

AFTER RECORDING RETURN TO:

GREENE & MARKLEY, P.C.
Attn. Carrie R. Evans
1515 SW 5th Avenue, Suite 600
Portland, OR 97201

2015-009447

Klamath County, Oregon

08/25/2015 12:36:47 PM

Fee: \$67.00

RECORDING COVER SHEET

THIS COVER SHEET HAS BEEN PREPARED BY THE PERSON PRESENTING THE ATTACHED INSTRUMENT FOR RECORDING, AS PROVIDED BY ORS 205.234. ANY ERRORS IN THIS COVER SHEET DO NOT AFFECT THE TRANSACTIONS CONTAINED IN THE INSTRUMENT ITSELF.

- A. Names of the transactions described in the attached instruments (Note: "Transaction" means any action required or permitted by law to be recorded including, but not limited to, any transfer, encumbrance, or release affecting title to or an interest in real property):

Order Authorizing Sale of Property (Improved 15 acres, 11771 Folley Lane,
Keno, OR)

- B. Case Name and Number:

Columbia Community Bank Corporation v. The Mortgage Exchange, Inc., et al -
Washington County Circuit Court Case No. C112822CV

- C. For instruments conveying or contracting to convey fee title to any real estate and all memoranda of such instruments, the true and actual consideration paid for such transfer as required by ORS 93.030:

N/A

- D. For instruments conveying or contracting to convey fee title to any real estate, the tax statement information required by ORS 93.260:

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

N/A

2015 AUG 14 PM 3:43

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF WASHINGTON

COLUMBIA COMMUNITY BANK
CORPORATION, an Oregon corporation,

Plaintiff,

v.

THE MORTGAGE EXCHANGE, INC., an
Oregon corporation; O.M. "PETE" WILSON,
an individual; and PACIFIC NORTHWEST
DEVELOPMENT CORPORATION, an
Oregon corporation, et al.,

Defendants.

Case No. C112822CV

ORDER AUTHORIZING SALE OF
PROPERTY
(Improved 15 acres, 11771 Folley
Lane, Keno, OR)

This matter came before the court on the motion of Troubled Assets Solutions, LLC, the duly appointed successor receiver in this case (the "Receiver"), for an order approving the Receiver's entry into and performance of the Purchase and Sale Agreement (the "Sale Agreement"), attached as Exhibit 2 to the Receiver's motion, to sell the real property located in Klamath County, Oregon, consisting of 15 acres located at 11771 Folley Lane, Keno, Oregon, being more particularly described on the Exhibit 1 attached hereto (the "Property"). Based on the prior orders relating to the receivership entered in this case, the Stipulated Order (1) Joining Parties; (2) Authorizing Successor Receiver to Sell Receivership Property Free and Clear of Certain Liens; and (3) Approving Settlement, entered in this case on August 27, 2013, the Receiver's motion, and the court record herein, it is hereby

///

1 ORDERED as follows:

2 1. Troubled Asset Solutions, LLC, the duly appointed successor receiver in
3 this case (the "Receiver"), is authorized to perform and consummate the Sale Agreement
4 and to sell to Premier Community Bank ("Buyer") the Property, as described on the
5 Exhibit 1 attached hereto, for the sum of \$375,000.00 on the terms and conditions
6 described in the Sale Agreement and the Receiver's motion;

7 2. The Receiver is authorized to execute and deliver to Buyer such documents
8 and instruments and to take such other action as may be reasonably necessary or desirable
9 to effect the closing of the transaction contemplated in the Sale Agreement; and

10 3. The title company selected to close the transaction may rely on this order in
11 insuring title to the Property.

12 Dated this 14 day of ^{Aug.}~~July~~, 2015.

13
14 
Circuit Court Judge

Janelle Factora-Wipper

15 D. Charles Bailey
Circuit Court Judge

16 SUBMITTED BY:
17 Gary L. Blacklidge, OSB #90208
18 Greene & Markley, P.C.
1515 SW 5th Ave., Suite 600
18 Portland, OR 97201
Telephone: 503-295-2668
19 gary.blacklidge@greenemarkley.com
20 *Of Attorneys for Receiver*

21 \G:\Clients\7225\002\Pleadings\P Order Authorizing Sale re Wilcher.wpd

22 Certified To Be A True And
23 Correct Copy Of The Original

24 Date Aug 14 2015
25 TRIAL COURT ADMINISTRATOR
26 Washington County

By: 

Antony B. Sorenson

Exhibit "A"

Real property in the County of Klamath, State of Oregon, described as follows:

PARCEL 1:

A PARCEL OF LAND LOCATED IN GOVERNMENT LOT 5 IN SE 1/4 NW 1/4 OF SECTION 6, TOWNSHIP 40 SOUTH, RANGE 8 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A 5/8 INCH IRON PIN WHICH IS SOUTH 0°03'59" EAST 2050.32 FEET AND SOUTH 89°54'36" EAST 1385.73 FEET FROM THE NORTHWEST CORNER OF SECTION 6 AND IS ALSO SOUTH 89°54'36" EAST 60.0 FEET FROM THE NORTHEAST CORNER OF LOT 1 IN BLOCK 1 OF KENO WHISPERING PINES SUBDIVISION, WHICH POINT OF BEGINNING IS ALSO ON THE EAST RIGHT OF WAY LINE OF A PUBLIC ROAD; THENCE CONTINUING EAST ALONG THE SOUTH LINE OF PROPERTY DESCRIBED IN DEED FROM BEN L. SNOWGOOSE, ET UX., TO EDWARD J. SHIPSEY, ET UX, RECORDED MAY 6, 1968 DEED VOLUME M68 PAGE 4060, RECORDS KLAMATH COUNTY, OREGON, A DISTANCE OF 455.09 FEET TO A 5/8 INCH IRON PIN ON THE WESTERLY RIGHT OF WAY LINE OF THE KENO-WORDEN COUNTY ROAD; THENCE ALONG SAID WESTERLY RIGHT OF WAY LINE SOUTH 34°10'53" EAST A DISTANCE OF 321.20 FEET; THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE SOUTH 31°33' EAST 129.30 FEET TO A 5/8 INCH IRON PIN; THENCE WEST 703.00 FEET TO A 5/8 INCH IRON PIN ON THE EASTERLY LINE OF THE SOUTHERLY PROJECTION OF THE AFORESAID PUBLIC ROAD; THENCE ALONG SAID EAST LINE NORTH 0°03'57" WEST 375.90 FEET TO THE POINT OF BEGINNING, AND

PARCEL 2:

TRACT OF LAND SITUATED IN THE NE 1/4 SW 1/4 AND THE SE 1/4 NW 1/4 OF SECTION 6, TOWNSHIP 40 SOUTH, RANGE 8 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, BEING A PORTION OF THAT TRACT OF LAND DESCRIBED IN DEED VOLUME M83 PAGE 4375 OF THE KLAMATH COUNTY DEED RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 1 BLOCK 1 OF "KENO WHISPERING PINES"; THENCE ALONG THE BOUNDARY OF SAID "KENO WHISPERING PINES", SOUTH 00°03'57" EAST 603.80 FEET TO THE C-W 1/16 CORNER OF SAID SECTION 6, AND SOUTH 00°01'15" WEST 273.55 FEET; THENCE SOUTH 89°59'24" EAST 530.06 FEET; THENCE NORTH 71°13'12" EAST 471.36 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF THE KENO-WORDEN ROAD; THENCE NORTH 41°33'00" WEST, ALONG SAID RIGHT OF WAY LINE, 86.1 FEET, MORE OR LESS, TO THE SOUTH LINE OF THAT TRACT OF LAND DESCRIBED IN DEED VOLUME M72 PAGE 12797; THENCE, ALONG THE LINES OF SAID TRACT, WEST 871.3 FEET, MORE OR LESS, TO A 5/8 INCH IRON PIN AND NORTH 00°03'57" WEST 276.35 FEET; THENCE CONTINUING NORTH 00°03'57" WEST 375.90 FEET; THENCE SOUTH 89°54'36" WEST 60.00 FEET TO THE POINT OF BEGINNING.

PARCEL 3:

A PARCEL OF LAND LOCATED IN THE W 1/2 OF SECTION 6, TOWNSHIP 40 SOUTH, RANGE 8 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON MORE PARTICULARLY DESCRIBED AS FOLLOWS:

EXHIBIT

PAGE

1 OF 2

BEGINNING AT A 5/8 INCH IRON PIN WHICH IS SOUTH 89°54'36" EAST 60 FEET FROM THE NORTHEAST CORNER OF LOT 1 IN BLOCK 1 WHISPERING PINES SUBDIVISION, SAID POINT BEING ON THE EAST RIGHT OF WAY LINE OF WHISPERING PINES DRIVE; THENCE SOUTH 0°04' EAST 375.90 FEET TO A 5/8 INCH IRON PIN WHICH IS THE TRUE POINT OF BEGINNING; THENCE EAST 703.0 FEET TO A 5/8 INCH IRON PIN WHICH IS ON THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE KENO-WORDEN HIGHWAY; THENCE ALONG THE SOUTHWESTERLY RIGHT OF WAY OF SAID HIGHWAY SOUTH 31°33' EAST A DISTANCE OF 324.27 FEET TO A 5/8 INCH IRON PIN; THENCE WEST 872.67 FEET TO A 5/8 INCH IRON PIN ON THE EAST RIGHT OF WAY OF A PROPOSED 60 FOOT ROAD; THENCE NORTH 0°04' WEST 276.35 FEET ALONG THE EAST RIGHT OF WAY OF SAID PROPOSED ROAD TO THE POINT OF BEGINNING.

TOGETHER WITH AN EASEMENT OVER AND ACROSS THE FOLLOWING DESCRIBED TRACT OF LAND SITUATED IN THE NE 1/4 SW 1/4 AND THE SE 1/4 NW 1/4 OF SECTION 6, TOWNSHIP 40 SOUTH, RANGE 8 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, BEING A PORTION OF THAT TRACT OF LAND DESCRIBED IN DEED VOLUME M83 PAGE 4375 OF THE KLAMATH COUNTY DEED RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 1 IN BLOCK 1 OF "KENO WHISPERING PINES"; THENCE ALONG THE BOUNDARY OF SAID "KENO WHISPERING PINES", SOUTH 00°03'7" EAST 603.80 FEET TO THE C-W 1/16 CORNER OF SAID SECTION 6; THENCE EAST A DISTANCE OF 60 FEET TO A POINT; THENCE NORTH 00°03'57" WEST 276.35 FEET; THENCE CONTINUING NORTH 00°03'57" WEST 375.90 FEET; THENCE SOUTH 89°54'36" WEST 60 FEET TO THE POINT OF BEGINNING.

EXHIBIT

PAGE 2 OF 2

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing **ORDER AUTHORIZING SALE OF PROPERTY (Improved 15 acres, 11771 Folley Lane, Keno, OR)** on:

Brent Summers, Esq.
Tarlow Naito & Summers LLP
150 SW Harrison St Ste 200
Portland OR 97201
Of Attorneys for Plaintiff

Fred Johnson
Premier Community Bank
314 E. Main Street
Hillsboro, OR 97123

Bob Vanden Bos, Esq.
Vanden Bos & Chapman LLP
319 SW Washington St #520
Portland OR 97204
*Of Attorneys for The Mortgage
Exchange, Inc.*

Michael Magnus, Esq.
Michael G Magnus PC
8625 SW Cascade Ave Ste 430
Beaverton, OR 97008
*Of Attorneys for Pacific Northwest
Development Corporation and
O.M. "Pete" Wilson*


MEINH, LLC
9401 SW 50th Avenue
Portland, OR 97219

Pioneer Industries, Inc.
9401 SW 50th Avenue
Portland, OR 97219

The Greens at Redmond, LLC
O.M. Pete Wilson, Registered Agent
9401 SW 50th Avenue
Portland, OR 97219

by **mailing** full, true and correct copies thereof in sealed, first-class, postage prepaid envelopes, addressed to the attorneys as shown above at the last known office address of the attorneys, and deposited with the United States Postal Service at Portland Oregon, on the date set forth below.

DATED this 23rd day of July, 2015



Gary L. Blacklidge, OSB #902089
gary.blacklidge@greenemarkley.com
Attorneys for Troubled Asset Solutions, LLC