

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

In the Matter of Conveying Certain Real Property )  
In Birkenfeld, Oregon, to Lawrence E. Boxman and )  
Gayle C. Rich-Boxman, )  
Tax Map ID No. 4N1W04-BC-05500 )  
and Tax Account No. 25204 )

ORDER NO. 14-2019

WHEREAS, on November 1, 2016, *nunc pro tunc* October 10, 2016, the Circuit Court of the State of Oregon for the County of Columbia entered of record the General Judgment in *Columbia County v. Ross L. Bankston, Sr., et al.*, Case No. 16-CV29373; and

WHEREAS, on October 24, 2018, pursuant to that General Judgment, Seller acquired foreclosed real property, including that certain parcel of land situated in Birkenfeld, Oregon, having Tax Map ID No. 6N5W05-00-00502 and Tax Account No. 25204 (the "Property"), by deed recorded as document number 2018-009054 in the Columbia County deed records; and

WHEREAS, the Property is depicted on Exhibit A hereto, and is more specifically described in the draft quitclaim deed attached as Exhibit B hereto (the "Quitclaim Deed"), which is incorporated by reference herein; and

WHEREAS, the County offered the Property to adjacent property owners on January 29, 2019; and

WHEREAS, the location and site circumstances make the Property unbuildable; and

WHEREAS, Columbia County Assessor records estimate the value of the Property to be \$14,010.00; and

WHEREAS, Buyer was one of two adjacent property owners to offer to purchase the Property and was the high bidder, offering \$2,855.00; and

WHEREAS, ORS 275.225 authorizes the County to sell tax foreclosed property on a negotiated basis if the property has a value of less than \$15,000.00 and is not buildable; and

WHEREAS, the County published public notice of the sale on February 27, 2019, in the Chronicle, a newspaper of general circulation in the County; and

WHEREAS, County policy provides that Buyers of tax foreclosed properties shall pay a \$145.00 administrative fee (the "Administrative Fee") in addition to the agreed upon purchase price; and

WHEREAS, Seller intends to sell the Property to Buyer on the terms and conditions set forth herein.

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. Pursuant to ORS 275.225, the Board of County Commissioners authorizes the sale of the above-described Property to Lawrence E. Boxman and Gayle C. Rich-Boxman; and
2. The Board of County Commissioners have entered into a Purchase and Sale Agreement with Lawrence E. Boxman and Gayle C. Rich-Boxman; and
3. The Board of County Commissioners will convey the Property by Quitclaim Deed in a form substantially the same as Exhibit B; and
4. The fully executed Quitclaim Deed shall be recorded in the County Clerk deed records by Columbia County.

DATED this 3<sup>RD</sup> day of April, 2019.

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

By:   
Henry Heimuller, Chair

By:   
Margaret Magruder, Commissioner

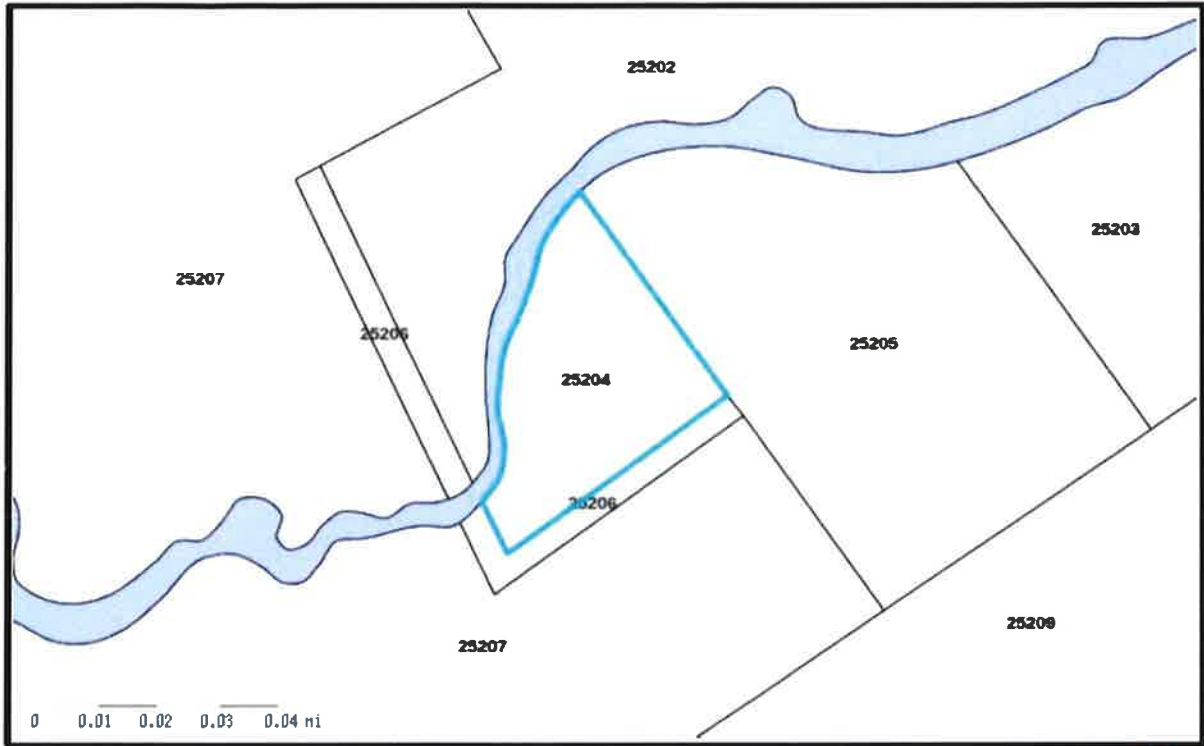
By:   
Alex Tardif, Commissioner

Approved as to form:

By:   
Office of County Counsel

EXHIBIT A

Map



Columbia County



**Columbia County Web Maps**

Disclaimer: This map was produced using Columbia County GIS data. The GIS data is maintained by the County to support its governmental activities and is subject to change without notice. This map should not be used for survey or engineering purposes. Columbia County assumes no responsibility with regard to the selection, performance or use of information on this map.

GeoInfo

Printed 10/25/2018

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**EXHIBIT B**

**AFTER RECORDING, RETURN TO GRANTEE:**

Lawrence E. Boxman  
Gayle C. Rich-Boxman  
71840 Fishhawk Rd.  
Birkenfeld, OR 97016

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

**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 Lawrence E. Boxman and Gayle C. Rich-Boxman, hereinafter called Grantee, all right, title and interest in and to that certain parcel of real property identified in Columbia County records as Map ID No. 6N5W05-00-00502 and Tax Account No. 25204, and more particularly described on Exhibit A hereto.

The true and actual consideration for this conveyance is \$3,000.00.

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, aggregate, oil, gas or hydrocarbon substances in, on or under said property, if any, including underground storage rights, surface mining, 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. 14-2019 adopted on the \_\_\_\_ day of \_\_\_\_\_, 2019, and filed in Commissioners Journal at Book \_\_\_\_, Page \_\_\_\_.

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**EXHIBIT A**  
**Legal Description for Map ID No 6N5W05-00-00502 and**  
**Tax Account No. 25204**

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**BEGINNING** at an Iron Rod which bears North 54°12'50" East a distance of 850.00 feet and North 35°47'10" West a distance of 225.00 feet from the West quarter corner of Section 5, Township 6 North, Range 5 West of the Willamette Meridian, Columbia County, Oregon and running

Thence South 54°12'50" West a distance of 237.37 feet to an iron rod;

Thence North 25°35'30" West a distance of 52.5 feet, more or less, to a point in the center of Fishhawk Creek;

Thence Northeasterly along the center of said Fishhawk Creek a distance of 300 feet, more or less, to a point from which an iron rod bears South 35°47'10" East a distance of 55.0 feet, more or less;

Thence South 35°47'10" East a distance of 255.0 feet to the point of beginning.

Containing 0.56 acres, more or less.