

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON**

RESOLUTION NO. 2013-125

Authorizing the Private Sale of a Tax Foreclosed Property to Michael G. Lubitz and Kari J. Lubitz.

The Multnomah County Board of Commissioners Finds:

- a. Multnomah County acquired through the foreclosure of liens for delinquent real property taxes, certain real property located in Multnomah County, more particularly described in a copy of a proposed deed, attached as Exhibit A (the "Property").
- b. ORS 275.225 allows the County to sell County owned property, including property acquired through tax foreclosure, at a private sale if that property meets certain conditions with respect to value and the applicable zoning and building codes.
- c. The Property has a real market value of \$8,100 on the assessment roll prepared for the County, consistent with the requirement of ORS 275.225(1)(a).
- d. Although no written confirmation from the City of Portland was obtained, the Division of Assessment, Recording & Taxation has reviewed the location, size, and zoning of the property and concludes that the property is unsuitable for the construction or placement of a dwelling thereon under applicable zoning ordinances and building codes, as provided under ORS 275.225(1)(b). The current zoning, R7 requires a minimum lot size of 4,200 square feet, whereas the property is approximately 2,700 square feet. Additionally, the property terrain is a very steep slope which likely makes it unsuitable for the construction or placement of a dwelling thereon.
- e. The County has received payment in the amount of \$7,500 from Michael G. Lubitz and Kari J. Lubitz, an amount the Board finds to be a reasonable price for the Property in conformity with ORS 275.225.

The Multnomah County Board of Commissioners Resolves:

1. The County Chair is authorized to execute a deed, in substantial conformance with the deed attached as Exhibit A, conveying the Property to Michael G. Lubitz & Kari J. Lubitz, in consideration of \$7,500.

ADOPTED the 19th day of September 2013.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON




Marissa Madrigal, Acting Chair

REVIEWED:
JENNY M. MADKOUR, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Courtney Lords, Assistant County Attorney

SUBMITTED BY: Joanne Fuller, Director, Dept. of County Management.

EXHIBIT A TO RESOLUTION

Until a change is requested, all tax statements shall be sent to the following address:

(Grantees) MICHAEL G LUBITZ & KARI J LUBITZ
6438 SW PARKHILL DR
PORTLAND OR 97239

After recording return to:

(Grantor) MULTNOMAH COUNTY SPECIAL PROGRAMS
501 SE HAWTHORNE BLVD
PORTLAND OR 97214

Bargain and Sale Deed D142381 for R234343

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, **Grantor**, conveys to Michael G. Lubitz and Kari J. Lubitz, Husband and Wife, **Grantees**; the following described real property:

ADDITION NAME	LEGAL	LOT
PARKHILL & RPLT	EXC PT TKN FOR 4 TH ST EXT	61

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.

The true consideration for this conveyance is \$7,500.00

IN WITNESS WHEREOF, the Multnomah County Board of Commissioners by authority of a Resolution of the Board, entered on September 19th, 2013, by Resolution No. 2013-125 has caused this deed to be executed by the Chair of the County Board.

Dated the ____ day of September 2013.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Marissa Madrigal, Acting Chair

This Deed was acknowledged before me this ____ day of September 2013, by Marissa Madrigal, to me personally known, as Acting Chair of the Multnomah County Board of Commissioners, on behalf of the County by authority of the Multnomah County Board of Commissioners.

Marina A. Baker
Notary Public for Oregon;
My Commission expires: 7/14/2014

REVIEWED:
JENNY M. MADKOUR, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Courtney Lords, Assistant County Attorney