

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 Regarding                    )  
the Sale of Surplus Tax Foreclosed                    )  
Property at Public Auction; Accepting                )       BOARD ORDER 23-158  
the Sheriff's Return Following Sale                 )

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON (the Board) sat for the transaction of county business on April 27, 2023, Commissioners Lindsay Berschauer, Kit Johnston, and Mary Starrett being present.

THE BOARD MAKES THE FOLLOWING FINDINGS:

- A. WHEREAS, Yamhill County has acquired title to certain units of land, and any improvements that may be thereon, as described in Exhibit A (attached hereto and incorporated herein), which are not being used for County purposes; and
- B. WHEREAS, it is deemed to be in the best interests of Yamhill County to sell the properties at a public sale pursuant to the provisions of ORS 275.110 – 275.250; and
- C. WHEREAS, such properties have market values as determined by the tax roll at the last equalized value on the assessment roll for the property as set forth in Exhibit A; and
- D. WHEREAS, the minimum bid prices for each respective property shall be as set forth in Exhibit A; and now, therefore

IT IS HEREBY ORDERED BY THE BOARD AS FOLLOWS:

- 1. That all of the right, title, and interest of Yamhill County in and to the real property described in Exhibit A be sold at public auction in the manner provided by law, by the Sheriff of Yamhill County, to the highest and best bidder subject to the following conditions:
  - A. The sale price shall be paid in cash and not less than the minimum price stated in Exhibit A; and
  - B. All such sales shall be final; and
  - C. The County shall not warrant or defend the fee simple title of real property offered for sale to be free of defects or encumbrances, but will only convey such title as the County has acquired by foreclosure; and
  - D. Purchasers must also pay the cost of deed recording; and

E. Conveyances shall be subject to any easements of record.

2. That the Notice of Sale, attached hereto as Exhibit B, shall be published in the News-Register, a newspaper of general circulation in McMinnville, Yamhill County, Oregon, at least once each week for at least four consecutive weeks prior to the sale.

3. That notice shall also be published on the Yamhill County website.

4. That the sale shall be conducted on May 31, 2023 at 10:00 A.M., in the Yamhill County Courthouse, 535 NE 5<sup>th</sup> Street, McMinnville, Oregon.

5. That the Sheriff's Return of Sale, as required under ORS 275.160, shall be recorded, along with a copy of each Certificate of Sale and the proof of advertisement, after the public auction has concluded.

DONE this 27th day of April, 2023, at McMinnville, Oregon.

ATTEST:

YAMHILL COUNTY BOARD OF COMMISSIONERS



*Lindsay Berschauer*

KERI HINTON  
County Clerk

Chair

LINDSAY BERSCHAUER

*Kit Johnston*

By: *Carolina Rook*  
Deputy Carolina Rook

Commissioner

KIT JOHNSTON

*Mary Starrett*

FORM APPROVED BY:

Commissioner

MARY STARRETT

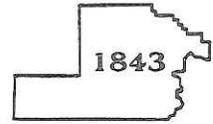
*Jodi M. Gollehon*

Jodi M. Gollehon  
Assistant County Counsel

Accepted by Yamhill County  
Board of Commissioners on

4.27.23 by Board Order  
# BO 23-158

# Yamhill County



535 NE Fifth St, McMinnville, OR 97128 • (503) 434-7502 • Fax (503) 434-7553 • TTY 800/735-2900

## OFFICE OF COUNTY COUNSEL

### EXHIBIT A

Legal Descriptions  
Yamhill County Foreclosed Property Sale  
May 31, 2023 at 10:00 a.m.  
Yamhill County Courthouse

**CHRISTIAN BOENISCH**  
COUNTY COUNSEL

**JODI GOLLEHON**  
ASSISTANT COUNTY COUNSEL II

**COLTON TOTLAND**  
ASSISTANT COUNTY COUNSEL

**NOHELY BARAJAS-MONTALVO**  
LEGAL ASSISTANT

Unit of land sizes listed are approximate sizes only.

All properties listed are subject to all easements, liens, conditions, and restrictions of record. Yamhill County does not offer title insurance, and the County shall make no warranties or guarantees regarding the title of the property offered for sale but shall only sell and convey such interest as the County acquired by foreclosure or other means and holds at the time of sale. The County makes no warranty, express or implied, as to the existence of legal access or the ability to acquire permits for building, subsurface sewage, or any other development rights. You as a potential bidder should thoroughly investigate all aspects of the property prior to bidding. All properties are sold AS-IS.

### PROPERTY #1

Account #240965      Tax Lot: R6701DB 07600      Real Market Value \$ 193,422      Min. Bid \$96,711

REAL PROPERTY IN THE COUNTY OF YAMHILL, STATE OF OREGON, DESCRIBED AS FOLLOWS:

LOT 2, BLOCK 5, YOCOM ADDITION IN THE CITY OF WILLAMINA, COUNTY OF YAMHILL, AND STATE OF OREGON.

### PROPERTY #2 – TWO SEPARATE LOTS

LOTS MUST BE SOLD TOGETHER

MINIMUM BID FOR BOTH LOTS: \$904

Account # 192311      Tax Lot: R5332BB 00100      Real Market Value \$1,416

BEGINNING 100 FEET WEST OF THE NORTHWEST CORNER OF THE ADAM MATHANEY AND WIFE DONATION LAND CLAIM IN TOWNSHIP 5 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN IN YAMHILL COUNTY, STATE OF OREGON; THENCE WEST ALONG THE SOUTH LINE OF THE JOHN KIRKWOOD DONATION LAND CLAIM TO A POINT IN THE CENTER OF THE LAFAYETTE AND SALEM COUNTY ROAD; THENCE IN A SOUTHEASTERLY DIRECTION ALONG THE CENTER OF THE SAID ROAD TO WHERE THIS ROAD INTERSECTS THE WHEATLAND ROAD; THENCE EASTERLY ALONG THE CENTER OF SAID ADAM MATHANEY DONATION LAND CLAIM; THENCE NORTH TO THE PLACE OF BEGINNING.

Account # 192320      Tax Lot: R5332BB 00200      Real Market Value \$391

A PARCEL OF LAND SITUATED IN SECTION 32, TOWNSHIP 5 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN, YAMHILL COUNTY, OREGON, LYING BETWEEN BELLEVUE-HOPEWELL OREGON HIGHWAY 153 AND OLD WHEATLAND ROAD, BOUNDED ON THE EAST BY TRACT III DESCRIBED IN THE DEED TO D & E LAND HOLDINGS, LLC, RECORDED JUNE 6, 2013, WITH INSTRUMENT NUMBER 201313945, AND BOUNDED ON THE WEST BY THAT TRACT DESCRIBED IN THE TAX COLLECTOR'S DEED RECORDED JANUARY 22, 1996 WITH INSTRUMENT NUMBER 199601017, BOTH RECORDED IN THE YAMHILL COUNTY CLERK'S OFFICE.

## EXHIBIT B

### NOTICE OF SALE

Pursuant to Board Order No. 23-158 of the Yamhill County Board of Commissioners dated April 27, 2023, the Yamhill County Sheriff shall at 10:00 A.M., on the 31<sup>st</sup> day of May, 2023, proceed to sell at public auction at the Yamhill County Courthouse, 535 NE 5<sup>th</sup> Street, McMinnville, Oregon, Room 32, to the highest and best bidder for cash, all of the right, title and interest of Yamhill County in and to the real property situated in the County of Yamhill, State of Oregon, described below. Full legal descriptions of these properties are available on the County's website at <https://www.co.yamhill.or.us/>

#### PROPERTY #1

Account# 509152      Tax Lot: R3214 02490      Real Market Value: \$193,422      Min. Bid: \$96,711

#### PROPERTY #2: TWO LOTS (MUST BE SOLD TOGETHER)

MIN BID (BOTH LOTS): \$904

1) Account #192311

Tax Lot: R5332BB 00100

Real Market Value: \$1,416

2) Account #192320

Tax Lot: R5332BB 00200

Real Market Value: \$391

Tim Svenson, Sheriff  
Yamhill County, Oregon

By:   
[Deputy name/title]

DATES OF PUBLICATION: May 2, 9, 16, 23, 30