

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of Conveying Certain Real Property)
In Scappoose, Oregon, to Scott Sylvester and)
Roman V Nokokhatniy Tax Map ID No.) **ORDER NO. 58-2022**
3N2W24-BC-04300 and Tax Account No. 7215)

WHEREAS, on October 31, 2019, *nunc pro tunc* September 26, 2019, the Circuit Court of the State of Oregon for the County of Columbia entered of record the General Judgment in *Columbia County v. American Securities INC., et al.*, Case No. 19-CV36647; and

WHEREAS, on October 14th, 2021, 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. 3N2W24-BC-04300 and Tax Account No. 7215 (the "Property"), by deed recorded as document number 2021-011875 in the Columbia County deed records; and

WHEREAS, the deed was re-recorded at 2022-001949 and 2022-001960 to correct a legal description; and

WHEREAS, the deed was again re-recorded at 2022-007592, 2022-007676 and 2022-007839 to correct the legal description for Tax Map ID NO. 4N4W03-BC-09100 and Tax Account No. 22478; 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 April 1, 2022, with a minimum bid of \$3,500.00, 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, Buyer has offered to purchase the Property for \$1,000.00, an amount exceeding 15% of the minimum bid; and

WHEREAS, County policy provides that Buyers of tax foreclosed properties shall pay a \$145.00 fee plus the cost of recording and publication fees (\$181.00) (the "Administrative Fee") in addition to the agreed upon purchase price; and

WHEREAS, the County entered into a purchase and sale agreement with Buyer effective October 5, 2022 (the "Purchase and Sale Agreement"); and

WHEREAS, Buyer has notified the County that Buyer is prepared to proceed with the purchase; 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 Scott Sylvester and Roman V. Nokokhatniy for \$1,326.00, including the Administrative Fee.
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 19 day of October, 2022.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: [Signature]
Henry Heimuller, Chair

By: [Signature]
Casey Garrett, Commissioner

By: [Signature]
Margaret Magruder, Commissioner

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

EXHIBIT A
Tax Account No. 7215
Map

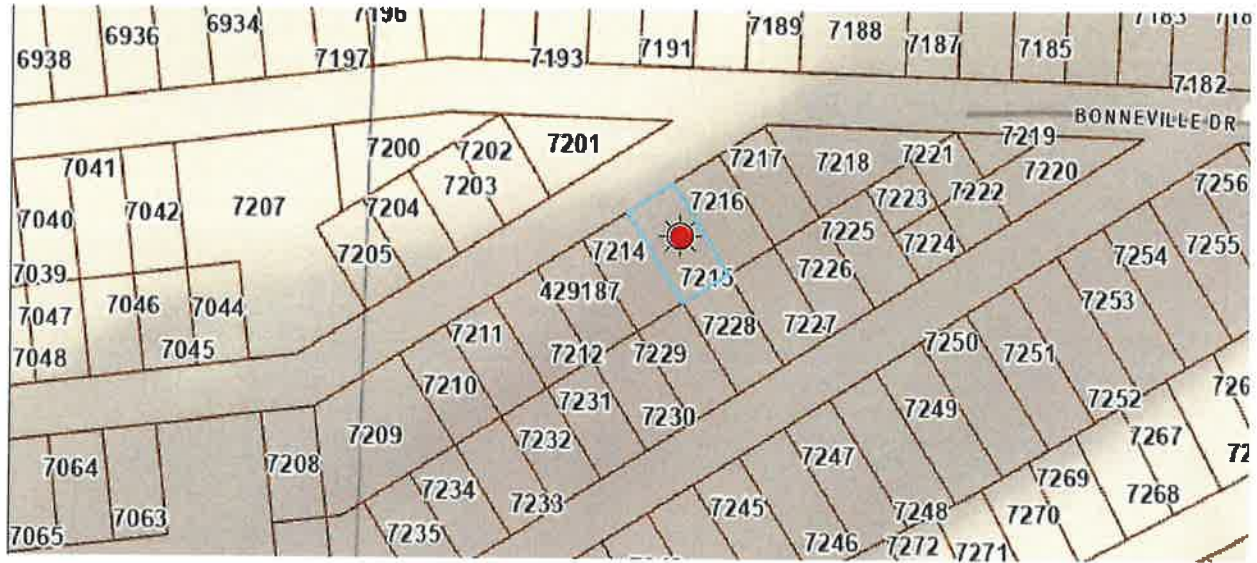


EXHIBIT B

GRANTOR

Columbia County, Oregon
230 Strand
St. Helens, Oregon 97051

AFTER RECORDING, RETURN TO GRANTEE:

Scott Sylvester
Roman V. Nokokhatniy
2423 NW Mill Pond Rd.
Portland, OR 97229

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 Scott Sylvester and Roman V. Nokokhatniy, 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. 3N2W24-BC-04300 and Tax Account No. 7215, and more particularly described on Exhibit A hereto.

The true and actual consideration for this conveyance is \$1,326.00.

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) In addition to those reserved in Book 171, Page 883, Columbia County Deed Records on December 16, 1968, 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) The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads, and highways.
- 5) Covenants, Conditions, Restrictions, Mineral Reservations, Reservations, set back lines, Special

Assessments and Powers of Special Districts, Easements of Record and Agreements for Roadways or Maintenance, if any.

This conveyance is made pursuant to Board of County Commissioners Order No. _____ 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 3N2W24-BC-04300 and
Tax Account No. 7215

A tract of land in the Northwest quarter of Section 24, Township 3 North, Range 2 West, Willamette Meridian, Columbia County, Oregon, being more particularly described as follows:

Lot 25, Block 11, Columbia Acres, No. 2, Columbia County, Oregon.