

W. S. C.

## AGENDA COVER MEMORANDUM

**Agenda Date: August 24, 2005**

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**DATE:** August 8, 2005  
**TO:** Board of County Commissioners  
**DEPARTMENT:** Management Services  
**PRESENTED BY:** Jeff Turk, Property Management Officer  
Todd Winter, Parks Manager

**SUBJECT:** ORDER/IN THE MATTER OF DESIGNATING A TAX FORECLOSED PROPERTY IDENTIFIED AS MAP NO. 17-04-24-21-08100 (115 E. HILLCREST, EUGENE) AS COUNTY PARK LAND

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1. **PROPOSED MOTION:** THE BOARD OF COUNTY COMMISSIONERS MOVES TO DESIGNATE A TAX FORECLOSED PROPERTY IDENTIFIED AS MAP NO. 17-04-24-21-08100 (115 E. HILLCREST, EUGENE) AS COUNTY PARK LAND
2. **ISSUE/PROBLEM:** Pursuant to Lane Manual 21.435, the Parks Division and Property Management Division have identified a property for consideration to be designated as county parkland. The property is located at 115 E. Hillcrest in the unincorporated area of River Road, Eugene.

The St. Vincent de Paul Society of Eugene (SVDP) has expressed an interest in acquiring the property for the purpose of providing affordable housing. SVDP has offered \$50,000 as consideration to obtain the property. If the Board was agreeable to selling the property to SVDP, and the property has been designated as park land, proceeds would be directed for park's purposes.

3. **DISCUSSION:**

- 3.1 Background

The subject property was acquired through tax foreclosure in September, 2003. The property consists of a 2300 sq. ft. house (plus a full, unfinished basement) built in 1925 residing on a half acre lot. The property adjoins a City of Eugene bike path and the City's park along the Willamette River (tax lot 8200 on attached map).

The house is in fair-poor condition and has been subject to incidents of vandalism with windows broken and damage done to the interior walls, fixtures and flooring. SVDP estimates that \$80,000 will be needed to rehabilitate the structure.

The current assessed value of the property is \$160,000 and it is estimated that the property would sell for that amount at a Sheriff's sale.

If SVDP were to acquire the property from the county it would use the property to provide an affordable home ownership opportunity to a qualified family (at or below 80% of the median income for the area). In addition, SVDP would proceed with partitioning the lot and construct an additional house on the property also to be used for a qualifying low-income family

Initially, SVDP and the Neighborhood Economic Development Corporation (NEDC) were going to jointly develop the property for affordable housing (NEDCO was going to develop the partitioned lot). The matter of their interest in the property has been presented to the Housing Policy Board (HPB). The HPB did make a recommendation that the county transfer the property to SVDP (who would then transfer half the lot to NEDCO after it was partitioned). NEDCO has since decided not to proceed and SVDP would undertake the project alone if it acquires the subject property.

A preliminary title report for the property shows a clean title except for a \$1,400 improvement lien by the City of Eugene for sewer line installation.

SVDP has been informed of the possibility of the property first being designated as park land if the Board was agreeable to transferring the property to them.

### 3.2 Analysis

The Board has given staff direction, which was set forth in Lane Manual 21.435, to identify tax foreclosed property for designation as park land pursuant to ORS 275.320 with the intent to then sell such designated property pursuant to ORS 275.330. Proceeds from the sale would be used for the maintenance and/or improvement of existing park land as required by the statute.

Before property designated as park land can be sold a public hearing is required. The Board can take action after the hearing.

Lane Manual 21.430 affirms the county's desire to facilitate affordable housing opportunities and outlines procedures for transferring county property to qualified non-profits and governmental entities. An ordinance and public hearing pursuant to ORS 456.370 is required.

The respective notices and public hearings can be done concurrently.

### 3.3 Alternatives/Options

- A. The Board can proceed with designating the property as park land and subsequently hold a public hearing to consider transferring the property to SVDP for \$50,000.
- B. The Board can designate the property as park land, hold a public hearing to sell the property and offer it on the open market.
- C. The Board can direct staff to negotiate different terms with SVDP before designating the property as park land.
- D. The Board can keep the property in the tax foreclosed inventory with it being offered at a future Sheriff's sale.
- E. The Board can transfer the property to SVDP as a tax foreclosed property with the proceeds disbursed to the taxing districts after program expenses are deducted.

### 3.4 Recommendation

It is recommended that Option A be pursued.

### 3.5 Timing

If the Board gives direction to pursue Option A, staff will schedule the 1<sup>st</sup> reading of the ordinance and the subsequent public hearings to sell park land for affordable housing purposes. It is anticipated that the hearings would occur at the September 14<sup>th</sup> Board meeting.

- 4. **IMPLEMENTATION/FOLLOW-UP:** Upon direction from the Board, staff will proceed with scheduling the public hearings and publishing the required notices.
- 5. **ATTACHMENTS:**
  - Board Order
  - Tax Map

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO.

IN THE MATTER OF DESIGNATING A TAX FORECLOSED PROPERTY IDENTIFIED AS MAP NO. 17-04-24-21-08100 (115 E. HILLCREST, EUGENE) AS COUNTY PARK LAND

WHEREAS Lane County, due to tax foreclosure, is the owner of property identified as Assessor's Map No. 17-04-24-21-08100 commonly known as 115 E. Hillcrest, Eugene, OR and

WHEREAS ORS 275.320 provides for designating tax foreclosed property as county park and recreation lands and

WHEREAS Lane Manual 21.435 provides procedures for designating tax foreclosed property as park and recreation land and said procedures have been adhered to

IT IS HEREBY ORDERED that pursuant to ORS 275.320 and Lane Manual 21.435 that county owned real property identified as Assessor's Map No. 17-04-24-21-08100 and more particularly described in attached Exhibit "A" be designated as county park and recreational land

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\_\_\_\_.

\_\_\_\_\_  
Anna Morrison, Chair  
Lane County Board of Commissioners

IN THE MATTER OF DESIGNATING A TAX FORECLOSED PROPERTY IDENTIFIED AS MAP NO. 17-04-24-21-08100 ( 115 E. HILLCREST, EUGENE) AS COUNTY PARK LAND7

8-15-05  
*[Handwritten signatures]*

Beginning at a point 76.52 feet West of the Southeast corner of that certain tract described in Deed Dated March 18, 1927, by Medora Rossman to B. E. Rayburn, Recorded in Book 153, Page 274, Lane County Oregon Deed Records, which real estate is also described as follows: from a point 13.585 chains North 17° West of a point 72.91 chains East of the Southwest corner of the Benjamin Davis and wife Donation Land Claim No. 45, Notification No. 2244, in Section 24, Township 17 South, Range 4 West of the Willamette Meridian, run North 17° West 38.61 feet; thence West 21 feet; thence North 17° West 729.87 feet to the Point of Beginning; thence run East 640.48 feet; thence North 267.07 feet to the Place of Beginning; and thence West 150 feet along the South line of the said 4 acre tract; thence run North 267.07 feet to the North line of said 4 acre tract; thence run East 150 feet along the North line of said 4 acre tract, to a point 76.52 feet West of the Northeast corner of said 4 acre tract; thence South 267.07 feet to the Place of Beginning, in Lane County, Oregon.

ALSO the East 76.52 feet of the following described tract of land in Lane County State of Oregon, to-wit: from a point 13.585 chains North 17° 00' West of a point 72.91 chains East of the Southwest corner of the Benjamin Davis and wife Donation Land Claim No. 45, Notification No. 2244, in Section 24, Township 17 South, Range 4 West of the Willamette Meridian, in Lane County, Oregon; thence run North 17° 00' West 38.61 feet; thence West 21 feet; thence North 17° 00' West 729.87 feet to the Point of Beginning; thence run East 640.48 feet; thence North 267.07 feet; thence West 722.04 feet; thence South 17° 00' East 279.27 feet to the Place of Beginning, in Lane County, Oregon.

EXCEPT: Tax Lot 8000 by Volume 236, Page 615 in 1943.

ALSO: Beginning at a point in the center of a certain 30 foot lane known as Hillcrest Avenue, said point being 15.0 feet North and 50.52 feet West of the Northeast corner of Lot 10, Block 2, PLAT OF OAKLEIGH, in Section 24, Township 17 South, Range 4 West of the Willamette Meridian, said point also being the Southeast corner of a certain 1 acre tract of land, recorded in the name of Hiram C. Burr, in Volume 236, Page 615, Lane County Oregon Deed Records; from said point run thence West 7.4 feet; thence North 267.07 feet to the North line of a certain 4 acre tract, the deed of which is Recorded in Volume 153, Page 274, Lane County Oregon Deed Records; thence East 7.4 feet along said North line; thence South 267.07 feet to the Place of Beginning, being a part of said 4 acre tract, said Township and Range, in Lane County, Oregon.

EXCEPT the South 26.90 feet to Lane County for Hillcrest Avenue.

