



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 Purchase of property parcel 00871435 / 32E10DA02800
by Ed Endner and Elizabeth Brandon for \$371.04.
No County General Funds are involved.**

Previous Board Action/Review	09/24/2024: Request for Consent 07/23/2024: Executive Session: BCC reviewed and approved advancement to Consent Agenda the purchase of 00871435 / 32E10DA02800 by Mr. Endner and Ms. Brandon for \$371.04		
Performance Clackamas	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 re-purposed 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.		
Counsel Review	Yes, SF 503-655-8362	Procurement Review	N/A
Contact Person	D'Anne Rome	Contact Phone	503-742-4384

EXECUTIVE SUMMARY:

Mr. Endner and Ms. Brandon, husband and wife, requested Board of County Commissioners approval to purchase property parcel 00871435 / 32E10DA02800 for \$371.04, which represents the cost of delinquent taxes, penalties, interest and Property Disposition management fee.

Parcel 00871435 / 32E10DA02800 is an unbuildable parcel of land with a current ARMV of \$860 that was received by tax foreclosure in December 2016 for \$221.04 in delinquent taxes per deed 2016-087736. The parcel is located off Merry Lee Dr. in Oregon City and is adjacent to Mr. Endner and Ms. Brandon's property.

For Filing Use Only

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 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.

ORS 275.225 1 (a) (b) states:

The governing body of a county may authorize the sale of county land by private sale as provided in this section if each parcel of county land to be sold:

- (a) Has a real market value of less than \$15,000 on the assessment roll prepared for the county; and
- (b) Is unsuited for the construction or placement of a dwelling under applicable zoning ordinances and building codes.

Property parcel 00871435 / 32E10DA02800 meets both of these conditions.

RECOMMENDATION:

Staff respectfully recommend the Board of County Commissioners approve the attached Board Order and Quitclaim Deed authorizing the sale of 00871435 / 32E10DA02800 to Ed Endner and Elizabeth A. Brandon for \$371.04.

Respectfully submitted,

Dan Johnson

Dan Johnson, Director
Department of Transportation & Development

Attachments:

1. 32E10DA02800 Quitclaim Deed
2. 32E10DA02800 Board Order
3. Map

After recording return to:

Clackamas County
Property Disposition
150 Beavercreek Road, 3rd Floor
Oregon City, OR 97045

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

Ed Endner & Elizabeth A. Brandon
15931 S. Merry Lee Dr.
Oregon City, OR 97045

QUITCLAIM DEED

CLACKAMAS COUNTY, OREGON, a political subdivision of the State of Oregon, Grantor, releases, and quitclaims to Ed Endner & Elizabeth A. Brandon, Husband & Wife , 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 \$371.04. 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

32E10DA02800

Lot 10, according to the duly filed plat of TRAILRIDE ACRES NO. 2, filed April 30, 1969, as Map No. 1312, Records of the County of Clackamas and State of Oregon, portion lying Easterly of the following described line.

Commencing at the North end of the East tangent in said Lot 10; thence South 01° 51' East along the East line of said Lot 10, 150.78 feet to the true point of beginning of the said line herein to be described; thence Southwesterly along a curve to the right, having a radius of 50.00 feet, an arc distance of 78.00 feet, more or less, to the intersection with the South line of said Lot 10.

**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. _____
Page 1 of 2

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 275.225 1 (a) (b) 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 and that the sale price of \$371.04 is reasonable under the circumstances.

NOW, THEREFORE, IT IS HEREBY ORDERED that Clackamas County transfer by Quitclaim Deed the real estate described in Exhibit A to Ed Endner & Elizabeth A. Brandon, for \$371.04.

DATED this ____ day of September, 2024.

BOARD OF COUNTY COMMISSIONERS

Chair

Recording Secretary

Exhibit A
Legal Description

32E10DA02800

Lot 10, according to the duly filed plat of TRAILRIDE ACRES NO. 2, filed April 30, 1969 as Map No. 1312, Records of the County of Clackamas and State of Oregon, portion lying Easterly of the following described line.

Commencing at the North end of the East tangent in said Lot 10; thence South 01° 51' East along the East line of said Lot 10, 150.78 feet to the true point of beginning of the said line herein to be described; thence Southwesterly along a curve to the right, having a radius of 50.00 feet, an arc distance of 78.00 feet, more or less, to the intersection with the South line of said Lot 10.

Attachment A -32E10DA02800 Request to Purchase

