

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of Conveying Certain)	
County-Owned Real Property, Known as)	
Tax Account No. 03-95 7207-040-01601)	ORDER NO. 67-2002
to Jerald and Donna Canning)	
_____)	

WHEREAS, certain real property in Columbia County, Oregon, which has been assigned Tax Account No. 03-95 7207-040-01601, was foreclosed upon for nonpayment of back taxes in Columbia County v. Holaday, et al, Case No. 99-2374C, said property, listed as Parcel No. 99-023 in said foreclosure proceeding, being more particularly described as:

That portion of the following described tract lying Northerly of the Southerly line, extended North 58° 18' West of Lot 5, Block 8, Unit "A", West Rainier, Columbia County, Oregon:

Beginning at a point on the South side of a road, said point being North 785.4 feet and East 893.7 feet from the corner of the James Dobbins Donation Land Claim that is in the Southeast quarter of Section 7, Township 7 North, Range 2 West of the Willamette Meridian, Columbia County, Oregon; thence paralleling said road, North 58° 18' West 142.4 feet; thence leaving said road South 31° 42' West, 1025.8 feet; thence North 86° 54' West, 233.8 feet to that corner of the James Dobbins Donation Land Claim above described; thence South 661.3 feet; thence North 31° 42' East, 1700.5 feet to the place of beginning. Also, all that portion of vacated West Street, also known as 8th Street, as shown on the Plat of Unit "A", West Rainier, Columbia County, Oregon, filed in Plat Book 2, page 42, Records of Columbia County, Oregon, which lies Northerly of the Southerly line of Lot 5, Block 8, Unit "A", West Rainier, Columbia County, Oregon, extended North 58° 18' West

and more commonly described as 28878 Dike Road, Rainier, Oregon; and

WHEREAS, the records of the Columbia County Assessor's Office listed Jerald and Donna Canning as the record owners of Parcel No. 99-023 at the time of the foreclosure, and tax statements and notices of foreclosure were sent to the listed record owners; and,

WHEREAS, judgment was entered in Columbia County v. Holaday, et al, Case No. 99-2374C, on October 9, 2001, and ownership of said Parcel No. 99-023 was thereafter conveyed to Columbia County, Oregon, by deed recorded in Deed Volume No. 01-11178; and,

WHEREAS, on July 12, 2002, the Canning's contacted Columbia County to advise that arrangements were being made to pay off the taxes, penalties and interest accrued and to seek reconveyance of this property to the Canning's; and

WHEREAS, thereafter the Cannings made arrangements with the Department of Finance and Taxation to pay all back taxes, interest and penalties assessed as of September 30, 2002, and did, on September 30, 2002, make payment of said taxes, interest and penalties in the amount of \$7,824.43; and,

WHEREAS, ORS 275.180 provides that the County, in its discretion, may, without public notice, sell and convey by deed signed by the Board of County Commissioners to the record owner any property acquired by the county for delinquent taxes for not less than the amount of taxes and interest accrued and charged against such 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, Jerald and Donna Canning have made a written request to purchase back the property referred to as Tax Account No. 03-95 7207-040-01601, a copy of said request being attached hereto as Exhibit A and by this reference incorporated herein, and have made all payments required to be made under ORS 275.180;

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

- (1) Jerald Canning and Donna Canning are authorized to repurchase the referenced property for the sum of \$7,824.43, payment of which is hereby acknowledged; and,
- (2) A quitclaim deed, a copy of which is attached hereto as Exhibit B and incorporated herein by this reference, reconveying the property to Jerald Canning and Donna Canning, husband and wife, shall be signed by this Board and recorded in the records of the County Clerk without cost.

DATED this 9th day of October, 2002.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: _____
Chair

By: _____
Commissioner

By: _____
Commissioner

Approved as to form

By: _____
Office of County Counsel

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COLUMBIA COUNTY

JUL 12 2002

COUNTY COUNSEL

Friday July 12, 2002

Dear Mr Zernatis,

We are requesting permission from the Board to re-purchase our home located at 28878 Lake Road in Rainier OR. We missed connections after we received the first eviction notice. We then went to the tax collector and asked about paying the taxes. She checked her computer and said we owed \$ 450.08, Check # 15886 was written in this amount and accepted. We were told this would clear things up and did not realize we should have tried again to contact your office. We are prepared to pay an additional sum of money to start getting caught up on our taxes and ask that we be allowed to do so.

Sincerely,

Jerrell and Donna Canning

QUITCLAIM DEED

BOOK 081 PAGE 725

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 claim unto JERALD CANNING and DONNA CANNING, husband and wife, hereinafter called Grantees, and their heirs, successors and assigns, all its right, title and interest in and to the following described parcel of property situated in the County of Columbia, State of Oregon, described as follows, to wit: Tax Account No. 03-95 7207-040-01601.

The property is more specifically described on Exhibit A attached hereto and incorporated herein.

The true and actual consideration for this conveyance is \$7,824.43.

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. 67-2002 adopted on October 2002 and filed in Commissioners Journal at Book ___, Page ___.

IN WITNESS WHEREOF, the Grantor has executed this instrument this ___ day of October, 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)
)
County of Columbia) ss.

ACKNOWLEDGMENT

This instrument was acknowledged before me on the ___ day of October, 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: _____

GROTOR'S NAME AND ADDRESS:
of County Commissioners
Columbia County, Oregon
County Courthouse, Room 331
230 Strand
St. Helens, OR 97051

AFTER RECORDING RETURN TO GRANTEE:

Jerald & Donna Canning
28878 Dike Road
Rainier, OR 97048

[Until a change is requested, send all tax statements
to Grantee at above address]

That portion of the following described tract lying Northerly of the Southerly line, extended North 58° 18' West of Lot 5, Block 8, Unit "A", West Rainier, Columbia County, Oregon:

Beginning at a point on the South side of a road, said point being North 785.4 feet and East 893.7 feet from the corner of the James Dobbins Donation Land Claim that is in the Southeast quarter of Section 7, Township 7 North, Range 2 West of the Willamette Meridian, Columbia County, Oregon; thence paralleling said road, North 58° 18' West 142.4 feet; thence leaving said road South 31° 42' West, 1025.8 feet; thence North 86° 54' West, 233.8 feet to that corner of the James Dobbins Donation Land Claim above described; thence South 661.3 feet; thence North 31° 42' East, 1700.5 feet to the place of beginning. Also, all that portion of vacated West Street, also known as 8th Street, as shown on the Plat of Unit "A", West Rainier, Columbia County, Oregon, filed in Plat Book 2, page 42, Records of Columbia County, Oregon, which lies Northerly of the Southerly line of Lot 5, Block 8, Unit "A", West Rainier, Columbia County, Oregon, extended North 58° 18' West