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## AGENDA COVER MEMO

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DATE: June 30, 2004

TO: Lane County Board of Commissioners

DEPT.: Public Works

PRESENTED BY: Frank Simas, Right of Way Manager

AGENDA ITEM TITLE: In The Matter of Authorizing a Sheriff's Sale of Surplus County-Owned Real Property Identified as Assessor's Map 18-03-11-30, Tax Lot 1800, Located at 88660 McVay Highway.

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### I. MOTION

THAT THE ORDER BE APPROVED AUTHORIZING A SHERIFF'S SALE OF  
SURPLUS COUNTY-OWNED PROPERTY LOCATED ON MCVAY HIGHWAY.

### II. ISSUE OR PROBLEM

The above-referenced property was purchased in 1999 in anticipation of the construction of the Bloomberg Connector project. This project was dropped from the Capital Improvement Program when the Board adopted the 04/05-08/09 Capital Improvement Program on May 12, 2004, and the property is therefore surplus and no longer needed for public use. Staff is recommending that the property be disposed of through a Sheriff's Sale.

### III. DISCUSSION

#### A. Background:

The property proposed for sale is a Road Fund asset acquired through purchase on June 23, 2000 for \$80,000.00 and is not needed for the County's operations. Pursuant to ORS 275.110, before the property can be offered for sale the Board is required to authorize the sale, set the terms and conditions and determine the minimum price for which the parcel will be offered for sale.

The property will be sold "as-is" with no warranties or guarantees as to its ability to be used for any purpose. Conveyance will be by Quitclaim Deed, and the property will be sold for cash or acceptable terms. The funds realized will be deposited in the Road Fund.

B. Analysis:

The property can either be sold or retained in the County's inventory. It is considered surplus to the County's present needs and those contemplated in the foreseeable future.

The sale of the property will allow the County to realize the value of the asset, to return it to the tax roll, and will eliminate the need for further management and liability.

C. Alternatives/Options

1. Adopt the Order authorizing a Sheriff's Sale of the above-referenced property.
2. Deny the Order and retain the property in inventory.

D. Recommendation

Option 1

IV. IMPLEMENTATION/FOLLOW-UP

Upon approval by the Board, staff will make final preparations for the sale.

V. ATTACHMENTS:

Exhibit A

Exhibit B - Excerpt from Assessor's Map showing the subject property

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

**RESOLUTION AND  
ORDER NO.**

**(IN THE MATTER OF AUTHORIZING A  
(SHERIFF'S SALE OF SURPLUS COUNTY-  
(OWNED PROPERTY IDENTIFIED AS ASSESS-  
(OR'S MAP 18-03-11-30 TAX LOT 1800,  
(LOCATED AT 88660 MCVAY HIGHWAY.**

**WHEREAS**, this matter now coming before the Lane County Board of County Commissioners, and said Board deeming it in the best interest of Lane County to sell the above-referenced surplus County-owned property, as described on the attached Exhibit "A"; **AND**

**WHEREAS**, Lane County acquired title to said parcel of land by purchase for the Bloomberg Connector project which was dropped from the Capital Improvement Program (CIP) when the Board adopted the 04/05 – 08-09 CIP; **AND**

**WHEREAS**, Lane County has now declared this parcel of land surplus, and the sale of this parcel would benefit Lane County through the recognition of additional revenue and the return of the property to the tax roll; **NOW THEREFORE**,

**IT IS HEREBY RESOLVED** that pursuant to ORS 275.110 to 275.160, a Sheriff's Sale of the property described in Exhibit "A" shall be conducted on August 27, 2004; and

**IT IS FURTHER RESOLVED AND ORDERED** that the minimum bid for the property be established as shown on Exhibit "A", that the property be sold for cash or acceptable terms, that Lane County reserves the right to reject any or all Sheriff's Sale proposals, and that this Order be entered in the records of the Board of County Commissioners' Journal of Administration, Lane County, Oregon.

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

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

APPROVED AS TO FORM

Date 7-13-04 lane county

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OFFICE OF LEGAL COUNSEL

**EXHIBIT "A"**

<b><u>Tax Lot Number:</u></b>	<b><u>General Description:</u></b>	<b><u>Minimum Bid:</u></b>
18-03-11-30-01800	An approximate 9,427 s. f. RC (Rural Commercial) Zoned parcel with a 1½ story dwelling containing approximately 1,359 s. f.	\$95,000

## EXHIBIT "B"

### EXCERPT FROM ASSESSOR'S MAP 18-03-11-30 Showing Subject Property

