

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of Selling to Evergreen Pub)
Properties LLC Certain County-Owned)
Real Property Known as Tax Account)
No. 03-91-7216-042-03300)

ORDER NO. 29-2002

WHEREAS, the County owns and wishes to sell a certain parcel of land commonly referred to as Tax Account No. 03-91-7216-042-03300, Columbia County, Oregon, and more particularly described as:

Parcel 1: Beginning at a point that is South 15°39'30" West 10 feet and North 74°20'30" West 43.67 feet from the Southwest Corner of Lot 5, Block "A", City of Rainier, Columbia County, Oregon; thence North 74°23'30" West 31.33 feet; thence North 15°39'30" East 55 feet; thence South 74°20'30" East 31.33 feet; thence south 15°39'30" West 55 feet to the point of beginning.

Parcel 2: A certain right of way 12 feet wide, to make a passage way to the North and East of the particular property herein described, over Lots 6 and 7 of Block "A", and to the North point of said lots, so as to connect with an alleyway leading to Quincy Street, Rainier, Oregon, and which is located East of the North line of said Lot 6 in Block "A", Rainier, Oregon. The aforesaid right of way is reserved and described in a deed, Oregon Credit Agency to Charles T. Bross and E. Jennie Bross, his wife, dated March 21, 1946 and recorded June 14, 1949, in Book 104, page 254, Deed Records of Columbia County, Oregon.

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 February 22, 1989, and again at the Sheriff's auction held on April 13, 1995 for a minimum bid of \$3,200; and

WHEREAS, no bids were received at the Sheriff's sales for said parcel of land; and

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, if any such lands remain unsold after attempts to sell such lands under ORS 275.120 to 275.160; and

WHEREAS, pursuant to ORS 275.200, Columbia County may sell this parcel at private sale without further notice at such price as the Board of Commissioners deems reasonable, but at a price no less than 15 percent of the minium bid set under ORS 275.110 for the Sheriff's sale; and

WHEREAS, on May 7, 2002, Mike Avent, on behalf of Evergreen Pub Properties LLC submitted a check to Columbia County in the amount of \$3,500 for purchase of this parcel, meeting the price requirement of ORS 275.200; and

WHEREAS, on May 17, 2002, Evergreen Pub submitted a check to Columbia County in the amount of \$31.00 to cover the recording fee for a quitclaim deed;

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. On behalf of Columbia County, the Board accepts the offer submitted by Mike Avent on behalf of Evergreen Pub Properties LLC for the purchase of certain County-owned real property known as Tax Account No. 03-91-7216-042-03300.
2. The Board of County Commissioners shall execute the Quitclaim Deed for Tax Account No. 03-91-7216-042-03300, to Evergreen Pub Properties LLC, attached hereto as Attachment 1 and by this reference incorporated herein, for the sum of \$3,500, receipt of which is hereby acknowledged.

DATED this 5th day of June, 2002.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

Approved as to form

By: [Signature]
Office of County Counsel

By: [Signature]
Chairman

By: [Signature]
Commissioner

By: [Signature]
Commissioner

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QUITCLAIM DEED

BOOK **080** PAGE **36**

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 the EVERGREEN PUB PROPERTIES LLC, hereinafter called Grantee, and unto its 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 Account No. 03-91-7216-042-03300.

The property is more specifically described on Exhibit A, attached hereto and incorporated herein by this reference.

The true and actual consideration for this conveyance is \$3,500.

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 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. ___-2002 adopted on ___, 2002, and filed in Commissioners Journal at Book ___, Page ___.

IN WITNESS WHEREOF, the Grantor has executed this instrument this ___ day of ___, 2002.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: _____
Chair

Approved as to form

By: _____
Commissioner

By: _____
Office of County Counsel

By: _____
Commissioner

STATE OF OREGON)
) ss.
County of Columbia)

ACKNOWLEDGMENT

This instrument was acknowledged before me on the ___ day of ___, 2002, by Anthony Hyde, Joe Corsiglia and Rita Bernhard as Commissioners of Columbia County, Oregon, on behalf of whom the instrument was executed.

Notary Public for Oregon
My Commission Expires: _____

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

AFTER RECORDING RETURN TO GRANTEE:
Stephen C. Allen, Registered Agent
Evergreen Pub Properties LLC
144 - 11th Street
Astoria, OR 97103
[Until a change is requested, send all tax statements
to Grantee at above address]

Book 080,
Page

EXHIBIT A
to the Quitclaim Deed between
Columbia County and Evergreen Pub Properties LLC

Tax Lot. No. 7216-042-03300

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