

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. 3N2W13-CD-00200 and 3N2W13-CD-00400)
and Tax Account No. 433486 and 433488 to)
Dutch Canyon Estates Homeowners')
Association)

ORDER NO. 4 - 2021

WHEREAS, on October 22, 2012, *nunc pro tunc* October 15, 2012, the Circuit Court of the State of Oregon for the County of Columbia, entered of record the General Judgment in *Columbia County v. Bergerson, Barbara D and Fred et al.*, Case No.12-2578; and

WHEREAS, on October 16, 2014, pursuant to that General Judgment, Seller acquired foreclosed real property, including that certain parcel of land situated in Scappoose, Oregon, having Tax Map ID Nos. 3N2W13-CD-00200 and 3N2W13-CD-00400 and Tax Account Nos. 433486 and 433488 (the "Properties"), by deed recorded as document number 2014-006859 in the Columbia County deed records; and

WHEREAS, the Property is depicted on Exhibit "A" hereto, and is more specifically described in the quitclaim deed attached to the Purchase and Sale Agreement as Exhibit "B" hereto (the "Quitclaim Deed"), which is incorporated by reference herein; 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, ORS 275.225 further provides that the County's intent to sell a qualifying tax foreclosed property on a negotiated basis may be sold on said basis no earlier than 15 days after the intent to sell the property has been noticed in a newspaper of general circulation in the County; and

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

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

WHEREAS, the County published public notice of the sale on February 17, 2021 in the Chronicle, a newspaper of general circulation in the County; and

WHEREAS, Buyer has offered to purchase the Property for \$523.17; and

WHEREAS, County policy provides that Buyers of tax foreclosed properties shall pay either an administrative fee (the "Administrative Fee") in the amount of \$145.00 or actual costs incurred, whichever is greater, in addition to the agreed upon purchase price; and

WHEREAS, the Administrative Fee in this matter is \$256.35; and

WHEREAS, Buyer waived its Due Diligence period; and

WHEREAS, Seller intends to sell the Property to Buyer on the terms and conditions set forth in the Purchase and Sale Agreement;

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 Dutch Canyon Estates Homeowners' Association for \$523.17, plus and administrative fee in the amount of \$256.35; and
2. The Board of County Commissioners have entered into a Purchase and Sale Agreement; 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 17th day of March, 2021.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: [Signature]
Margaret Magruder, Chair

By: [Signature]
Casey Garrett, Commissioner

By: [Signature]
Henry Heimuller, Commissioner

Approved as to form

By: [Signature]
Office of County Counsel

EXHIBIT A
Tax Account No. 433486
Map



Tax Account No. 433488
Map

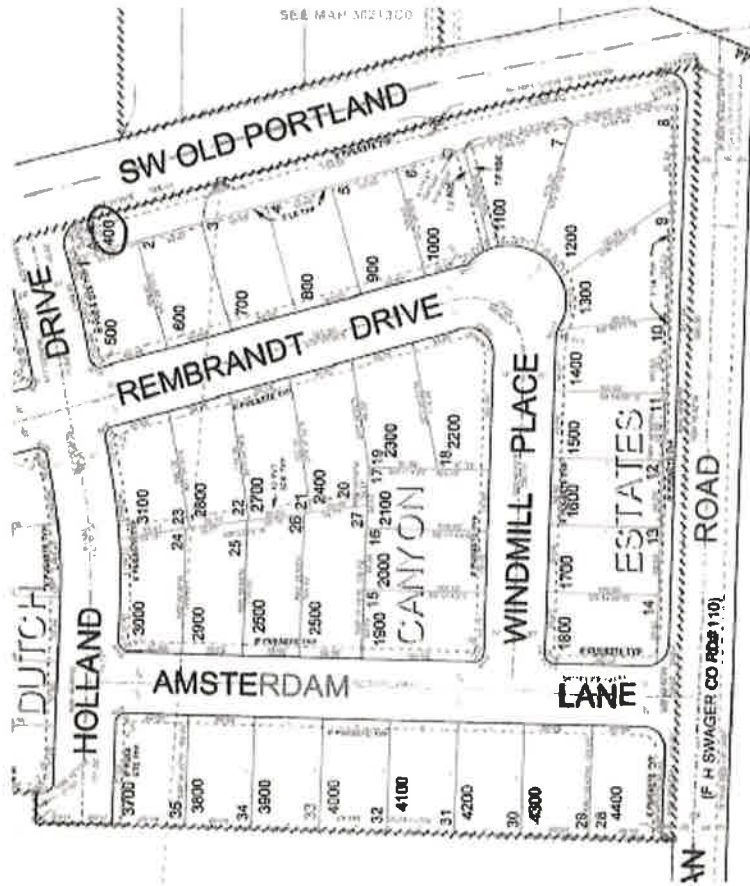


EXHIBIT B**GRANTOR'S NAME AND ADDRESS:**

Board of County Commissioners
for Columbia County, Oregon
230 Strand Street, Room 331338
St. Helens, OR 97051

AFTER RECORDING, RETURN TO GRANTEE:

Dutch Canyon Estates Homeowners' Association
c/o Premier Management Professional, LLC
PO Box 470
Scappoose, OR 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 Dutch Canyon Estates Homeowners' Association, 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. 3N2W13-CD-00200 and 3N2W13-CD-00400 and Tax Account No. 433486 and 433488, and more particularly described on Exhibit A hereto.

The true and actual consideration for this conveyance is \$779.52.

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. _____ adopted on the ____ day of _____, 2021, 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 _____, 2021.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

Approved as to form

By: _____
Margaret Magruder, Chair

By: _____
Office of County Counsel

STATE OF OREGON)
) ss.
County of Columbia)

ACKNOWLEDGMENT

This instrument was acknowledged before me on the _____ day of _____, 2021, by Margaret Magruder, Chair, Board of County Commissioners of Columbia County, Oregon, on behalf of which the instrument was executed.

Notary Public for Oregon

EXHIBIT A
Legal Description for Map ID No 3N2W13-CD-00200 and
Tax Account No. 433486

Tract B, Dutch Canyon Estates, Columbia County, Oregon.

**Legal Description for Map ID No 3N2W-CD-00400 and
Tax Account No. 433488**

Tract A, Dutch Canyon Estates, Columbia County, Oregon.