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3 IN THE CIRCUIT COURT OF THE STATE OF OREGON
4 FOR THE COUNTY OF MALHEUR

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6 **MALHEUR COUNTY**, *a political*
subdivision of the State of Oregon.

7 Plaintiff,

8 v.

9 **THE BIG HORN OIL CO LLC,**
10 **BRADLEY MINING CO, GERTRUDE**
11 **SPELL CONRAD, CAROLE A. DOYLE,**
12 **DORA GRUNIG, JUAN PEREZ, MARY A**
13 **HORGAN, GREGORY JAGER, GEORGE**
14 **OHM, ONTARIO AVIATION INC,**
15 **THOMAS HOWARD PINKERTON,**
16 **RICHARD PONCE, JOSIE H. PONCE,**
17 **L.W. SATHER AND GLENDA SATHER,**
TRUSTEES of The L.W. & Glenda Sather
Family Trust reformed and restated on
December 15, 1997, and also any persons
owning or claiming to own or having or
claiming to have any interest in any property
included in the 2022 Tax Foreclosure List
described herein,

18 Defendants.

Case No.
COMPLAINT

(Application for judgment of foreclosure of tax liens)

CLAIMS NOT SUBJECT TO MANDATORY
ARBITRATION

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20 Plaintiff alleges:

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22 Plaintiff, a duly organized county and political subdivision of the State of Oregon,
23 through its tax collector is required to commence tax foreclosure proceedings pursuant to ORS
24 312.050.
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 2 Plaintiff has prepared a list of real properties subject to foreclosure for delinquent taxes
 3 pursuant to ORS 312.030, which contains the names of the several persons appearing on the
 4 latest tax roll as the respective owners of the tax delinquent properties, a description of each such
 5 property as the same appears in said latest tax roll, the year or years for which taxes are
 6 delinquent on each property, together with the principal amount of the delinquent taxes of each
 7 year, and the amount of accrued interest thereon to September 15, 2022. The Tax Foreclosure
 8 List is attached as "Exhibit 1" and incorporated herein.
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 12 The Tax Foreclosure List includes all real properties appearing on the tax rolls in the
 13 Office of Malheur County Tax Collector on which taxes, together with all special assessments,
 14 fees and other charges, have been delinquent for more than three (3) years from the earliest date
 15 of such delinquency. By reason of the expiration of more than three (3) years from the earliest
 16 date of delinquency the lien of all such delinquent taxes against each of the properties included in
 17 the Tax Foreclosure List has become subject to foreclosure under the provisions of ORS
 18 312.030.
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 21 The amounts shown by the Tax Foreclosure List to be due and owing against the several
 22 parcels of real property described therein include all taxes both prior to and subsequent to
 23 2021-22 which were unpaid and delinquent on May 17, 2022, together with the accrued interest
 24 thereon; that the several defendants and each and every other person owning or claiming to own,
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2 or having or claiming to have any interest in any of said properties have neglected and refused to
3 pay such delinquent taxes and interest; that there is due, owing and unpaid to Plaintiff the sums
4 set out in the Tax Foreclosure List after the description of each of the several properties, and in
5 addition thereto, interest on each of said sums at the rate of sixteen percent (16%) per annum on
6 all delinquencies.

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9 The defendants above named include each and every person appearing on the latest tax
10 roll as the owner or owners of the several properties described in the Tax Foreclosure List and
11 the amount of taxes which remain delinquent and unpaid as of August 24, 2022 .

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14 Where reference is made to a map, tax lot number and account/reference number in
15 describing any parcel of property in the Tax Foreclosure List, such reference is to the record as
16 of January 1, 2022, made and kept by the Office of Malheur County Assessor, which said record
17 is a public record under ORS 308.240.

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20 Defendants above named, including any unknown owners, have or claim to have some
21 interest or estate in the properties described in the Tax Foreclosure List, but whatever interest or
22 estate they may have or claim to have is inferior and subject to the tax liens of Plaintiff.
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As to each of the properties described in the Tax Foreclosure List that are held under outstanding registration of title certificates, Plaintiff will apply to the court for cancellation of all such certificates and for authorization to take such action as is necessary under Oregon law so as to properly vest title to such properties of record in the Plaintiff.

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Each of the properties described in the Tax Foreclosure List was duly listed for taxation in or for each of the specified years and the assessments, equalizations, levies of taxes and all other acts required by law to make such taxes first liens on said properties were duly and regularly made and done, and that the liens and claims of Plaintiff to each of the several properties are first liens and paramount to any other interest, title estate or claim in or to any of said properties.

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Upon sale of the foreclosed properties, Plaintiff may require the assistance of this court to remove persons and property unlawfully occupying foreclosed properties.

WHEREFORE, Plaintiff prays for General Judgment of this court for the full amount of taxes, special assessments, fees or other charges, and interest due on and charged against each of the several properties on the Tax Foreclosure List, together with interest thereon at the rate of sixteen percent (16%) per annum from September 15, 2022 to the date of such General

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Judgment, and accruing interest on said General Judgment at the legal rate of interest per annum thereafter; and

For a General Judgment that the amounts of such taxes, special assessments, fees or other charges and interest are first liens on the respective parcels of real property included in the Tax Foreclosure List; and that such liens are paramount and superior to any and all claims to such properties by defendants, or any of them by any person known or unknown, owing or claiming to own, or having or claiming to have any lien thereon, or right, title or interest therein, and that each and all of them be forever foreclosed and barred from asserting any claims whatsoever to any of said real properties adverse to the liens and claims of Plaintiff, its successors or assigns, excepting only the right of redemption provided by law; and that the several properties against which the General Judgment is entered shall be ordered sold to Malheur County for the respective amounts of taxes and interest for which such properties are severally liable; and

That the Clerk of the Court be directed to serve on the Tax Collector of Malheur County, a certified copy of the General Judgment, included in which shall be a list of the properties so ordered sold, with the amounts due thereon; and that said General Judgment, shall constitute and be considered to all intents and purposes a certificate of sale to Malheur County for each of the properties therein described; that where any parcel of real property covered by such General Judgment is under a registration of title certificate, such certificate shall be cancelled, and that such further action shall be taken under the provision of Oregon Laws so as to properly vest title to such properties in the Plaintiff; that said Tax Collector shall take further steps in the matter as are provided by law; and for such other and further relief as may be just and equitable in the

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premises, including as appropriate the remedies of Writ of Assistance or Writ of Execution to obtain possession of the foreclosed properties.

Dated this 24th day of August 2022.

s/Stephanie Williams _____
County Counsel, Malheur County, Oregon
OSB #925449
swilliams@malheurco.org
Attorney for Plaintiff

2022 FORECLOSURE LIST

TAX YEAR	TAX AMT	INT TO 9/15/2022	TOTAL AMOUNT
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MAP/LOT 18S4703CA 7200 CODE- 1			
ACCT#- 338 THE BIG HORN OIL CO LLC			
2018/19	1,189.92	682.18	1,872.10
2019/20	1,102.95	455.85	1,558.80
2020/21	1,061.93	268.98	1,330.91
2021/22	1,059.75	98.88	1,158.63
TOTAL	4,414.55	1,505.89	5,920.44

MAP/LOT 40S40 700 CODE- 41			
ACCT#- 12748 BRADLEY MINING CO			
2018/19	115.56	66.24	181.80
2019/20	114.01	47.13	161.14
2020/21	117.94	29.88	147.82
2021/22	120.99	11.29	132.28
TOTAL	468.50	154.54	623.04

MAP/LOT 32S4103 1300 CODE- 39			
ACCT#- 12138 GERTRUDE SPELL CONRAD			
2018/19	2.71	1.56	4.27
2019/20	2.80	1.15	3.95
2020/21	2.86	.72	3.58
2021/22	3.11	.29	3.40
TOTAL	11.48	3.72	15.20

MAP/LOT 32S4105 300 CODE- 39			
ACCT#- 12142 CAROLE A DOYLE			
2018/19	20.81	11.94	32.75
2019/20	21.40	8.85	30.25
2020/21	21.97	5.56	27.53
2021/22	23.79	2.22	26.01
TOTAL	87.97	28.57	116.54

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<u>TAX</u>	<u>TAX</u>	<u>INT TO</u>	<u>TOTAL</u>
<u>YEAR</u>	<u>AMT</u>	<u>9/15/2022</u>	<u>AMOUNT</u>

MAP/LOT 19S4732AA	3200	CODE-	2
ACCT#-	3870	DORA GRUNIG	
		JUAN PEREZ	
2018/19	149.63	81.40	231.03
2019/20	338.82	140.04	478.86
2020/21	347.42	88.00	435.42
<u>2021/22</u>	<u>356.52</u>	<u>33.26</u>	<u>389.78</u>
TOTAL	1,192.39	342.70	1,535.09

MAP/LOT 31S41	19500	CODE-	39
ACCT#-	11992	MARY A HORGAN	
2018/19	10.60	6.07	16.67
2019/20	10.88	4.50	15.38
2020/21	11.17	2.83	14.00
<u>2021/22</u>	<u>12.10</u>	<u>1.14</u>	<u>13.24</u>
TOTAL	44.75	14.54	59.29

MAP/LOT 18S44	4500	CODE-	43
ACCT#-	13333	GREGORY JAGER	
2018/19	276.29	158.39	434.68
2019/20	280.75	116.04	396.79
2020/21	286.05	72.46	358.51
<u>2021/22</u>	<u>305.51</u>	<u>28.51</u>	<u>334.02</u>
TOTAL	1,148.60	375.40	1,524.00

MAP/LOT 18S44	4500	CODE-	43
ACCT#-	900542	GREGORY JAGER	
2018/19	110.47	63.33	173.80
2019/20	103.15	42.63	145.78
2020/21	86.76	21.98	108.74
<u>2021/22</u>	<u>95.81</u>	<u>8.94</u>	<u>104.75</u>
TOTAL	396.19	136.88	533.07

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<u>TAX</u>	<u>TAX</u>	<u>INT TO</u>	<u>TOTAL</u>
<u>YEAR</u>	<u>AMT</u>	<u>9/15/2022</u>	<u>AMOUNT</u>

MAP/LOT 15S4224CB	401	CODE-	9
ACCT#-	5704	GEORGE	OHM
2018/19	1.95	1.12	3.07
2019/20	2.00	.83	2.83
2020/21	2.02	.52	2.54
<u>2021/22</u>	<u>2.15</u>	<u>.21</u>	<u>2.36</u>
TOTAL	8.12	2.68	10.80

MAP/LOT 32S4131	300	CODE-	39
ACCT#-	12225	GEORGE	OHM
2018/19	5.25	3.00	8.25
2019/20	5.40	2.23	7.63
2020/21	5.52	1.40	6.92
<u>2021/22</u>	<u>6.00</u>	<u>.57</u>	<u>6.57</u>
TOTAL	22.17	7.20	29.37

MAP/LOT 18S4707	4100	CODE-	1
ACCT#-	7695	ONTARIO	AVIATION INC
2018/19	33.22	19.05	52.27
2019/20	33.09	13.68	46.77
2020/21	33.59	8.51	42.10
<u>2021/22</u>	<u>34.56</u>	<u>3.22</u>	<u>37.78</u>
TOTAL	134.46	44.46	178.92

MAP/LOT 15S4224CB	407	CODE-	9
ACCT#-	5710	THOMAS	HOWARD PINKERTON
2018/19	4.00	2.29	6.29
2019/20	4.11	1.70	5.81
2020/21	4.19	1.06	5.25
<u>2021/22</u>	<u>4.46</u>	<u>.42</u>	<u>4.88</u>
TOTAL	16.76	5.47	22.23

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<u>TAX</u>	<u>TAX</u>	<u>INT TO</u>	<u>TOTAL</u>
<u>YEAR</u>	<u>AMT</u>	<u>9/15/2022</u>	<u>AMOUNT</u>

MAP/LOT 18S4710BA 9200 CODE- 1			
ACCT#-	3038	RICHARD PONCE	
		JOSIE H PONCE	
2018/19	982.49	563.27	1,545.76
2019/20	1,079.54	446.18	1,525.72
2020/21	1,108.30	280.73	1,389.03
2021/22	1,138.83	106.25	1,245.08
TOTAL	4,309.16	1,396.43	5,705.59

MAP/LOT 18S4704CC 2100 CODE- 1			
ACCT#-	982	L.W. & GLENDA SATHER FAMILY TRUST	
		L.W. SATHER, TRUSTEE	
		GLENDA SATHER, TRUSTEE	
2018/19	3,006.73	1,708.65	4,715.38
2019/20	3,667.74	1,515.88	5,183.62
2020/21	3,766.51	954.06	4,720.57
2021/22	3,871.32	361.20	4,232.52
TOTAL	14,312.30	4,539.79	18,852.09