

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of Conveying Certain Real)
Property to Ronald J. Bonfiglio and Iris)
F. Bonfiglio)
)
[Tax Account No. 04-03 4407-040-00901])
_____)

ORDER NO. 83 - 2002

WHEREAS, on October 4, 1994, *nunc pro tunc* September 30, 1994, the Circuit Court of the State of Oregon for the County of Columbia entered of record the Judgment and Decree in *Columbia County v. Fleck, et al*, Case No. 94-2114; and

WHEREAS, on October 14, 1996, 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 Vernonia, which was formerly owned by Earnest and Carol Ann Allen; and

WHEREAS, this property is referred to as Tax Account No. 04-03 4407-040-00901 and is more particularly described as follows:

Beginning at a point in the center of a 40 foot road easement, said point being East 2495.5 feet and South 238.3 feet from the West quarter corner of Section 7, Township 4 North, Range 4 West of the Willamette Meridian, Columbia County, Oregon, thence East 330 feet to an iron pipe; thence South 122 feet, more or less, to a point which is 334.9 feet South of the center line of said Section 7; thence West, parallel to the East-West center line of said Section 7, a distance of 300 feet, more or less, to the East boundary of the Northeast quarter of the Southwest quarter and the true point of beginning of the following described tract; thence South, along the East line of said Northeast quarter of the Southwest quarter, a distance of 400 feet, more or less, to a point in the center of the Nehalem Highway; thence North 47° 45' West, along the center of said Highway, a distance of 110 feet, more or less, to a point in the center of a 40 foot private common usage roadway, thence North 03° 32' East, along the center of said 40 foot roadway, to a point which is West of the true point of beginning; thence East to the true point of beginning.

Except that portion within the Nehalem Highway and public roads; reserving an easement over the westerly 20' of the property herein described.

and

WHEREAS, the Board of County Commissioners deemed this property surplus to the County's needs, that the highest and best use would be to an adjoining property owner, and

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 \$2,700.00, and is unsuited for construction or placement of a dwelling; and

WHEREAS, on October 15, 2002, Ronald and Iris Bongiflio submitted a check to Columbia County in the amount of \$1,445.00, the sum of \$1,400.00 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 Ronald J. Bonfiglio and Iris F. Bonfiglio for \$1,400.00.
2. The Board of County Commissioners shall execute the Quitclaim Deed for Tax Account No. 04-03 4407-040-00901 to Ronald J. Bonfiglio and Iris F. Bonfiglio, husband and wife, a copy of which is attached hereto as Attachment 1 and by this reference incorporated herein, for the sum of \$1,400.00, receipt of which is hereby acknowledged.

DATED this 13th day of November, 2002.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: [Signature]
Chair

By: [Signature]
Commissioner

By: [Signature]
Commissioner

Approved as to form:

By: [Signature]
Office of County Counsel

S:\COUNSEL\LANDS\2002 PRIV SALE\440704000901 ORD.wpd

QUITCLAIM DEED

BOOK 081 PAGE 778

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 RONALD J. BONFIGLIO and IRIS F. BONFIGLIO, husband and wife, 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. 04-03 4407-040-00901.

The property is more specifically described as: see attached Exhibit A.

The true and actual consideration for this conveyance is \$1,400.00 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. 83 - 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: _____
Chair

By: _____
Commissioner

Approved as to form

By: _____
Office of County Counsel

STATE OF OREGON

County of Columbia

This instrument was at
Bernhard, as Com

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

EXHIBIT A
[Tax Account No. 04-03 4407-040-00901]

Beginning at a point in the center of a 40 foot road easement, said point being East 2495.5 feet and South 238.3 feet from the West quarter corner of Section 7, Township 4 North, Range 4 West of the Willamette Meridian, Columbia County, Oregon, thence East 330 feet to an iron pipe; thence South 122 feet, more or less, to a point which is 334.9 feet South of the center line of said Section 7; thence West, parallel to the East-West center line of said Section 7, a distance of 300 feet, more or less, to the East boundary of the Northeast quarter of the Southwest quarter and the true point of beginning of the following described tract; thence South, along the East line of said Northeast quarter of the Southwest quarter, a distance of 400 feet, more or less, to a point in the center of the Nehalem Highway; thence North $47^{\circ} 45'$ West, along the center of said Highway, a distance of 110 feet, more or less, to a point in the center of a 40 foot private common usage roadway, thence North $03^{\circ} 32'$ East, along the center of said 40 foot roadway, to a point which is West of the true point of beginning; thence East to the true point of beginning.

Except that portion within the Nehalem Highway and public roads; reserving an easement over the westerly 20' of the property herein described.

