

T. G. B. I.

## AGENDA COVER MEMORANDUM

Memorandum Date: February 3, 2010

Agenda Date: February 17, 2010

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**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 G&R BUILDING CONCEPT INC FOR \$500 (MAP # 17-04-15-41-00800, LOCATED AT THE TERMINUS OF ALLEA DR., EUGENE)

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1. **PROPOSED MOTION:** IT IS MOVED TO AUTHORIZE THE SALE OF SURPLUS COUNTY OWNED REAL PROPERTY TO G&R BUILDING CONCEPT INC FOR \$500 (MAP # 17-04-15-41-00800, LOCATED AT THE TERMINUS OF ALLEA DR.,EUGENE)

2. **AGENDA ITEM SUMMARY:**

An offer of \$500 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 September, 2008. The subject is .12 acre (25' x 225') and has an assessed value of \$499. The subject parcel was created as an access easement and is designated for use for roadway purposes in deeds conveying the subject.

G&R owns and is developing tax lot 900 West of the subject. G&R intends to use the subject for access and public utilities as an extension of Allea Dr.

**B. Policy Issues**

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 January 29, 2010. 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 tax foreclosed property to 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**

The subject is restricted for use for roadway purposes pursuant to deed conditions. This limits its marketability. G&R plans to develop the subject as an extension of Allea Dr. to provide access and utilities to tax lot 900 which they are developing. This would be the best use of the subject.

**F. Alternatives/Options**

1. Accept the offer.
2. Reject the offer and direct staff to negotiate different terms.

**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 G&R BUILDING CONCEPT  
INC FOR \$500 (MAP # 17-04-15-41-00800, LOCATED AT THE  
TERMINUS OF ALLEA DR., 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 \$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 January 29, 2010, 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 for \$500 to G&R Building Concept Inc., that the Quitclaim Deed be executed by the Board and that the proceeds be disbursed as follows:

Foreclosure Fund	(228-5570270-446120)	\$300
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 \_\_\_\_\_, 2010

\_\_\_\_\_  
William Fleenor, Chair, Board of County Commissioners

IN THE MATTER OF AUTHORIZING THE SALE OF SURPLUS COUNTY OWNED REAL PROPERTY TO G&R BUILDING CONCEPT INC FOR \$500 (MAP # 17-04-15-41-00800, LOCATED AT THE TERMINUS OF ALLEA DR., EUGENE)

APPROVED AS TO FORM

Date 2-4-10 lane county

  
OFFICE OF LEGAL COUNSEL

**EXHIBIT "A"**

**Legal Description  
17-04-15-41-00800**

Beginning at a point on the East margin of a 50.00 foot wide road, said point being South 89° 53' 20" West 3623.08 feet and South 3° 14' 00" East 401.86 feet from the Northeast corner of the James E. McCabe Donation Land Claim No. 46 in Township 17 South, Range 4 West of the Willamette Meridian; thence along said East margin South 3° 14' 00" East 221.46 feet; thence leaving said East margin South 88° 52' 00" West 25.02 feet to the centerline of said road; thence along said centerline North 3° 14' 00" West 225.31 feet to the North end of said road; thence leaving said center line along the North end of said road South 82° 27' 00" East 25.45 feet to the Point of Beginning, in Lane County, Oregon.

# 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:

**G&R Building Concept Inc, President Walter A. Drews**

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 ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007

The true and actual consideration for this transfer is: \$500

**LANE COUNTY BOARD OF COMMISSIONERS**

*This space reserved for recording sticker*

**STATE OF OREGON            )**  
                                       )**ss**  
**COUNTY OF LANE          )**

On \_\_\_\_\_, 2010 personally appeared \_\_\_\_\_,

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

After recording, return to/taxes to:  
G&R Building Concept Inc  
1135 Cal Young Rd.  
Eugene, OR 97401

Notary Public for Oregon  
My Commission Expires

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