

**Columbia County August 17, 2016 Sheriff's Sale
Order No. 40-2016
Terms and Conditions**

Day of Sale

1. The sale will be located in the lobby of the Columbia County Community Justice facility located at 901 Port Avenue, St. Helens, Oregon.
2. Bidders, must: (i) accept the terms and conditions of the sale in writing before 9:45 a.m. on the day of the sale; and (ii) be physically present to bid. Bidder agents must submit the terms and conditions acceptance, signed by the bidder, along with written evidence of the agent's authority to act on behalf of the bidder (e.g. a copy of a sufficient power of attorney).
3. The sale will start at 10 a.m. and will conclude when bidding is completed, or at 4 p.m., whichever is earlier. The sale can be adjourned from day to day for not to exceed 30 days.
4. The properties, or groups of properties, being sold are collectively referred to as "the Property or Properties," herein.
5. The Properties will be sold in the order listed on the final Property list (the Property List), with no certainty as to the timing a property-specific sale.
6. Except as to Bid Items 2 and 10, which are addressed more specifically in the body of Order 40-2016, minimum bids and special sale conditions, if any, are as shown on the Property List.
7. The Properties will be sold to the highest bidder by oral auction.
8. Prospective purchasers are encouraged to perform their own due diligence review of the title and physical circumstances of a Property, subject to the understanding that: (i) the County will not be responsible for injuries resulting from Property inspections; and (ii) prospective purchasers are not authorized to enter structures on the Properties without the written permission of the County.
9. Bidders may not: (i) attempt to influence the bidding of others; (ii) conspire with other bidders to reduce the price of a Property; or (iii) otherwise act to defeat an open, fair-market bidding process.
10. Bidding for each bid item on the Property List will be completed when an apparent high bidder has been named, or when a determination is made that no bids will be forthcoming for the bid item.
11. To be declared an "apparent high bidder," a bidder must: (i) be 18 years old or older; (ii) have accepted the sale terms and conditions in writing; and (iii) deposit at least 10% of the minimum bid ("the Deposit") for the Property, or group of properties, with the Deposit to be in the form of cash, money order or cashier's check made out to the Columbia County Sheriff's Office.
12. Apparent high bidders will receive a certificate of sale ("Sale Certificate") on the day of the sale. The Sale Certificate will provide: (i) a particular description of the Property; (ii) the whole purchase price; (iii) a receipt for the Deposit; and the date that the remaining amount due on the Property must be paid. The name and relationship (e.g., "tenants by the entirety") of the purchaser(s) shown on the Sale Certificate will carry forward to the County deed.

Post-Sale Actions

1. Apparent high bidders will receive a non-negotiable Columbia County earnest money agreement ("the Agreement") by August 31, 2016. The Agreement must be signed and returned to the County by September 15, 2016, along with a money order or cashier's check for the remaining amount due under the Agreement. If the apparent high bidder's Deposit check does not clear the bank it was drawn on by August 24th, or, if the signed Agreement is not returned to the County by September 15th, the Deposit will be forfeited to the County. Earnest money agreements for Bid Items 2, 5 and 6 include special conditions that should be reviewed carefully before making bids on those Properties.
2. All Properties will be conveyed by quitclaim deed ("the Quitclaim Deed"), AS-IS, without

covenants or warranties and subject to any municipal liens, easements and encumbrances of record.

3. Except when additional time is reasonably necessary, the County will record Quitclaim Deeds within forty-five (45) days of a signed Agreement being returned to the County along with remaining amounts due under the Agreement, including a \$145.00 administrative fee.
4. The Quitclaim Deeds will reserve to the County:
 - a. All rights to any minerals, mineral rights, ore, metals, metallic clay, aggregate, oil, gas or hydrocarbon substances in, on or under said property, if any, including underground storage rights, surface mining, and also including the use of such water from springs, creeks, lakes or wells to be drilled or dug upon the premises as may be necessary or convenient for such exploration or mining operations, as well as the conducting of operations related to underground storage and production of gaseous substances on the property, are specifically excepted, reserved and retained for the benefit of Columbia County, Oregon, together with the right of ingress and egress thereto for the purpose of exercising the rights hereby excepted, reserved and retained; and, as applicable,
 - b. All rights to any County, public, forest or Civilian Conservation Corps roads are hereby reserved for the benefit of Columbia County, Oregon.

General Conditions

1. THE COUNTY MAKES NO WARRANTY OF ANY KIND AS TO THE PROPERTIES, INCLUDING, BUT NOT LIMITED TO, SIZE, CONDITION, ZONING OR SUITABILITY OF THE PROPERTIES FOR USES INTENDED BY PROSPECTIVE PURCHASERS.
2. The County will not process Deposit checks for unsuccessful bidders. Unsuccessful bidders will be fully responsible for working with their respective banks to convert the Deposit checks back to cash.
3. Successful bids are not assignable or transferrable to another party, except in accordance with the Earnest Money Agreement signed by the apparent high bidder.
4. Columbia County reserves the right, for any reason, to remove Property, from the Sheriff's Sale prior to the commencement of bidding on the Property.
5. Properties not sold at the Sheriff's Sale will be qualified for private sale by the County in accordance with ORS 275.200(2) (Sale of Land Not Sold by Sheriff).

Sale Information:

The August 17, 2016 Sheriff's Sale binder can be viewed at the Columbia County Offices, or online at <http://bit.ly/293QeKm>, which is an abbreviated link to the County's "Surplus Property" web page. Binder contents include: the Property List and maps; the Quitclaim Deed form; the Certificate of Sale Form; and Earnest Money Agreement forms.

Pre-sale questions should be directed to the County property administration contractor, Planchon Consulting: Shannon@planchonconsulting.com or at 503-467-8599.

Reviewed and Accepted By: _____ **Date:** _____
Signature

Printed Name

Address

Phone Number: _____

City/State/Zip Code

Email Address: _____

