

W.15.a.

AGENDA COVER MEMORANDUM

Memorandum Date: September 6, 2006

Agenda Date: September 20, 2006

TO: Board of County Commissioners
DEPARTMENT: Management Services
PRESENTED BY: Jeff Turk, Property Management Officer

SUBJECT: PUBLIC HEARING/ORDER/ IN THE MATTER OF AUTHORIZING THE TRANSFER TO THE CITY OF OAKRIDGE COUNTY OWNED REAL PROPERTY IDENTIFIED AS ASSESSOR'S MAP NO. 21-35-16-12, TAX LOTS 2600 AND 3000 (LOCATED AT THE CORNER OF SANFORD AND HIGH LEAH DR., OAKRIDGE)

1. **PROPOSED MOTION:** THE BOARD OF COUNTY COMMISSIONERS MOVES TO AUTHORIZE THE TRANSFER TO THE CITY OF OAKRIDGE COUNTY OWNED REAL PROPERTY IDENTIFIED AS ASSESSOR'S MAP NO. 21-35-16-12, TAX LOTS 2600 AND 3000 (LOCATED AT THE CORNER OF SANFORD AND HIGH LEAH DR., OAKRIDGE)

2. **AGENDA ITEM SUMMARY:**

The Board is being asked to consider transferring County owned real property to the City of Oakridge to be used for public purposes pursuant to ORS 271.330(1). The City will pay \$500 to cover incidental costs of the transfer.

BACKGROUND/IMPLICATIONS OF ACTION:

A. Board Action and Other History

The subject properties were acquired through tax foreclosure in March, 1992. Tax lot 2600 is .38 acres and has an assessed value of \$10,341. Tax lot 3000 is .34 acres and has an assessed value of 10,295. The parcels are very steep and cannot be easily developed with dwellings. Both parcels were offered at a Sheriff's sale on January 25, 1993. Tax lot 2600 had a minimum bid of \$5,430. Tax lot 3000 had a minimum bid of \$5,500.

The parcels are within a major drainage way for stormwater. If the City acquires the parcels, the City intends to construct retention basins on them to control the flow of stormwater during heavy rains.

The Oakridge City Council, pursuant to Resolution No. 14-2006, affirmed the City's desire to acquire the subject parcels for public purposes.

B. Policy Issues

Pursuant to LM 21.425, it is the policy of Lane County to retain property which can be used for a public purpose by the County or other public agency (for future transfer)

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

The City of Oakridge will reimburse the County \$500 for incidental costs related to the transfer (publishing costs, staff time).

E. Analysis

The subject properties present substantial obstacles for development with dwellings and therefore have not sold (several prospective purchasers have looked at the properties since the county acquired them in 1992). The City of Oakridge can utilize the parcels for a public purpose and transferring the parcels to the City removes them from county inventory and the responsibilities and liabilities incumbent with ownership.

ORS 271.330(1) provides for transferring tax foreclosed property to other governmental bodies provided the property is used for a public purpose for not less than 20 years. ORS 271.330(5) requires that a public hearing be held before action on a transfer is taken. The required notice of the hearing was published in the Register-Guard on September 4th & 11th.

F. Alternatives/Options

- a. Approve the transfer of the parcels to the City of Oakridge as presented.
- b. Reject the proposed transfer and direct staff to negotiate different terms with the City or continue to try and sell the property.

V. TIMING/IMPLEMENTATION

Upon approval by the Board to transfer the property the Quitclaim Deed will be processed for execution by the Board.

VI. RECOMMENDATION

It is recommended that the properties be transferred to the City of Oakridge with the City reimbursing the County \$500 for costs associated with the transfer.

VII. FOLLOW-UP

Upon approval by the Board, staff will finalize closing the transaction with City staff.

VIII. ATTACHMENTS Board Order; City Resolution; Quitclaim Deed; Plat Map

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO.

IN THE MATTER OF AUTHORIZING THE TRANSFER TO THE CITY OF OAKRIDGE COUNTY OWNED REAL PROPERTY IDENTIFIED AS ASSESSOR'S MAP NO. 21-35-16-12, TAX LOTS 2600 AND 3000 (LOCATED AT THE CORNER OF SANFORD AND HIGH LEAH DR., OAKRIDGE)

WHEREAS Lane County acquired through tax foreclosure real property identified as:

Lots 8 and 10, Block 4, HIGH LEAH PARK, as platted and recorded in Volume 20, Page 30, Lane County Oregon Plat Records, Lane County, Oregon.

WHEREAS said real property can be used by the City of Oakridge for public purposes and the City wishes to acquire said real property as memorialized in City Resolution No. 14-2006 and

WHEREAS said real property must be used by the City for a public purpose for not less than twenty years from the date of its transfer and

WHEREAS a public hearing on the matter was held on September 20, 2006 with notice of said public hearing published in the "Eugene Register-Guard" newspaper on September 4th and 11th 2006

IT IS HEREBY ORDERED that pursuant to ORS 271.330 the real property be transferred to the City of Oakridge, that the Quitclaim Deed be executed by the Board and that said Quitclaim Deed include a condition that the real property be used for public purposes pursuant to ORS 271.330.

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

Bill Dwyer, Chair, Board of County Commissioners

APPROVED AS TO FORM

9-11-06

[Handwritten Signature]

IN THE MATTER OF AUTHORIZING THE TRANSFER TO THE CITY OF OAKRIDGE COUNTY OWNED REAL PROPERTY IDENTIFIED AS ASSESSOR'S MAP NO. 21-35-16-12, TAX LOTS 2600 AND 3000 (LOCATED AT THE CORNER OF SANFORD AND HIGH LEAH DR., OAKRIDGE)

RESOLUTION NO. 14-2006

A RESOLUTION DECLARING THE INTENT TO REQUEST CERTAIN PARCELS OF LAND FROM LANE COUNTY, OREGON.

WHEREAS, Lane County, Oregon is in possession of Tax Assessor Parcels 21-35-16-12, Tax Lots 2600 & 3000; and

WHEREAS, the City of Oakridge desires to acquire those lots for public need and use; and

WHEREAS, the City of Oakridge agrees to use those parcels only for public use for a minimum of twenty years; and

WHEREAS, the City of Oakridge is willing to pay all incidental costs required for the transfer of the parcels from Lane County to the City of Oakridge;

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAKRIDGE THAT;


Section 1. The City of Oakridge requests that Tax Assessor Parcels 21-35-16-12, Tax Lots 2600 & 3000 be transferred to the City of Oakridge.

Section 2. The City of Oakridge will keep Tax Assessor Parcels 21-35-16-12, Tax Lots 2600 & 3000 for public use for a minimum of twenty years.

ADOPTED by City Council this the 3rd day of August, 2006.

APPROVED:

ATTEST:



S. Sue Bond, Mayor



Chantell Steiner, City Recorder

Ayes: 7
Nays: 0

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:

CITY OF OAKRIDGE

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

Lots 8 and 10, Block 4, HIGH LEAH PARK, as platted and recorded in Volume 20, Page 30, Lane County Oregon Plat Records, Lane County, Oregon (21-35-16-12, tax lots 2600 and 3000).

This transfer is made pursuant to ORS 271.330(1) and is conditioned upon use of the property by grantee for public purposes for a minimum of twenty (20) years from the date of transfer.

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 use of the property for public purposes.

LANE COUNTY BOARD OF COMMISSIONERS

STATE OF OREGON)
) ss
COUNTY OF LANE)

On _____, 2006 personally appeared _____

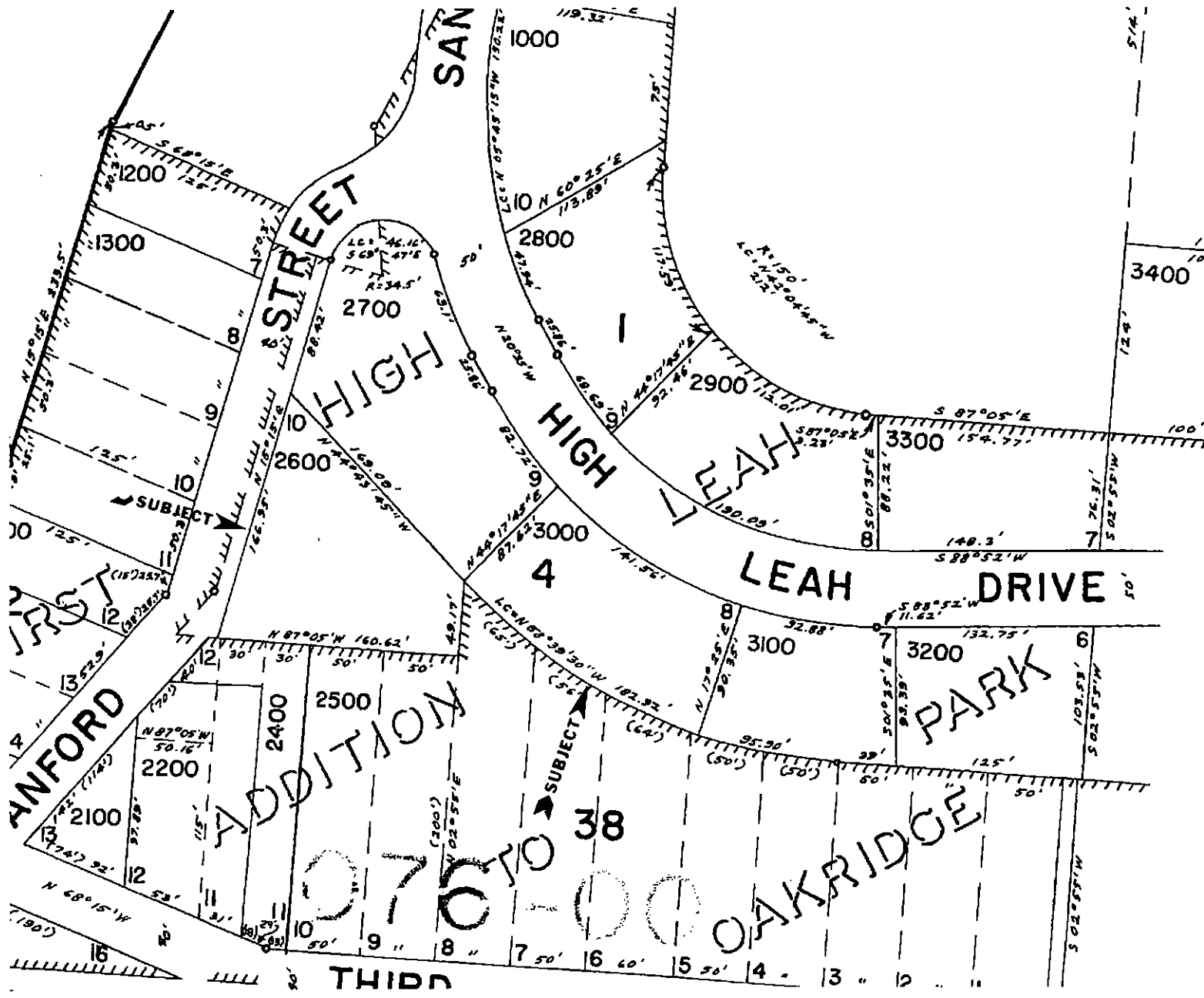
_____, _____, _____, _____

_____, 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:
City of Oakridge
PO Box 1410
Oakridge, OR 97463

My Commission Expires _____



THIRD

ADDITION

ANFORD STREET

SAN HIGH STREET

LEAH DRIVE

OAKRIDGE DRIVE

SUBJECT

38

07600

1000
2700
2800
2900
3000
3100
3200
3300
3400
1200
1300
2600
2500
2400
2100
2200