

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 Properties as Surplus, Authorizing the Sale of the Properties to the City of Sheridan pursuant to ORS 271.330, and Ordering Distribution of Proceeds (Tax Lot No. R5635BD 02300, R5635AB 01400, R5634AA 07500, and R5634AA 07700.)

BOARD ORDER 23- 205

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON (“the Board”) sat for the transaction of county business in formal session on May 25, 2023, commissioners Lindsay Berschauer, Kit Johnston, and Mary Starrett being present.

THE BOARD ADOPTS THE FOLLOWING FINDINGS:

WHEREAS, The Circuit Court of the State of Oregon entered the following four separate General Judgments of Foreclosure (collectively referred to as the “Judgments”) for Yamhill County (the “County”):

- Case No. CV030298, October 8, 2003
- Case No. CV090400, October 1, 2009
- Case No. 12CV00512, October 16, 2012
- Case No. 15CV23063, October 2, 2015; and

WHEREAS, Pursuant to the Judgments, the County acquired title to certain tax foreclosed properties (hereinafter referred to as the “Properties”) more particularly described as:

*PROPERTY #1:*

**Account #224037**

**Tax Lot: R5635BD 02300**

BEGINNING AT A POINT 6 FEET WEST FROM AN IRON PIPE DRIVEN AT THE SOUTHEAST CORNER OF LOT 8 OF MORGAN'S ADDITION TO THE CITY OF SHERIDAN IN YAMHILL COUNTY, OREGON; THENCE WEST PARALLEL WITH MILL STREET, 6 FEET; THENCE NORTH PARALLEL WITH MORGAN STREET, A DISTANCE OF 120 FEET; THENCE EAST AND PARALLEL WITH MILL STREET, A DISTANCE OF 6 FEET; THENCE SOUTH AND PARALLEL WITH THE SAID MORGAN STREET, A DISTANCE OF 120 FEET TO THE PLACE OF BEGINNING.

*PROPERTY #2:*

**Account #307643**

**Tax Lot: R5635AB 01400**

THE NORTH ONE-HALF OF LOT 6, BLOCK 35, FAULCON ER'S FOURTH ADDITION TO THE CITY OF SHERIDAN IN YAMHILL COUNTY, OREGON.

*PROPERTY #3:*

**Account #226053**

**Tax Lot: R5634AA 07500**

BEGINNING AT A POINT 6 FEET WEST FROM AN IRON PIPE DRIVEN AT THE SOUTHEAST CORNER OF LOT 8 OF MORGAN'S ADDITION TO THE CITY OF SHERIDAN IN YAMHILL COUNTY, OREGON; THENCE WEST PARALLEL WITH MILL STREET, 6 FEET; THENCE NORTH PARALLEL WITH MORGAN STREET, A DISTANCE OF 120 FEET; THENCE EAST AND PARALLEL WITH MILL STREET, A DISTANCE OF 6 FEET; THENCE SOUTH AND PARALLEL WITH THE SAID MORGAN STREET, A DISTANCE OF 120 FEET TO THE PLACE OF BEGINNING.

*PROPERTY #4:*

**Account #226428**

**Tax Lot: R5634AA 07700**

THE NORTH ONE-HALF OF LOT 6, BLOCK 35, FAULCON ER'S FOURTH ADDITION TO THE CITY OF SHERIDAN IN YAMHILL COUNTY, OREGON

WHEREAS, ORS 271.330(1) authorizes the transfer of tax foreclosed real property to a governmental body if it is not needed for public use; and

WHEREAS, The City of Sheridan ("Sheridan") is a political subdivision of the State of Oregon; and

WHEREAS, The County published notice of its intent to transfer the Properties to Sheridan with the News Register on May 16 and May 23, 2023, as required under ORS 271.330(6) (see Exhibit 1, attached hereto); and

WHEREAS, It is in the County's best interest to waive the public purpose reversionary interest as allowed under ORS 271.330(6) and sell the Properties for \$578.69 because the Properties are not being used for any County purpose; and now, therefore

IT IS HEREBY ORDERED BY THE BOARD AS FOLLOWS:

1. DECLARATION OF SURPLUS PROPERTY.

The Properties are not in use for any County purpose and are hereby declared to be surplus.

2. AUTHORIZATION OF SALE; PURCHASE PRICE.

The sale of Tax Lot No. R5635BD 02300, Tax Lot No. R5635AB 01400, Tax Lot No. R5634AA 07500, and Tax Lot No. R5634AA 07700 to the City of Sheridan as authorized by ORS 271.330 is hereby confirmed for the purchase price of \$578.69, plus the costs to record.

3. APPROVAL OF QUITCLAIM DEED.

Conveyance of the Property shall be done via the Quitclaim Deed provided in Exhibit 2, attached hereto.

4. CONDITION REQUIRED FOR SALE OF TAX LOT R5635AB 01400

Conveyance of Tax Lot No. R5635AB 01400 shall be conditioned on the City of Sheridan engaging in lot line adjustments with those adjacent owners whose properties visibly encroach on the subject lot. The purpose of such adjustments shall be to align the properties so that each adjacent property owner is granted ownership over that portion of the subject tax lot which visibly encompasses their respective curtilage.

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

➤ 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:

- Advertisement costs: .....\$ \_\_\_\_\_
  - Attorney/staff time fee: .....\$ 200.00
  - Deed preparation fee: .....\$ 100.00
- TOTAL** .....\$ \_\_\_\_\_

6. DISTRIBUTION OF GROSS PURCHASE PRICE PROCEEDS.

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

- To County Counsel (10-25-351.01) .....\$ \_\_\_\_\_
- To unsegregated tax account.....\$ \_\_\_\_\_

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DONE at McMinnville, Oregon on May 25, 2023.

ATTEST

YAMHILL COUNTY BOARD OF  
COMMISSIONERS

KERI HINTON  
County Clerk



Chair LINDSAY BERSCHAUER

Commissioner KIT JOHNSTON

By:   
Deputy CAROLINA ROOK

FORM APPROVED BY:

JODI GOLLEHON  
Assistant County Counsel

Commissioner MARY STARRETT



**Certification of Charges Paid**  
(2015 Oregon Laws Chapter 96)

Regarding the real property:

*(submitter must provide one of the following Real Property Identification numbers)*

Tax lot # R5635BD 02300, R5635AB 01400, R5634AA 07500 & R5634AA 07700	Tax Account / Property Identification Number 224037, 307643, 226053 & 226428
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All charges against the real property have been paid for the property that is the subject of the deed between:

Grantor Yamhill County
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Grantee City of Sheridan
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Signed on (date) 06/01/2023	and for consideration of \$ 578.69
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Authorized Assessor's representative signature <i>Eileen Slater</i>	Name Eileen Slater, Deputy Tax Collector	Date 06/07/2023
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**NOTICE:** *The accuracy of information on this form that was not provided by the Assessor is not warranted by the Assessor's Office. Please be sure the information provided, regarding property for which the certificate is sought and the parties to the transaction, is correct.*

After Recording Return to:

City Of Sheridan  
Attn: Mayor  
120 SW Mill St  
Sheridan, OR 97378

OFFICIAL YAMHILL COUNTY RECORDS  
KERI HINTON, COUNTY CLERK

202304897



\$91.00

06/07/2023 11:41:15 AM

DMR-DDMR Cnt=1 Stn=1001 FELTYC  
\$15.00 \$5.00 \$11.00 \$60.00

STATUTORY QUITCLAIM DEED

YAMHILL COUNTY, a political subdivision of the State of Oregon, Grantor, releases, and quitclaims to the CITY OF SHERIDAN, a political subdivision of the State of Oregon, Grantee, all right, title, and interest in and to the following described real properties situated in Yamhill County, Oregon:

Property No. 1: Tax Account #224037 Tax Lot: R5635BD 02300  
See respective legal description in attached Exhibit A.

Property No. 2: Tax Account #307643 Tax Lot: R5635AB 01400  
See respective legal description in attached Exhibit A.

Property No. 3: Tax Account #226053 Tax Lot: R5634AA 07500  
See respective legal description in attached Exhibit A.

Property No. 4: Tax Account #226428 Tax Lot: R5634AA 07700  
See respective legal description in attached Exhibit A.

The conveyance of Property No. 2, Tax Lot R5635AB 01400, shall be subject to the following condition: The Grantee hereby agrees to engage in lot line adjustments with all adjacent owners whose properties visibly encroach on the subject lot.

This conveyance is subject to any easements of record.

The true and actual consideration for this transfer is \$578.69.

This conveyance is made pursuant to an Order of the Yamhill County Board of Commissioners Order No. 23-205, dated the 25 day of May, 2023.

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.

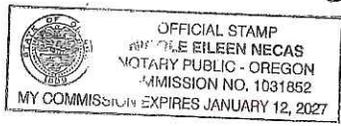
IN WITNESS WHEREOF, YAMHILL COUNTY, OREGON, the Grantor above named, has caused this Deed to be executed by its Board of County Commissioners on this 1 day of June, 2023.

LINDSAY BERSCHAUER, Chairperson

KIT JOHNSTON, Commissioner

MARY STARRET, Commissioner

This conveyance is accepted by the City of Sheridan  
Name: Tyrell Yeoman  
Title: City Attorney



State of Oregon )  
                          ) ss.  
County of Yamhill )

This instrument was acknowledged before me on June 1, 2023, by Lindsay Berschauer,

Mary Starrett, Kit Johnston as Commissioners of the Board of County Commissioners for Yamhill County.

Notary Public for Oregon  
My Commission expires: 1.12.27.

**EXHIBIT A: PROPERTY LEGAL DESCRIPTIONS**

**Property No. 1:**                      **Tax Account #224037**                      **Tax Lot: R5635BD 02300**

Real Property in the County of Yamhill, State of Oregon, described as follows:

BEGINNING AT A POINT 6 FEET WEST FROM AN IRON PIPE DRIVEN AT THE SOUTHEAST CORNER OF LOT 8 OF MORGAN'S ADDITION TO THE CITY OF SHERIDAN IN YAMHILL COUNTY, OREGON; THENCE WEST PARALLEL WITH MILL STREET, 6 FEET; THENCE NORTH PARALLEL WITH MORGAN STREET, A DISTANCE OF 120 FEET; THENCE EAST AND PARALLEL WITH MILL STREET, A DISTANCE OF 6 FEET; THENCE SOUTH AND PARALLEL WITH THE SAID MORGAN STREET, A DISTANCE OF 120 FEET TO THE PLACE OF BEGINNING.

**Property No. 2:**                      **Tax Account #307643**                      **Tax Lot: R5635AB 01400**

Real Property in the County of Yamhill, State of Oregon, described as follows:

THE NORTH ONE-HALF OF LOT 6, BLOCK 35, FAULCON ER'S FOURTH ADDITION TO THE CITY OF SHERIDAN IN YAMHILL COUNTY, OREGON.

**Property No. 3:**                      **Tax Account #226053**                      **Tax Lot: R5634AA 07500**

Real Property in the County of Yamhill, State of Oregon, described as follows:

LOTS 6 & 7, BLOCK 4 OF FOSTERS ADDITION TO THE CITY OF SHERIDAN IN YAMHILL COUNTY, OREGON.

**Property No. 4:**                      **Tax Account #226428**                      **Tax Lot: R5634AA 07700**

Real Property in the County of Yamhill, State of Oregon, described as follows:

LOT 4 IN BLOCK 4 OF FOSTER'S ADDITION TO THE CITY OF SHERIDAN IN YAMHILL COUNTY, OREGON.