

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

**RESOLUTION NO. 07-074**

Authorizing the Repurchase of a Tax Foreclosed Property by the Former Owner, JAMES T. MALONE

**The Multnomah County Board of Commissioners Finds:**

- a. Multnomah County acquired the real property described below through the foreclosure of liens for delinquent property taxes, and James T. Malone is the former owner of record.
- b. Mr. Malone was the contract purchaser of record of the property described herein, he first contacted the County in November 2006 regarding the repurchase of the property from the County, and he and parties acting on his behalf have continued their efforts since that time to arrange for the financing of his repurchase of the property, which the County now understands Mr. Malone is able to accomplish.
- c. In addition certain complications related to the estate of the former owner of record (the former contract seller) who died in 1999, made it difficult to complete the repurchase within the 30 day timeline provided for under the County Code. Mr. Malone having acquired the rights of the former contract seller, now holds full authority to act individually as the party eligible to repurchase, and he wishes to do so.
- d. Although the timeline to allow the repurchase by Mr. Malone, as provided under MCC 7.402 has passed, the County's Tax Title Program still recommends the Board approve this proposed repurchase as in the public's best interest because Mr. Malone initiated the process in a timely manner in compliance with the cited code section and has made a reasonable good faith effort to accomplish the repurchase.
- e. As of May 15, 2007, the full amount due the County on this property is: **\$80,375.17**, (subject to any additional maintenance or repair expenses the County may yet incur while still in possession of the property), which amount is not less than that required by ORS 275.180; and it is in the best interest of the County that the property be sold to the former owner.

**The Multnomah County Board of Commissioners Resolves:**

1. Subject to the provisions of Resolve No. 2, the County Chair is authorized to execute a Bargain and Sale Deed, Deed No. D072127; conveying to the James T. Malone, the following described real property:

LOT 1 BLOCK 6      PERDITA
2. The County's Tax Title Program is authorized to forward the signed deed to the appropriate Escrow Officer under letter of instruction which shall provide:
  - (a) That the deed is to be processed only upon the receipt by the County of all funds the County is due in consideration for the above described property, and all municipal

charges have been paid in compliance with ORS 307.100; including but not limited to all fees and interest due to the City of Gresham as of the date of escrow;

(b) If the above conveyance to Mr. Malone is completed prior to May 15, 2007, to the extent the above quoted purchase price reflects per diem costs that have not yet accrued the Tax Title Program is authorized to adjust the purchase price accordingly;

(c) If the above conveyance to Mr. Malone is completed after May 15, 2007, to the extent the above quoted purchase price does not reflect additional expenses and or per diem costs that have accrued the Tax Title Program is authorized to adjust the purchase price accordingly; and

(d) That if the escrow is closed without the proper payment to the County the original deed and any copies shall be returned to the County.

ADOPTED this 3rd day of May, 2007.



BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

  
Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By   
Matthew O. Ryan, Assistant County Attorney

SUBMITTED BY:

M. Cecilia Johnson, Director, Dept. of Community Services

Until a change is requested, all tax statements  
Shall be sent to the following address:  
JAMES T. MALONE  
12406 NE KNOTT ST  
PORTLAND OR 97230-1625

After recording, return to:  
MULTNOMAH COUNTY  
TAX TITLE DIVISION  
503/4

**Deed D072127 for R242629**

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, Grantor, conveys to JAMES T. MALONE, Grantee, the following described real property:

LOT 1 BLOCK 6      PERDITA

The true consideration paid for this transfer is \$80,375.17.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. 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 APPROVED USES 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 197.352

IN WITNESS WHEREOF, MULTNOMAH COUNTY has caused these presents to be executed by the Chair of the Multnomah County Board of Commissioners the 3rd day of May 2007, by authority of a Resolution of the Board of County Commissioners heretofore entered of record.

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

\_\_\_\_\_  
Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By \_\_\_\_\_  
Matthew O. Ryan, Assistant County Attorney

STATE OF OREGON                    )  
  ) ss  
COUNTY OF MULTNOMAH        )

This Deed was acknowledged before me this 3rd day of May 2007, by Ted Wheeler, to me personally known, as Chair of the Multnomah County Board of Commissioners, on behalf of the County by authority of the Multnomah County Board of Commissioners.

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Deborah Lynn Bogstad  
Notary Public for Oregon  
My Commission expires: 6/27/09