

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

In the Matter of Conveying Certain Real Property)
in Scappoose, Oregon, to Lynn C. Spencer,) ORDER NO. 57-2021
Tax Map ID No. 3N2W11-DB-01200 and Tax)
Account No. 3177)

WHEREAS, a parcel of improved real property in Columbia County, Oregon, which has been assigned Tax Map ID No. 3N2W11-DB-01200 and Tax Account Number 3177, (the "Property"), was foreclosed upon for non-payment of ad valorem real property taxes in *Columbia County v. Richard L. and Donna E. Adams, et al.*, Columbia County Circuit Court Case No. 11-2503; and

WHEREAS, General Judgment was entered in *Columbia County v. Richard L. and Donna E. Adams, et al.*, of the Circuit Court of the State of Oregon, on January 23, 2012 *nunc pro tunc* October 7, 2011, and the Property was conveyed to Columbia County ("County") on October 8, 2013 by deed recorded in the deed records of the Columbia County Clerk as Instrument No. 2013-008254; and

WHEREAS, pursuant to ORS 275.180 the Seller may sell and convey by deed to the record owner any property acquired by the Seller through foreclosure for not less than the amount of taxes and interest accrued and charged against the Property at the time of purchase by the County with interest thereon at the rate of six percent per annum from the date of such purchase; and

WHEREAS, Buyer was the owner of record at the time of foreclosure; and

WHEREAS, the Columbia County Board of Commissioners has agreed to re-convey the Property to Buyer upon payment of the equivalent of all back taxes and interest foreclosed upon, plus all penalties, taxes and interest at the rate of six percent per annum assessed since the date of acquisition Judgment in the amount of \$543.47; and

WHEREAS, Columbia County has this date entered into a Purchase and Sale Agreement with Lynn C. Spencer;

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. Pursuant to ORS 275.180, the Board of County Commissioners authorizes the re-conveyance of the above-described Property to Lynn C. Spencer.
2. The Board of County Commissioners will convey the Property by Quitclaim Deed in a form substantially the same as Exhibit 1.

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3. The fully-executed Quitclaim Deed shall be recorded by Seller after funds have cleared.

DATED this 3 day of November, 2021.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

Approved as to form:
By: [Signature]
Office of County Counsel

By: [Signature]
Margaret Magruder, Chair

By: [Signature]
Casey Garrett, Commissioner

By: [Signature]
Henry Heimuller, Commissioner

EXHIBIT 1

GRANTOR'S NAME AND ADDRESS:

Board of County Commissioners
for Columbia County, Oregon
c/o County Counsel's Office 230 Strand, Room 20
St. Helens, OR 97051

AFTER RECORDING, RETURN TO GRANTEE:

Lynn C. Spencer
2808 SE 25th Ave.,
Battle Ground, WA 98604

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 Lynn C. Spencer, hereinafter called Grantee, and unto their heirs, successors and assigns, all its right, title and interest in and to the following described parcel of real property situated in the County of Columbia, State of Oregon, described as follows, to wit: Tax Map ID No. 3N2W11-DB-1200 and Tax Account No. 3177, and more specifically described in Exhibit A.

The true and actual consideration for this conveyance is \$543.47.

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, 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. Provided, however, in exercising its Mineral Rights and Access Rights, the County will not (a) disrupt the surface estate, including but not limited to damage to any improvements (including asphalt or other ground covering) or landscaping at the Property, disturb the lateral or subjacent support of the surface estate or exercise any of its rights to the mineral estate to a vertical depth of 250 feet below the natural contour of the surface of the Property for so long as the Property is used for ingress and egress to adjacent property;

EXHIBIT A**LEGAL DESCRIPTION****Legal Description for Map ID No. 3N2W11-DB-01200 and
Tax Account No. 3177**

Beginning at a point on the East line of Tract 51 of A. Holaday Orchard Tracts, as per plat on file and of record in the Clerk's Office of Columbia County, which is North 0°29' East a distance of 272.59 feet from the Southeast corner of said Tract 51 in Section 11, Township 3 North, Range 2 West, Willamette Meridian, Columbia County, Oregon; thence North 89°31' West, a distance of 124.99 feet to the true point of beginning of the Tract herein described, said point also being the Northeast corner of Taylor Street, Orchard Hill Subdivision, said point also being the Southwest corner of that Tract of land conveyed to Imar and Edith Koivunen by deed recorded July 25, 1990 as Columbia County Clerk's Fee Number 1990-3976; thence North 0°29' East, a distance of 336.01 feet along the West line of said Koivuncn Tract and along the West line of Tract conveyed to Erby B. and Wendy C. Herrington by deed recorded Sept. 25, 1989 as Columbia County Clerk's Fee Number 1989-5576 and along the West line of Tract conveyed to Thomas E. and Kelly Peacock by deed recorded July 1, 1987 as Columbia County Clerk's Deed Volume 269, Page 857 and along the West line of Tract conveyed to Randall L. and Connie J. Ahlers by deed recorded Feb. 9, 1987 as Columbia County Clerk's Deed Volume 267, Page 879 and the Northerly extension of said West line, to the Southerly right of way line of J. P. West County Road; thence South 74°50' West along said Southerly right of way line, a distance of 51.92 feet to the Northeast corner of Tract conveyed to Jack F. and Elaine S. Cleghorn by deed recorded May 27, 1971 as Columbia County Clerk's Deed Volume 181. Page 741; thence South 0 29' West along the East line of said Cleghorn Tract and along the East lines of Lots 1 and 2, Orchard Hill Subdivision, to a point that is North 89°31' West, 50.00 feet from the true point of beginning, said point being the Northwest corner of said Taylor Street; thence South 89°31' East. a distance of 50.00 feet to the point of beginning.

GRANTOR'S NAME AND ADDRESS:

Board of County Commissioners
for Columbia County, Oregon
c/o County Counsel's Office 230 Strand, Room 20
St. Helens, OR 97051

AFTER RECORDING, RETURN TO GRANTEE:

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- 3) All rights to any minerals, 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. Provided, however, in exercising its Mineral Rights and Access Rights, the County will not (a) disrupt the surface estate, including but not limited to damage to any improvements (including asphalt or other ground covering) or landscaping at the Property, disturb the lateral or subjacent support of the surface estate or exercise any of its rights to the mineral estate to a vertical depth of 250 feet below the natural contour of the surface of the Property for so long as the Property is used for ingress and egress.

This conveyance is made pursuant to Board of County Commissioners Order No. 57-2021 adopted on November 3, 2021, and filed in Commissioners Journal at Book ___, Page ___.

EXHIBIT A

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