

W. G. D. L.

AGENDA COVER MEMORANDUM

Memorandum Date: June 9, 2010

Agenda Date: June 23, 2010

TO: Board of County Commissioners

DEPARTMENT: Management Services

PRESENTED BY: Jeff Turk, Property Management Officer 2

SUBJECT: IN THE MATTER OF ACCEPTING BIDS TENDERED FOR SURPLUS COUNTY OWNED REAL PROPERTY AT A SHERIFF'S SALE ON JUNE 4, 2010 AND EXECUTING THE QUITCLAIM DEEDS

1. **PROPOSED MOTION:** THE BOARD AUTHORIZES ACCEPTING BIDS TENDERED FOR SURPLUS COUNTY OWNED REAL PROPERTY AT A SHERIFF'S SALE ON JUNE 4, 2010 AND EXECUTING THE QUITCLAIM DEEDS

2. **AGENDA ITEM SUMMARY:**

Pursuant to Order No. 10-4-28-7, an auction of surplus, County owned real property was held in Harris Hall on June 4, 2010. Nine parcels were offered at the sale with four of those receiving bids at or above the minimum bids set by the Board. A schedule of the parcels offered, minimum bids, bids tendered and the purchaser is attached as Exhibit "A".

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

A. **Board Action and Other History**

All of the parcels were acquired through tax foreclosure. Parcel # 7, a ten acre parcel on Taylor Rd. in Florence had previously been designated by Board Order as County park and forest land pursuant to ORS 275.330 (the parcel did not sell).

Three of the parcels had potential to be developed with a dwelling. Parcel #1, a residential lot in a manufactured dwelling subdivision is Junction City, Parcel # 3, a 4.75 acre parcel near Elmira (which sold for the minimum bid of \$100,000) and Parcel #7, the 10 acre parcel in Florence that has been designated as park land.

All four parcels received bids from an adjoining owner.

Proceeds from the sale total \$113,800. All bidders remitted the required 25% deposit of the sale price at the time of the sale with the balance to be paid upon acceptance of the bids by the Board.

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.

C. Board Goals

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

Financial and/or Resource Considerations

The revenue received from the sale will go towards funding the Property Management program. Revenues above program costs will be disbursed to all the taxing districts in the County in the same manner as revenue from property taxes.

E. Analysis

All the bids tendered were at or above the required minimum bids and the deposits remitted by the bidders met the required 25% of the sale price.

F. Alternatives/Options

1. Accept the bids tendered at the sale.
2. Reject the bids and re-offer the parcels at a future sale.

V. TIMING/IMPLEMENTATION

No timing issues are present.

VI. RECOMMENDATION

It is recommended that the bids be accepted and the properties sold.

VII. FOLLOW-UP

Upon approval of the sale, the Quitclaim Deeds will be executed by the Board and staff will close the transactions.

VII. ATTACHMENTS

Board Order

Bid Schedule

Bid Schedule with Property Descriptions

Quitclaim Deeds

Plat Maps

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO.

IN THE MATTER OF ACCEPTING BIDS TENDERED FOR SURPLUS COUNTY OWNED REAL PROPERTY AT A SHERIFF'S SALE ON JUNE 4, 2010 AND EXECUTING THE QUITCLAIM DEEDS

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:

See Attached Exhibit "A"

WHEREAS said real property is owned by Lane County and is not needed for County purposes and sale of said property would benefit Lane County by its return to the tax roll, and.

WHEREAS pursuant to Order No. 10-4-28-7 the Board authorized a Sheriff's sale of surplus County owned property on June 4, 2010 and

WHEREAS, bids received for four of the properties offered were at or above the minimum bids set by the Board of County Commissioners

IT IS HEREBY ORDERED that pursuant to ORS Chapter 275 the bids tendered as noted in attached Exhibit "A" be accepted; that the Board shall execute the Quitclaim Deed conveying said property to the successful bidders also noted in Attached Exhibit "A" and that the proceeds be disbursed as follows:

Foreclosure Fund	(228-5570270-446120)	\$112,819.50
General Fund	(124-5570260-436521)	980.50

IT IS FURTHER ORDERED, that this Order shall be entered into the records of the Board of Commissioners of the County.

ADOPTED this _____ day of _____, 20____.

APPROVED AS TO FORM

William Fleenor, Chair
Lane County Board of Commissioners

Date 6-16-10 lane county

OFFICE OF LEGAL COUNSEL

IN THE MATTER OF ACCEPTING A BID TENDERED FOR SURPLUS COUNTY OWNED REAL PROPERTY AT A SHERIFF'S SALE ON JUNE 4, 2010 AND EXECUTING THE QUITCLAIM DEEDS

EXHIBIT "A"

Bid Schedule

06/04/2010 Auction

Parcel #	MAP/TAX LOT #	MINIMUM BID	BID AMOUNT/ NO BID	BUYER
1	15-04-32-13-01300	19,000	NO BID	
2	16-06-21-00-02500	1,800	1,800	Jad Lemhouse, Curt Lemhouse Rod Lemhouse, Brett Lemhouse Brad Lemhouse, Randy Lemhouse
3	16-06-35-00-00710	100,000	100,000	Tristin B. & Betty A. Wilson
4	17-02-33-41-03800	10,000	NO BID	
5	18-08-18-00-00600	10,000	NO BID	
6	18-12-02-30-04800	10,000	NO BID	
7	18-12-11-00-02000	75,000	NO BID	
8	19-03-15-40-02000	10,000	10,000	Kathy L. Bigham
9	19-12-02-31-03600	2,000	2,000	David L. Goss

Parcel #	MAP/TAX LOT #	MINIMUM BID	ASSESSED VALUE	SIZE/ ACREAGE	ZONING	PROPERTY DESCRIPTION
1	15-04-32-13-01300	19,000	30,583	0.14 (72'x88')	R4	Vacant lot adjacent to 346 E. 10th Pl., Junction City. Only manufactured dwellings permitted in subdivision per City.
2	16-06-21-00-02500	1,800	44,099	0.19	F2	On E. side of Hagar Rd. just N. of Hall Rd., Cheshire. Likely not developable with a dwelling.
3	16-06-35-00-00710	100,000	135,463	4.75	RR5	Inbetween 24477 & 24499 Butler Rd., Elmira. Parcel is a legal lot of record. 24x48' shop building on property. Electricity to property. Has well/pump.
4	17-02-33-41-03800	10,000	47,177	0.88	LD	Across from 309 56th St., Springfield. Abuts I-105. Power lines run across property.
5	18-08-18-00-00600	10,000	36,036	0.94	F2	S. of 15845 Hwy. 126. May not qualify for placement of a dwelling. Siuslaw River frontage. Check with ODOT for access off Hwy. 126.
6	18-12-02-30-04800	10,000	79,927	0.33 (120'x120')	RR5/BD	Behind 88336 Hwy. 101, Florence. No legal access.
7	18-12-11-00-02000	75,000	129,656	10.23	CLWP	Located on Taylor Rd., Florence (Taylor Rd. is gated). Some wetland issues. May be 2 legal lots of record. Exact location of old County road to parcel unknown.
8	19-03-15-40-02000	10,000	10,561	50' x 50'	R	East of 33 Scott Ln., Creswell. 24'x48' shed on property - fair condition.
9	19-12-02-31-03600	2,000	34,442	50' x 120'	RR2/BD	Across from 85164 Cedar Dr. Florence (Glenada area, East of Hwy. 101). Septic approval unlikely.

EXHIBIT "A"

**LEGAL DESCRIPTION
MAP NO. 16-06-21-00-02500**

Beginning at a point 8 rods West of the Northeast corner of NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 21, Township 16 South, Range 6 West of the Willamette Meridian, run thence East, 8 rods thence; south 12 rods thence; Northwesterly 16 rods to the point of beginning forming a triangular tract.

EXCEPTING THEREFROM any portion lying within the County right of way..

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:

Tristan B. and Betty A. Wilson

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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. 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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

The true and actual consideration for this transfer is: \$100,000

LANE COUNTY BOARD OF COMMISSIONERS

This space reserved for recording sticker

STATE OF OREGON)
) ss
COUNTY OF LANE)

On _____, 2010 personally appeared _____

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

After recording, return to/taxes to:
Tristan B. & Betty A. Wilson
24477 Butler Road
Elmira, OR 97437

Notary Public for Oregon
My Commission Expires _____

EXHIBIT "A"

**LEGAL DESCRIPTION
MAP NO. 16-06-35-00-00710**

Beginning at a 5/8" iron rod which rod is 497.66 feet S. 89° 55' E. and 523.83 feet S 28° E. of the NW corner of the SE ¼ of Section 35, Township 16S, Range 6 West of the Willamette Meridian, Lane County Oregon, thence; S. 28° 28' E. 636.40 feet of a 5/8 iron rod in the center of Butler Road thence; along the center line of said roadway S. 28°54'15" W. 309.86 feet and S 34°44'45" W. 43.75 feet; thence N. 28°28' W. 811.10 feet to a 5/8" iron rod; thence N. 59°13'40" E. 300.24 feet to the Point of Beginning. EXCEPTING THEREFROM any portion herein lying within Butler Rd.

EXHIBIT "A"

**LEGAL DESCRIPTION
MAP NO. 19-03-15-40-02000**

Beginning at the SE corner of Parcel 3 of Land Partition No. 94-PO486 as recorded in the Partition Records of Lane County Oregon, said point being on the Northerly line of Scott Rd., thence; N. 00°05' E. 50' thence; N. 89°00' E. 50' thence; S. 00°05' W. 50' to the Northerly Line of Scott Rd. thence along said Northerly Line S. 89°00' W. 50' to the Point of Beginning, all in Section 15, Township 19 South, Range 3 West of the Willamette Meridian, 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:

David L. Goss

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

Lots 30 and 31, BLOCK 34, AMENDED PLAT EL CARMEL ADDITION TO GLENADA as platted and recorded in Book 7, Page 14 Lane County Oregon Plat Records

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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. 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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

The true and actual consideration for this transfer is: \$2,000

LANE COUNTY BOARD OF COMMISSIONERS

This space reserved for recording sticker

STATE OF OREGON)
) ss
COUNTY OF LANE)

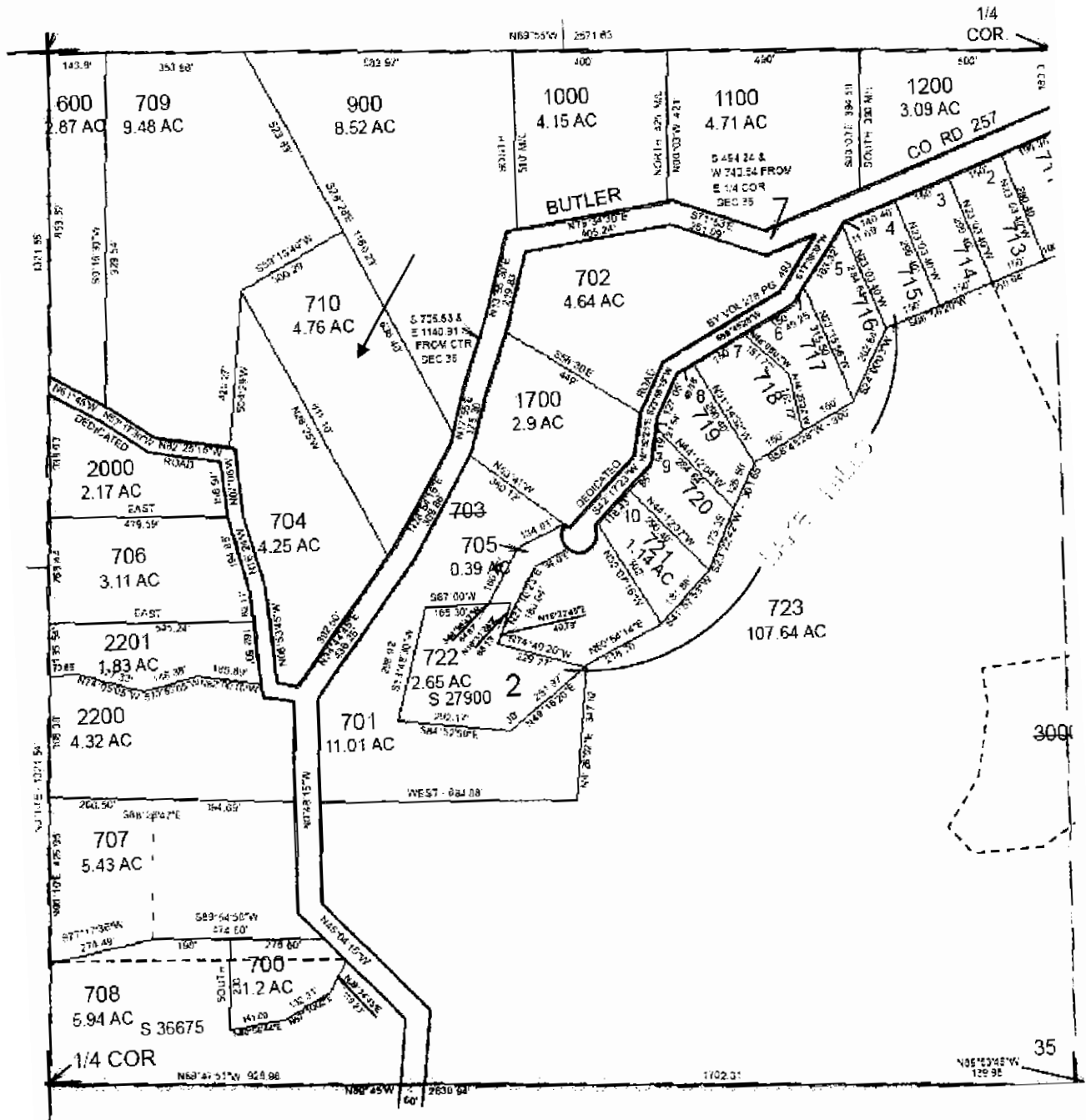
On _____, 2010 personally appeared _____

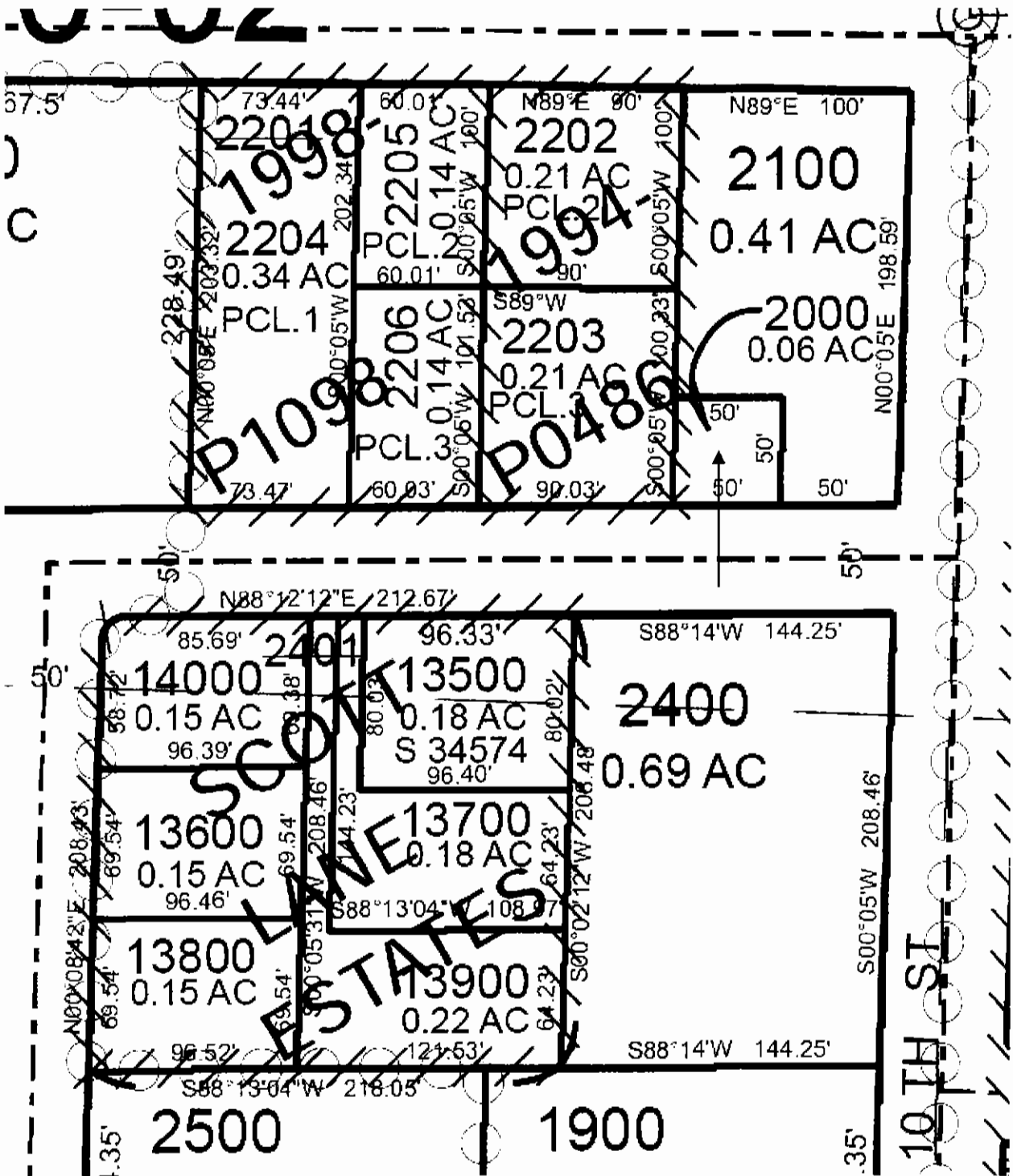
_____, County Commissioners for Lane County, and acknowledged the foregoing instrument to be their voluntary act. Before me:

After recording, return to/taxes to:
David L Goss
PO Box 1961
Florence, OR 97439

Notary Public for Oregon
My Commission Expires _____

16-06-35-00-00710





19-12-02-31-03600

