

**AGENDA COVER MEMO**

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DATE: March 31, 2004

TO: Lane County Board of Commissioners

DEPT.: Public Works

PRESENTED BY: Frank Simas  
Real Property Manager

AGENDA ITEM TITLE: In the Matter of Authorizing the Signing of a Replacement Quitclaim Deed Conveying Property Described as Map No. 16-04-28, Tax Lot 100 to Darwin White and Joyce White.

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I. MOTION

THAT THE ORDER BE ADOPTED AUTHORIZING A REPLACEMENT QUITCLAIM DEED CONVEYING TITLE TO REAL PROPERTY TO DARWIN WHITE AND JOYCE WHITE.

II. ISSUE OR PROBLEM

The deed that Lane County delivered to Darwin White and Joyce White in 1998 in fulfillment of a Land Sales Contract has been lost. The deed had never been recorded, and the estate of the vendee is now asking for a replacement deed.

III. DISCUSSION

A. Background

Lane County sold an 8.85 acre parcel of land near the intersection of Prairie Road and Meadowview Lane by Sheriff's Sale held on December 7, 1989. Darwin White and Joyce White purchased the property for \$35,000 on a Land Sales Contract. They fulfilled the contract and were given a Quitclaim Deed. Unfortunately, the deed was never recorded, and Mr. White is now deceased. The attorney for the estate of Darwin White has requested that Lane County execute a replacement deed.

**B. Analysis**

Execution and recordation of a replacement Quitclaim Deed will assist in settling the estate of Mr. White, and is also necessary to divest the County of any remaining interest in the property. The sale of the property was authorized by Order 90-1-3-11, dated January 3, 1990, and the attached Quitclaim Deed is an exact duplicate of the original.

**C. Alternatives/Options**

1. Authorize the execution of the attached Quitclaim Deed.
2. Direct staff otherwise.

**D. Recommendations**

Alternative #1 is recommended.

**IV. IMPLEMENTATION/FOLLOW-UP**

After the Quitclaim Deed has been signed by the County Commissioners and notarized, it can be returned to Right of Way Management for recording and delivery to the estate of Mr. White.

**V. ATTACHMENTS**

Quitclaim Deed

After Recording Return to, and  
Send Tax Statements to:  
Joyce White  
29888 East Enid Road  
Eugene, Oregon 97402

RECORDING INFORMATION

DO NOT WRITE IN THIS SPACE

**QUITCLAIM DEED**

**LANE COUNTY**, a political subdivision of the State of Oregon, hereinafter called **GRANTOR**, for the true and actual consideration of Thirty Five Thousand Dollars, does hereby release and quitclaim to **DARWIN WHITE** and **JOYCE WHITE**, all their right, title and interest in that real property situated in Lane County, State of Oregon, described as follows:

A parcel of land lying in the Southwest one-quarter of the Northeast one-quarter (SW ¼ NE ¼) of Section 28, Township 16 South, Range 4 West of the Willamette Meridian, Lane County, Oregon and being all that tract of land conveyed to LANE COUNTY, a political subdivision of the State of Oregon, by that certain deed recorded December 20, 1982 on Reel 1224, Recorder's Reception Number 8238064, LANE COUNTY OREGON DEED RECORDS; and being described as follows:

"Beginning at the Southwest corner of Government Lot 1, Section 28, Township 16 South, Range 4 West of the Willamette Meridian and running thence East on the South line of said Lot 1, 10 chains (660 feet); thence North 10 chains (660 feet); thence West 10 chains (660 feet); thence South 10 chains (660 feet) to the place of beginning, in Lane County, Oregon."

The above description is based upon True Bearings.

**EXCEPT THEREFROM:** All that portion lying Westerly of a line 35 feet easterly of the centerline of Prairie Road (County Road Number 203), as said road was resurveyed in 1982; the centerline being described as follows:

Beginning at Engineers' Centerline Station L 174+00.00 POT, said station being 8,760.56 feet North and 2,183.98 feet West of the Brass Cap marking the Southeast (SE) corner of Section 33, Township 16 South, Range 4 West of the Willamette Meridian, Lane County, Oregon; run thence South 1° 46' 38" West, 145.80 feet to Engineers' Centerline Station L 175+45.80 POT Bk = L3 175+45.80 PC Ah; thence along a 1,145.92 foot radius curve left (the long chord of which bears South 14° 23' 22" East, 638.12 feet) a distance of 646.67 feet; thence South 30° 33' 22" East, 113.69 feet to Engineers' Centerline Station L3 183+06.16 PC and there ending, in Lane County, Oregon.

The bearings used in this centerline description are based upon the Oregon Coordinate System of 1927, South Zone.

The parcel of land to which this description applies contains 8.85 acres, more or less, exclusive of existing right of way.



**IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY  
STATE OF OREGON**

**ORDER NO.**

(IN THE MATTER OF AUTHORIZING THE  
(SIGNING OF A REPLACEMENT QUITCLAIM  
(DEED CONVEYING PROPERTY DESCRIBED AS  
(MAP NO. 16-04-28, TAX LOT 100 TO DARWIN  
(WHITE AND JOYCE WHITE.

WHEREAS, a Sheriffs Sale was held on December 7, 1989, and four parcels were offered to the public for sale; and

WHEREAS, per Order 90-1-3-11, the approximate 8.85 acre parcel of land described as Map No. 16-04-28 Tax Lot 100, was sold to Darwin White and Joyce White on a Contract of Sale; and

WHEREAS, said contract was fulfilled on February 4, 1998, and a Quitclaim Deed was given to Darwin White and Joyce White; and

WHEREAS, said Quitclaim Deed was never recorded by the purchasers and has apparently been lost; and

WHEREAS, Darwin White is now deceased and the attorney for the estate has petitioned Lane County for a replacement Quitclaim Deed; and

NOW THEREFORE BE IT ORDERED, it will serve the public interest to provide another Quitclaim Deed to Darwin White and Joyce White to divest Lane County of any remaining interest in the property.

IT IS FURTHER ORDERED that the Lane County Board of Commissioners sign the Quitclaim Deed and this Order be entered into the records of the Board of County Commissioners' Journal of Administration of Lane County, Oregon.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
Chair  
Lane County Board of Commissioners

4-12-04  
*[Handwritten Signature]*