

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

In the Matter of Conveying Certain Real Property)
in St. Helens, Oregon, to Cary Wacker and Wendy) ORDER NO. 53-2020
Wacker Tax Map ID No. 4N1W06-DA-03302)
and Tax Account No. 12747)

WHEREAS, on January 3, 2014 *nunc pro tunc* October 3, 2013, the Circuit Court of the State of Oregon for the County of Columbia entered of record the General Judgment in *Columbia County v. 2305 Columbia Building LLC., et al.*, Case No. 13-CV-05366; and

WHEREAS, on October 21, 2015, pursuant to that General Judgment, Seller acquired foreclosed real property, including that certain parcel of land situated in St. Helens, Oregon, having assigned Tax Map ID No. 4N1W06-D-03302 and Tax Account No. 12747, by deed recorded as document number 2015-08939 in the Columbia County deed records. Said foreclosed property is depicted on Exhibit A attached hereto and by this reference incorporated herein, and more particularly described as:

Beginning at the Southwest corner of Lot 39, MEADOWBROOK PLANNED COMMUNITY PHASE 2; thence South 20° 08' 22" West 38.23 feet, more or less, to a point on the East line of Parcel 3, Partition Plat 2005-04, Columbia County Partition Plat Records; thence Southeasterly 54.89 feet, more or less, to the Westerly right of way line of Barr Avenue; thence North 23° 42' 46" West to a point on the South line of previously said Lot 39, MEADOWBROOK PLANNED COUMMUNITY PHASE 2; thence Westerly, along said South line of Lot 39, 20 feet, more or less, to the point of beginning, being situated in Section 6, Township 4 North, Range 1 West, Willamette Meridian, in Columbia County, Oregon.

(the "Property"); and

WHEREAS, the Columbia County Assessor's records estimate the value of the property to be \$500.00 or under; and

WHEREAS, Buyer has offered to purchase the Property for \$1,090.53; 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 May 28, 2020 in the St. Helens 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;
NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. Pursuant to ORS 275.180, the Board of County Commissioners authorizes the sale of the above-described Property to Cary Wacker and Wendy Wacker for \$1,090.53, plus an administrative fee in the amount of \$145.00.

2. The Board of County Commissioners will convey the Property by Quitclaim Deed in a form substantially the same as Exhibit 1.

3. The fully-executed Quitclaim Deed shall be recorded in the County Clerk deed records by Columbia County after funds have cleared.

DATED this 17 day of June, 2020.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

Approved as to form:

By: [Signature]
Office of County Counsel

By: [Signature]
Alex Tardif, Chair

By: [Signature]
Margaret Magruder, Vice Chair

By: [Signature]
Henry Heimuller, Commissioner

EXHIBIT 1

AFTER RECORDING, RETURN TO GRANTEE:

Cary Wacker and Wendy Wacker
35002 Roberts Lane
St. Helens, OR 97051

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 Cary and Wendy Wacker, 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. 4N1W06-DA-03302 and Tax Account No. 12747, and more particularly described on Exhibit A hereto.

The true and actual consideration for this conveyance is \$1,235.53.

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 minerals (including, but not by way of limitation, oil, gas, sulfur, coal, lignite and uranium), mineral rights, ore, metals, aggregate, 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.
- 4) All covenants, conditions, restrictions, reservations set back lines, Special Assessments and Powers of Special Districts, Easements of Record and Agreements for Roadway Maintenance, if any.
- 5) The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.

6) Agreement for Easement, including the terms and provisions thereof,

Dated: October 22, 2001
Recorded: October 30, 2001
Instrument No.: 2001-12194, Columbia County Records

7) Easement for Access Purposes including the terms and provisions thereof,

Dated: June 21, 2004
Recorded: June 24, 2004
Instrument No.: 2004-008212, Columbia County Records
In favor of: Qwest Corporation, a Colorado corporation

8) Affect, if any, of those easements in Warranty Deed from D-CAV Investments, Inc., an Oregon Corporation to Meadowbrook Homeowners Association, Inc., an Oregon non-profit corporation

Recorded: June 17, 2005
Instrument No.: 2005-008033, Columbia County Records

9) Lack of access to and from property.

This conveyance is made pursuant to Board of County Commissioners Order No. _____ 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.

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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

STATE OF OREGON)

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ss. ACKNOWLEDGMENT

County of Columbia)

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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

**EXHIBIT A to Quitclaim Deed
Legal Description for Map ID No 4N1W06-DA-03302 and
Tax Account No. 12747**

Beginning at the Southwest corner of Lot 39, MEADOWBROOK PLANNED COMMUNITY PHASE 2; thence South 20° 08' 22" West 38.23 feet, more or less, to a point on the East line of Parcel 3, Partition Plat 2005-04, Columbia County Partition Plat Records; thence Southeasterly 54.89 feet, more or less, to the Westerly right of way line of Barr Avenue; thence North 23° 42' 46" West to a point on the South line of previously said Lot 39, MEADOWBROOK PLANNED COUMMUNITY PHASE 2; thence Westerly, along said South line of Lot 39, 20 feet, more or less, to the point of beginning, being situated in Section 6, Township 4 North, Range 1 West, Willamette Meridian, in Columbia County, Oregon.