

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of Conveying Certain Real Property)
In Vernonia, Oregon, to Erica Johansen and Scott) **ORDER NO. 59-2022**
Andreae Tax Map ID No. 4N4W03-BC-08200 and)
Tax Account No. 22473)

WHEREAS, on October 19, 2017, *nunc pro tunc* October 16, 2017, the Circuit Court of the State of Oregon for the County of Columbia entered of record the General Judgment in *Columbia County v. 2305 Columbia Building LLC.*, Case No. 17-CV39624; and

WHEREAS, on October 23, 2019, pursuant to that General Judgment, Seller acquired foreclosed real property, including that certain parcel of land situated in Vernonia, Oregon, having Tax Map ID No. 4N4W03-BC-08200 and Tax Account No. 22473 (the "Property"), by deed recorded as document number 2019-008826 in the Columbia County deed records; re-recorded as document number 2022-008702; and

WHEREAS, the Property is depicted on Exhibit A hereto, and is more specifically described in the draft quitclaim deed attached as Exhibit B hereto (the "Quitclaim Deed"), which is incorporated by reference herein; and

WHEREAS, the County offered the Property for sale at auction on April 1, 2022, with a minimum bid of \$206,620.00, and no offers were received; and

WHEREAS, pursuant to ORS 275.200(2), the County may sell and convey the Property without further public notice for not less than 15% of the minimum bid at auction; and

WHEREAS, Buyer has offered to purchase the Property for \$37,500.00, an amount exceeding 15% of the minimum bid; and

WHEREAS, County policy provides that Buyers of tax foreclosed properties shall pay a \$145.00 fee plus the cost of recording and publication (\$181.00) (the "Administrative Fee") in addition to the agreed upon purchase price; and

WHEREAS, the County entered into a purchase and sale agreement with Buyer effective September 21, 2022 (the "Purchase and Sale Agreement"); and

WHEREAS, Buyer has notified the County that Buyer is prepared to proceed with the purchase; and

WHEREAS, Seller intends to sell the Property to Buyer on the terms and conditions set forth in the Purchase and Sale Agreement.

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. Pursuant to ORS 275.200(2), the Board of County Commissioners authorizes the sale of the above-described Property to Erica Johansen and Scott Andreae for \$37,500.00, plus an Administrative Fee in the amount of \$326.00; and

2. The Board of County Commissioners will convey the Property by Quitclaim Deed in a form substantially the same as Exhibit B; and

3. The fully executed Quitclaim Deed shall be recorded in the County Clerk deed records by Columbia County.

DATED this 9 day of November, 2022.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: [Signature]
Henry Heimuller, Chair

By: [Signature]
Casey Garrett, Commissioner

By: [Signature]
Margaret Magruder, Commissioner

Approved as to form:
By: [Signature]
Office of County Counsel

EXHIBIT A

**Tax Account No. 22473
Map**



EXHIBIT B

GRANTOR

Columbia County, Oregon
230 Strand
St. Helens, Oregon 97051

AFTER RECORDING, RETURN TO GRANTEE:

Erica Johansen
Scott Andrae
56450 Nehalem Hwy S.
Vernonia, OR 97064

Until a change is requested, all tax statements shall be sent to Grantee at the above address.

QUITCLAIM DEED

Columbia County, a political subdivision of the State of Oregon, hereinafter called Grantor, for the consideration hereinafter stated, does hereby release and quitclaim unto Erica Johansen as to 60% and Scott Andrae as to 40%, hereinafter called Grantee, all right, title and interest in and to that certain parcel of real property identified in Columbia County records as Map ID No. 4N4W03-BC-08200 and Tax Account No. 22473, and more particularly described on Exhibit A hereto.

The true and actual consideration for this conveyance is \$37,826.00.

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 Civilian Conservation Corps roads are hereby reserved for the benefit of Columbia County, Oregon.
- 3) All rights to any minerals, mineral rights, ore, metals, metallic clay, aggregate, oil, gas or hydrocarbon substances in, on or under said property, if any, including underground storage rights, surface mining, 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.
- 4) City Liens, if any, of the City of Vernonia.
- 5) The rights of the public in and to that portion of the premises herein described lying within the limits of street, roads and highways.

- 6) Covenants, Conditions, Restrictions, Mineral Reservations, Reservations, set back lines, Special Assessments and Powers of Special Districts, Easements of Record and Agreements for Roadways or Maintenance, if any.
- 7) Notice of Designation of Substantial Damage, including the terms and provisions thereof as recorded at Instrument No. 2014-005015 in the Columbia County, Oregon Deed Records.

This conveyance is made pursuant to Board of County Commissioners Order No. _____ adopted on the ____ day of _____, 2022, and filed in Commissioners Journal at Book ____, Page ____.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

IN WITNESS WHEREOF, the Grantor has executed this instrument this _____ day of _____, 2022.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

Approved as to form

By: _____
Henry Heimuller, Chair

By: _____
Office of County Counsel

STATE OF OREGON)
) ss.
County of Columbia)

ACKNOWLEDGMENT

This instrument was acknowledged before me on the ____ day of _____, 2022, by Henry Heimuller, Chair, Board of County Commissioners of Columbia County, Oregon, on behalf of which the instrument was executed.

Notary Public for Oregon

EXHIBIT A
Legal Description for Map ID No 4N4W03-BC-08200 and
Tax Account No. 22473

A tract of land in the Northwest quarter of Section 3, Township 4 North, Range 4 West, Willamette Meridian, Columbia County, Oregon, being more particularly described as follows:

Lots 1 and 2, Block 2, Malmsten's Riverside View, in the City of Vernonia, Columbia County, Oregon.

EXCEPTING THEREFROM tract as conveyed by Columbia County to State of Oregon by and through its State Highway Commission recorded April 26, 1937 in Book 60, Page 350 and as conveyed June 21, 1937 in Book 60, Page 513, Deed Records of Columbia County, Oregon.