

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

In the Matter of Conveying Certain Real Property	)	
in Scappoose, Oregon, to the City of Scappoose,	)	ORDER NO. 18-2020
Tax Map ID No. 3N1W18-BC-02808 and Tax	)	
Account No. 2930	)	

WHEREAS, a parcel of improved real property in Columbia County, Oregon, which has been assigned Tax Map ID No. 3N1W18-BC-02808 and Tax Account Number 2930, (the "Property"), was foreclosed upon for non-payment of ad valorem real property taxes in *Columbia County v. Bernard Kris S.*, Columbia County Circuit Court Case No. 09-2632; and

WHEREAS, a General Judgment was entered in *Columbia County v. Bernard Kris S.*, of the Circuit Court of the State of Oregon, on October 29, 2009 *nunc pro tunc* October 7, 2009, and the Property was conveyed to Columbia County on October 11, 2011 by deed recorded in the deed records of the Columbia County Clerk as Instrument No. 2011-007462 and deed re-recorded in the deed records of the Columbia County Clerk as Instrument No. 2014-007782 on November 24, 2014; and

WHEREAS, pursuant to ORS 271.310, whenever the public interest may be furthered, the County may convey the County's interest in property to a governmental body; and

WHEREAS, City of Scappoose ("City") is a governmental body as defined in ORS 271.005; and

WHEREAS, Board of County Commissioners ("Board") finds that the public interest will be furthered by the conveyance of the Property in title to City for the purpose of City dedicating to the Property to the public for a public road, using and maintaining the Property as a public right-of-way; and

WHEREAS, the Property is improved with a road within City limits; and

WHEREAS, the Property is located within Scappoose Drainage Improvement Company (SDIC) boundaries. SDIC charges a special assessment fee annually on the Property. In 2019, the SDIC charged a special assessment fee in the amount of \$276.06 on the Property; and

WHEREAS, the Board finds that conveyance of the Property to City at no cost is reasonable; and

WHEREAS, City has agreed to accept title to the Property and dedicate the Property to the public for a public road, and use and maintain the Property as a public right-of-way; and

WHEREAS, pursuant to ORS 271.330, County may convey property not needed for public use to any governmental body, provided that the property is used for not less than 20 years for a public purpose by the governmental body, unless, pursuant to ORS 271.335, the County waives and relinquishes any reversionary interest held by County in property transferred under ORS 271.330 at the time the transfer occurs; and

WHEREAS, pursuant to ORS 271.335(2), Board has determined that waiving and relinquishing its reversionary interest in the Property is in the public interest; and

WHEREAS, ORS 271.330(6) requires that County advertise, in a newspaper of general circulation in the County for two successive weeks, its intent to transfer the Property and hear objections to the transfer; and

WHEREAS, pursuant to ORS 271.330(6), County advertised in the Spotlight, a newspaper of general circulation in Columbia County, for two successive weeks, on February 21, 2020 and February 28, 2020, its intent to transfer the Property to City and hold a public hearing on March 4, 2020, for the County to hear any objections to the transfer; and

WHEREAS, during the public hearing, the Board did not receive any objections to the transfer of the Property; and

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. Pursuant to ORS 271.330(1), the Board authorizes the transfer of the above-described Property to City at no cost.
2. Pursuant to ORS 271.330(2), the Board hereby waives its reversionary interest in the Property.
3. The Board will convey the Property by Quitclaim Deed in a form substantially the same as Exhibit B attached hereto and by this reference incorporated herein.

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4. The fully-executed Quitclaim Deed shall be recorded in the County Clerk deed records by Columbia County at no cost to City.

DATED this 25 day of MARCH, 2020.

Approved as to form:

By: [Signature]  
Office of County Counsel

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

By: [Signature]  
Alex Tardif, Chair

By: [Signature]  
Margaret Magruder, Commissioner

By: [Signature]  
Henry Heimuller, Commissioner

EXHIBIT A  
Tax Account No. 2930  
Map



**EXHIBIT B**

**AFTER RECORDING, RETURN TO GRANTEE:**

CITY OF SCAPPOOSE  
Michael Sykes, City Manager  
33568 E. Columbia Avenue  
Scappoose, Oregon 97056

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 the CITY OF SCAPPOOSE, 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. 3N1W18-BC-02808 and Tax Account No. 2930, and more particularly described on Exhibit A hereto (the "Property") for the CITY OF SCAPPOOSE to dedicate to the public for a public road, and use and maintain as a public right-of-way.

The true and actual consideration for this conveyance is \$0.00 and other mutual benefits and consideration received.

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.

- 4) Regulations, including levies, liens, assessments, rights of way and easements of Scappoose Drainage Company.
- 5) All covenants, conditions, restrictions, reservations set back lines, Special Assessments and Powers of Special Districts, Easements of Record and Agreements for Roadway Maintenance.
- 6) Waiver of Remonstrance of Consent to Local Improvement District: recorded March 20, 1997, in the Columbia County Clerk's Office as Fee Number 97-02840.
- 7) This conveyance is made pursuant to Board of County Commissioners Order No. 18-2020 adopted on the \_\_\_\_ day of \_\_\_\_\_, 2020, 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 \_\_\_\_\_, 2020.

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

Approved as to form

By: \_\_\_\_\_  
Alex Tardif, Chair

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

[ACKNOWLEDGEMENT AND APPROVAL ON FOLLOWING PAGE]

STATE OF OREGON       )  
                                  )  
County of Columbia    )       ss.       ACKNOWLEDGMENT

This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_, 2020, by Alex Tardif, Chair, Board of County Commissioners of Columbia County, Oregon, on behalf of which the instrument was executed.

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

APPROVAL

City of Scappoose, a municipal corporation of the State of Oregon, by and through its City Manager, hereby approves the above conveyance in fee of real property from the Board of County Commissioners of Columbia County, Oregon.

DATED \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
City of Scappoose

STATE OF OREGON       )  
                                  )  
County of Columbia    )       ss.       ACKNOWLEDGMENT

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Notary Public for Oregon

**EXHBIT A of Quitclaim Deed**  
**Legal Description for Map ID No. 3N1W18-BC-02808 and**  
**Tax Account No. 2930**

Tract B, Charlie's Acre, Columbia County, Oregon.