

W.S.B.I.

AGENDA COVER MEMORANDUM

Memorandum Date: October 21, 2009

Agenda Date: November 4, 2009

TO: Board of County Commissioners

DEPARTMENT: Management Services

PRESENTED BY: Jeff Turk, Property Management Officer 2

SUBJECT: IN THE MATTER OF AUTHORIZING THE SALE OF SURPLUS COUNTY OWNED REAL PROPERTY TO WILLIAM AND SUZETTE NASH FOR \$1,000 (MAP # 17-04-26-12-03500, ADJACENT TO 2711 EDISON ST., EUGENE)

1. **PROPOSED MOTION:** IT IS MOVED TO AUTHORIZE THE SALE OF SURPLUS COUNTY OWNED REAL PROPERTY TO WILLIAM AND SUZETTE NASH FOR \$1,000 (MAP # 17-04-26-12-03500, ADJACENT TO 2711 EDISON ST., EUGENE)

2. **AGENDA ITEM SUMMARY:**

An offer of \$1,000 has been submitted for the subject property. The offer is being forwarded to the Board for consideration of acceptance or rejection.

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

A. Board Action and Other History

The subject parcel was acquired through tax foreclosure in 1989. The subject is 27' x 60' and has an assessed value of \$500.

The subject parcel does not have legal access nor is it suitable for the placement of a dwelling. The subject parcel is behind property owned by the Nashes – tax lot 3501 – which is used as a rental (the Nashes also own tax lot 3400 which is their residence and also adjoins the subject). The subject parcel and tax lot 3501 were one parcel until 1977 when the subject parcel was not included in a deed conveying tax lot 3501.

B. Policy Issues

Pursuant to LM 21.425 the County shall dispose of County property not otherwise needed for public purposes thereby returning the property to the tax role.

ORS 275.225 provides for selling property via private sale without first being offered at a public auction provided the parcel has a real market value of less than \$15,000 per the Assessor and is not suitable for placement of a dwelling under current land use regulations. Notice of the County's intent to sell the subject parcel pursuant to ORS 275.225 was published in the Register-Guard on October 13, 2009. The County can sell the parcel 15 days after the date notice was published.

C. Board Goals

A sale of the property would be consistent with the Board's goals to return surplus property to private ownership and the tax roll.

D. Financial and/or Resource Considerations

The revenue received from a sale of the subject property would go towards funding the Property Management program.

E. Analysis

As the subject parcel is landlocked and does not have legal access it can be best used by the adjoining owner.

F. Alternatives/Options

1. Accept the offer.
2. Reject the offer and direct staff to negotiate additional consideration.
3. Reject the offer and offer the subject parcel at a future Sheriff's sale.

4. **RECOMMENDATION**

It is recommended that the offer be accepted.

5. **TIMING/IMPLEMENTATION**

No timing issues are present.

6. **FOLLOW-UP**

Upon approval by the Board, the Quitclaim Deed will be executed and the transaction will be completed.

7. **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 WILLIAM AND SUZETTE NASH FOR \$1,000 (MAP # 17-04-26-12-03500, ADJACENT TO 2711 EDISON ST., 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:

The North 27.3 feet of the West 34 feet of Lot 18 and the East 26 feet of Lot 17, Block 6, of the Replat of Blocks 4, 7 and 8 and the South half of Block 5 and 6, of the PLAT of BETHEL as platted and recorded in Book 11, Page 28, Lane County Oregon Plat Records, Lane County, Oregon.

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 \$15,000 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 October 13, 2009 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 above described real property be sold to William A. Nash and Suzette K. Nash for \$1,000, that the Quitclaim Deed be executed by the Board and that the proceeds be disbursed as follows:

Foreclosure Fund	(228-5570270-446120)	\$800
General Fund	(124-5570260-436521)	\$200

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____.

Peter Sorenson, Chair, Board of County Commissioners

APPROVED AS TO FORM

Date 10-26-09 lane county

OFFICE OF LEGAL COUNSEL

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