

W-10-C.

AGENDA COVER MEMORANDUM

Agenda Date: February 25, 2004

DATE: February 11, 2004

TO: Board of County Commissioners

DEPARTMENT: Management Services

PRESENTED BY: Jeff Turk, Property Management Officer 2

SUBJECT: ORDER/IN THE MATTER OF ACCEPTING A BID TENDERED AT A SHERIFF'S SALE HELD ON FEBRUARY 12, 2004 FOR SURPLUS COUNTY OWNED REAL PROPERTY AND SELLING SAID REAL PROPERTY TO THE RESPECTIVE BIDDER (MAP # 18-03-13-20-03900, FORMER PROPERTY OF THE SEAVY LOOP WATER CO.)

1. **PROPOSED MOTION:** THE BOARD OF COUNTY COMMISSIONERS MOVES TO ACCEPT A BID TENDERED AT A SHERIFF'S SALE HELD ON FEBRUARY 12, 2004 FOR SURPLUS COUNTY OWNED REAL PROPERTY AND SELLING SAID REAL PROPERTY TO THE RESPECTIVE BIDDER (MAP # 18-03-13-20-03900, FORMER PROPERTY OF THE SEAVY LOOP WATER CO.)
2. **ISSUE/PROBLEM:** Pursuant to Order No. 04-1-16-1, a Sheriff's sale of surplus, county owned real property was held on February 12, 2004. Only one parcel was offered – the former property of the Seavy Loop Water Co.. Ravin, LLC was the high bidder with a bid of \$11,000. Board action is required to accept the bid that was received and to execute the quitclaim deed conveying the parcel.
3. **DISCUSSION:**

3.1 Background

The county acquired the parcel through tax foreclosure. The parcel contains the well and machinery to supply water to approximately 40 homes in a subdivision off of Seavy Lp. Rd. The Seavy Loop Water Co. had been the utility operating the water system.

Subsequent to the foreclosure, Commissioner Hampton and county staff met with the water users to explain the situation and receive input from the customers. At the conclusion of the meeting, the customers wished to have the county lease the property to a company that was able to operate the system until the county sold the property. The Board was agreeable and the county entered into an agreement with Oregon Water Services to operate the system.

Two parties were active in bidding. Ravin, LLC was the high bidder at \$11,000. The minimum bid set for the parcel was \$6,000. Additional terms included the requirement that the property be used to supply domestic water to users of the system.

3.2 Analysis

The bid conformed to the terms of the sale and the required deposit was remitted. Ravin, LLC is the entity currently operating the system under a license agreement with the county which will make for a seamless transition when the sale closes. Ravin operates other water systems in Lane County and has a record of being a reliable operator. A condition in the deed conveying the property to require that the property be used to supply domestic water will help insure that the property continues as the water source for homes being serviced.

3.4 Recommendation

It is recommended that the bid be accepted, the quitclaim deed executed and the property sold to Ravin, LLC.

3.5 Timing The property should be transferred as soon as possible to remove any further obligations the county may have for the water system.

4. **IMPLEMENTATION/FOLLOW-UP:** Upon approval by the Board of County Commissioners the sale of the parcel will be finalized.
5. **ATTACHMENTS:**
 - Board Order
 - Quitclaim Deed
 - Plat Map

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO.

IN THE MATTER OF ACCEPTING A BID TENDERED AT A SHERIFF'S SALE HELD ON FEBRUARY 12, 2004 FOR SURPLUS COUNTY OWNED REAL PROPERTY AND SELLING SAID REAL PROPERTY TO THE RESPECTIVE BIDDER (MAP # 18-03-13-20-03900, FORMER PROPERTY OF THE SEAVY LOOP WATER CO.)

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:

Lot "A", Block 3, SEAVY LOOP PARK, as platted and recorded in Book 36, Page 14, Lane County Oregon Plat Records, Lane County, Oregon (Map # 18-03-13-20-03900)

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

WHEREAS pursuant to Order No. 04-1-16-1 a Sheriff's sale for said property was held on February 12, 2004 with a minimum bid of \$6,000 for said real property and a bid was received for \$11,000 and

WHEREAS, said real property contains the water system to supply domestic water to approximately 40 homes

IT IS HEREBY ORDERED that pursuant to ORS Chapter 275 the real property be sold to Ravin, LLC for \$11,000, that the Quitclaim Deed be executed with conditions requiring said property to be used to supply domestic water to water system users and that the proceeds be disbursed as follows:

Foreclosure Fund	(228-5570270-446120)	\$10,906
General Fund	(124-5570260-436521)	94

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____.

APPROVED AS TO FORM
Date 2/13/04 lane county
[Signature]
OFFICE OF LEGAL COUNSEL

Bobby Green, Chair,
Lane County Board of Commissioners

IN THE MATTER OF ACCEPTING A BID TENDERED AT A SHERIFF'S SALE HELD ON FEBRUARY 12, 2004 FOR SURPLUS COUNTY OWNED REAL PROPERTY AND SELLING SAID REAL PROPERTY TO THE RESPECTIVE BIDDER (MAP # 18-03-13-20-03900, FORMER PROPERTY OF THE SEAVY LOOP WATER CO.)

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:

Ravin, LLC

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

Lot "A", Block 3, SEAVY LOOP PARK, as platted and recorded in Book 36, Page 14, Lane County Oregon Plat Records, Lane County, Oregon (Map # 18-03-13-20-03900)

The property subject to this grant includes the real property, machinery and infrastructure of a domestic water supply system. This grant is conditioned upon Grantee, its successors, assigns and heirs, using the herein conveyed property to supply domestic water, pursuant to local, state and federal regulations, to properties served by the water system

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 \$11,000

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:
Ravin, LLC
727 Wilson St.
Eugene, OR 97402

