

AGENDA COVER MEMORANDUM**Agenda Date: May 14, 2003**

DATE: April 30, 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 THE CITY OF SPRINGFIELD (MAP # 17-03-27-42-01003, LOCATED WITHIN THE OLYMPIC STREET RIGHT OF WAY NEAR RAINBOW DRIVE, SPRINGFIELD)

1. **PROPOSED MOTION:** THE BOARD OF COUNTY COMMISSIONERS MOVES TO AUTHORIZE THE SALE OF SURPLUS COUNTY OWNED REAL PROPERTY TO THE CITY OF SPRINGFIELD (MAP # 17-03-27-42-01003, LOCATED WITHIN THE OLYMPIC STREET RIGHT OF WAY NEAR RAINBOW DRIVE, SPRINGFIELD)
2. **ISSUE/PROBLEM:** The City of Springfield wishes to purchase from the county a 1' reserve strip located within the right of way of Olympic Street. Consideration for the purchase would be \$1.00.
3. **DISCUSSION:**

3.1 Background

The subject property was acquired through tax foreclosure in December 1986. The subject is a 1' reserve strip that is located within Olympic Street. Reserve strips were included in approved subdivisions to prevent development beyond the approved area. The 1' strips would be located at the end of dedicated streets at the edge of the approved subdivision. The strips would not become part of the dedicated road thereby preventing access to undeveloped areas beyond the approved subdivision. When the area beyond the reserve strip acquires approval for development, the appropriate local jurisdiction dedicates the strip and it becomes part of the right of way.

The reserve strips are technically part of the right of way when a subdivision is approved however, the dept. of Assessment & Taxation set up tax accounts for many of these strips in the name of the developer. Taxes were not paid and the strips were eventually foreclosed upon.

3.2 Analysis

The City of Springfield has never formally “released” the reserve strip. Development has occurred beyond the strip and the city would like to clear up any ambiguities caused by the tax foreclosure. Having the county quitclaim its interest in the strip will do this.

Selling the property to the city through statutes allowing a private sale would be the simplest way to rectify the matter. ORS 275.225 provides for selling County owned real property at private sale which has an assessed value under \$5,000 and is not suited for the placement of a dwelling under current zoning and building ordinances. Notice of a proposed sale of the subject was published in the Register Guard on April 28, 2003. The County may sell the subject not less than 15 days from the date of publication of the notice at a price determined by the Board. The subject parcel has a current assessed value of \$500 and qualifies for private sale pursuant to ORS 275.225.

3.3 Alternatives/Options

The Board can reject the offer and direct staff to continue negotiations for greater consideration or retain the parcel.

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

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:

CITY OF SPRINGFIELD

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

Parcel "A", YOUNGSTOWN, as platted and recorded in File 73, Slide 189, Lane County Oregon Plat Records, Lane County, Oregon (map # 17-03-27-42-01003).

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 \$1.00

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:

After recording, return to/taxes to:
City of Springfield
225 Fifth Street
Springfield, OR 97477

Notary Public for Oregon

My Commission Expires _____

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 THE CITY OF SPRINGFIELD (MAP # 17-03-27-42-01003, LOCATED WITHIN THE OLYMPIC STREET RIGHT OF WAY NEAR RAINBOW DRIVE, 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:

Parcel "A", YOUNGSTOWN, as platted and recorded in File 73, Slide 189, Lane County Oregon Plat Records, Lane County, Oregon.

WHEREAS said real property is owned by Lane County and not in use for County purposes and

WHEREAS said real property is assessed under \$5,000 on the most recent tax roll and is unsuited for the placement of a dwelling and

WHEREAS notice of the County's intent to sell said real property was published on April 28, 2003 in the Eugene Register-Guard and sale of said real property shall occur 15 days after publication of said notice

IT IS HEREBY ORDERED that, pursuant to ORS 275.225 and ORS 275.275, the real property identified as map # 17-03-27-42-01003 be sold to the City of Springfield for \$1.00, that the Quitclaim Deed be executed and that the proceeds be disbursed as follows:

Foreclosure Fund	(228-5570270-446120)	\$1.00
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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.

Peter Sorensen, Chair, Board of County Commissioners

IN THE MATTER OF AUTHORIZING THE SALE OF SURPLUS COUNTY OWNED REAL PROPERTY TO THE CITY OF SPRINGFIELD (MAP # 17-03-27-42-01003, LOCATED WITHIN THE OLYMPIC STREET RIGHT OF WAY NEAR RAINBOW DRIVE, SPRINGFIELD)

APPROVED AS TO FORM

Date 5-5-03 lane county,


OFFICE OF LEGAL COUNSEL

SEE MAP 17 03 27 3 !

YOUNGSTOWN

RAINBOW DRIVE

OLYMPIC ST.

SUBJECT PROPERTY 013
TL17 03 27 42 01003 10

(5200)

N. 87° 38' 48" W. (GRID) = WEST -

- 1/16 COR

“N”

STRE

