

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

In the Matter of Conveying Certain Real Property )	
In Scappoose, Oregon, to Danny Wayne )	<b>ORDER NO. 15-2022</b>
Hackenberg Tax Map ID No. 3N2W02-00-00202 )	
and Tax Account No. 5469 )	

WHEREAS, on January 23, 2012, *nunc pro tunc* October 7, 2011, the Circuit Court of the State of Oregon for the County of Columbia entered of record the General Judgment in *Columbia County v. Adams, Richard L. and Donna E., et al.*, Case No. 11-2503; and

WHEREAS, on October 8, 2013, pursuant to that General Judgment, Seller acquired foreclosed real property, including that certain parcel of land situated in Scappoose, Oregon, having Tax Map ID No. 3N2W02-00-00202 and Tax Account No. 5469 (the "Property"), by deed re-recorded as document number 2014-007780 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 for sale at auction on August 16, 2017, with a minimum bid of \$32,130.00, and no offers were received; and

WHEREAS, pursuant to ORS 275.200(2), the County may sell and convey the Property without further public notice for not less than 15% of the minimum bid at auction; and

WHEREAS, Danny Wayne Hackenberg ("Buyer") has offered to purchase the Property for \$25,150.00, an amount exceeding the 15% minimum bid; and

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

WHEREAS, the Board of Commissioners have entered into a Purchase and Sale Agreement with Buyer dated March 16, 2022; 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 275.200(2), the Board of County Commissioners authorizes the sale of the above-described Property to Danny Wayne Hackenberg for \$25,150.00, plus an administrative fee in the amount of \$251.00.

2. The Board of County Commissioners will convey the Property by Quitclaim Deed in a form substantially the same as Exhibit B.
3. The fully executed Quitclaim Deed shall be recorded in the County Clerk deed records by Columbia County.

DATED this 16 day of March, 2022.

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

By: \_\_\_\_\_

Henry Helmuller, Chair

By: \_\_\_\_\_

Casey Garrett, Commissioner

By: \_\_\_\_\_

Margaret Magruder, Commissioner

Approved as to form:

By: \_\_\_\_\_

Office of County Counsel

EXHIBIT A



**EXHIBIT B**

**AFTER RECORDING, RETURN TO GRANTEE:**

Danny Wayne Hackenberg Sr.  
53013 NW Thornton Road  
Scappoose, Oregon 9756

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 Danny Wayne Hackenberg Sr., 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. 3N2W02-00-00202 and Tax Account No. 5469, and more particularly described on Exhibit A hereto.

The true and actual consideration for this conveyance is \$25,401.00.

This conveyance is subject to the following exceptions, reservations and conditions:

- 1) This property is conveyed AS-IS without faults, 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. 15-2022 adopted on the \_\_\_\_ day of \_\_\_\_\_, 2022, 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 \_\_\_\_\_, 2022.

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

Approved as to form

By: \_\_\_\_\_  
Henry Heimuller, Chair

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

STATE OF OREGON )  
                                  ) ss.  
County of Columbia )

#### ACKNOWLEDGMENT

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2022, by Henry Heimuller, 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 3N2W202-00-00202 and**  
**Tax Account No. 5469**

A tract of land in the Northeast quarter of Section 2, Township 3 North, Range 2 West, Willamette Meridian, and in the Southeast quarter of Section 35, Township 4 North, Range 2 West, Willamette Meridian, Columbia County, Oregon, more particularly described as follows:

Beginning at the Northeast Corner of said Section 2; thence South 89°59'30" West, along the North line of said Section 2, 1260.32 feet; thence South 00°00'30" East, 15.55 feet; thence South 00°28'22" East, 208.00 feet; thence South 83°48'25" West, 101.83 feet; thence North 12°46'46" West, 22.85 feet; thence North 83°55'54" West 299.69 feet to the TRUE POINT OF BEGINNING of the tract of land herein described; thence North 69°29'53" West, a distance of 518.79 feet; thence North 21°12'47" East, a distance of 126.57 feet, to the Southerly right of way line of Wickstrom County Road No. 169; thence South 80°32'00" East along said Southerly right of way, a distance of 202.22 feet; thence South 83°47'00" East, a distance of 200.07 feet; thence South 80°57'00" East, a distance of 66.97 feet; thence South 05°56'20" West, leaving said Southerly right of way line, a distance of 235.50 feet to the TRUE POINT OF BEGINNING.