1 |
| ASSORTED HOLIDAY DECORATIONS | |
| ASSORTED FAIR BOOTH SUPPLIES | |
| ASSORTED CHILDRENS FAIR SUPPLIES | |
| LAUNDRY BASKET | 1 |

Assets non-essential to provision of public health services:

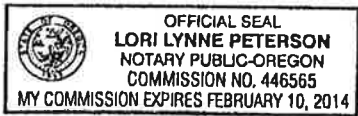
8.3 acres improved property on Millard Road

State of OREGON
County of Columbia

Jay Tappan
Gary Heide
Lisa Galovich

Signed or attested before me on May 26, 2011 by Diane Hutson


Notary Public - State of Oregon



ATTACHMENT 3

COLUMBIA COUNTY
BOARD OF COMMISSIONERS
OCT 13 2011
Henny/cc

RESOLUTION NO. 10-13-2011

**A Resolution Canvassing the Vote and Declaring Dissolution of the
Columbia Health District**

WHEREAS, the Columbia Health District ("District") is a special district duly formed under Oregon Revised Statutes ("ORS") Chapter 198 and authorized by ORS Chapter 440; and

WHEREAS, a special election was held on September 20, 2011, on the question of whether the District should be dissolved, and such dissolution was approved by a vote of 5,535 in favor and 541 opposed, pursuant to the Voting Abstract attached hereto and incorporated herein by this reference; and

WHEREAS, pursuant to ORS 198.945(1), upon canvassing the vote after the election, if it appears that a majority or more of the votes cast approve the dissolution, the District's Board of Directors ("Board") shall declare the District dissolved;

WHEREAS, all the known holders of valid indebtedness against the District have consented to the dissolution of the District, as required by ORS 198.950(2);

NOW, THEREFORE, it is hereby resolved as follows:

1. The District's Board of Directors ("Board") hereby canvasses the vote of the September 20, 2011, election, and finds that the majority of votes cast approve the dissolution of the District.
2. The District is hereby dissolved.
3. Pursuant to ORS 198.945(1), the District Board has named the Columbia County Board of Commissioners to act as the board of trustees for the dissolved District, who shall pay the debts or procure releases thereof and dispose of the property of the District pursuant to the Plan for Dissolution adopted by the Board and approved by voters.
4. After the affairs of the District have been fully settled, all books and records of the District shall be deposited by the board of trustees with Columbia County, and the board of trustees shall execute under oath, and file with the ~~Cook~~ ^{Im Columbia} Columbia County Court, a statement that the District has been dissolved and its affairs liquidated.

ADOPTED October 13, 2011.

COLUMBIA COUNTY
OCT 13 2011
COUNTY COUNSEL

Jamara K. Maygro
Chairman, Board of Directors
COLUMBIA COUNTY HEALTH DISTRICT
COLUMBIA COUNTY
OCT 25 2011
COUNTY COUNSEL

**RESOLUTION CANVASSING VOTE AND DECLARING DISSOLUTION OF THE
COLUMBIA COUNTY HEALTH DISTRICT**

| OFFICIAL CANVASS | | Columbia County, Oregon | | Special Election | | September 20, 2011 | |
|-------------------------------|------|-------------------------|-------|-----------------------------------|--|--------------------|--|
| RUN DATE: 09/27/11 10:41 AM | | TOTAL PERCENT | | WITH 32 OF 32 PRECINCTS REPORTING | | TOTAL PERCENT | |
| 01 = REGISTERED VOTES - TOTAL | | 19,209 | | 03 = VOTER TURNOUT - TOTAL | | 31.82 | |
| 02 = BALLOTS CAST - TOTAL | | 6,113 | | | | | |
| | 01 | 02 | 03 | | | | |
| 0000 8 | 450 | 127 | 28.22 | | | | |
| 0010 10 | 281 | 121 | 43.06 | | | | |
| C 11 11 | 297 | 104 | 35.02 | | | | |
| 0012 12 | 446 | 140 | 31.39 | | | | |
| 0013 13 | 532 | 200 | 37.39 | | | | |
| 0019 19 | 862 | 302 | 35.03 | | | | |
| 0020 20 | 636 | 238 | 37.39 | | | | |
| 0021 21 | 415 | 108 | 26.06 | | | | |
| 0022 22 | 388 | 119 | 30.39 | | | | |
| 0023 23 | 782 | 170 | 21.81 | | | | |
| 0024 24 | 486 | 139 | 28.60 | | | | |
| 0025 25 | 484 | 125 | 25.99 | | | | |
| 0026 26 | 2043 | 520 | 25.48 | | | | |
| 0027 27 | 476 | 168 | 35.29 | | | | |
| 0028 28 | 309 | 122 | 39.48 | | | | |
| 0029 29 | 327 | 143 | 43.73 | | | | |
| 0030 30 | 234 | 91 | 38.89 | | | | |
| 0031 31 | 820 | 294 | 35.85 | | | | |
| 0032 32 | 712 | 254 | 35.82 | | | | |
| 0033 33 | 1222 | 420 | 34.37 | | | | |
| 0034 34 | 902 | 316 | 35.13 | | | | |
| 0035 35 | 418 | 213 | 50.96 | | | | |
| 0036 36 | 424 | 148 | 35.14 | | | | |
| 0037 37 | 412 | 121 | 29.37 | | | | |
| 0038 38 | 477 | 163 | 34.17 | | | | |
| 0040 40 | 944 | 316 | 33.47 | | | | |
| 0046 46 | 95 | 31 | 32.63 | | | | |
| 0047 47 | 377 | 158 | 41.91 | | | | |
| 0048 48 | 348 | 84 | 24.14 | | | | |
| 0049 49 | 816 | 170 | 20.83 | | | | |
| 0053 53 | 1244 | 492 | 39.55 | | | | |
| 0055 55 | 216 | 78 | 35.65 | | | | |

| 4-116 CITY OF SCASPOON | | VOTES PERCENT | | WITH 4 OF 4 PRECINCTS REPORTING | | VOTES PERCENT | |
|------------------------|-----|---------------|----|---------------------------------|--|---------------|--|
| VOTE FOR 1 | | 443 32.45 | | 03 = OVER VOTES | | 0 | |
| 01 = Yes | | 543 47.55 | | 04 = UNDER VOTES | | 13 | |
| 02 = No | | | | | | | |
| | 01 | 02 | 03 | 04 | | | |
| 0031 31 | 138 | 113 | 0 | 2 | | | |
| C 12 32 | 88 | 144 | 0 | 2 | | | |
| 0033 33 | 187 | 172 | 0 | 6 | | | |
| 0034 34 | 189 | 184 | 0 | 3 | | | |

| 5-217 COLUMBIA HEALTH | | VOTES PERCENT | | WITH 32 OF 32 PRECINCTS REPORTING | | VOTES PERCENT | |
|-----------------------|-----|---------------|----|-----------------------------------|--|---------------|--|
| VOTE FOR 1 | | 5,525 91.10 | | 03 = OVER VOTES | | 4 | |
| 01 = Yes | | 541 9.90 | | 04 = UNDER VOTES | | 32 | |
| 02 = No | | | | | | | |
| | 01 | 02 | 03 | 04 | | | |
| 0000 8 | 189 | 16 | 1 | 1 | | | |
| 0010 10 | 116 | 8 | 0 | 0 | | | |
| 0011 11 | 96 | 8 | 0 | 0 | | | |
| 0012 12 | 129 | 11 | 0 | 0 | | | |
| 0013 13 | 188 | 14 | 0 | 0 | | | |
| 0019 19 | 289 | 13 | 0 | 0 | | | |
| 0020 20 | 217 | 8 | 0 | 0 | | | |
| 0021 21 | 30 | 8 | 1 | 0 | | | |
| 0022 22 | 110 | 9 | 0 | 0 | | | |
| 0023 23 | 149 | 21 | 0 | 0 | | | |
| 0024 24 | 116 | 23 | 0 | 0 | | | |
| 0025 25 | 107 | 19 | 0 | 0 | | | |
| 0026 26 | 471 | 48 | 0 | 1 | | | |
| 0027 27 | 89 | 9 | 0 | 0 | | | |
| 0028 28 | 127 | 18 | 0 | 0 | | | |
| 0029 29 | 125 | 11 | 0 | 0 | | | |
| 0030 30 | 86 | 5 | 0 | 0 | | | |
| 0031 31 | 218 | 31 | 0 | 2 | | | |
| 0032 32 | 191 | 26 | 0 | 8 | | | |
| 0033 33 | 289 | 38 | 0 | 8 | | | |
| 0034 34 | 279 | 29 | 0 | 8 | | | |
| 0035 35 | 190 | 22 | 0 | 0 | | | |
| 0036 36 | 124 | 21 | 0 | 1 | | | |
| 0037 37 | 109 | 12 | 0 | 0 | | | |
| 0038 38 | 181 | 10 | 0 | 0 | | | |
| 0040 40 | 201 | 23 | 2 | 0 | | | |
| 0046 46 | 26 | 5 | 0 | 0 | | | |
| 0047 47 | 167 | 11 | 8 | 0 | | | |
| 0048 48 | 82 | 4 | 8 | 0 | | | |
| 0 49 49 | 148 | 22 | 0 | 0 | | | |
| U853 53 | 486 | 26 | 0 | 2 | | | |
| 0055 55 | 71 | 8 | 0 | 1 | | | |

Columbia Health District
PO Box 1712

St Helens, Oregon 97051

CHD Meeting minutes 10/13/2011

A motion was made to dissolve the Columbia Health District following the majority vote on 9/20/201. It was seconded and past. The CHD is dissolved and has no interest or responsibility in the bank account at US Bank St Helens branch. Please remove the names Carrie Cason - Treasurer, and Madeline Anderson - Secretary, from the account #1-536-9502-7919. The Columbia County Commissioners Earl Fisher, Tony Hyde, and Henry Heimuller are now responsible for this account.

Cordially,

Carrie Cason, Treasurer



TAMARA MAYGRA, chair Tamara Maygra

Madeline Anderson, Secretary



COLUMBIA COUNTY

OCT 13 2011

COUNTY COUNSEL

Columbia Health District
PO Box 1712

St Helens, Oregon 97051

CHD Meeting minutes 10/13/2011

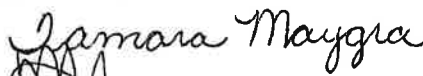
A motion was made to dissolve the Columbia Health District following the majority vote on 9/20/2011. It was seconded and past. The CHD is dissolved and has no interest or responsibility in the bank account at US Bank St Helens branch. Please remove the names Carrie Cason - Treasurer, and Madeline Anderson - Secretary, from the account #1-536-9502-7919. The Columbia County Commissioners Earl Fisher, Tony Hyde, and Henry Heimuller are now responsible for this account.

Cordially,

Carrie Cason, Treasurer



TAMARA MAYGRA, Chair



Madeline Anderson, Secretary



COLUMBIA COUNTY

OCT 13 2011

COUNTY COUNSEL

ATTACHMENT 4

NOTICE OF DEADLINE TO ASSERT CLAIM

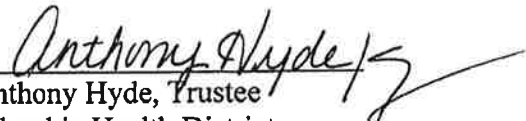
Against the Columbia Health District

The Board of County Commissioners for Columbia County as trustees of the Columbia Health District is settling the affairs of the Columbia Health District according to ORS 198.845 et. seq., and the Plan of dissolution approved by District election on September 20, 2011.

All claims against the Columbia Health District must be asserted in writing to the Board of County Commissioners, trustees of the Columbia Health District, at the address below. Claims must be received **NO LATER THAN 5:00 p.m. SEPTEMBER 21, 2015**. Any claims against the Columbia Health District not presented by **SEPTEMBER 21, 2015**, will be barred. No claim will be considered without sufficient documentation to establish the basis for the claim and the amount of the claim.

DATED: 31st day of August, 2015.

Board of County Commissioners, Trustees
230 Strand
St. Helen, Oregon 97051
503-397-7243 (fax)

/s/ 
Anthony Hyde, Trustee
Columbia Health District

Chronicle: Please publish in Wednesday, September 9, 2015 edition

Daily Journal of Commerce: Please publish in Wednesday, September 9, 2015 edition

**AFFIDAVIT
OF
PUBLICATION**

COUNTY OF COLUMBIA
STATE OF OREGON SS.

I, Don Patterson, being first duly sworn, depose and say that I am The Publisher of The Chronicle, a newspaper of general circulation, as defined by sections ORS 193.010 and 193.020, printed and published at St. Helens, in the aforesaid county and state; that the

Columbia County
Board of Commissioners
Trustees of the Columbia Health District
Notice of Deadline to Assert Claim

1 (one) successive and consecutive weeks in the following issues:

September 9, 2015


Don Patterson

Subscribed and sworn before me this

10 day of September, 2015





CH15-0239
NOTICE OF DEADLINE
TO ASSERT CLAIM
Against the Columbia
Health District

The Board of County Commissioners for Columbia County as trustees of the Columbia Health District is settling the affairs of the Columbia Health District according to ORS 198.045 et. seq., and the Plan of dissolution approved by District election on September 20, 2011.

All claims against the Columbia Health District must be asserted in writing to the Board of County Commissioners, trustees of the Columbia Health District, at the address below. Claims must be received NO LATER THAN 5:00 p.m., SEPTEMBER 21,

2015. Any claims against the Columbia Health District not presented by SEPTEMBER 21, 2015, will be barred. No claim will be considered without sufficient documentation to establish a basis for the claim and the amount of the claim.

DATED: 31st day of August, 2015.

Board of County
Commissioners,
Trustees
230 Strand
St. Helens, Oregon
97051
503-397-7243 (fax)

Anthony Hyde, Trustee
Columbia Health District

Country Media Inc.
P.O. Box 9278
Portland, OR, 97207
Tel : (503) 444-7924

Advertising Invoice

Salesperson : House

Board of Commissioners
230 Strand Street
Rm 331
St Helens, OR
97051-2096

Cust# 22310
Inv# 195257
Invoice Date: 09/09/15

| Ad # | Text | Edition | First Date | Last Date | #Ins. | Amount |
|--|----------------------------|----------------------|------------|-----------|-------|-------------------|
| 130480 | CH15-0239 NOTICE OF DEA... | St. Helens Chronicle | 09/09/15 | 09/09/15 | 1 | 40.20 |
| | | | | | | 40.20 |
| Total: | | | | | | 40.20 |
| Notice Thank you for supporting your community news source. | | | | | | Grand Total 40.20 |

Date: 9.22.15
Acct. # 100-01-00-4710
& Amt. \$40.20

I certify that this invoice is for goods/services
furnished to Columbia County and funds are
budgeted for this expense.

Dept. Head or authorized person

AFFIDAVIT OF PUBLICATION

DJC



921 S.W. Washington St. Suite 210 / Portland, OR 97205-2810
(503) 226-1311

STATE OF OREGON, COUNTY OF MULTNOMAH--ss.

I, **Michelle Ropp**, being first duly sworn, depose and say that I am a **Principle Clerk** of the **Daily Journal of Commerce**, a newspaper of general circulation in the counties of **CLACKAMAS, MULTNOMAH, and WASHINGTON** as defined by ORS 193.010 and 193.020; published at Portland in the aforesaid County and State; that I know from my personal knowledge that the Hearings and Minutes notice described as

NOTICE OF DEADLINE

The Board of County Commissioners; Bid Location St. Helens, OR, Columbia County; Due 09/21/2015 at 05:00 PM

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for 1 time(s) in the following issues:

9/9/2015

State of Oregon
County of Multnomah

SIGNED OR ATTESTED BEFORE ME
ON THE **9th** DAY OF **September**, 2015

Michelle Ropp

Notary Public-State of Oregon

NOTICE OF DEADLINE TO ASSERT CLAIM AGAINST THE COLUMBIA HEALTH DISTRICT

The Board of County Commissioners for Columbia County as trustees of the Columbia Health District is settling the affairs of the Columbia Health District according to ORS 198,845 et. seq., and the Plan of dissolution approved by District election on September 20, 2011.

All claims against the Columbia Health District must be asserted in writing to the Board of County Commissioners, trustees of the Columbia Health District, at the address below. Claims must be received **NO LATER THAN 5:00 p.m. SEPTEMBER 21, 2015**. Any claims against the Columbia Health District not presented by **SEPTEMBER 21, 2015**, will be barred. No claim will be considered without sufficient documentation to establish the basis for the claim and the amount of the claim.

DATED: 31st day of August, 2015.
Board of County Commissioners, Trustees
230 Strand
St. Helens, Oregon 97051
503-397-7243 (fax)

Anthony Hyde, Trustee
Columbia Health District
Published Sept. 9, 2015. 10856388

Jan Greenhalgh
Columbia County Board of Commissioners
230 Strand St RM 331
St. Helens, OR 97051-2040

Order No.: 10856388
Client Reference No:

INVOICE

Daily Journal of Commerce

Oregon's Building Connection

921 S.W. Washington St.
Suite 210
Portland, OR 97205-2810
1 (503) 226-1311
www.djcoregon.com

Columbia County Board of Commissioners

Jan Greenhalgh
230 Strand St RM 331
St. Helens, OR 97051-2040

| | |
|--------------|-----------|
| Account # | 10067519 |
| Invoice Date | 9/10/2015 |
| Invoice # | 742366855 |
| Order # | 10856388 |
| Terms | NET 30 |
| PO/Case # | |
| Salesrep | |

| Days/Inserts | Description | Size/Qty | Unit Price | Amount |
|------------------|---|-----------------------------------|------------|--------------|
| 1 | <p align="center">NOTICE OF DEADLINE</p> <p>Daily Journal of Commerce (OR) Government / Hearings and Minutes The Board of County Commissioners; Bid Location St. Helens, OR, Columbia County; Due 09/21/2015 at 05:00 PM 09/09/2015 -Base Charge</p> | 1 col x 3.54in 158 wrd / 33 ln | | 69.30 |
| TOTAL DUE | | | | 69.30 |

DETACH AND RETURN THIS PORTION WITH YOUR PAYMENT TO:

Daily Journal of Commerce

SDS 12-2812
PO Box 86
Minneapolis, MN 55486-2812

| Account # | Customer | Bill Attention | Invoice # | Invoice Date | Total Due |
|-----------|--|----------------|-----------|--------------|-----------|
| 10067519 | Columbia County Board of Commissioners | Jan Greenhalgh | 742366855 | 9/10/2015 | 69.30 |



M M Y Y
 _____ / _____ Security Code: _____
 CARD NUMBER EXP. DATE

Charge My Credit Card \$ _____ CUSTOMER SIGNATURE _____

ATTACHMENT 5

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON**

In the Matter of Conveying Certain Real Property)
In St. Helens, Oregon, to the City of St. Helens,)
Oregon [Tax Map ID No. 4108-CB-00401])

ORDER NO. 45- 2015

WHEREAS, a District wide special election took place on September 20, 2011, on the question of whether the Columbia Health District should be dissolved, and the dissolution was approved by a vote of 5,535 in favor and 541 opposed; and

WHEREAS, after the election the Board of the District canvassed the vote and declared the District dissolved by Resolution 10-13-2011, approved October 13, 2011; and

WHEREAS, Resolution 10-13-2011 also appointed the Columbia County Board of Commissioners to act as the board of trustees for the dissolved District, to pay the debts of the District or procure releases thereof and dispose of the property of the District pursuant to the Plan for Dissolution adopted by the District Board and approved by the voters on September 20, 2011; and

WHEREAS, ORS 198.955(2) provides that if property of a district is located within the corporate limits of a city, such property shall, upon dissolution of the district, vest in the city in which it is located; and

WHEREAS, at the time of dissolution, the Columbia Health District owned certain property located on the north side of Millard Road between Chase Road and Division Road in St. Helens, Oregon, Tax Map ID No. 4108-CB-00401; Tax Account #434199 (the "Property"); and

WHEREAS, the Property is located within the corporate limits of the City of St. Helens; and

WHEREAS, on January 3, 2012, the District, by and through Chuck Larsen, a taxpayer, and Brady Preheim and Joe Cason, purported trustees of the District, filed Case No. 12-2000 in the Columbia County Circuit Court against the Board of County Commissioners, Trustees of the District, seeking a permanent injunction preventing the Trustees of the Columbia Health District from conveying the Property to the City of St. Helens; and

WHEREAS, on January 3, 2012, the District filed Case No. 12-2001, In the matter of the Columbia Health District Resolution 2011-7; and

WHEREAS, on December 28, 2012, the Court, having consolidated the two cases, issued a letter opinion granting summary judgment in both cases against plaintiffs and in favor of all defendants and intervenors as to all claims based upon the Court's determination that the actions complained of were within the statutory authority of the Columbia County Commissioners in their capacity as trustees of the dissolved Columbia Health District; and

WHEREAS, according to the Court, "(f)ollowing the election in which the votes overwhelmingly decided to dissolve the district, the then District Board of Directors appointed the Columbia County Board of Commissioners to act as the Board of Trustees pursuant to ORS 198.945(1) for purposes of disposing of the districts assets and paying any remaining debts as set out in Resolution No. 10-13-2011 which was adopted on October 13, 2011"; and

WHEREAS, the Court entered its general judgments in the two cases on February 13,

2013, dismissing Petitioner's claims in Case No. 12-2001, and dismissing Plaintiff's claims against Defendants, Tony Hyde, Earl Fisher, Henry Heimuller, and the City of St. Helens in Case No. 12-2000 with prejudice; and

WHEREAS, the General Judgment in Case No. 12-2000 further ordered that the Property shall vest exclusively with the City of St. Helens and that Plaintiff shall promptly execute and deliver to St. Helens a Quit Claim Deed transferring title to the Property upon entry of the judgment; and

WHEREAS, on March 8, 2013, Plaintiffs filed their Notice of Appeal to the Oregon Court of Appeals in both cases; and

WHEREAS, on January 14, 2015, the Oregon Court of Appeals affirmed the Circuit Court's decision without opinion (Appellate No. A153741); and

WHEREAS, thereafter, plaintiffs failed to timely file a petition for review with the Oregon Supreme Court; and

WHEREAS, the Oregon Court of Appeals entered its general judgment and supplemental judgment against petitioners effective June 4, 2015; and

WHEREAS, all appeals have now been exhausted; and

WHEREAS, pursuant to ORS 198.955 and by order of the Court, the Property shall vest exclusively with the City of St. Helens and the Board of County Commissioners, as Trustees of the District, shall promptly execute and deliver to the City of St. Helens, a quit claim deed transferring title to the Property;

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. Pursuant to ORS 198.955, the Board of County Commissioners, acting as the Trustees for the Columbia Health District, authorizes the transfer of the above-described Property to the City of St. Helens.

2. The Board of County Commissioners shall execute a Quitclaim Deed in substantially the form which is attached hereto as Exhibit "1", and by this reference incorporated herein, to convey the Property to the City of St. Helens.

DATED this 23rd day of September, 2015.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: 
Henry Heimuller, Chair

By: 
Anthony Hyde, Commissioner

By: not present
Earl Fisher, Commissioner

Approved as to form:

By: 
Office of County Counsel

Exhibit "1"

GRANTOR'S NAME AND ADDRESS:

Board of County Commissioners
for Columbia County, Oregon, as Trustees
of the Columbia Health District
230 Strand, Room 331
St. Helens, OR 97051

AFTER RECORDING, RETURN TO GRANTEE:

City of St. Helens
PO Box 278
St. Helens, Oregon 97051

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

QUITCLAIM DEED

The **Board of County Commissioners for Columbia County, Oregon**, a political subdivision of the State of Oregon, as **Trustees of the Columbia Health District**, hereinafter called Grantor, for the consideration hereinafter stated, does hereby release and quitclaim unto **the City of St. Helens, Oregon, a municipal corporation**, 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. 4108-CB-00401, Tax Account # 434199, and more particularly described in the General Judgment in Columbia County Circuit Court Case No. 12-2000, attached hereto as Exhibit "A".

The true and actual consideration for this conveyance is other consideration received.

This conveyance is made pursuant to Board of County Commissioners Order No. 45-2015 adopted on the ____ day of _____, 2015, 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

APPROVAL

City of St. Helens, a municipal corporation of the State of Oregon, by and through its _____ hereby approves the above conveyance in fee of real property from the Board of County Commissioners of Columbia County, Oregon, as Trustees of the Columbia Health District.

DATED this _____ day of _____, 2015.

City of St. Helens

STATE OF OREGON)
)
County of Columbia)

ss.

ACKNOWLEDGMENT

This instrument was acknowledged before me on the ___ day of _____, 2015, by _____ as _____, City of St. Helens, Oregon, on behalf of which the instrument was executed.

Notary Public for Oregon

EXHIBIT "A"

ST. COLUM. OREGON COURTS

13 FEB - 7 AM 8:36

TRIAL BY GENERATOR

BY [Signature]

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF COLUMBIA

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COLUMBIA HEALTH DISTRICT, a municipal corporation, COLUMBIA HEALTH DISTRICT, by and through CHUCK LARSEN, a taxpayer, BRADY PREHEIM, and JOE CASON, Trustees,

Plaintiffs,

v.

TONY HYDE, EARL FISHER, HENRY HEJMULLER, and CITY OF ST. HELENS,

Defendants.

Case No. 12-2000
GENERAL JUDGMENT

THIS MATTER came before the Court on the motion of defendant City of St. Helens ("St. Helens") for Summary Judgment against plaintiffs Columbia Health District, Columbia Health District by and through Chuck Larsen, Brady Preheim, and Joe Cason ("plaintiffs") and the motion of defendants Tony Hyde, Earl Fisher and Henry Heimuller for Summary Judgment against plaintiffs. On December 28, 2012, the court issued its ruling granting both motions for summary judgment filed herein by defendants. On ~~January~~ ^{February} 5, 2013, the court issued an order consistent with its ruling. Now, therefore,

IT IS HEREBY ORDERED AND ADJUDGED as follows:

- (1) Plaintiffs' claims against defendants are dismissed.
- (2) The Millard Road Property, located within the City of St. Helens and more specifically described in Exhibit 1 attached hereto and incorporated herein by this reference ("Property"), shall vest title exclusively with the City of St. Helens. Plaintiff shall promptly

104

Verified Correct Copy of Original 4/1/2014.

1 execute and deliver to St. Helens a Quit Claim Deed transferring title to the Property upon entry
2 of this judgment.

3 (3) Plaintiffs shall, to the extent necessary, vacate the Property upon entry of this
4 judgment.

5 (4) Defendants shall submit their cost bill(s) pursuant to ORCP 68.

6 Dated this 5th day of February, 2013.



7
8 The Honorable Ted. E. Grove
9 Circuit Court Judge

10 Submitted By:

11 Ronald G. Guerra, OSB # 943272
12 ron.guerra@jordanramis.com
13 JORDAN RAMIS PC
14 Attorneys for Defendant City of St. Helens
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1/3/2012 8:59

Account ID 434199 Township 4N Range 1W Section 08 1/4 C B Taxlot 00401 Special Interest

| Size Totals | Code | Acres | Sqft | Alternate Size |
|-------------|------|-------|------|----------------|
| | 0211 | 8.35 | | |

| Size Totals | Code | Acres | Sqft | Alternate Size |
|-------------|------|-------|------|----------------|
| | 0211 | 8.35 | | |

EXHIBIT PAGE 1 OF 1

Action: Merits and Boundaries
Add: A portion of the John McNulty Donation Land Claim No. 50, located in the Northwest one-quarter and in the Southwest one-quarter of Section 8, Township 4 North, Range 1 West, Willamette Meridian, Columbia County, Oregon and being more particularly described as follows:
 BEGINNING at the Northeast corner of Lot 23 of FRILOK PARK, being a 1 inch iron pipe on the southerly right-of-way line of Maple Street (25.00 feet from centerline);
 Thence along said southerly right-of-way line North 80° 05' 31" East 148.48 feet to a point from which a 1-1/2 inch iron pipe bears South 00° 22' 10" East 1.21 feet;
 Thence along the Wabensy line of Book 148, Page 96, South 07° 22' 10" East 110.07 feet to a 1/2 inch iron pipe;
 Thence along the Southerly line of said Book 148, Page 96, South 45° 07' 00" East 25.20 feet to a point in the center of Metchuly Creek; Thence along the center of said creek along the following courses:
 North 11° 15' 12" West 7.82 feet;
 North 65° 31' 40" East 27.61 feet;
 North 81° 05' 05" East 67.62 feet;
 South 80° 37' 07" East 53.35 feet to the Northeast corner of Deed Book 148, Page 94 from which a 5/8 inch iron rod with a yellow plastic cap inscribed "AKS ENGR." bears South 01° 33' 00" East 20.00 feet; Thence along the East line of said Deed South 01° 33' 00" East 1325.89 feet to a 5/8 inch iron rod with a yellow plastic cap inscribed "AKS ENGR." being the True Point of Beginning; Thence continuing along said East line South 01° 33' 00" East 693.90 feet to a 5/8 inch iron rod with a yellow plastic cap inscribed "DENEY SURVEYING INC." on the Northerly right-of-way line of Millard County Road (20.00 feet from centerline); Thence along said Northerly right-of-way line North 68° 15' 37" West 525.01 feet to a 5/8 inch iron rod with a yellow plastic cap inscribed "DENEY SURVEYING INC."; Thence along the West line of Deed Book 144, Page 313 North 01° 33' 54" West 694.08 feet to a 5/8 inch iron rod with a yellow plastic cap inscribed "AKS ENGR."; Thence leaving the East line of said Book 144, Page 313 South 88° 14' 26" East 525.20 feet to the TRUE POINT OF BEGINNING.

Effective Date 23-Dec-2009 11:13 AM Transaction ID 296996 Entry Date 16-Dec-2009 Recorded Date 08-Jul-2009 Sale Date
 Seq Voucher ID Tax Year Document Source Type ID #1 ID #2 PID Source ID FT Operation To/From Map
 1 408937 2010 CLERK - BOR DDD 2009 8441 2 SIZE CHANGE

| Size Changes | Code | +/- Size | Alternate Size | Code Area Deleted | Move to Acct | Move To Code |
|--------------|------|-------------|----------------|-------------------|--------------|--------------|
| | 0211 | -0.12 Acres | 0 | | | |
| Size Totals | Code | Acres | Sqft | Alternate Size | | |
| | 0211 | 8.23 | | | | |

CERTIFICATE OF SERVICE

I hereby certify that on the date shown below, I served a true and correct copy of the foregoing GENERAL JUDGMENT on:


Michael T. Clarke
52490 SE 2nd St Ste 150
Scappoose OR 97056
Facsimile:
E-mail: attorneyclarke@gmail.com
Attorney for Plaintiffs Chuck Larsen, Brady Preheim, and Joe Cason

James D. Huffman
Huffman & O'Hanlon
PO Box 973
St Helens OR 97051
Facsimile: (503) 397-6903
E-mail: law@huffmanworks.com
Attorney for Plaintiff Columbia Health District

Barrett C. Mersereau
Mersereau Shannon LLP
1 SW Columbia St Ste 1600
Portland OR 97258
Facsimile: (503) 226-0383
E-mail: bmersereau@mershanlaw.com
Attorney for Defendants Tony Hyde, Earl Fisher, and Henry Heimuller

- by first class mail, postage prepaid.
- by hand delivery.
- by facsimile transmission.
- by facsimile transmission and first class mail, postage prepaid.
- by electronic transmission and first class mail, postage prepaid.

DATED: January 14, 2013.



Ronald G. Guerra, OSB # 943272
Attorney for Defendant City of St. Helens

CERTIFICATE OF SERVICE

JORDAN RAMIS PC
Attorneys at Law
PO Box 230669
Portland OR 97281
Telephone: 503.598.7070 Fax: 503.598.7373
49698-70753 590949_1.DOC\LED\1/14/2013

Verified Correct Copy of Original 4/1/2014

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CHD Final Accounting

5.3.16 prepared by J. Cuellar-Smith

CASH BASIS

| | oct 31 2011-jun 30 2012 | FY13 | FY14 | FY15 |
|---------------------------|----------------------------|-------------------|-------------------|-------------------|
| Starting cash | 121,400.74 | 125,027.80 | 133,810.22 | 137,739.24 |
| <u>Income</u> | | | | |
| Property Tax | 23,419.86 | 35,286.75 | 23,601.39 | 9,736.23 |
| Interest & Other | 190.68 | 503.38 | 568.13 | 707.46 |
| Total Income | 23,610.54 | 35,790.13 | 24,169.52 | 10,443.69 |
| <u>Outlays</u> | | | | |
| Staff time - County Reimb | | 9,765.93 | 8,200.45 | |
| Bank Fees | 237.18 | 424.84 | 459.21 | 506.96 |
| Utilities | 138.63 | 122.58 | 255.99 | 197.71 |
| Legal Fees | 5,149.14 | 12,052.49 | 8,160.09 | 1,915.04 |
| CPAs, Audit, Filing Fees | 1,500.00 | 1,775.19 | 619.30 | |
| Supplies, Check Stock | 68.78 | 362.30 | | |
| Postage - County Reimb | 3.14 | 4.98 | 5.06 | |
| Fencing & Security | 1,016.00 | | | |
| Special Election Fee | 10,535.61 | | | |
| Insurance SDAO | 1,335.00 | 2,499.40 | 2,540.40 | 562.80 |
| Total Outlays | 19,983.48 | 27,007.71 | 20,240.50 | 3,182.51 |
| Balance | 125,027.80 | 133,810.22 | 137,739.24 | 145,000.42 |

CHD FY16: Close Out Estimate to Actuals

| | Close Out Est | Actual | Difference | |
|---|--------------------------------|-------------------|-------------------|----------------------|
| FY15 ending cash | 145,000.42 | 145,000.42 | - | A |
| <u>FY16 Income</u> | | | | |
| Property Tax (thru April) | 1,218.97 | 2,578.48 | 1,359.51 | |
| Courtcost & Interest | 2,051.15 | 701.47 | (1,349.68) | |
| Total Income | 3,270.12 | 3,279.95 | 9.83 | B |
| <u>FY16 Outlays</u> | | | | |
| FY15 AP's | 37,220.31 | 37,220.31 | - | |
| Staff time | 13,091.84 | 13,563.87 | (472.03) | |
| bank fees | 435.73 | 545.03 | (109.30) | |
| Utilities | 247.86 | 211.16 | 36.70 | |
| Legal and CPAs | 2,965.00 | 2,740.00 | 225.00 | |
| Audit Filing Fees | 20.00 | 200.00 | (180.00) | |
| Legal notice(s) in paper | 69.30 | 69.30 | - | |
| Refund programming | 460.00 | 580.00 | (120.00) | |
| 1099 forms/envelopes | 1.14 | 5.34 | (4.20) | |
| Roads Cleaning | 440.00 | 440.00 | - | |
| Court Filing Fee | 680.00 | 81.00 | 599.00 | |
| Insurance SDAO | 558.60 | 2,574.60 | (2,016.00) | |
| Total Outlays | 56,189.78 | 58,230.61 | (2,040.83) | C |
| Refund to tax payers | 92,080.76 | 92,080.76 | - | D |
| Balance | - | (2,031.00) | (2,031.00) | A + B - C - D |
| | | | | |
| Validation | Total Outlays Final Accounting | 150,311.37 | | |
| | USB to date | 136,632.16 | | |
| | LGIP finished | 20.00 | | |
| | Outlays to date | 136,652.16 | | |
| | Remaining Outlays | 13,659.21 | | |
| | | | | |
| <u>Cash Available in USBank</u> | | | | |
| | Reconciled bank balance 3/31 | 11,545.85 | | |
| | | | | |
| <u>Remaining Outlays and Revenue</u> | | | | |
| | FY16 County Staff Reimb | 13,563.87 | | |
| | FY16 postage reimb | 5.34 | | |
| | Est Apr and May bank charges | 90.00 | | |
| | | 13,659.21 | | |
| Balance: Insufficient Funds to pay final outlays out i | | (2,113.36) | | |