

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR COLUMBIA COUNTY, OREGON

In the Matter of Conveying Certain)
 Real Property to Claudia Burnham)
)
 [Tax Account Nos. 03-05 7221-010-02100,)
 7221-010-02200 and 7221-010-02300])
 _____)

ORDER NO. 86 - 2002

WHEREAS, on September 12, 1979, pursuant to a Deed of Personal Representative of the Estate of James G. Blaine Harr, Columbia County, a political subdivision of the State of Oregon, acquired certain real property situated near the City of Rainier; and

WHEREAS, these properties are referred to as Tax Account Nos. 03-05 7221-010-02100, 7221-010-02200 and 7221-010-02300 and is more particularly described as follows:

Parcel 1: Beginning at a point that is South 165 feet and South 87° 43' 30" East 412.5 feet and South 0° 53' 30" West 690 feet and North 89° 06' 30" West 560 feet from the North quarter corner of Section 21, Township 7 North, Range 2 West, Willamette Meridian, Columbia County, Oregon, said point being the Northeast corner of Lot 1, Block K, unrecorded plat of Rainier Heights as depicted in the proposed plat recorded as Columbia County Survey Record M-4; thence from said point of beginning, South 0° 53' 30" West, along the East line of said Lot 1, a distance of 100 feet to the Southeast corner thereof, said point also being on the Northerly right of way line of proposed 50 foot wide Center Street; thence North 89° 30' West, along the South line of said Lot 1, a distance of 72.4 feet to the Southwest corner thereof, said point being on the Easterly side of the right of way of the Hammond Lumber Company (formerly Oregon Rafting Company); thence in a Northerly direction along the Easterly side of said right of way of the Hammond Lumber Company, a distance of 299.36 feet to the Northwest corner of said Block K, said point being on the Southerly right of way line of proposed 70 foot wide Valley Street; thence in a Southeasterly direction along said Southerly right of way proposed Valley Street, a distance of 100 feet to the Northeast corner of said Block K, said point being on the West right of way line of proposed 50 foot wide High Street; thence South 0° 53' 30" West along the East line of said Block K, a distance of 160 feet to the Southeast corner of Lot 3; thence North 89° 06' 30" West along the South line of said Lot 3 a distance of 60 feet to the point of beginning.

Parcel 2: Beginning at a point that is South 165 feet and South 87° 43' 30" East 412.5 feet and South 0° 53' 30" West 840 feet and North 89° 06' 30" West 560 feet from the North quarter corner of Section 21, Township 7 North, Range 2 West, Willamette Meridian, Columbia County, Oregon, said point being the Northeast corner of Lot 1, Block L, unrecorded plat of Rainier Heights as depicted in the proposed plat recorded as Columbia County Survey Record M-4; thence, from said point of

beginning, continuing North 89° 36' 30" West along the North line of said Lot 1, a distance of 71.8 feet to the Northwest corner thereof, said point being on the Easterly side of the right of way of the Hammond Lumber Company (formerly Oregon Rafting Company); thence in a Southerly direction along the Easterly side of said right of way of the Hammond Lumber Company, a distance of 200.16 feet to the Southwest corner of Lot 4, of said Block L, said point being on the Northerly right of way line of proposed 50 foot wide South Street; thence South 89° 06' 30" East along the Northerly right of way of said South Street, a distance of 53 feet to the Southeast corner of said Lot 4; thence North 0° 53' 30" East along the East lines of said Lots 4 and 1, a distance of 200 feet to the point of beginning.

Parcel 3: Beginning at a point that is South 165 feet and South 87° 43' 30" East 412.5 feet and South 0° 53' 30" West 1090 feet and North 89° 06' 30" West 550 feet from the North quarter corner of Section 21, Township 7 North, Range 2 West, Willamette Meridian, Columbia County, Oregon, said point being the Northeast corner of Lot 1, Block M, unrecorded plat of Rainier Heights as depicted in the proposed plat recorded as Columbia County Survey Record M-4; thence, from said point of beginning, continuing North 89° 36' 30" West along the North line of said Lot 1, a distance of 58.3 feet to the Northwest corner thereof, said point being on the Easterly side of the right of way of the Hammond Lumber Company (formerly Oregon Rafting Company); thence in a Southerly direction, along the Easterly side of said right of way of the Hammond Lumber Company, a distance of 197.7 feet to the Southwest corner of Lot 4, of said Block M; thence South 86° 13' 30" East, along the South line of said Lot 4, a distance of 39.5 feet to the Southeast corner thereof; thence North 0° 53' 30" East, along the East line of said Lots 4 and 1, a distance of 197.5 feet to the point of beginning.

and

WHEREAS, the Last Will and Testament of James G. Blaine Harr bequeathed these properties to Columbia County for use by the Juvenile Department; and

WHEREAS, Stan Mendenhall, Director, Columbia County Juvenile Department, has indicated that these non-contiguous parcels cannot be used for a new juvenile facility and has agreed they should be sold and the money received placed in the line item account for construction of a new juvenile facility; and

WHEREAS, the Board of County Commissioners deemed these properties 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 properties 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, these properties have been assessed at \$3,300, \$1,600 and \$1,100, respectively, and are unsuited for construction or placement of dwellings; and

WHEREAS, on October 11, 2002, Claudia Burnham submitted a check to Columbia County in the amount of \$3,045.00, the sum of \$3,000.00 to purchase these properties 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 properties to Claudia Burnham for \$3,000.00.
2. The monies received from the sale of these properties shall be deposited into the line item account for construction of a new juvenile facility.
3. The Board of County Commissioners shall execute the Quitclaim Deed for Tax Account Nos. 03-05 7221-010-02100, 7221-010-02200 and 7221-010-02300 to Claudia Burnham, a copy of which is attached hereto as Attachment 1 and by this reference incorporated herein, for the sum of \$3,000, 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

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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 CLAUDIA BURNHAM, hereinafter called Grantee, and unto her 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 Nos. 03-05 7221-010-02100, 03-05 7221-010-02200, and 03-05 7221-010-02300.

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

The true and actual consideration for this conveyance is \$3,000.00 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. 86 - 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

By: _____
Commissioner

Approved as to form

By: _____
Office of County Counsel

STATE OF OREGON)
)
County of Columbia

This instrument was acknowledged by _____
Bernhard, as Commissioner

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

EXHIBIT A

[Tax Account Nos. 03-05 7221-010-02100, 02200 & 02300]

Parcel 1:

Beginning at a point that is South 165 feet and South 87° 43' 30" East 412.5 feet and South 0° 53' 30" West 690 feet and North 89° 06' 30" West 560 feet from the North quarter corner of Section 21, Township 7 North, Range 2 West, Willamette Meridian, Columbia County, Oregon, said point being the Northeast corner of Lot 1, Block k, unrecorded plat of Rainier Heights as depicted in the proposed plat recorded as Columbia County Survey Record M-4; thence from said point of beginning, South 0° 53' 30" West, along the East line of said Lot 1, a distance of 100 feet to the Southeast corner thereof, said point also being on the Northerly right of way line of proposed 50 foot wide Center Street; thence North 89° 30' West, along the South line of said Lot 1, a distance of 72.4 feet to the Southwest corner thereof, said point being on the Easterly side of the right of way of the Hammond Lumber Company (formerly Oregon Rafting Company); thence in a Northerly direction along the Easterly side of said right of way of the Hammond Lumber Company, a distance of 299.36 feet to the Northwest corner of said Block K, said point being on the Southerly right of way line of proposed 70 foot wide Valley Street; thence in a Southeasterly direction along said Southerly right of way proposed Valley Street, a distance of 100 feet to the Northeast corner of said Block K, said point being on the West right of way line of proposed 50 foot wide High Street; thence South 0° 53' 30" West along the East line of said Block k, a distance of 160 feet to the Southeast corner of Lot 3; thence North 89° 06' 30" West along the South line of said Lot 3 a distance of 60 feet to the point of beginning.

Parcel 2:

Beginning at a point that is South 165 feet and South 87° 43' 30" East 412.5 feet and South 0° 53' 30" West 840 feet and North 89° 06' 30" West 560 feet from the North quarter corner of Section 21, Township 7 North, Range 2 West, Willamette Meridian, Columbia County, Oregon, said point being the Northeast corner of Lot 1, Block L, unrecorded plat of Rainier Heights as depicted in the proposed plat recorded as Columbia County Survey Record M-4; thence, from said point of beginning, continuing North 89° 36' 30" West along the North line of said Lot 1, a distance of 71.8 feet to the Northwest corner thereof, said point being on the Easterly side of the right of way of the Hammond Lumber Company (formerly Oregon Rafting Company); thence in a Southerly direction along the Easterly side of said right of way of the Hammond Lumber Company, a distance of 200.16 feet to the Southwest corner thereof; thence Northerly right of way of the Hammond Lumber Company, a distance of 200.16 feet to the Southwest corner thereof; thence North 89° 06' 30" East 412.5 feet and South 0° 53' 30" West 690 feet and North 89° 06' 30" West 560 feet from the North quarter corner of Section 21, Township 7 North, Range 2 West, Willamette Meridian, Columbia County, Oregon, said point being the Northeast corner of Lot 1, Block k, unrecorded plat of Rainier Heights as depicted in the proposed plat recorded as Columbia County Survey Record M-4; thence from said point of beginning, South 0° 53' 30" West, along the East line of said Lot 1, a distance of 100 feet to the Southeast corner thereof, said point also being on the Northerly right of way line of proposed 50 foot wide Center Street; thence North 89° 30' West, along the South line of said Lot 1, a distance of 72.4 feet to the Southwest corner thereof, said point being on the Easterly side of the right of way of the Hammond Lumber Company (formerly Oregon Rafting Company); thence in a Northerly direction along the Easterly side of said right of way of the Hammond Lumber Company, a distance of 299.36 feet to the Northwest corner of said Block K, said point being on the Southerly right of way line of proposed 70 foot wide Valley Street; thence in a Southeasterly direction along said Southerly right of way proposed Valley Street, a distance of 100 feet to the Northeast corner of said Block K, said point being on the West right of way line of proposed 50 foot wide High Street; thence South 0° 53' 30" West along the East line of said Block k, a distance of 160 feet to the Southeast corner of Lot 3; thence North 89° 06' 30" West along the South line of said Lot 3 a distance of 60 feet to the point of beginning.

Parcel 3:

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