

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 Authorizing the Sale
of Tax Foreclosed Property by Private Sale
and Ordering Distribution of Proceeds (Tax
Lot No. R5926 00400)

BOARD ORDER 23-29

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON ("the Board") sat
for the transaction of county business in formal session on January 26, 2023,
Commissioners Lindsay Berschauer, Kit Johnston, and Mary Starrett being present.

THE BOARD ADOPTS THE FOLLOWING FINDINGS:

- A. WHEREAS, On October 2, 2015, the Circuit Court of the State of Oregon entered a
General Judgment of Foreclosure for the Yamhill County (the "County") in Case No.
15CV23063 (the "Judgment").
- B. Pursuant to the Judgment, the County acquired certain foreclosed property
(hereinafter referred to as the "Property") more particularly described as:

TAX LOT NO. R5926 00400

TAX ACCOUNT NO. 235089

SITUS ADDRESS: 61890 SW HEBO RD. GRAND RONDE, OREGON

4.15 ACRES IN SEC. 26 TRS R9W. BEGINNING AT A POINT 3 CHAINS
WEST OF THE QUARTER CORNER BETWEEN SECTION 25 AND 26
TOWNSHIP 5 SOUTH, RANGE 9 WEST, THENCE WEST 1.81 CHAINS,
THENCE SOUTH 16 CHAINS, THENCE EAST 4.81 CHAINS TO
SECTIONS, LINE THENCE NORTH 4.18 CHAINS THENCE WEST 3
CHAINS THENCE NORTH 11.82 CHAINS TO THE POINT OF
BEGINNING.

- C. WHEREAS, On November 1, 2022 the Yamhill County Sheriff and the Office of
County Counsel jointly conducted a public auction in accordance with ORS 275.090
to 275.290 and Board Order 22-304, including as amended; and
- D. WHEREAS, The Property was offered for sale at the November 1, 2022 public
auction, with a minimum bid price of \$97,873; and
- E. WHEREAS, The Property failed to sell at the public auction; and

Accepted by Yamhill County
Board of Commissioners on
1.26.23 by Board Order
B.O. 23-29

- F. WHEREAS, ORS 275.200 authorizes the Board to sell tax foreclosed property that failed to sell at public auction through a private sale process without further notice for an amount not less than 15 percent of the minimum bid set at auction; and
- G. WHEREAS, On December 15, 2022, the County received an unsolicited sealed bid from Dennis and Starlene McKinley to purchase the Property for \$15,250 (see Exhibit A, attached hereto); and
- H. WHEREAS, It is in the County's best interest to sell the Property for \$15,250; and now, therefore

IT IS HEREBY ORDERED BY THE BOARD AS FOLLOWS:

1. AUTHORIZATION OF SALE; PURCHASE PRICE.

The sale of Tax Lot No. R5926 00400 to Dennis and Starlene McKinley as authorized by ORS 275.200 is hereby confirmed for the purchase price of \$15,250.00, plus the costs to record.

2. APPROVAL OF QUITCLAIM DEED.

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

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

➤ As permitted under ORS 275.275(1)(b), the following amount shall be deducted from the proceeds to cover the penalty and fee described in ORS 312.120:

○ Penalty & Fee:\$ 2,500

➤ As permitted under 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:

○ Attorney/staff time fee:\$ 300

○ Deed Preparation Fee:.....\$ 200

TOTAL\$ 500

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4. DISTRIBUTION OF GROSS PURCHASE PRICE PROCEEDS.

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

To Tax Collector (10-12-350.07).....	\$ <u>2,500.00</u>
To County Counsel (10-25-351.01).....	\$ <u>500.00</u>
To unsegregated tax account.....	\$ <u>12,250.00</u>

DONE at McMinnville, Oregon on January 26, 2023.

ATTEST



KERI HINTON
County Clerk

By: *Carolina Rook*
Deputy CAROLINA ROOK

YAMHILL COUNTY BOARD OF
COMMISSIONERS

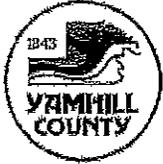
Lindsay Berschauer
Chair LINDSAY BERSCHAUER

Kit Johnston
Commissioner KIT JOHNSTON

FORM APPROVED BY:

Jodi Gollehon
JODI GOLLEHON
Assistant County Counsel

Mary Starrett
Commissioner MARY STARRETT



SEALED OFFER FORM
Agreement to Purchase

RECEIVED
RECEIVED
DEC 15 2022
15
YAMHILL COUNTY COUNSEL
YAMHILL COUNTY COUNSEL

NAME (as you want it to appear on the deed): Dennis and Starlene McKinley
MAILING ADDRESS (for tax statements): 61880 Hebo Rd Grand Ronde Ore 97347
PHONE NUMBER: 503-883-8009 EMAIL ADDRESS: Starlene.McK53@G-Mail.com

The undersigned hereby offers to purchase real property described as:

TAX LOT NO. R5926 00400 TAX ACCOUNT NO. 235089
from Yamhill County, for \$ 15,250.00 (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 is *due in full ten (10) business days* following the date the bid is accepted by the County. In addition, I understand that I will be responsible for the full \$86 recording fee. 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;
 - 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.

Starlene McKinley
[Signature]
Signature

Date: 12-15-22

Exhibit A
Page 1 of 1

