

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDER NO. _____

Declaring Certain Tax Foreclosed Property Subject to Waste and Ordering the Tax Collector to Issue Deeds to the County.

The Multnomah County Board of Commissioners Finds:

- a. On or about October 1, 2013, in the Multnomah County Circuit Court, Case No. 1307-10205, Judgment in favor of Multnomah County and against certain properties more particularly described in the Judgment, was entered in an action filed by the County pursuant to ORS Chapter 312 to collect all delinquent tax liens on said real property subject to foreclosure.
- b. Since the entry of the Judgment, the County Tax Collector determined that certain properties amongst those covered by said Judgment may be subject to waste.
- c. After providing notice to the owners, interested parties and any occupants of those certain properties, in compliance with ORS 312.122 and Multnomah County Code (MCC) §§ 7.420-7.426, the County held individual hearings to determine whether any of the Properties were in fact subject to waste and, accordingly, should be deeded to the County early as provided by ORS 312.122(1).
- d. Hearings were held on March 18th (Property No. 1, No. 2 and No. 3), March 19th (Property No. 4 and No. 5), March 20th (Property No. 6, No. 7, No. 8 and No. 9), and March 25th (Property No. 10), in accordance with ORS 312.122 and MCC §§ 7.420-7.426 and the Director found that certain properties are subject to waste and recommends that the redemption period be reduced and the properties be deeded early to the County as provided at ORS 312.122 and MCC§ 7.426.
- e. The properties found to be subject of waste and proposed for early deed to the County are identified as follows (the “Properties”):

Property No. 1: Tax Account No: R158351

Property No. 2: Tax Account No: R183841

Property No. 3: Tax Account No: R203056

Property No. 4: Tax Account No: R211716

Property No. 5: Tax Account No: R217944

Property No. 6: Tax Account No: R235559

Property No. 7: Tax Account No: R236507

Property No. 8: Tax Account No: R255854

Property No. 9: Tax Account No: R255855

Property No. 10: Tax Account No: R326119

- f. Copies of the Director's Expedited Redemption and Forfeiture Hearing Findings and Recommendations are attached for each of the Properties, including legal descriptions, and are identified as Exhibits 1-9 to this Order.
- g. The Properties are declared subject to waste as provided under ORS 312.122, ORS 312.180 and MCC§ 7.422.

The Multnomah County Board of Commissioners Orders:

- 1. The Director's Expedited Redemption and Forfeiture Hearing Findings and Recommendations, attached as Exhibits 1-9, are hereby adopted and the Properties are determined to be subject to waste in accordance with ORS 312.122 and MCC § 7.422.
- 2. The Properties shall be subject to a reduced 30-day redemption period after the date of this Order, during which the Properties may be redeemed by any person(s) or entity(s) that appears in the records of the County to have a lien or other interest in the Properties.
- 3. After the expiration of the 30-day redemption period from the date of this Order, unless the Properties are sooner redeemed by a person(s) or entity(s) qualified to redeem the property, any rights of possession the owners may have in the Properties are forfeited in accordance with ORS 312.122(2)(c).
- 4. After the expiration of the 30-day redemption period, the County's Tax Collector is directed to execute and the County Chair is authorized to accept, a Tax Foreclosure Deed conveying the Properties that have not otherwise been redeemed to the County, in substantial conformance with the Tax Foreclosure Deed attached as Exhibit 10 to this Order.
- 5. All rights of redemption with respect to the Properties shall terminate on the execution of the Tax Foreclosure Deeds to the County.

ADOPTED this ____ day of _____, 2014.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Deborah Kafoury, Chair

REVIEWED:

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

By _____ Courtney Lords /s/_____
Courtney Lords, Assistant County Attorney

SUBMITTED BY:

Sherry Swackhamer, Director, Dept. of County Management

EXHIBIT 1 TO BOARD ORDER

**MULTNOMAH COUNTY
DIVISION OF ASSESSMENT, RECORDING AND TAXATION
EXPEDITED REDEMPTION AND FORFEITURE
HEARING FINDINGS AND RECOMMENDATION**

PROPERTY OWNER: WINSTEAD, CHARLOTTE A

ADDRESS: 4227 SE 75TH AVE, PORTLAND, OR 97206

TAX ACCOUNT NO: R158351

LEGAL DESCRIPTION: The South one-half of the East 121 feet of the South 105 feet of Lot 12, ESSEX PARK, EXCEPT that portion thereof lying is S.E. 75th Avenue, in the City of Portland, County of Multnomah and State of Oregon.

TAX FORECLOSURE CASE HISTORY: Multnomah County Circuit Court Case # 1307-10205
Judgment Date: October 1, 2013

STATUTORY REDEMPTION PERIOD EXPIRATION: September 30, 2015

DATE OF HEARING: 3/18/2014 – 8:30AM

HEARINGS OFFICER: Gary Bartholomew

APPEARING AT HEARING: For Multnomah County: Sally Brown, Albert Jenkins, Tracie McClements;
For Owner/Interested Party: N/A

SUMMARY OF EVIDENCE AND TESTIMONY PRESENTED:

For Multnomah County: The County witnesses presented photographic evidence and written testimony showing that the interior, including the ceiling and garage has been gutted to the studs; that the siding is missing from the rear exterior of the house, and that the window installation did not include the outside trim thus exposing the interior to the elements.

The house appears to be vacant based on exterior inspections and has no utility services as of 3/11/2014. Each of these cited conditions has contributed to the deterioration of the improvements.

For Owner/Interested Party: None

FINDINGS: The property suffers from waste as defined in ORS 312.122, ORS 312.180 and Multnomah County Code 7.423 in the following particulars:

1. The evidence and testimony presented by the County established that the improvements at the property were deteriorated.
2. The owner has caused this deterioration of the improvements at the property by failing to address the above cited conditions.

RECOMMENDATION: That the Board of County Commissioners:

1. Affirm that the Property is subject to waste;
2. Declare that the owner's right of possession is forfeited; and
3. Direct the Tax Collector to deed the property to the County after expiration of a period of 30 days if not sooner redeemed. (ORS 312.122, Multnomah County Code 7.426).

EXHIBIT 2 TO BOARD ORDER

**MULTNOMAH COUNTY
DIVISION OF ASSESSMENT, RECORDING AND TAXATION
EXPEDITED REDEMPTION AND FORFEITURE
HEARING FINDINGS AND RECOMMENDATION**

PROPERTY OWNER: LOWE, MICHAEL TRUST

ADDRESS: 1950 SE 138TH, PORTLAND, OR 97233

TAX ACCOUNT NO: R183841

LEGAL DESCRIPTION: Part of Lot 7, Block 8, HOOD ACRES PLAT NO. 2, in the City of Portland, County of Multnomah and State of Oregon, more particularly described as follows:

Beginning at the Northwest corner of said Lot 7; thence North 89° 46' 40" East, 25.00 feet to tile true point of beginning of the herein described tract; thence continuing North 89° 46' 40" East, along the North line of said Lot 7, 78.13 feet; thence South 0° 11' 50" East, 64.00 feet; thence South 89° 46' 40" West, 78.16 feet to the East line of SE 138th Ave.; thence North 0°10' 10" West, along said East line, 64.00 feet to the true point of beginning.

TAX FORECLOSURE CASE HISTORY: Multnomah County Circuit Court Case # 1307-10205
Judgment Date: October 1, 2013

STATUTORY REDEMPTION PERIOD EXPIRATION: September 30, 2015

DATE OF HEARING: 3/18/2014 – 10:30AM

HEARINGS OFFICER: Gary Bartholomew

APPEARING AT HEARING: For Multnomah County: Sally Brown, Albert Jenkins; For Owner/Interested Party: Paul Eldridge

SUMMARY OF EVIDENCE AND TESTIMONY PRESENTED:

For Multnomah County: The County witnesses presented photographic evidence and written testimony showing that extensive vegetation growth covered the roof; that the roof in the back of the house is warped; that the house has no gutters; that the wood trim is rotting; that a significant number of boards are broken, and that the windows on the left side and the back of the house are covered with plastic. Each of these cited conditions has contributed to the deterioration of the improvements.

For Owner/Interested Party: Mr. Paul Eldridge, authorized representative/ heir to the estate of Michael Lowe, and occupant of the property, stated that the house is run down; that the interior needs new flooring; that there are no issues with moisture with the interior; that the roof which is covered with heavy moss growth is intentionally not sprayed to prevent leakage; that the eaves and overhang are wasting; that he neither physically or financially is in a position to make the repairs needed to the house; that he is looking for work to be able to move out, and that he attempted to sell the home yet was unsuccessful.

FINDINGS: The property suffers from waste as defined in ORS 312.122, ORS 312.180 and Multnomah County Code 7.423 in the following particulars:

1. The evidence and testimony presented by the County established that the improvements at the property were deteriorated.
2. The owner has caused this deterioration of the improvements at the property by failing to address the above cited conditions.

RECOMMENDATION: That the Board of County Commissioners:

1. Affirm that the Property is subject to waste;
2. Declare that the owner's right of possession is forfeited; and
3. Direct the Tax Collector to deed the property to the County after expiration of a period of 30 days if not sooner redeemed. (ORS 312.122, Multnomah County Code 7.426).

EXHIBIT 3 TO BOARD ORDER

**MULTNOMAH COUNTY
DIVISION OF ASSESSMENT, RECORDING AND TAXATION
EXPEDITED REDEMPTION AND FORFEITURE
HEARING FINDINGS AND RECOMMENDATION**

PROPERTY OWNER: ARCEMENT, EDWARD M

ADDRESS: 3205 NE MULTNOMAH ST., PORTLAND, OR 97232

TAX ACCOUNT NO: R203056

LEGAL DESCRIPTION: Lot 11, Block 38, LAURELHURST, in the City of Portland, County of Multnomah and State of Oregon.

TAX FORECLOSURE CASE HISTORY: Multnomah County Circuit Court Case # 1307-10205
Judgment Date: October 1, 2013

STATUTORY REDEMPTION PERIOD EXPIRATION: September 30, 2015

DATE OF HEARING: 3/18/2014 – 1:00PM

HEARINGS OFFICER: Gary Bartholomew

APPEARING AT HEARING: For Multnomah County: Albert Jenkins; For Owner/Interested Party: N/A

SUMMARY OF EVIDENCE AND TESTIMONY PRESENTED:

For Multnomah County: The County witness presented photographic evidence and written testimony showing that the house has missing gutters; that the overhangs are missing fascia; that the soffits are missing wood planks; that the paint is peeling; that the shingles are splitting or missing; that the window in front is broken; that two windows on the back and one on the left side of the house are boarded up; that the front, back and garage door are boarded up, and that the basement showed signs of forced entry, with the door completely forced out of the door frame. The house appears vacant based on exterior entrances being boarded up and has no utility services as of 3/11/2014. Each of these cited conditions has contributed to the deterioration of the improvements.

For Owner/Interested Party: None

FINDINGS: The property suffers from waste as defined in ORS 312.122, ORS 312.180 and Multnomah County Code 7.423 in the following particulars:

1. The evidence and testimony presented by the County established that the improvements at the property were deteriorated.
2. The owner has caused this deterioration of the improvements at the property by failing to address the above cited conditions.

RECOMMENDATION: That the Board of County Commissioners:

1. Affirm that the Property is subject to waste;
2. Declare that the owner's right of possession is forfeited; and
3. Direct the Tax Collector to deed the property to the County after expiration of a period of 30 days if not sooner redeemed. (ORS 312.122, Multnomah County Code 7.426).

EXHIBIT 4 TO BOARD ORDER

**MULTNOMAH COUNTY
DIVISION OF ASSESSMENT, RECORDING AND TAXATION
EXPEDITED REDEMPTION AND FORFEITURE
HEARING FINDINGS AND RECOMMENDATION**

PROPERTY OWNER: BENJAMIN FRANKLIN FEDERAL SAVINGS & LOAN

ADDRESS: 114 N BLANDENA ST, PORTLAND, OR 97217

TAX ACCOUNT NO: R211716

LEGAL DESCRIPTION: The North 98 feet of Lot 5, Block 15, MAEGLY HIGHLAND, in the City of Portland, County of Multnomah and State of Oregon.

TAX FORECLOSURE CASE HISTORY: Multnomah County Circuit Court Case # 1307-10205
Judgment Date: October 1, 2013

STATUTORY REDEMPTION PERIOD EXPIRATION: September 30, 2015

DATE OF HEARING: 3/19/2014 – 8:30AM

HEARINGS OFFICER: Gary Bartholomew

APPEARING AT HEARING: For Multnomah County: Albert Jenkins; For Owner/Interested Party: N/A

SUMMARY OF EVIDENCE AND TESTIMONY PRESENTED:

For Multnomah County: The County witness presented photographic evidence and written testimony showing that extensive moss growth covered the roof; that the gutters are rusted and leaking; that there was extensive failure of the exterior paint; that the upstairs window frame in the back of the house is rotting; that some siding is missing, and that there was dry rot and blackberry vines working themselves under the siding in the back of house. The house had active utility services as of 3/11/2014 which may be an indicator that the property is occupied, yet water usage stopped 9/25/13. Each of these cited conditions has contributed to the deterioration of the improvements.

For Owner/Interested Party: None

FINDINGS: The property suffers from waste as defined in ORS 312.122, ORS 312.180 and Multnomah County Code 7.423 in the following particulars:

1. The evidence and testimony presented by the County established that the improvements at the property were deteriorated.
2. The owner has caused this deterioration of the improvements at the property by failing to address the above cited conditions.

RECOMMENDATION: That the Board of County Commissioners:

1. Affirm that the Property is subject to waste;
2. Declare that the owner's right of possession is forfeited; and
3. Direct the Tax Collector to deed the property to the County after expiration of a period of 30 days if not sooner redeemed. (ORS 312.122, Multnomah County Code 7.426).

EXHIBIT 5 TO BOARD ORDER

**MULTNOMAH COUNTY
DIVISION OF ASSESSMENT, RECORDING AND TAXATION
EXPEDITED REDEMPTION AND FORFEITURE
HEARING FINDINGS AND RECOMMENDATION**

PROPERTY OWNER: GILBRETH, ROBERT N & BONITA

ADDRESS: 15706 E BURNSIDE ST, PORTLAND, OR 97233

TAX ACCOUNT NO: R217944

LEGAL DESCRIPTION: That part of Lot 1, Block 4, MEYERMEAD, and part of vacated Elizabeth Street adjoining on the North, in the City of Portland, County of Multnomah and State of Oregon, described as follows:

Beginning at the Southwest corner of Lot 1, Block 4, MEYERMEAD, Section 36, Township 1 North, Range 2 East of the Willamette Meridian; and running thence South 89° 45' 45" East, 10.00 feet to an iron pipe; thence North 0° 43' East parallel to the West line of said Lot 1, a distance of 106.93 feet to an iron pipe; said iron pipe being the true point of beginning of the tract herein to be described; thence from the above described true point of beginning continuing North 0° 43' East parallel to the West line of said Lot 1, a distance of 135.00 feet to an iron pipe; thence South 89° 12' 40" East, 74.12 feet to an iron pipe; thence South 0° 43' West parallel to the West line of said Lot 1, a distance of 135.00 feet to an iron pipe; thence North 89° 12' 40" West, 74.12 feet to the true point of beginning.

TAX FORECLOSURE CASE HISTORY: Multnomah County Circuit Court Case # 1307-10205
Judgment Date: October 1, 2013

STATUTORY REDEMPTION PERIOD EXPIRATION: September 30, 2015

DATE OF HEARING: 3/19/2014 – 2:00PM

HEARINGS OFFICER: Gary Bartholomew

APPEARING AT HEARING: For Multnomah County: Sally Brown, Tracie McClements; Albert Jenkins;
For Owner/Interested Party: Pamela Jean Molick

SUMMARY OF EVIDENCE AND TESTIMONY PRESENTED:

For Multnomah County: The County witnesses presented photographic evidence and written testimony showing that the front door and all windows are boarded up; that the siding on the back of the house and garage are missing; that all downspouts are missing; that the house is covered with graffiti, and that garbage and debris litters the back yard.

The house had electric and water service, but no garbage service as of 3/11/2014. All entrances to the house were boarded up on both inspection dates, which may be an indicator that the property is vacant. Each of these cited conditions has contributed to the deterioration of the improvements.

For Owner/Interested Party: Pamela Jean Molick, the owners' daughter, stated that the house was boarded up to prevent break-ins; that during a previous break-in the house was entered through the skylight and that the water was left running in the bathtub yet fortunately drained causing no damage to the inside of the house; that the inside of the house needs to be updated; that the floors and windows are intact; that the siding, downspouts and cyclone fence were stolen; that garbage and debris have been dumped in the backyard and graffiti painted on the house and garage on multiple occasions, and that the heirs, Ms. Molick, her sister and brother, plan to sell the property as soon as it has been probated.

FINDINGS: The property suffers from waste as defined in ORS 312.122, ORS 312.180 and Multnomah County Code 7.423 in the following particulars:

1. The evidence and testimony presented by the County established that the improvements at the property were deteriorated.
2. The owner has caused this deterioration of the improvements at the property by failing to address the above cited conditions.

RECOMMENDATION: That the Board of County Commissioners:

1. Affirm that the Property is subject to waste;
2. Declare that the owner's right of possession is forfeited; and
3. Direct the Tax Collector to deed the property to the County after expiration of a period of 30 days if not sooner redeemed. (ORS 312.122, Multnomah County Code 7.426).

EXHIBIT 6 OF BOARD ORDER

**MULTNOMAH COUNTY
DIVISION OF ASSESSMENT, RECORDING AND TAXATION
EXPEDITED REDEMPTION AND FORFEITURE
HEARING FINDINGS AND RECOMMENDATION**

PROPERTY OWNER: HARDY, GEORGIA L

ADDRESS: 10923 NE FREMONT, PORTLAND, OR 97220

TAX ACCOUNT NO: R235559

LEGAL DESCRIPTION: The West one-half of Lot E, Block 58, PARKROSE, EXCEPT the North 147 feet thereof, in the City of Portland, County of Multnomah and State of Oregon.

TAX FORECLOSURE CASE HISTORY: Multnomah County Circuit Court Case # 1307-10205
Judgment Date: October 1, 2013

STATUTORY REDEMPTION PERIOD EXPIRATION: September 30, 2015

DATE OF HEARING: 3/20/2014 – 8:30AM

HEARINGS OFFICER: Gary Bartholomew

APPEARING AT HEARING: For Multnomah County: Albert Jenkins; For Owner/Interested Party: N/A

SUMMARY OF EVIDENCE AND TESTIMONY PRESENTED:

For Multnomah County: The County witness presented photographic evidence and written testimony showing that the house sustained severe fire damage in July 2013 which has not been repaired; that there was major damage to the roof exposing the interior to the elements; that the windows are missing, broken or boarded up; that a tree has fallen on the house, and that trash, debris and dilapidated furniture covered the driveway and side yard.

The property had no active utility services as of 3/11/2014 and is not occupied by the owner or any party with legal interest. Each of these cited conditions has contributed to the deterioration of the improvements.

For Owner/Interested Party: None

FINDINGS: The property suffers from waste as defined in ORS 312.122, ORS 312.180 and Multnomah County Code 7.423 in the following particulars:

1. The evidence and testimony presented by the County established that the improvements at the property were deteriorated.
2. The owner has caused this deterioration of the improvements at the property by failing to address the above cited conditions.

RECOMMENDATION: That the Board of County Commissioners:

1. Affirm that the Property is subject to waste;
2. Declare that the owner's right of possession is forfeited; and
3. Direct the Tax Collector to deed the property to the County after expiration of a period of 30 days if not sooner redeemed. (ORS 312.122, Multnomah County Code 7.426).

EXHIBIT 7 OF BOARD ORDER

**MULTNOMAH COUNTY
DIVISION OF ASSESSMENT, RECORDING AND TAXATION
EXPEDITED REDEMPTION AND FORFEITURE
HEARING FINDINGS AND RECOMMENDATION**

PROPERTY OWNER: WEST, RUTH

ADDRESS: 2050 SE 143RD AVE, PORTLAND, OR 97233

TAX ACCOUNT NO: R236507 only (R236505 withdrawn taxes removed)

LEGAL DESCRIPTION: A tract of land in Lot 3, Block 4, PARKTOWN ADDITION, in the Southwest quarter of Section 1, Township 1 South, Range 2 East of the Willamette Meridian, in the City of Portland, County of Multnomah and State of Oregon, more particularly described as follows:

Beginning at the Northwest corner of said Lot 3; thence North 89° 32' 45" East along the North line of said Lot 3 a distance of 70.00 feet to the true point of beginning of the tract herein described; thence North 89° 32' 45" East along the North line of said Lot 3 a distance of 84.61' feet; thence South 0° 10' 40" West leaving the North line of said Lot 3 and parallel with the West line of said Lot 3 a distance of 61.79 feet; thence North 89° 49' 20" West a distance of 16.00 feet; thence South 0° 10' 40" West a distance of 7.00 feet to the beginning of a 19.00 foot radius tangent curve to the right; thence Southwesterly along the arc of said curve a distance of 18.08 feet through a central angle of 54° 32' 12" (the long chord bears South 27° 26' 46" West a distance of 17.41 feet) to a point 16.00 feet North from the South line of said Lot 3 when measured at right angles to said South line; thence South 89° 32' 45" West parallel with the South line of said Lot 3 a distance of 60.64 feet; thence North 0° 10' 40" East parallel with the West line of said Lot 3 a distance of 84.00 feet to the point of beginning.

TAX FORECLOSURE CASE HISTORY: Multnomah County Circuit Court Case # 1307-10205
Judgment Date: October 1, 2013

STATUTORY REDEMPTION PERIOD EXPIRATION: September 30, 2015

DATE OF HEARING: 3/20/2014 – 10:30AM

HEARINGS OFFICER: Gary Bartholomew

APPEARING AT HEARING: For Multnomah County: Albert Jenkins; For Owner/Interested Party: N/A

SUMMARY OF EVIDENCE AND TESTIMONY PRESENTED:

For Multnomah County: The County witness presented photographic evidence and written testimony showing that the roof is sagging and covered with extensive vegetation growth; that the siding on one side of the house is missing; that the overhangs are rotting; that the gutters are rusted with ferns growing in them; that there was exposed wood trim, and that all visible windows and doors are covered with plastic.

The house had active electric and water yet no garbage service as of 3/11/2014. The property appears to be occupied by the property owner's daughter. The County's request for an interior inspection was denied. Each of these cited conditions has contributed to the deterioration of the improvements.

For Owner/Interested Party: None

FINDINGS: The property suffers from waste as defined in ORS 312.122, ORS 312.180 and Multnomah County Code 7.423 in the following particulars:

1. The evidence and testimony presented by the County established that the improvements at the property were deteriorated.
2. The owner has caused this deterioration of the improvements at the property by failing to address the above cited conditions.

RECOMMENDATION: That the Board of County Commissioners:

1. Affirm that the Property is subject to waste;
2. Declare that the owner's right of possession is forfeited; and
3. Direct the Tax Collector to deed the property to the County after expiration of a period of 30 days if not sooner redeemed. (ORS 312.122, Multnomah County Code 7.426).

EXHIBIT 8 OF BOARD ORDER

**MULTNOMAH COUNTY
DIVISION OF ASSESSMENT, RECORDING AND TAXATION
EXPEDITED REDEMPTION AND FORFEITURE
HEARING FINDINGS AND RECOMMENDATION**

PROPERTY OWNER: BENNETT, PHYLLIS R

ADDRESS: 19325 NW MORGAN RD, PORTLAND, OR 97231

TAX ACCOUNT NO: R255854 & R255855

LEGAL DESCRIPTION: (R255854) Beginning at an iron pipe which marks the Northeast corner of Tract 10, River Road Tract, according to the duly recorded Plat of River Road Tract on record in the Office of the County Clerk of Multnomah County, Oregon; running thence North 0° 31' West along the East line of said Tract 10, 23.68 feet to an iron pipe; thence South 88° 50' West, 50.0 feet to an iron pipe in the Westerly boundary line of a certain fifty-foot roadway dedicated to the public for roadway purposes by that certain Quitclaim Deed from Clifford M. Austin, et ux, to the public dated July 29, 1949; thence continuing South 88° 50' West along the North boundary line of Cleetwood Avenue, 168.88 feet to an iron pipe which marks the true point of beginning of the tract herein described; thence South 88° 50' West along said North boundary line of Cleetwood Avenue, 75.0 feet to an iron pipe; thence South 0° 31' East, 121.20 feet to an iron pipe in the Northerly boundary line of Morgan Road; thence Northeasterly along the Northerly boundary line of Morgan Road, 81.83 feet to an iron pipe; thence North 0° 31' West, 89.32 feet to the true point of beginning of the tract herein described. -

EXCEPTING THEREFROM that portion lying north of the centerline of vacated NW Cleetwood Avenue.

LEGAL DESCRIPTION: (R255855) That part of Lot 10, RIVER ROAD TRACTS, in the County of Multnomah and State of Oregon, lying North of Morgan Road and East of the following:

Beginning at an iron pipe which marks the Northeast corner of said Tract 10; running thence North 0° 31' West along the East line extended of said Tract 10 ad distance of 23.68 feet to an iron pipe; thence South 88° 50' West 50 feet to an iron pipe in the Westerly boundary line of a certain 50 foot roadway dedicated to the public for roadway purposes by that certain Quit Claim Deed from Clifford M. Austin et ux to the public, dated July 29, 1949; thence continuing South 88° 50' West along said North boundary line of Cleetwood Avenue 168.88 feet to an iron pipe which marks the true point of beginning of the tract herein described; thence South 88° 50' West along said North boundary line of Cleetwood Avenue 75 feet to an iron pip; thence South 0° 31' West 121.20 feet to an iron pipe in the Northerly boundary line of Morgan Road; thence Northeasterly along the Northerly boundary line of Morgan Road 81.83 feet to an iron pipe; thence North 0° 31' West 89.32 feet to the true point of beginning of the tract herein described.

TAX FORECLOSURE CASE HISTORY: Multnomah County Circuit Court Case # 1307-10205
Judgment Date: October 1, 2013

STATUTORY REDEMPTION PERIOD EXPIRATION: September 30, 2015

DATE OF HEARING: 3/20/2014 – 1:00PM

HEARINGS OFFICER: Gary Bartholomew

APPEARING AT HEARING: For Multnomah County: Sally Brown; Albert Jenkins; For Owner/Interested Party: Donna Bennett

SUMMARY OF EVIDENCE AND TESTIMONY PRESENTED:

For Multnomah County: The County witnesses presented photographic evidence and written testimony showing that the porch roof is sagging; that the foundation constructed of concrete and wood posts is exposed and deteriorating; that some of the windows on all sides of the house are boarded up; that the wood of the overhang on one side of the house is unpainted exposing unprotected wood; that the addition to the back of the house and the shed are unpainted and showing signs of water damage evident by the discoloration of the wood ; that the shed is leaning; that there is a trailer located in the vacant lot which is used as a dwelling for the owners' children/grandchildren; that electric cables and a water hose extend from the house to the trailer, and that fluid is draining directly onto the ground from the trailer. The house has active electric service yet no city provided water and garbage services as of 3/19/2014. The house is currently occupied. Each of these cited conditions has contributed to the deterioration of the improvements.

For Owner/Interested Party: Donna Bennett, personal representative/heir and occupant of the property, stated that the bricks supporting the house were placed there primarily to keep animals from crawling underneath the house; that some of the windows are broken; that the porch is sagging due to a missing support; that there is termite damage to the support beam of the home's addition; that the subfloors of the bathroom floors are giving way and sagging; that the linoleum in the kitchen is bubbling up; that the area around the chimney is leaking; that the RV located on the property is only draining gray water onto the property; that the RV is hooked up to the home's septic tank; that the plan is to pay the taxes upon receipt of a settlement of the sister's pending law suit within a couple of months, and to tear down the house and replace it with a manufactured structure.

FINDINGS: The property suffers from waste as defined in ORS 312.122, ORS 312.180 and Multnomah County Code 7.423 in the following particulars:

1. The evidence and testimony presented by the County established that the improvements at the property were deteriorated.
2. The owner has caused this deterioration of the improvements at the property by failing to address the above cited conditions.

RECOMMENDATION: That the Board of County Commissioners:

1. Affirm that the Property is subject to waste;
2. Declare that the owner's right of possession is forfeited; and
3. Direct the Tax Collector to deed the property to the County after expiration of a period of 30 days if not sooner redeemed. (ORS 312.122, Multnomah County Code 7.426).

EXHIBIT 9 OF BOARD ORDER

**MULTNOMAH COUNTY
DIVISION OF ASSESSMENT, RECORDING AND TAXATION
EXPEDITED REDEMPTION AND FORFEITURE
HEARING FINDINGS AND RECOMMENDATION**

PROPERTY OWNER: ANDERSON, JEAN D

ADDRESS: 24241 NW REEDER RD, PORTLAND, OR 97233

TAX ACCOUNT NO: R326119

LEGAL DESCRIPTION: Beginning at the Southwest corner of Section 34, Township 3 North, Range 1 West of the Willamette Meridian; thence North 89°56' East along the South line of said section, 532.0 feet to the center of Reeder Road; thence North 55°35' East, 308.1 feet along the center line of Reeder Road; thence North 62°39' East 258.2 feet along the center line of Reeder Road; thence North 65°26' East, 142.55 feet along the center line of Reeder Road; thence North 54°32' East, 1780.90 feet; thence North 61 °54' East, 411.25 feet along the center line of Reeder Road; thence North 74°33' East, 201.12 feet along the center line of Reeder Road; thence North 71 °48' East, 272.88 feet; thence North 87°04' East, 284.5 feet; thence South 71 °37' East, 286.25 feet; thence South 68°19' East, 356.22 feet to the true point of beginning; thence South 68°19' East, 363.48 feet along the center line of Reeder Road; thence South 57°10' East, 235.2 feet along the center line of Reeder Road; thence South 86°58' East along the center line of Reeder Road, 79.40 feet; thence North 941.69 feet to the South line of Kitty Hutchison property; thence North 88°28' West along the South line' of Kitty Hutchinson property, 614.90 feet; thence South 692.12 feet to the true point of beginning.

EXCEPTING THEREFROM that portion conveyed to Multnomah County by that Deed recorded April 29, 1960 in Book 2006, Page 677, Deed Records.

TAX FORECLOSURE CASE HISTORY: Multnomah County Circuit Court Case # 1307-10205
Judgment Date: October 1, 2013

STATUTORY REDEMPTION PERIOD EXPIRATION: September 30, 2015

DATE OF HEARING: 3/25/2014 – 1:00PM

HEARINGS OFFICER: Gary Bartholomew

APPEARING AT HEARING: For Multnomah County: Albert Jenkins; For Owner/Interested Party: N/A

SUMMARY OF EVIDENCE AND TESTIMONY PRESENTED:

For Multnomah County: The County witness presented photographic evidence and written testimony showing that the shingles are missing and the sub-roof is rotting; that the roof is covered with tarp; that there are no gutters; that the exterior doors are broken and missing window panes; that the front door was open exposing the interior to the elements; that the floor is sloping from the center fireplace to the exterior walls, and that the yard is overgrown.
The house had electric, yet no water and garbage services as of 3/11/2014. The house is vacant based on field inspections. Each of these cited conditions has contributed to the deterioration of the improvements.

For Owner/Interested Party: None

FINDINGS: The property suffers from waste as defined in ORS 312.122, ORS 312.180 and Multnomah County Code 7.423 in the following particulars:

1. The evidence and testimony presented by the County established that the improvements at the property were deteriorated.
2. The owner has caused this deterioration of the improvements at the property by failing to address the above cited conditions.

RECOMMENDATION: That the Board of County Commissioners:

1. Affirm that the Property is subject to waste;
2. Declare that the owner's right of possession is forfeited; and
3. Direct the Tax Collector to deed the property to the County after expiration of a period of 30 days if not sooner redeemed. (ORS 312.122, Multnomah County Code 7.426).

EXHIBIT 10 TO BOARD ORDER

Until a change is requested, all tax statements shall be sent
To the following address:
(Grantor) MULTNOMAH COUNTY TAX COLLECTOR
501 SE HAWTHORNE BLVD.
PORTLAND OR 97214

After recording return to:
(Grantee) MULTNOMAH COUNTY SPECIAL PROGRAMS
501 SE HAWTHORNE BLVD
PORTLAND OR 97214

MULTNOMAH COUNTY TAX FORECLOSURE DEED

The parties to this deed are Randy P. Walruff, as the Tax Collector for Multnomah County, Oregon, Grantor, and Multnomah County, a political subdivision of the State of Oregon (the County), Grantee.

A Judgment in favor of the County and against property described in Exhibit A attached hereto; (hereinafter “the Property”) was entered on or about October 1, 2013, in an action filed pursuant to ORS Chapter 312 in the Multnomah County Circuit Court (Case No 1307-10205). The County brought this action to foreclose the liens for delinquent taxes against all the properties shown on the 2013 Multnomah County foreclosure list, which included the Property. Upon entry of the Judgment in the above referenced action, the Circuit Court ordered that the several properties be sold to the County for the respective amounts of taxes and interest for which the properties are liable. A certified copy of the Judgment containing the list of properties ordered to be sold was delivered to Randy P. Walruff at the Multnomah County Division of Assessment, Recording and Taxation.

The Property was the subject of a forfeiture and expedited redemption proceeding as provided under ORS 312.122 and Multnomah County Code §§ 7.420-7.426. By Multnomah County Board Order No.____, the Multnomah County Board of Commissioners directed this Tax Foreclosure Deed for the Property be executed after 30 days from the date of said Order.

Now, therefore as authorized under ORS 312.200; I, Randy P. Walruff, as Tax Collector, conveys to Multnomah County all right title and interest in certain real property located in Multnomah County, Oregon; and more particularly described in Exhibit A attached hereto together with all tenements, hereditaments and appurtenances thereto belonging or appertaining, to have and to hold unto the County, its successors and assigns from every right or interest of any person in such premises.

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.

Dated this _____ day of July, 2014

**RANDY P. WALRUFF, TAX COLLECTOR,
MULTNOMAH COUNTY, OREGON**

Randy P. Walruff, Tax Collector

STATE OF OREGON)
)
COUNTY OF MULTNOMAH)

This instrument was acknowledged before me on this _____ day of July 2014 by Randy P. Walruff as Tax Collector for Multnomah County, Oregon.

Tamara Meier
Notary public for Oregon
My commission expires 11/7/2014

ACCEPTED: Multnomah County approves and accepts this conveyance.

Deborah Kafoury, Chair of the Multnomah County Board

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

By _____
Courtney Lords, Assistant County Attorney

EXHIBIT “A” TO TAX FORECLOSURE DEED

1. Tax Account Number: [insert tax account #]
Legal Description: [insert legal description]

2. Tax Account Number: [insert tax account #]
Legal Description: [insert legal description]

3. Tax Account Number: [insert tax account #]
Legal Description: [insert legal description]

4. Tax Account Number: [insert tax account #]
Legal Description: [insert legal description]

5. Tax Account Number: [insert tax account #]
Legal Description: [insert legal description]

6. Tax Account Number: [insert tax account #]
Legal Description: [insert legal description]

7. Tax Account Number: [insert tax account #]
Legal Description: [insert legal description]

8. Tax Account Number: [insert tax account #]
Legal Description: [insert legal description]

9. Tax Account Number: [insert tax account #]
Legal Description: [insert legal description]

10. Tax Account Number: [insert tax account #]
Legal Description: [insert legal description]