



**DAN JOHNSON**  
DIRECTOR

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT  
DEVELOPMENT SERVICES BUILDING  
150 BEAVERCREEK ROAD OREGON CITY, OR 97045

September 26, 2024

BCC Agenda Date/Item: \_\_\_\_\_

Board of County Commissioners  
Clackamas County

**Approval to Allow Repurchase of property parcel 00674639/ 24E21 01800 by Jim Nagae for \$1,202.72. No County General Funds are involved.**

<b>Previous Board Action/Review</b>	09/24/2024: Request for Consent 07/23/2024: Executive Session: BCC reviewed and approved advancement to Consent Agenda the repurchase of property parcel 00674639/ 24E21 01800 by Mr. Nagae for \$1,202.72. Briefed at Issues 9/24/2024		
<b>Performance Clackamas</b>	1. The purpose of the Department of Transportation and Development (DTD) / Property Disposition Program is to provide management and disposition of tax foreclosed properties to Clackamas County, taxing entities and the public so they can benefit from the assets being repurposed for public benefit or returned to the tax rolls. Conveying county-owned properties advances the goal of repurposing properties for public benefit or returning them to the tax rolls. 2. Build public trust through good government by conducting property transactions in a transparent manner.		
<b>Counsel Review</b>	Yes, SF 503-655-8362	<b>Procurement Review</b>	N/A
<b>Contact Person</b>	D'Anne Rome	<b>Contact Phone</b>	503-742-4384

**EXECUTIVE SUMMARY:**

Mr. Nagae (heir to past owner(s) of record) requested approval by the Board of County Commissioners to repurchase property parcel 00674639 / 24E21 01800 for \$1,202.72, which represents the cost of delinquent taxes, penalties, interest and DTD - Property Disposition management fee. Mr. Nagae's family formerly owned the property parcel. Mr. Nagae has made the required payment of \$1,202.72.

Clackamas County's Department of Assessment and Taxation annually forecloses on tax delinquent properties. The foreclosure process is a six-year process – taxes are delinquent for three years, at the end of the third year the foreclosure judgment is filed, there is a two year right of redemption, and in the sixth year, foreclosure occurs. Properties are

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then deeded to the County in lieu of uncollected taxes. Following the recording of the deed, the management and disposition of properties are transferred to the Property Disposition Program of the Department of Transportation and Development.

Adopted Property Disposition Procedures, approved by the BCC on October 4, 2018, section A.2.c. stipulate that at the discretion of the County, and with extenuating circumstances, the record owner, heir of prior record owner or contract purchaser may be given the opportunity to repurchase the property pursuant to ORS 275.180. Said repurchase shall be in the amount of the total back taxes, interest, penalties, and County costs & administrative fee.

**RECOMMENDATION:**

Staff respectfully recommend the Board of County Commissioners approve the attached Board Order and Quitclaim Deed authorizing the transfer of 24E21 01800 back to Mr. Nagae for \$1,202.72.

Respectfully submitted,

*Dan Johnson*

Dan Johnson, Director  
Department of Transportation & Development

Attachments:

1. 24E21 01800 Quitclaim Deed
2. 24E21 01800 Board Order
3. Map

After recording return to:

Clackamas County  
Property Disposition  
150 Beaver Creek Road, 3<sup>rd</sup> Floor  
Oregon City, OR 97045

Until a change is requested all taxes shall be sent to:

James Terry Nagae  
1010 NE 113<sup>th</sup> Ave.  
Portland, OR 97220

### **QUITCLAIM DEED**

**CLACKAMAS COUNTY, OREGON**, a political subdivision of the State of Oregon, Grantor, releases, and quitclaims to James Terry Nagae, Grantee, all its rights, title and interest in that real property situated in Clackamas County, Oregon, and being described as follows:

See Exhibit A (the "Property").

*The true and actual consideration being paid for this transfer is \$1,202.72. This amount excludes any amount for liens, mortgages, contract, indebtedness, or other encumbrances existing against the above-described real property to which the Property remains subject or which the Grantee agrees to pay or assume.*

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, AND 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, AND SECTIONS 2 TO 9 AND 17 CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Clackamas County, Oregon approved by its Board of County Commissioners by Board Order Number **2024-**.

Dated this the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

**CLACKAMAS COUNTY**

\_\_\_\_\_  
Tootie Smith, Chair,  
Clackamas County Board of County Commissioners

State of Oregon            }  
County of Clackamas       }

This record was acknowledged before me on \_\_\_\_\_ of \_\_\_\_\_ 2024,

by \_\_\_\_\_, as \_\_\_\_\_ of \_\_\_\_\_

\_\_\_\_\_  
Notary Public for Oregon  
My Commission Expires: \_\_\_\_\_

## EXHIBIT A to Quit Claim Deed

### Legal Description

#### 24E21 01800

Part of Section 21, Township 2 South, Range 4 East of the W .M., more particularly described as follows:

Beginning at the Southeast corner of a certain tract of land described in Book 307, Page 19, Deed Records, said corner being 978 feet from the Southwest corner of the Southeast quarter of the Southwest quarter of said Section 21; thence North  $36^{\circ}44'$  West tracing the East boundary of that certain tract described in Book 307, - Page 19, Deed Records 200 feet; hence North along said West line, 309.72 feet; thence East 10 feet; thence South 309.72 feet more or less to the intersection of a line drawn parallel with and 20 feet when measured at right angles from the first mentioned line of this description; thence S South  $36^{\circ}44'$  East 200 feet more or less to the South line of said Section 21; thence West 20 feet more or less to the place of beginning.

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF CLACKAMAS COUNTY, STATE OF OREGON**

In the Matter of Approving The  
Transfer of Real Property



Board Order No. \_\_\_\_\_  
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**Whereas**, this matter coming before the Board at this time, and it appearing that Clackamas County wishes to transfer all rights, title and interest in the real estate described in *Exhibit A*;

**Whereas**, it further appearing that pursuant to ORS 275.180, this Board has the authority to transfer real property owned by the County through foreclosure; and

**Whereas**, it further appearing that County staff have determined that this transfer of real property furthers the public interest.

**NOW, THEREFORE, IT IS HEREBY ORDERED** that Clackamas County transfer by Quitclaim Deed the real estate described in Exhibit A to Jim Nagae.

**DATED** this \_\_\_\_ day of September, 2024.

**BOARD OF COUNTY COMMISSIONERS**

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Recording Secretary

## EXHIBIT A

### Legal Description

#### 24E21 01800

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