



DAN JOHNSON
DIRECTOR

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

December 7, 2023

BCC Agenda Date/Item: _____

Board of County Commissioners
Clackamas County

Approval of Sale Documents for two (2) Properties Sold at the November 2023 Surplus Property Auction. Total value is \$37,295. No County General Funds are involved.

Previous Board Action/Review	<ul style="list-style-type: none"> December 5, 2023: Request for Consent August 15, 2023: Board of County Commissioners approved list of properties declared as surplus with intent to sell at auction June 6, 2023: Briefed at Executive Session 		
Performance Clackamas	<p>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.</p> <p>2. Build public trust through good government by conducting property transactions in a transparent manner.</p>		
Counsel Review	S. Foreman, 11/22/2023	Procurement Review	No
Contact Person	D'Anne Rome, Property Agent Specialist	Contact Phone	503-742-4384

EXECUTIVE SUMMARY: The Department of Transportation and Development (DTD)/Property Disposition requests BCC approval and signature for the recording of two deeds to complete the transfer of properties sold at the November 8, 2023 Clackamas County Surplus Property Auction.

On August 15, 2023, the BCC reviewed and approved a list of tax foreclosed parcels for declaration as surplus. The surplus properties were then offered at a public auction on November 8, 2023. We

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are pleased to report that as a result of the auction, both properties offered were sold, grossing a total of \$37,295.

Per the recent Supreme Court case decision, Tyler vs Hennepin County, we have notified previous property owners of potential surplus funds, giving them until January 26, 2024 to claim them. After this date, any unclaimed funds will be allocated consistent with Property Disposition procedures, which could result in remaining funds being distributed to area taxing districts.

Our primary mission is to efficiently manage and dispose of tax foreclosed properties. Through this auction, we have successfully achieved this objective. The properties, which were previously underutilized, will now be transferred to new owners who will contribute to the local tax base. This aligns with the County's goals of fostering economic growth and revitalizing our community.

Attached is an auction result packet, along with the quit claim deeds necessary to transfer the properties to their respective buyers.

Recommendation: Staff respectfully recommend approval of the attached quit claim deeds transferring two (2) properties, returning them to the tax rolls.

Respectfully,

Dan Johnson

Dan Johnson, Director
Department of Transportation and Development

Attachments

1. Auction Results Packet
2. Quit Claim Deeds




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DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT


DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD OREGON CITY, OR 97045

November 8, 2023 Surplus Auction Results

Item #	Aerial View	Description	Assessed Real Market Value	Minimum Bid Amount	Final Sales Price
1		<p>Tax Lot Number: 21E34B 01600 Parcel Number: 05003538</p> <p>*Subject to Easements of 14 Adjacent Property Owners*</p> <p>Unimproved parcel located near SW Miken Lane, West Linn, 97068</p> <p>Zone RRFF: 14.77 Acres Fire District: Tualatin Valley Fire & Rescue Park District: Not in District School District: West Linn / Wilsonville Sewer: Not in District Water: Not in District</p> <p>Latitude: +45.350868 Longitude: -122.676825</p>	\$91,063	\$22,766	\$22,866

November 8, 2023 Surplus Auction Results

Item #	Aerial View	Description	Assessed Real Market Value	Minimum Bid Amount	Final Sales Price
2		<p> Tax Lot Number: 21E34B 01700 Parcel Number: 05014578 <i>*Subject to Easements of 14 Adjacent Property Owners*</i> Unimproved parcel located near SW Borland Rd, West Linn, 97068 Zone RRFF: 0.92 Acres Fire District: Tualatin Valley Fire & Rescue Park District: Not in District School District: West Linn / Wilsonville Sewer: Not in District Water: Not in District Latitude: +45.355540 Longitude: -122.682289 </p>	\$57,316	\$14,329	\$14,429

After recording return to:

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

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

Glauser Ulsky Riverfront Property LLC
23000 SW Ulsky Rd.
West Linn, OR 97068

QUITCLAIM DEED

CLACKAMAS COUNTY, OREGON, a political subdivision of the State of Oregon, Grantor, releases, and quitclaims to Glauser Ulsky Riverfront Property LLC, 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 \$22,866. 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 2023-094.

Dated this the _____ day of _____, 2023.

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 _____ 2023,

by _____, as _____ of _____

Notary Public for Oregon
My Commission Expires: _____

EXHIBIT A to Quit Claim Deed

Legal Description

Beginning at the intersection of the west line of Section Thirty-Four (34) Township (2) South, Range One (1) East of the Willamette Meridian with the north line of lot lettered "C" in Saffarans Peninsula, according to the duly recorded plat thereof;
thence northeasterly, southerly and westerly along the boundary line of said Saffarans Peninsula to the most southerly corner of the lot lettered "A" in said Saffarans Peninsula;
thence South 23 degrees 47' west parallel to the Tualatin River and about 20 feet westerly from the high waterline a distance of One hundred seventy four and four tenths feet (174.4') to a point in the center line of Market Road No. 14;
thence southeasterly along the center line of said Market Road to the boundary line of Henry Saffarans Donation Land Claim;
thence northeasterly, easterly, southeasterly, easterly, northerly and southwesterly along the boundary line of said Saffarans D.L.C. to the west line of said Section Thirty-four (34) thence South along said section line to the point of beginning.
Subject, however, to the same exceptions, reservations, restrictions and covenants as the land described in paragraph XXV above.

After recording return to:

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

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

Steven J. Wilmarth
475 SW Borland Rd.
West Linn, OR 97068

QUITCLAIM DEED

CLACKAMAS COUNTY, OREGON, a political subdivision of the State of Oregon, Grantor, releases, and quitclaims to Steven J. Wilmarth, 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 \$14,429. 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 2023-094.

Dated this the _____ day of _____, 2023.

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 _____ 2023,

by _____, as _____ of _____

Notary Public for Oregon
My Commission Expires: _____

EXHIBIT A to Quit Claim Deed

Legal Description

A tract lying in the East Half of Section 33, Township 2 South, Range 1 East of the Willamette Meridian, in the County of Clackamas and State of Oregon lying South of the Tualatin River; Northerly of the most Westerly Northwest line of Partition Plat No. 1994-90 and Westerly extension thereof; and lying East of the Easterly line and Northerly extension thereof, of Lot 17, BOSKY DELL, a duly recorded plat, being accreted land, shown as Tax Lot 1700 on 2011 tax year Assessors Map 21 E34B.