

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of Conveying Certain)
Real Property to William J. Pugh)
and Elizabeth M. Pugh)
(
[Tax Account No. 01-01 3212-034-02100])
(

ORDER NO. 76 - 2002

WHEREAS, on May 16, 1968, the Circuit Court of the State of Oregon for the County of Columbia entered of record a Judgment and Decree of foreclosure; and

WHEREAS, on May 23, 1969, pursuant to that Judgment and Decree, Columbia County, a political subdivision of the State of Oregon, acquired certain foreclosed real property, including a certain parcel of land situated in the City of Scappoose which was formerly owned by Joe Kelsey; and

WHEREAS, this property is referred to as Tax Account No. 01-01 3212-034-02100 and is more particularly described as follows:

All that portion of the Jesse Miles Donation Land Claim lying in Section 12, Township 3 North, Range 2 West, Willamette Meridian, Columbia County, Oregon as described in deed to Joe Kelsey, recorded March 23, 1939 in Book 64, page 57, Deed Records of Columbia County, Oregon lying Northerly of that portion thereof dedicated as a 20 foot public road as described in deed recorded June 30, 1989 as Columbia County Clerks Fee Number 89-3443, and lying Easterly of that portion thereof conveyed to Clyde A. Pugh, et ux as described in deed recorded May 29, 1945 in Book 77, page 268 of said Deed Records.

and

WHEREAS, the Board of County Commissioners deemed this property surplus to the County's needs and that the highest and best use would be to an adjoining property owner, and further directed that letters be sent to the adjoining property owner(s) advising that the property would be placed for auction; and

WHEREAS, ORS 275.225 permits the County to sell county land by private sale, provided that the property is assessed at less than \$5,000 on the most recent assessment roll prepared for the County, and is unsuited for construction or placement of a dwelling under current zoning ordinances and building codes of the County; and

WHEREAS, the property has been assessed at \$500.00, and is unsuited for construction or placement of a dwelling; and

WHEREAS, on October 14, 2002, William and Elizabeth Pugh submitted a check to Columbia County in the amount of \$545.00, the sum of \$500.00 to purchase this parcel and the sum of \$45.00 to cover recording and handling fees;

WHEREAS, pursuant to ORS 275.225, notice of private sale was published in a newspaper of general circulation on October 23, 2002, and more than 15 days has elapsed since publication of said notice; and

WHEREAS, no further offers have been received by the County pursuant to this notice;

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. Pursuant to ORS 275.225, the Board authorizes the sale of the above-described property to William and Elizabeth Pugh for \$500.00.
2. The Board of County Commissioners shall execute the Quitclaim Deed for Tax Account No. 01-01 3212-034-02100 to William J. Pugh and Elizabeth M. Pugh, a copy of which is attached hereto as Attachment 1 and by this reference incorporated herein, for the sum of \$500, receipt of which is hereby acknowledged.

DATED this 15th day of November, 2002.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: _____

Chair

By: _____

Commissioner

By: _____

Commissioner

Approved as to form:

By: _____

Office of County Counsel

S:\COUNSEL\LANDS\2002 PRIV SALE\321203402100 ORD.wpd

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 **WILLIAM J. PUGH and ELIZABETH M. PUGH**, hereinafter called Grantees, and unto their 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. 01-01 3212-034-02100.**

The property is more specifically described as:

All that portion of the Jesse Miles Donation Land Claim lying in Section 12, Township 3 North, Range 2 West, Willamette Meridian, Columbia County, Oregon as described in deed to Joe Kelsey, recorded March 23, 1939 in Book 64, page 57, Deed Records of Columbia County, Oregon lying Northerly of that portion thereof dedicated as a 20 foot public road as described in deed recorded June 30, 1989 as Columbia County Clerks Fee Number 89-3443, and lying Easterly of that portion thereof conveyed to Clyde A. Pugh, et ux as described in deed recorded May 29, 1945 in Book 77, page 268 of said Deed Records.

The true and actual consideration for this conveyance is \$500.00 and other valuable consideration.

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. 76 - 2002 adopted on November 13, 2002, and filed in Commissioners Journal at Book ___, Page ___.

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

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: _____

Approved as to form

By: _____
Office of County Co'

STATE OF OREGON

County of Columbia

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GRANTOR
Board of County
for Columbia Co.
Columbia County
230 Strand
St. Helens, OR 97051