

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

FOR THE COUNTY OF YAMHILL

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

In the Matter of an Order Declaring Certain
Tax Foreclosed Property as Surplus,
Authorizing the Sale of the Property by
Private Sale, and Ordering Distribution of
Proceeds

BOARD ORDER 22-152

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON (“the Board”) sat for the transaction of county business in formal session on May 12, 2022, commissioners Lindsay Berschauer, Casey Kulla, Mary Starrett being present.

THE BOARD ADOPTS THE FOLLOWING FINDINGS:

- A. ORS Chapter 275 governs the sale of surplus county real properties. ORS 275.225 authorizes a private sale of county surplus property under the following conditions:
 - a. The property has a real market value of less than \$15,000 on the tax assessment roll; and
 - b. The property is unsuited for the construction or placement of a dwelling thereon under current zoning ordinances and building codes of the county.
- B. On December 11, 2019, the Circuit Court of the State of Oregon entered a General Judgment of Foreclosure for the Yamhill County (the “County”) via Case No. 19CV38606 (the “Judgment”).
- C. Pursuant to the Judgment, the County acquired certain foreclosed property (hereinafter referred to as the “Property”) more particularly described as:

TAX LOT NO. R3404AD 09402 TAX ACCOUNT NO. 523549

A PARCEL OF LAND SITUATED IN SECTION 4, TOWNSHIP 3 SOUTH, RANGE 4 WEST, WILLAMETTE MERIDIAN, CITY OF YAMHILL, YAMHILL COUNTY, OREGON, BOUNDED BY THE FOLLOWING PARCELS DESCRIBED IN THE CLERK’S RECORDS OF YAMHILL COUNTY AS FOLLOWS: ON THE WEST BY INSTRUMENT NUMBER 202123033, RECORDED NOVEMBER 23, 2021; ON THE NORTH BY INSTRUMENT NUMBER 202110281, RECORDED MAY 19, 2021; ON THE NORTHEAST BY INSTRUMENT NUMBER 201617931, RECORDED NOVEMBER 18, 2016; ON THE EAST BY INSTRUMENT NUMBER 201114822, RECORDED NOVEMBER 15, 2011; AND ON THE SOUTH BY THE NORTH LINE OF 2ND STREET.

- D. On May 6, 2022, the County received a sealed bid from J. Terah Mitchell (the “Purchaser”) to purchase the Property (see Exhibit 1).

- E. The Property meets to provisions of ORS 275.225 because:
 - a. The assessed value is less than \$15,000 as per Exhibit 2; and
 - b. The Property is unsuitable for the construction or placement of structures thereon under current zoning ordinances as per Exhibit 3.
- F. A selling price of \$ 1,650.00 is reasonable because the property is non-buildable.
- G. That it is in the County's best interest to sell the Property for \$ 1,650.00.

NOW, THEREFORE, IT IS HEREBY ORDERED BY THE BOARD AS FOLLOWS:

1. DECLARATION OF SURPLUS PROPERTY.

The Property is not in use for any County purpose and is hereby declared to be surplus.

2. AUTHORIZATION OF SALE; PURCHASE PRICE.

The sale of Tax Lot No. R3404AD 09402 to Terah J. Mitchell as authorized by ORS 275.225 is hereby confirmed for the purchase price of \$ 1,650.00, plus the costs to record.

3. APPROVAL OF QUITCLAIM DEED.

Conveyance of the Property shall be done via the Quitclaim Deed provided in Exhibit 3, attached hereto.

4. CONFIRMATION OF SUMS ALLOWED BY ORS 275.275(1).

As provided by ORS 275.275(1)(c), the following amount shall be deducted from the gross proceeds to reimburse the County for all the costs and expenses incurred by the County in the maintenance and supervision of such properties and in any suits by it to quiet title to property sold:

- Advertisement costs:\$ 64.24
- Attorney/staff time fee:\$ 400.00

TOTAL\$ 464.24

4. DISTRIBUTION OF GROSS PURCHASE PRICE PROCEEDS.

The gross purchase price proceeds from the sale shall be distributed to as follows:

To County Counsel\$ 464.24

To unsegregated tax account.....\$ 1,185.76

DONE at McMinnville, Oregon on May 12th, 2022.

ATTEST



YAMHILL COUNTY BOARD OF COMMISSIONERS

BRIAN VANBERGEN
County Clerk

Lindsay Berschauer

Chair LINDSAY BERSCHAUER

By: *Carolina Rook*
Deputy CAROLINA ROOK

Casey Kulla

Commissioner CASEY KULLA

FORM APPROVED BY:

Christian Boeniech
CHRISTIAN BOENIECH
Yamhill County Legal Counsel

Mary Starrett

Commissioner MARY STARRETT

EXHIBIT B



SEALED BID OFFER FORM
Agreement to Purchase

NAME (as you want it to appear on the deed): Terah J. Mitchell

MAILING ADDRESS (for tax statements): 1000 E. 2nd St., Yamhill, OR 97148

PHONE NUMBER: 503-860-6826 / 503-662-3356

EMAIL ADDRESS: terah.mitchell@gmail.com

The undersigned hereby offers to purchase real property described as:

TAX ACCOUNT NO. 523549

TAX LOT NO. R3404AD 09402

from Yamhill County, for \$ 1,650.00 (cash).

10% of the offer price is enclosed with this offer by Cashier's Check or Money Order.

If this offer is accepted, I understand that the balance of the offer price, plus an \$86.00 recording fee, is *due in full ten (10) business days* following the date the bid is accepted by the County. Please be advised, if the deed is longer than two pages, there is an additional charge of \$5.00 per page for recording.

TERMS OF SALE

If your bid is accepted, and you fail to pay the full balance of the purchase price within the time and in the manner set forth hereinabove, all rights in the said real property shall cease and all right, title, and interest in the property shall continue to remain vested in Yamhill County, free of any claim or equity, and all monies deposited hereunder shall be retained by the County.

Yamhill County properties are sold "as is." No warranties or guarantees are made concerning the condition of title, the ability to use a property for any particular purpose, the ability to develop a property pursuant to State and local land use law, location of boundary lines, environmental condition or any other matter concerning a property. Conveyance will be made by Quitclaim Deed. Title insurance shall be at the option and expense of the purchaser. It is the buyer's responsibility to thoroughly investigate a property prior to purchase.

The undersigned agrees to the terms set forth above and agrees to pay Yamhill County the sum indicated herein. The undersigned further certifies that:

1. This offer to purchase is made based solely upon his or her personal knowledge and inspection of the property;
2. The form of deed to be used for conveyance, on file for inspection at the Yamhill County Counsel's Office, is satisfactory to the undersigned;
3. The undersigned knows and understands that Yamhill County, its officers or employees do not, in any way:
 - a. Warrant the title to be conveyed, or
 - b. Guarantee the acreage or dimensions shown in county records of the various properties, or
 - c. Provide any assurance that the property may be used for – or is suitable for – any particular purpose.

Shane Mitchell
Signature

Date: 4/25/22

A. Purchase Price Offered	\$ <u>1,650.00</u>
B. Recording Fee	+ 86.00
C. Total (A+B)	\$ <u>1,736.00</u>
D. Earnest Money Deposit (10% of A)	\$ <u>165.00</u>
E. Amount to be paid prior to conveyance (C-D)	\$ <u>1,571.00</u>

7/1/2021 to 6/30/2022 REAL PROPERTY TAX STATEMENT

YAMHILL COUNTY, OREGON 535 NE 5TH ST., ROOM 42, MCMINNVILLE, OR 97128 (503) 434-7521

PROPERTY LOCATION

ALT NO: R3404AD 09402

ACCOUNT NO: 523549

Tax Code Area: 16.0

2021 - CURRENT TAX BY DISTRICT:

CHEMEKETA COMM COLLEGE	0.30
WILLAMETTE REG ESD	0.14
YC SD 1	2.29
EDUCATION TOTAL:	<u>2.73</u>
CHEMEKETA LIBRARY	0.04
YAMHILL CO EXT SERVICE	0.02
YAMHILL	2.06
YAMHILL CO SOIL & WATER	0.02
YAMHILL COUNTY	1.40
YAMHILL FIRE	0.49
YAMHILL FIRE LOCAL OPTION	0.30
GENERAL GOVERNMENT TOTAL:	<u>4.33</u>
CHEMEKETA COLLEGE BOND	0.15
YC SD 1 BOND	0.63
BONDS AND OTHER TOTAL:	<u>0.78</u>
2021 - 2022 TAX BEFORE DISCOUNT	7.84

VALUES:	LAST YEAR	THIS YEAR
REAL MARKET VALUES (RMV):		
LAND	485	545
RMV TOTAL	485	545
ASSESSED VALUE:	485	545
TOTAL TAXABLE	485	545
PROPERTY TAXES:	7.42	7.84

When a mortgage company requests your tax information this statement is yellow and for your records only.

Online or Telephone payment options available - for instructions and conditions go to: www.co.yamhill.or.us/assessor

DELINQUENT TAXES:	2020 - 2021	8.61
	2019 - 2020	8.98
	2018 - 2019	60.07
	2017 - 2018	34.44
TOTAL (after discount):		119.70

Delinquent tax amount is included in payment options listed below.

Payment Options	Date Due	Discount Allowed	Net Amount Due
FULL PAYMENT	Nov 15, 2021	.24 3% Discount.....	\$119.70
2/3 PAYMENT	Nov 15, 2021	.10 2% Discount.....	\$117.23
1/3 PAYMENT	Nov 15, 2021	No Discount.....	\$119.94

NO STATEMENTS ARE SENT FOR THE FEBRUARY 15 OR MAY 15 INSTALLMENT DATES IF PAYING THE 2/3 OR 1/3 OPTION.

↑ TEAR HERE PLEASE RETURN THIS PORTION WITH YOUR PAYMENT See back of statement for instructions TEAR HERE ↑

2021 - 2022 Property Tax Payment Yamhill County, Oregon
PROPERTY LOCATION:

ACCOUNT NO: 523549

	Delinquent tax amount is included in payment options listed below		
FULL PAYMENT	(Includes 3% Discount)	DUE Nov 15, 2021	\$119.70
2/3 PAYMENT	(Includes 2% Discount)	DUE Nov 15, 2021	\$117.23
1/3 PAYMENT	(No Discount offered)	DUE Nov 15, 2021	\$119.94

DISCOUNT IS LOST AND INTEREST APPLIES AFTER DUE DATE

Mailing address change on back

Enter Amount Paid

Please make payment to:
YAMHILL COUNTY TAX COLLECTOR
 PO BOX 6369
 PORTLAND, OR 97228-6369



Yamhill County Property Management

535 NE Fifth Street
McMinnville, OR 97128
Phone: (503) 434-7502

RECEIVED

APR 04 2022

YAMHILL COUNTY BOC



TO: City of Yamhill Planning & Building Department
FROM: Nohely Barajas-Montalvo, Office of County Counsel for Yamhill County
DATE: March 30, 2022
SUBJECT: Allowable Development of County-Owned Property

Pursuant to ORS 275.225 a county governing body may authorize the sale of county land by private sale as provided in this section if each parcel of county land to be sold:

- (a) Has a real market value of less than \$15,000 on the most recent assessment roll prepared for the county, and;
- (b) Unsited for the construction or placement of a dwelling under applicable zoning ordinances and building codes.

Please advise us if the property known as Tax Account No. 523549 and Taxlot No. R3404AD 09402 is unsited for the construction or placement of a dwelling under applicable zoning ordinances and building codes.

YES, TAXLOT R34104AD 094102 IS NOT A BUILDABLE LOT (UNSUITED)

IN THE CITY OF YAMHILL WME IS CONSOLIDATED WITH

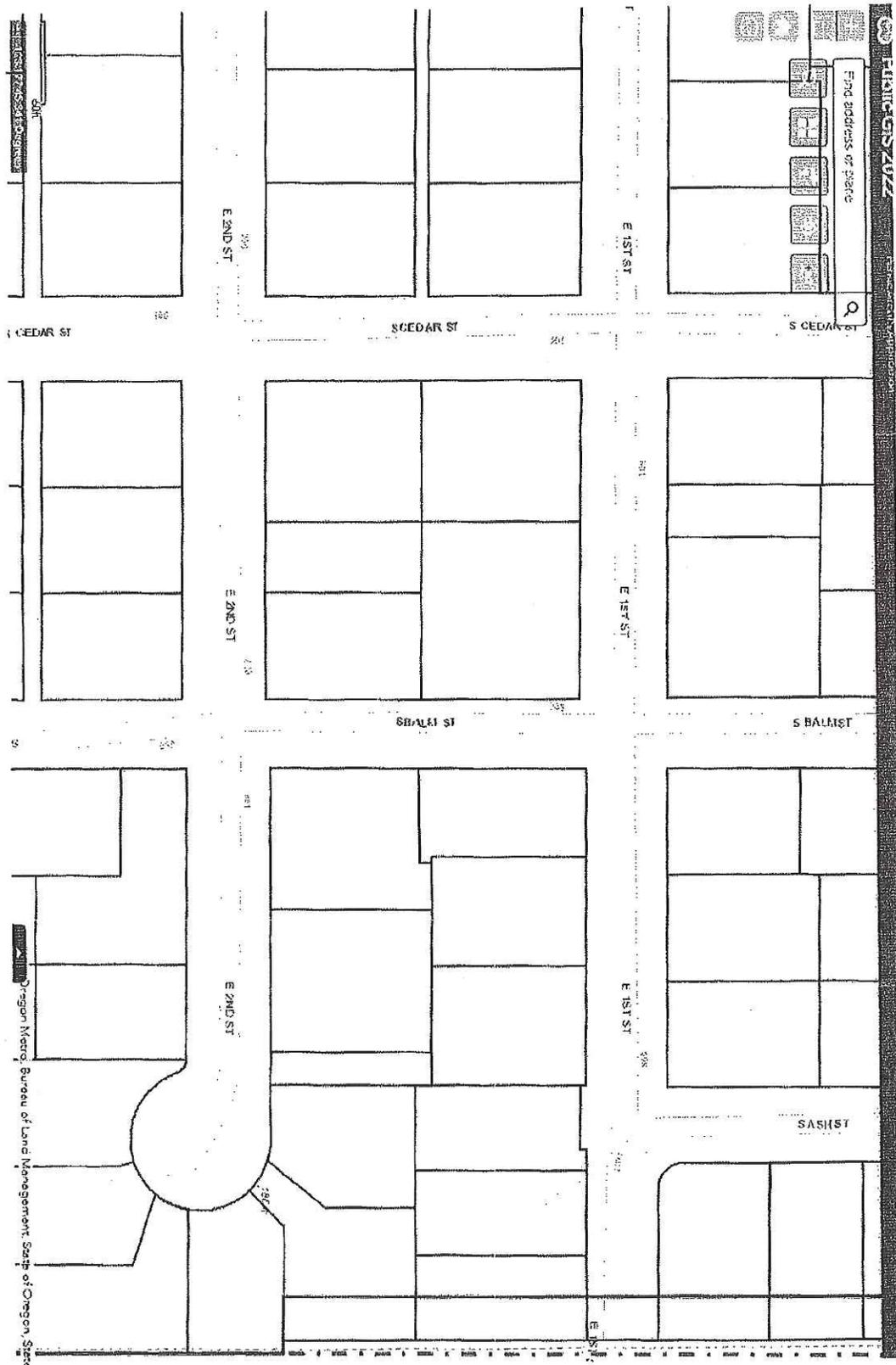
ADJACENT PROPERTY i.e. DOES NOT MEET MIN. LOT SIZE, FRONTAGE WIDTH (7,000 sqft + 160ft)

Name: PETRA SCHUETZ

Title: CITY ADMINISTRATOR PRO TEM

Signature

03/30/22
Date



After Recording Return to:
Terah Mitchell
1000 E 2nd St.
Yamhill, OR 97148

Re-recorded at the request of Yamhill County to correct a scrivener's error
previously recorded as document number 2022-07236.

OFFICIAL YAMHILL COUNTY RECORDS
BRIAN VAN BERGEN, COUNTY CLERK

202207236

Send Tax Statements To:
Terah Mitchell
1000 E 2nd St.
Yamhill, OR 97148



\$81.00

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05/19/2022 03:36:14 PM

DMR-DDMR Cnt=1 Stn=3 SUTTONS
\$5.00 \$5.00 \$11.00 \$80.00

STATUTORY QUITCLAIM DEED

YAMHILL COUNTY, a political subdivision of the State of Oregon, Grantor, releases and quitclaims to Terah Mitchell, Grantees, all right, title and interest in and to the following described real property situated in ~~Linn~~ Yamhill County, Oregon:

Tax Lot No.: R3404AD 09402

Tax Account # 523549

A PARCEL OF LAND SITUATED IN SECTION 4, TOWNSHIP 3 SOUTH, RANGE 4 WEST, WILLAMETTE MERIDIAN, CITY OF YAMHILL, YAMHILL COUNTY, OREGON, BOUNDED BY THE FOLLOWING PARCELS DESCRIBED IN THE CLERK'S RECORDS OF YAMHILL COUNTY AS FOLLOWS: ON THE WEST BY INSTRUMENT NUMBER 202123033, RECORDED NOVEMBER 23, 2021; ON THE NORTH BY INSTRUMENT NUMBER 202110281, RECORDED MAY 19, 2021; ON THE NORTHEAST BY INSTRUMENT NUMBER 201617931, RECORDED NOVEMBER 18, 2016; ON THE EAST BY INSTRUMENT NUMBER 201114822, RECORDED NOVEMBER 15, 2011; AND ON THE SOUTH BY THE NORTH LINE OF 2ND STREET.

This conveyance is subject to any easements of record.

The true and actual consideration for this transfer is \$1,650.00.

This conveyance is made pursuant to an Order of the Yamhill County Board of Commissioners Order No. 22-152, dated May 12, 2022.

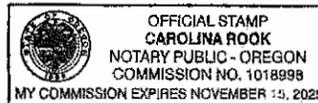
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 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, YAMHILL COUNTY, OREGON, the Grantor above named, has caused this Deed to be executed by its Board of County Commissioners on this 12th day of May 2022.

Lindsay Berschauer, Chairperson

Casey Kulla, Commissioner

Mary Starrett, Commissioner



State of Oregon)
) ss.
County of Yamhill)

This instrument was acknowledged before me on May 19, 2022, 2022, by Lindsay Berschauer, Casey Kulla and Mary Starrett as Commissioners of the Board of County Commissioners for Yamhill County.

OFFICIAL YAMHILL COUNTY RECORDS
BRIAN VAN BERGEN, COUNTY CLERK

202207462

Notary Public for Oregon
My Commission expires: 11/15/2025



\$81.00

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DMR-DDMR Cnt=1 Stn=3 SUTTONS
\$5.00 \$5.00 \$11.00 \$80.00