

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of Conveying Certain County-)
Owned Real Property known as Tax Acct.)
No. 6506-024-00100 to Fishhawk Lake)
Recreation Club, Inc.)
_____)

ORDER NO. 39-01

WHEREAS, pursuant to ORS 275.200, the Board of County Commissioners for Columbia County, Oregon, may sell by private sale any lands the County has acquired in any manner, provided that first the Columbia County Sheriff has attempted unsuccessfully to sell those county lands as provided in ORS 275.110 to 275.160; and

WHEREAS, the County owns and wishes to sell a certain parcel of land that is known as Tax Account No. 6506-024-00100, Columbia County, Oregon, and that is more particularly described as:

Lot 1, Block 4, Division 1, Fishhawk Lake Estates,
Columbia County, Oregon

and

WHEREAS, pursuant to ORS 275.110 to 275.160, the County duly prepared and had published a "Notice of Sale" and subsequently offered the parcel for sale at the Sheriff's auction held on April 13, 1995, but the parcel remained unsold; and

WHEREAS, on March 27, 2001, the representatives of the Fishhawk Lake Recreation Club, Inc., approached the Board of County Commissioners at their regularly-scheduled work session and indicated that in order to avoid litigation costs and ill will in an on-going dispute between the County and the Recreation Club regarding homeowners association dues, they would accept the County's offer to sell the property for One Thousand Four Hundred Forty-one Dollars (\$1,441) and extinguish all dues and/or assessments levied against the County by the Fishhawk Lake Recreation Club; and

WHEREAS, the Board, at said time and place, accepted the offer of the Fishhawk Lake Recreation Club, Inc.; and

WHEREAS, the sum of \$1,441 has been tendered by the Fishhawk Lake Recreation Club to Columbia County;

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. Columbia County shall sell to the Fishhawk Lake Recreation Club, Inc., for the sum of One Thousand Four Hundred Forty-one Dollars (\$1,441) certain County-owned real property known as Tax Account No. 6506-024-00100.

2. The Board of County Commissioners, in exchange for the payment by the Fishhawk Lake Recreation Club of \$1,441, shall execute a quitclaim deed to the Fishhawk Lake Recreation Club for the property referenced hereinabove, a copy of which is attached hereto as Exhibit A and incorporated herein by this reference.

3. Upon execution of the Quitclaim Deed, the Deed and this Order shall be recorded in the Columbia County deed records by the County Clerk without cost.

DATED this 15th day of April, 2001.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

Approved as to form

By: Sean Tyson
Office of County Counsel

By: [Signature]
Chair

By: [Signature]
Commissioner

By: [Signature]
Commissioner

KNOW ALL MEN BY THESE PRESENTS, that 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 FISHHAWK LAKE RECREATION CLUB, INC., hereinafter called Grantee, and unto its heirs, successors and assigns, all their 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 Account No. 04-04-6506-024-00100.

The property is more specifically described as: Lot 1, Block 4, Division 1, Fishhawk Lake Estates, Columbia County, Oregon

The true and actual consideration for this conveyance is One Thousand Four Hundred Forty-One Dollars (\$1,441.00).

THIS INSTRUMENT WILL 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 APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

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 homeowner association liens, municipal liens, easements and encumbrances of record.
- 2) All rights to any County, public, forest or C.C.C. roads are hereby reserved for the benefit of Columbia County, Oregon.
- 3) All rights to any minerals, mineral rights, ore, metals, 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.

This conveyance is made pursuant to Board of County Commissioners Order No. 39-2001 adopted on April 24, 2001, and filed in Commissioners Journal at Book 76, Page 102.

IN WITNESS WHEREOF, the Grantor has executed this instrument this 25th day of April, 2001.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: [Signature]
Chair

By: [Signature]
Commissioner

By: [Signature]
Commissioner

ACKNOWLEDGMENT

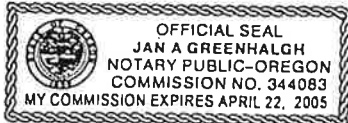
Approved as to form

By: _____
Office of County Counsel

STATE OF OREGON)
) ss.
County of Columbia)

This instrument was acknowledged before me on the 15 day of April, 2001, by Rita Bernhard, Anthony Hyde, and Joe Corsiglia as Commissioners of Columbia County, Oregon, on behalf of whom the instrument was executed.

[Signature]
Notary Public for Oregon
My Commission Expires: 4-22-2005



GRANTOR'S NAME AND ADDRESS:
Board of County Commissioners
for Columbia County, Oregon
331 Courthouse
St. Helens, OR 97051

AFTER RECORDING RETURN TO GRANTEE:
Fishhawk Lake Recreation Club, Inc.
Attn: N. Gary Rinehart
71150 North Shore Drive
Birkenfeld, Oregon 97016
[Until a change is requested, send all tax statements to Grantee at above address]