

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 Tax )  
Foreclosed Property on May 31, 2023; Accepting ) BOARD ORDER 23-215  
the Sheriff's Return Following Sale; Approving the )  
Deed; and Ordering Distribution of Proceeds )

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON ("the Board") sat for the transaction of county business in formal session on June 9, 2023, Lindsay Berschauer, Kit Johnston, and Mary Starrett being present.

THE BOARD MAKES THE FOLLOWING FINDINGS:

1. WHEREAS, On April 27, 2023, via Board Order 23-158, the Board directed the Yamhill County Sheriff and Office of County Counsel to sell certain surplus county real property on May 31, 2023 in accordance with ORS 275.110 to 275.200; and
2. WHEREAS, A notice of sale describing the property to be sold and the terms and conditions of the sale by public auction was published in the McMinnville News-Register newspaper on the following days: May 2, May 9, May 16, and May 23, 2023 (see Exhibit A, attached hereto); and
3. WHEREAS, On May 31, 2023, the Yamhill County Sheriff and the Office of County Counsel jointly conducted the auction in Room 32 of the Yamhill County Courthouse in accordance with ORS 275.090 to 275.290, Board Order 22-304 as amended, and the Notice of Sale; and
4. WHEREAS, The County received the required minimum bids on the following properties at auction, sold collectively (the "Properties"):

a. **LOTS SOLD TOGETHER** **WINNING BID: \$17,000**

**Account #192311** **Tax Lot: R5332BB 00100**

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 WHEATLAND

ROAD TO A POINT 100 FEET WEST OF THE WEST OF THE WEST LINE OF SAID ADAM MATHANEY DONATION LAND CLAIM; THENCE NORTH TO THE PLACE OF BEGINNING.

**Account #192320**

**Tax Lot: R5332BB 00200**

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.

5. WHEREAS, On November 1, 2022, the Sheriff made his "Return of Sale" to the Board. In the Sheriff's Return of Sale, he described the proceedings including the manner of sale and the disposition (or lack thereof) of each property that was auctioned. A copy of the Return of Sale is attached hereto as Exhibit B and incorporated herein by this reference; and
6. It is in the County's best interest to sell the Properties as required under ORS 275; and now, therefore

IT IS HEREBY ORDERED BY THE BOARD AS FOLLOWS:

1. RETURN OF SALE APPROVED. The Yamhill County Sheriff's June 2, 2023 Return of Sale, attached hereto as Exhibit B, is hereby accepted and approved and shall be recorded in the Yamhill County Commissioner's Records.
2. AUTHORIZATION OF SALE; PURCHASE PRICE.
  - a. The sale of Tax Lot No. R5332BB 00100 and Tax Lot R5332BB 00200 to Blake Talbot, on behalf of Saum Ritner, LLC, is hereby confirmed for the purchase price of \$17,000.00, plus the costs to record.
3. APPROVAL OF QUITCLAIM DEED. Conveyance of the Properties shall be done via a Quitclaim Deed as provided in Exhibit C, attached hereto.

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4. 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: .....\$ 2,000.00

➤ 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:

• Attorney/staff time fee: .....\$ 1,500.00

• Deed preparation fee: .....\$ 100.00

• Advertising fee:.....\$ 390.76

**TOTAL .....\$ 1,890.76**

5. 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).....\$ 2,000.00

To County Counsel (10-25-351.01).....\$ 1,890.76

To unsegregated tax account.....\$ 13,109.24

DONE at McMinnville, Oregon on June 8, 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

Mary Starrett

JODI GOLLEHON  
Assistant County Counsel

Commissioner

MARY STARRETT

**EXHIBIT A: LEGAL DESCRIPTIONS**

**Tax Lot: R5332BB 00100**

**Account #192311**

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 WHEATLAND ROAD TO A POINT 100 FEET WEST OF THE WEST LINE OF SAID ADAM MATHANEY DONATION LAND CLAIM; THENCE NORTH TO THE PLACE OF BEGINNING.

**Tax Lot: R5332BB 00200**

**Account #192320**

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.

AFTER RECORDING RETURN TO:  
Yamhill County Counsel

OFFICIAL YAMHILL COUNTY RECORDS  
KERI HINTON, COUNTY CLERK

202304745



NO FEE

06/02/2023 09:34:14 AM

DMR-BSDMR Cnt=1 Stn=6 MILLSA  
This is a no fee document

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON  
FOR THE COUNTY OF YAMHILL

IN THE MATTER OF THE SALE )  
OF CERTAIN COUNTY LANDS ) RETURN OF SALE  
ON May 31, 2022 )

Pursuant to Board Order 23-158 of the Yamhill County Board of Commissioners, dated April 27, 2023, I caused a Notice of Sale to be published in the McMinnville News-Register, a newspaper of general circulation, published in McMinnville, Yamhill County, Oregon, in the issues dated May 2, May 9, May 16, and May 23, 2023, and an affidavit of publication is attached hereto; cost of publication is \$390.76; the statement for such cost may be paid from any proceeds pursuant to ORS 275.275 and by order of the Board of County Commissioners.

On May 31, 2023, at the hour of 10:00 A.M., in accordance with said Order and Notice of Sale, I did offer for sale and sold the following parcels for the price set out below:

a. **LOTS SOLD TOGETHER** **WINNING BID: \$17,000**

Account #192311 **Tax Lot: R5332BB 00100**  
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**  
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.

And, I provided each purchaser a Certificate of Sale conforming to ORS 275.150, copies of which are filed herewith;

In addition, I did offer for sale, but did not receive any bids, on the following parcel:

- a. Account #240965                      Tax Lot: R6701DB 07600                      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.

Therefore, I make this return of sale, in the total amount of \$17,086.00 as the total received;  
 \$17,000.00 of which is for the purchase of such property; \$86.00 of which is for recording deeds at \$81.00  
 for the first page and \$5.00 for each additional page; and so state that the total amount of \$17,086.00 has  
 been deposited with the Yamhill County Treasurer as evidenced by the receipts attached hereto.

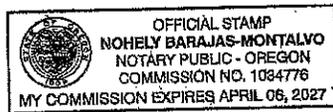
Dated this 2<sup>nd</sup> day of June, 2023.

Tim Svenson  
 Sheriff, Yamhill County, Oregon

By: *Jaime Cerda*  
 Jaime Cerda, Civil Deputy

State of Oregon            )  
   ) ss.  
 County of Yamhill        )

This instrument was acknowledged before me on June 2, 2023, 2023, by  
 Jaime Cerda, Civil Deputy for Tim Svenson, Sheriff of Yamhill County, Oregon.



*Nohely Barajas-Montalvo*  
 Notary Public for Oregon  
 My Commission expires: April 6, 2027

# Yamhill County



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

## OFFICE OF COUNTY COUNSEL

**CHRISTIAN BOENISCH**  
COUNTY COUNSEL

**JODI GOLLEHON**  
ASSISTANT COUNTY COUNSEL II

**COLTON TOTLAND**  
ASSISTANT COUNTY COUNSEL

**NOHELY BARAJAS-MONTALVO**  
LEGAL ASSISTANT

### 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# 240965	Tax Lot: R6701DB 07600	Real Market Value \$193,422	Min. Bid \$96,711
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**PROPERTY #2 (LOTS MUST BE SOLD TOGETHER)**

Account #192311	Tax Lot: R5332BB 00100	Real Market Value \$1,416	Min. Bid \$904
Account #192320	Tax Lot: R5332BB 00200	Real Market Value \$391	

You are receiving this notification because you have either requested notification on County tax foreclosures or you have been identified as a person that may be interested in purchasing one or more of the properties being auctioned. If you do not wish to continue to receive such notifications, please contact our office, and will remove you from our mailing list.

Sincerely,

Nohely Barajas-Montalvo  
Legal Assistant, Yamhill County Counsel

Cc: Assessor/ Tax Collector Department

Yamhill County's  
**News-Register.com**

0.

KEEPING YOU CONNECTED

PO BOX 727 503-472-5114 www.newsregister.com

**00 "EXHIBIT A"**

**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 31st day of May, 2023, proceed to sell at public auction at the Yamhill County Courthouse, 535 NE 5th 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# 240965 Tax Lot: R6701DB 07600 Real Market Value \$193,422 Min. Bid \$96,741

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

Account #192911 Tax Lot: R5332BB 00100 Real Market Value \$1,416 Min. Bid \$904

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

NR Published May 2, 9, 16, 23, 2023

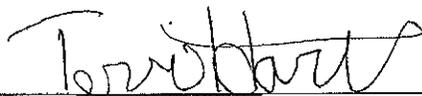
**AFFIDAVIT OF PUBLICATION**

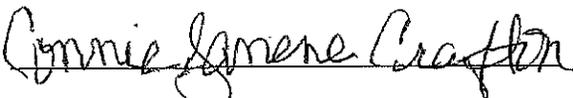
STATE OF OREGON } ss.  
County of Yamhill

I, Terri Hartt

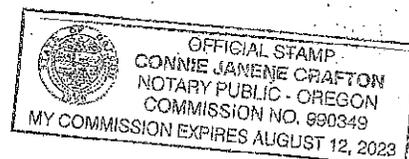
being first duly sworn, depose and say that I am the Legal Clerk, of the NEWS-REGISTER, a newspaper of general circulation as defined by O.R.S. 193.010 and O.R.S. 193.020 published two times each week at McMinnville, County of Yamhill, State of Oregon, and that **Yamhill County Counsel - Public Notice Yamhill Co Real Property to be sold on May 31, 2023-- May 2, 9, 16, 23, 2023**

Subscribed and sworn before me this 5/30/2023 .

  
\_\_\_\_\_

  
\_\_\_\_\_

Notary Public for Oregon  
My Commission Expires 08/12/2023





SEALED BID OFFER FORM  
Agreement to Purchase

NAME (as you want it to appear on the deed): Christopher George and Mackayla George  
MAILING ADDRESS (for tax statements): 336 NE Elm St. Sheridan, OR 97378  
PHONE NUMBER: (503) 338-9266 EMAIL ADDRESS: mackayla.george524@gmail.com

The undersigned hereby offers to purchase real property described as:

TAX ACCOUNT NO. R5635AB 00801 TAXLOT NO. 462733

from Yamhill County, for \$ 200<sup>00</sup> (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.

Mackayla George  
Signature

Date: 05/08/23



After Recording, Return To:

Yamhill County  
Office of County Counsel  
535 NE Fifth Street  
McMinnville, Oregon 97128

OFFICIAL YAMHILL COUNTY RECORDS  
KERI HINTON, COUNTY CLERK

202305205



NO FEE

06/15/2023 01:47:42 PM

DMR-EDMR Cnt=1 Stn=3 SUTTONS  
This is a no fee document

ACCEPTED AND APPROVED BY:

Lindsay Berschauer, Chair, Yamhill County  
Board of Commissioners for:  
YAMHILL COUNTY

Accepted by Yamhill County  
Board of Commissioners on  
6.8.23 by Board Order  
# B.O. 23-213

10.8.23

Date

### PERMANENT RIGHT-OF-WAY EASEMENT

DEAN WERTH, "Grantor," hereby grants to YAMHILL COUNTY, a political subdivision of the State of Oregon, "Grantee," a permanent, perpetual, non-exclusive easement that is over, across, and under real property situated in Yamhill County, as more particularly described in the attached Exhibit A and as shown on the attached survey Exhibit B, incorporated herein by reference ("Easement Area"):

1. Easement uses. The easement conveyed by Grantor to Grantee and Grantee's successors and assigns, is the right to use and develop the Easement Area for the following purpose:
  - a. A permanent right-of-way easement, including the right to construct, operate, and maintain a public road, all customary associated uses, and appurtenant facilities.
2. Maintenance and Repair. Grantee, its successors and/or assigns, shall be responsible for maintenance and repair of the Easement Area, and Grantor shall have no responsibility for maintenance or repair. Grantee, its successors and/or assigns, shall be responsible for monitoring the Easement Area to ensure ongoing maintenance as necessary to prevent nuisance and/or safety problems from arising or affecting Grantor's property.
3. Consideration. The monetary consideration for this conveyance is \$2,054.40.

[Signature page follows]

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed on:

Date: June 13, 2023

By: Jindsay Blum

STATE OF OREGON )

County of Tamhill )

3 The foregoing instrument is acknowledged before me this 13 day of June, 2023, by Lindsay Berschauer

Nicole Necas  
Notary Public for Oregon  
My Commission Expires:

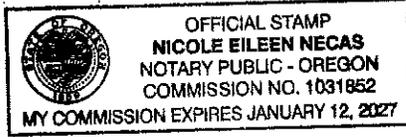


EXHIBIT " A "

A tract of land located in the northeast one-quarter of Section 31, Township 5 South, Range 5 West, Willamette Meridian, Yamhill County, Oregon, being a portion of the tract conveyed to Dean E. Werth, May 2, 1985, described in Yamhill County Deed Book 194 page 227, bounded on the westerly side by McKibben Road (C.R. 424) shown by Yamhill County Survey No. 12842 and bounded on the east by Dean E. Werth being more particularly described as follows:

Commencing at a point on the west line of the James Toney Donation Land Claim (DLC) No. 56, common with the southeast corner of the Owen P. Turner DLC No. 55 as shown by said CS No. 12842; Thence N01°54'41"E along the west line of said Toney DLC, a distance of 3,627.50 feet to an intersection point on the projection of Werth's north line; Thence N60°45'41"E on Werth's north line projected, a distance of 23.37', to the northwest corner of the aforementioned Werth tract in Book 194 page 227 and the point of beginning; Thence continuing N60°45'41"E on Werth's north line, a distance of 2.00 feet; Thence S01°39'00"W generally parallel with the road bed, a distance of 1,369.78 feet to the south line of the aforementioned Werth Tract; Thence S85°58'41"W along said Werth line, passing through an 5/8" Iron rod at 1.00 foot as shown by said CS No. 12842, a distance of 8.00 feet to the southwest corner of the aforementioned Werth tract; Thence N01°54'41"E along the west line of the aforementioned Werth tract and parallel with the west line of said Toney DLC, a distance of 1,369.56 feet to the point of beginning and containing 6,625 square feet more or less.

Prepared May 2, 2023, by Jason E. Foose, Yamhill County Surveyor, for and on behalf of Yamhill County, from record information with reference to and bearings based on aforementioned County Survey No. CS-12842.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Jason E. Foose*

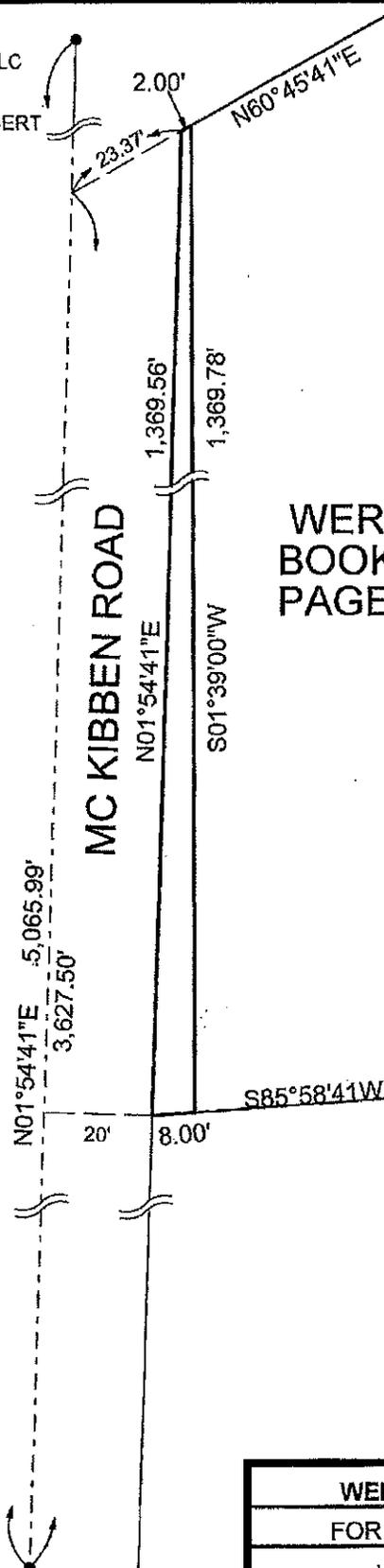
OREGON  
SEPT 10, 2019  
JASON ERIK FOOSE  
94582

RENEWS: *12/31/23*

Exhibit  
" A "

# Exhibit B

NW COR TONEY DLC  
PER MALONEY &  
REPLICATED IN  
CS-12842 BY LAMBERT



WERTH  
BOOK 194  
PAGE 227

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
SEPT 10, 2019  
JASON ERIK FOOSE  
94582

RENEWS: 12/31/23

SE COR TURNER DLC  
PER CS-12842

WERTH LEGAL DESC. EXHIBIT SKETCH		
FOR & ON BEHALF OF YAMHILL COUNTY		
Job# 2023-001 NE 1/4 S31, T5S, R5, WM.		
DATE: 5/24/2023	SCALE: 1" = 30'	DRAWN BY: JEF