

AGENDA COVER MEMORANDUM

W. G. B. 3

Agenda Date: December 1, 2004

DATE: November 16, 2004

TO: Board of County Commissioners

DEPARTMENT: Management Services

PRESENTED BY: Jeff Turk, Property Management Officer 2

SUBJECT: ORDER/IN THE MATTER OF AUTHORIZING THE SALE OF SURPLUS COUNTY OWNED REAL PROPERTY TO ROSEBURG RESOURCES CO. (MAP # 20-06-00-00-03500, LOCATED SOUTHEAST OF ALMA IN UNPOPULATED FOREST LANDS)

1. **PROPOSED MOTION:** THE BOARD OF COUNTY COMMISSIONERS MOVES TO AUTHORIZE THE SALE OF SURPLUS COUNTY OWNED REAL PROPERTY TO ROSEBURG RESOURCES CO. (MAP # 20-06-00-00-03500, LOCATED SOUTHEAST OF ALMA IN UNPOPULATED FOREST LANDS)
2. **ISSUE/PROBLEM:** Roseburg Resources Co., the adjoining owner, has submitted an offer of \$5,000 for the subject property. The sale would be pursuant to ORS 275.225 which provides for selling county property without first being offered at a public sale (auction).

The Board is being asked to accept or reject the offer.

3. **DISCUSSION:**

- 3.1 Background

The subject parcel was acquired through property tax foreclosure in July, 1967. The subject is .92 acres with approximately .6 acres of useable land due to a road that bisects the property. The subject is zoned F1 (non-impacted forest land) and is likely a legal lot of record (no official determination of legal lot status has been done). The subject parcel has an assessed value of \$512. The file indicates that the property had been withheld from a Sheriff's sale by virtue of a Board Order issued in April, 1968 (the subject was one of several properties included in the Order). No specific reason was given in the Order other than "hold for further investigation". Roseburg Resources owns the property that surrounds the subject (tax lot 3501, 319 acres).

The sale price of the subject reflects the value of the standing timber present which was approximately 17,000 board feet (mbf). Volume was based on a cruise performed by Roseburg Resources. The cruise was consistent with volumes present on the adjoining property owned by Roseburg Resources which were determined prior to the subject being evaluated. Roseburg Resources has supplied a detailed analysis of their cruises as well as supporting data from the state Dept. of Forestry. The price per thousand board feet after deduction of logging costs was negotiated to be \$326 (\$250/mbf for logging costs). Subtraction of incidental closing costs resulted in Roseburg Resources \$5,000 offer. Roseburg Resources has also indicated that it may wish to close the transaction via a 1031 Exchange at no additional cost to the county.

3.2 Analysis

The subject's value is primarily due to the merchantable timber present as it does not have any development potential with respect to a dwelling due to its F1 zoning. Given the relatively small volume and value of the timber, harvest operations by a party that does not already have a presence in the area may not be cost effective.

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 Friday, October 29, 2004. The County may sell the subject not less than 15 days from the date of publication of the notice. The subject parcel has a current assessed value of \$512 and qualifies for private sale pursuant to ORS 275.225.

3.3 Alternatives/Options

1. Sell the parcel to Roseburg Resources Co. pursuant to their offer.
2. Reject the offer and direct staff to negotiate other sale terms than those offered.
3. Offer the parcel at a public auction.
4. Retain the parcel in county inventory.

3.4 Recommendation

It is recommended that Roseburg Resources Co.'s offer be accepted and the property sold.

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 sold.
5. **ATTACHMENTS:**
 - Board Order
 - Quitclaim Deed
 - Plat 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 ROSEBURG RESOURCES CO.
(MAP # 20-06-00-00-03500, LOCATED
SOUTHEAST OF ALMA IN UNPOPULATED
FOREST LANDS)

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:

A parcel of land 200 feet square situated in the SW ¼ of the NE ¼ of Section 20, Township 20 South, Range 6 West of the Willamette Meridian, near the SW corner thereof, the center point on the Westerly boundary being the point where the existing roadway intersects the West Line of the said NE ¼ of said Section 20, all in Lane County, Oregon (map # 20-06-00-00-03500).

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 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 October 29, 2004 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 be sold to Roseburg Resources Co. for \$5,000, that the Quitclaim Deed be executed and that the proceeds be disbursed as follows:

| | | |
|------------------|----------------------|---------|
| Foreclosure Fund | (228-5570270-446120) | \$4,950 |
| General Fund | (124-5570260-436521) | 50 |

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

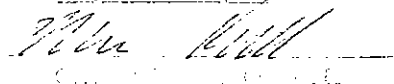
DATED this _____ day of _____, 20____.

Bobby Green, Chair, Lane County Board of Commissioners

IN THE MATTER OF AUTHORIZING THE SALE OF SURPLUS COUNTY OWNED REAL PROPERTY TO ROSEBURG RESOURCES CO. (MAP # 20-06-00-00-03500, LOCATED SOUTHEAST OF ALMA IN UNPOPULATED FOREST LANDS)

APPROVED AS TO FORM

Date 11-22-04 Lane County



County Clerk

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:

Roseburg Resources Co.

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

A parcel of land 200 feet square situated in the SW ¼ of the NE ¼ of Section 20, Township 20 South, Range 6 West of the Willamette Meridian, near the SW corner thereof, the center point on the Westerly boundary being the point where the existing roadway intersects the West Line of the said NE ¼ of said Section 20, all in Lane County, Oregon (map # 20-06-00-00-03500).

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 \$5,000.00

LANE COUNTY BOARD OF COMMISSIONERS

STATE OF OREGON)
) ss
COUNTY OF LANE)

On _____, 2004 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:
Roseburg Resources Co.
PO Box 1088
Roseburg, OR 97470

