

W. Q. D. L.

AGENDA COVER MEMORANDUM

Memorandum Date: August 16, 2006

Agenda Date: August 30, 2006

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 RINA YURIKO FRANCISCO FOR \$500 (MAP # 17-03-20-22-06500, ADJACENT TO 1910 MYERS RD., EUGENE)

1. **PROPOSED MOTION: THE BOARD OF COUNTY COMMISSIONERS MOVES TO AUTHORIZE THE SALE OF SURPLUS COUNTY OWNED REAL PROPERTY TO RINA YURIKO FRANCISCO FOR \$500 (MAP # 17-03-20-22-06500, ADJACENT TO 1910 MYERS RD., EUGENE)**

2. **AGENDA ITEM SUMMARY:**

The Board is being asked to accept or reject a \$500 offer for County owned real property submitted by Rina Francisco.

3. **BACKGROUND/IMPLICATIONS OF ACTION:**

A. Board Action and Other History

No previous action has been taken on the matter by the Board.

The subject property was acquired through tax foreclosure in September, 2001. The property is approximately 10' x 100' and does not have access to a public right of way. The subject was originally part of a parcel to the South that was platted into a residential subdivision in 1992. The subject property, for reasons not apparent in documents, was not included in the subdivided property. The subject has an assessed value of \$498.00.

Ms. Francisco owns the adjoining property to the North (tax lot 8000). A letter was sent to the owners of tax lot 15700, which adjoins the subject to the South, to inform them of Ms Francisco's interest and asking them to contact the Property Management office if they had any concerns or were also interested in purchasing the subject. No response has been received from the owners of tax lot 15700 at the time this memo is being written.

B. Policy Issues

Pursuant to LM 21.425, it is the policy of Lane County to dispose of county property not needed for public purposes.

C. Board Goals

Pursuant to item B2 [c] of the Strategic Plan (Resource Planning and Allocation) the county is to assess its real property assets and utilize them in a manner that is beneficial to the county.

D. Financial and/or Resource Considerations

Revenue from the sale of tax foreclosed property is first used to offset costs of the Property Management Program (personnel costs, maintenance costs, management costs). Remaining funds are then disbursed to all of the taxing districts. The County receives approximately 9% of the funds disbursed to the taxing districts from the sale of foreclosed property. Revenue will continue to be received in the form of property taxes as the subject property will be returned to the tax roll.

E. Analysis

The subject property has little value or use except to an adjoining owner who can incorporate it into their property. Selling the subject relieves the county of any obligation for any maintenance (and its costs) that may be required and returns the property to private ownership and the tax roll.

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 August 12, 2006. 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 \$498 and qualifies for private sale pursuant to ORS 275.225.

F. Alternatives/Options

1. Sell the subject parcel to Ms. Francisco pursuant to her offer.
2. Negotiate other sale terms than those offered
3. Reject the offer and offer the property at a future Sheriff's sale.

V. TIMING/IMPLEMENTATION

Upon passage of the motion by the Board, staff will process a Quitclaim Deed for execution by the Board.

VI. RECOMMENDATION

It is recommended that the motion be passed thereby returning the property to the tax roll and providing revenue to the county and taxing districts from sale proceeds.

VII. FOLLOW-UP

Upon receipt of the executed deed, Property Management staff will contact the buyer and proceed with closing the transaction.

VII. 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 RINA YURIKO FRANCISCO FOR \$500 (MAP # 17-03-20-22-06500, ADJACENT TO 1910 MYERS RD., EUGENE)

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:

See Attached Exhibit "A"

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 August 12, 2006 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 Rina Yuriiko Francisco for \$500, that the Quitclaim Deed be executed and that the proceeds be disbursed as follows:

Foreclosure Fund	(268-5570270-446120)	\$450
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 _____, 2006.

8-18-06
[Handwritten signature]

Bill Dwyer, Chair, Board of County Commissioners

IN THE MATTER OF AUTHORIZING THE SALE OF SURPLUS COUNTY OWNED REAL PROPERTY TO RINA YURIKO FRANCISCO FOR \$500 (MAP # 17-03-20-22-06500, ADJACENT TO 1910 MYERS RD., EUGENE)

EXHIBIT "A"

**Legal Description
Lane County/Francisco
17-03-20-22-06500**

Beginning at the Northwest corner of Lot 3, ANTHONY, as platted and recorded in Book 73, Page 78, Lane County Plat Records, Lane County Oregon thence: South 89° 39' 50" East 98.92 feet along the North line of said Lot 3 thence: North 0° 13' 00" East to a point on the Southeast corner of that certain tract of land described in that deed between Jane Hinson Pendegrass and Marcos R. Valle as Grantors and Rina Yuriko Francisco as Grantee and recorded on Reel 2463, Reception No. 9873590, Lane County Deed Records thence: West along the South line of said Pendegrass/Marcos/Francisco tract 98.92 feet to the Southwest corner of said tract said point being on the East line of MEADOW-LARK as platted and recorded in Book 40, Page 20, Lane County Oregon Plat Records thence: South along said East line of MEADOW-LARK to the Point of Beginning, all in Lane County, Oregon (map # 17-03-20-22-06500)

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:

RINA YURIKO FRANCISCO

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

See Attached Exhibit "A"

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)). THIS INSTRUMENT WILL/DOES 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 THE 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 AND T INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)).

The true and actual consideration for this transfer is \$500.00

LANE COUNTY BOARD OF COMMISSIONERS

STATE OF OREGON)
) ss
COUNTY OF LANE)

On _____, 2006 personally appeared _____

_____, _____, _____, _____

_____, County Commissioners for Lane County, and acknowledged the foregoing instrument to be their voluntary act. Before me:

Notary Public for Oregon _____

After recording, return to/taxes to:
Rina Yuriko Francisco
1910 Myers Rd.
Eugene, OR 97401

My Commission Expires _____

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