

AGENDA COVER MEMORANDUM**Agenda Date: June 28, 2003**

DATE: June 3, 2003**TO:** Board of County Commissioners**DEPARTMENT:** Management Services**PRESENTED BY:** Jeff Turk, Property Management Officer**SUBJECT:** ORDER/IN THE MATTER OF AUTHORIZING THE SALE OF SURPLUS COUNTY OWNED REAL PROPERTY TO RICKEY F. AND MARY JANE JOHNSON (MAP # 17-01-31-20-01800, ADJACENT TO 87796 COLLINS LANE, SPRINGFIELD)

1. **PROPOSED MOTION:** THE BOARD OF COUNTY COMMISSIONERS MOVES TO AUTHORIZE THE SALE OF SURPLUS COUNTY OWNED REAL PROPERTY TO RICKEY F. AND MARY JANE JOHNSON (MAP # 17-01-31-20-01800, ADJACENT TO 87796 COLLINS LANE, SPRINGFIELD)

2. **ISSUE/PROBLEM:** Mr. and Mrs. Johnson have submitted an offer of \$1,800 for the subject property. Does the Board wish to accept the offer.

3. **DISCUSSION:**

3.1 Background

The subject property was acquired through tax foreclosure in September 1992. The property is approximately .32 acre and is zoned RR2 (it is outside the UGB of Springfield). No legal lot verification has been done but it is likely a legal lot as it was created in July, 1951. The subject has an assessed value of \$16,495.

The subject has been offered at several Sheriff's sales since it was acquired. It was offered at a sale in 1993 with a minimum bid of \$13,000; in 1995 it was offered with a minimum bid of \$11,000; in 1997 it was offered for \$10,000. It was most recently offered at a sale in December, 2002 with a minimum bid of \$6,000. Each time the property was offered at a Sheriff's sale, notice has been sent to the adjoining owners. Some inquiries on the property have been made over the years no serious negotiations occurred nor firm offers submitted.

The ability to develop the property with a dwelling is questionable. Given its size and shape, it will be difficult to site a well and septic to conform with requirements (generally, the well and drain field need to be 100' apart). The use of a sand filter system, which reduces the required size of a drain field, may be possible but adds approximately \$10,000 - \$15,000 in development costs over a conventional septic system.

The Johnson's have indicated they may build a garage/shop for personal use on the property.

3.2 Analysis

The property has been in inventory since 1992 and has been offered at multiple Sheriff sales without success. No inquiries about the property have been received from an adjoining owner. The Johnson's have indicated a desire to improve the property with a shop thereby adding value to it. Selling the property to them will return it to private ownership and the tax roll.

Pursuant to ORS 275.200, property that did not sell at a Sheriff's sale can be sold at private sale without further notice but for not less than 15% of its minimum bid at the Sheriff's sale. The \$1,800 offer exceeds 15% of the \$6,000 minimum bid at the December 2002 sale.

3.3 Alternatives/Options

The Board can reject the offer and direct staff to continue negotiations for greater consideration or re-offer the parcel at a future Sheriff's sale.

3.4 Recommendation

It is recommended that the offer be accepted.

3.5 Timing

None.

4. **IMPLEMENTATION/FOLLOW-UP:** Upon approval by the Board of County Commissioners, the Quitclaim Deed will be executed and the property will be sold.
5. **ATTACHMENTS:**
 - Board Order
 - Quitclaim Deed
 - Tax Map

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO.

IN THE MATTER OF AUTHORIZING THE SALE OF SURPLUS
COUNTY OWNED REAL PROPERTY TO RICKEY F. AND
MARY JANE JOHNSON (MAP # 17-01-31-20-01800, ADJACENT
TO 87796 COLLINS LANE, SPRINGFIELD)

WHEREAS this matter now coming before the Lane County Board of Commissioners and said Board deeming it in the best interest of Lane County to sell the following real property which was acquired through tax foreclosure, to wit:

Beginning at a point which is 171.4 feet North 0° 40' East and which is 221.64 feet North 63° 48' West from a point in the East line of the Lands of John Endicott in Section 31, Township 17 South, Range 1 West of the Willamette Meridian, the description of which lands is recorded in Volume 151 on page 425 Lane County Record of Deeds, Lane County, Oregon; said last mentioned point being 2045.67 feet South 0° 40' West of a point which is North 89° 30' East 151.14 feet from the ¼ corner of the North line of said Section 31; from said point of beginning run; N 0° 40' East 140.0 feet; thence North 78° 45' West 101.4 feet; thence south 0° 40' East 100 feet thence Southeasterly to the point of beginning of the tract herein conveyed, all in Lane County Oregon; EXCEPTING THEREFROM that portion out to public road by deed recorded on Reel 343, Reception No. 82480, Lane County Oregon Deed Records and SUBJECT TO any and all roads or roadways created by that certain deed to the Public, dated February 24, 1948 (map # 17-01-31-20-01800)

WHEREAS said real property is owned by Lane County and not in use for County purposes, and sale of said property would benefit Lane County by its return to the tax roll, and

WHEREAS said parcel was offered at a Sheriff's sale on December 9, 2002 with a minimum bid of \$6,000 and

WHEREAS no bids were received for said parcel and it remained unsold at the close of said sale

IT IS HEREBY ORDERED that pursuant to ORS 275.200 and ORS 275.275, the parcel be sold to Rickey F. and Mary Jane Johnson for \$1,800, that the Quitclaim Deed be executed by the Board and that the proceeds be disbursed as follows:

Foreclosure Fund	(228-5570270-446120)	\$1,707
General Fund	(124-5570260-436521)	93

IT IS FURTHER ORDERED, that this Order shall be entered into the records of the Board of Commissioners of the County.

DATED this _____ day of _____, 2003

APPROVED AS TO FORM

Date 6-9-03 lane county


OFFICE OF LEGAL COUNSEL

Peter Sorenson, Chair
Lane County Board of Commissioners

IN THE MATTER OF AUTHORIZING THE SALE OF SURPLUS COUNTY OWNED REAL PROPERTY TO
RICKEY F. AND MARY JANE JOHNSON (MAP # 17-01-31-20-01800, ADJACENT TO 87796 COLLINS LANE,
SPRINGFIELD)

QUITCLAIM DEED

LANE COUNTY, a political subdivision of the State of Oregon, pursuant to Order No. _____ of the Board of County Commissioners of Lane County, releases and quitclaims to:

Rickey F. Johnson and Mary Jane Johnson

all its right, title and interest in that real property situated in Lane County, State of Oregon, described as:

See Attached Exhibit "A"

THIS INSTRUMENT WILL 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 APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS. 30.930.

The true and actual consideration for this transfer is \$1,800.00

LANE COUNTY BOARD OF COMMISSIONERS

STATE OF OREGON)
) ss
COUNTY OF LANE)

On _____, 2003 personally appeared _____,

_____, County Commissioners for Lane County, and acknowledged the foregoing instrument to be their voluntary act. Before me:

Notary Public for Oregon

My Commission Expires _____

After recording, return to/taxes to:
Rickey and Mary Jane Johnson
39967 Deerhorn Rd.
Springfield, OR 97478

EXHIBIT "A"

**Lane County to Rickey F. and Mary Jane Johnson
Map no. 17-01-31-20-01800**

Beginning at a point which is 171.4 feet North 0° 40' East and which is 221.64 feet North 63° 48' West from a point in the East line of the Lands of John Endicott in Section 31, Township 17 South, Range 1 West of the Willamette Meridian, the description of which lands is recorded in Volume 151 on page 425 Lane County Record of Deeds, Lane County, Oregon; said last mentioned point being 2045.67 feet South 0° 40' West of a point which is North 89° 30' East 151.14 feet from the ¼ corner of the North line of said Section 31; from said point of beginning run; N 0° 40' East 140.0 feet; thence North 78° 45' West 101.4 feet; thence south 0° 40' East 100 feet thence Southeasterly to the point of beginning of the tract herein conveyed, all in Lane County Oregon; EXCEPTING THEREFROM that portion out to public road by deed recorded on Reel 343, Reception No. 82480, Lane County Oregon Deed Records and SUBJECT TO any and all roads or roadways created by that certain deed to the Public, dated February 24, 1948 (map # 17-01-31-20-01800)

See Map 1

