

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 22-272

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON (“the Board”) sat for the transaction of county business in formal session on August 25, 2022, commissioners Lindsay Berschauer, Casey Kulla, and Mary Starrett being present.

THE BOARD ADOPTS THE FOLLOWING FINDINGS:

- A. ORS Chapter 275 governs the sale of surplus county real properties.
- B. ORS 275.180 authorizes the governing body of a county to sell and convey to the record owner of tax foreclosed real property for an amount not less than the amount of taxes owed and interest accrued at the time of purchase by the county, plus interest at a rate of six percent per annum.
- C. 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”).
- D. Pursuant to the Judgment, the County acquired certain foreclosed property (hereinafter referred to as the “Property”) more particularly described as:

TAX LOT NO. R4420DA 06100 TAX ACCOUNT NO. 155496

BEGINNING AT THE SOUTHWEST CORNER OF LOT 9 OF COZINE’S SECOND ADDITION TO THE CITY OF MCMINNVILLE, YAMHILL COUNTY, OREGON; THENCE EAST 129.75 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 114 FEET; THENCE EAST 84.75 FEET; SOUTH 114 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPT THAT PART CONVEYED TO THE CITY OF MCMINNVILLE, BY INSTRUMENT RECORDED IN FILM VOLUME 37, PAGE 306, DEED RECORDS.

- E. The amount of taxes owed on the Property, plus all interest accrued thereon, is \$31,472.61.

- F. On August 24, 2022, the County received a check from the former owner in the amount of \$31,553.61 for the purchase of the Property plus a \$81 recording fee.
- G. The County believes it is in the County's best interest to sell the Property back to the former owner.

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. R4420DA 06100 to Joanne Jones as authorized by ORS 275.180 is hereby confirmed for the purchase price of \$ 31,472.61, plus the costs to record.

3. APPROVAL OF QUITCLAIM DEED.

Conveyance of the Property shall be done via the Quitclaim Deed provided in Exhibit 1, attached hereto.

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:\$ 5,000.00

- 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:\$ 600.00

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).....\$ 5,000.00

To County Counsel\$ 600.00

To unsegregated tax account.....\$ 25,872.61

DONE at McMinnville, Oregon on August 25, 2022.

ATTEST



KERRI HINTON
County Clerk

By: Carolina Rook
Deputy CAROLINA ROOK

YAMHILL COUNTY BOARD OF
COMMISSIONERS

Lindsay Berschauer
Chair LINDSAY BERSCHAUER

Casey Kulla
Commissioner CASEY KULLA

FORM APPROVED BY:

Jodi Gollehon
JODI GOLLEHON
Assistant Yamhill County Counsel

Mary Starrett
Commissioner MARY STARRETT

Accepted by Yamhill County
Board of Commissioners on
8/25/22 by Board Order
22-272

