

PASSED

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDINANCE NO. 5-11

IN THE MATTER OF AUTHORIZING THE TRANSFER OF COUNTY OWNED REAL PROPERTY, FOR \$15,000 CONSIDERATION, LOCATED AT 234 BERINGER CT. EUGENE TO THE NEIGHBORHOOD ECONOMIC DEVELOPMENT CORPORATION FOR THE PURPOSE OF PROVIDING AFFORDABLE HOUSING (MAP NO. 17-04-03-13-12100)

WHEREAS, pursuant to ORS 271.330 and 456.365, any County may dedicate, sell, convey, lease or otherwise relinquish title to any of its property for the purpose of providing low income housing and

WHEREAS, said county owned real property can be used as a resource in the development of low income housing and

WHEREAS, Lane Manual 21.430 prescribes procedures for effecting conveyances of County - owned real property for use in providing low income housing and said procedures have been adhered to and

WHEREAS, The Neighborhood Economic Development Corporation (NEDCO) is a qualified non-profit corporation organized to undertake low-income housing projects and has submitted a request to acquire the aforementioned County-owned real property for \$15,000 consideration and

WHEREAS, NEDCO has agreed to inclusion in the Quitclaim Deed from Lane County language which insures use of the property for the provision of low-income housing for a period of ten years from its transfer, with low-income housing defined as housing for families where annual income does not exceed 80% of the median income for the area as determined annually by the Department of Housing and Urban Development and

WHEREAS, NEDCO has also agreed to include language in said Quitclaim Deed to ensure that the property is developed for low income housing within three years of its transfer or said real property shall be subject to reversion to Lane County and

WHEREAS, the Board further finds that the first reading of this ordinance was held on June 8, 2011, that on this date the second reading and public hearing were held and that notice of this ordinance and public hearing has been duly published in Lane County as required by ORS 271.330 and ORS 456.370 and


WHEREAS, due consideration was given to all testimony submitted at said public hearing

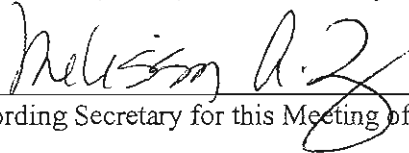
NOW, THEREFORE, the Board of County Commissioners of Lane County ordains as follows:

1. The Board finds that the facts are as stated in the above recitals.
2. The Board further finds that, in accordance with ORS 271.330 and ORS 456.365, the aforementioned County-owned real property is appropriate for transfer to a non-profit corporation for the purpose of providing low-income housing.

3. The Board further finds that NEDCO is a qualifying nonprofit corporation pursuant to ORS 271.330 and ORS 456.355, and that it is appropriate and in the best interests of Lane County to transfer the property to them.
4. Based upon these findings, the Board approves transferring to NEDCO by Quitclaim Deed, for \$15,000 consideration, title to Lane County owned real property identified as Assessor's map no. 17-04-03-13-12100 and more particularly described as:  
  
Lot 146, SECOND ADDITON TO LEE ESTATES, as platted and recorded in File 74, Slides 129, 130 and 131, Lane County Oregon Plat Records, Lane County, Oregon.
5. The Board further approves executing said Quitclaim Deed with provisions to insure that the property is used for low-income housing as defined in LM 21.430(2)(a) for a period of ten (10) years from the date of its transfer and that said property shall be developed and used for said purpose within three years of its transfer or said property shall be subject to reversion to Lane County
6. It is further approved that the County Administrator or her designee is authorized to execute any other documents necessary to complete the transfer.

ENACTED this 22<sup>nd</sup> day of June, 2011

  
\_\_\_\_\_  
Faye Stewart, Chair, Board of County Commissioners

  
\_\_\_\_\_  
Recording Secretary for this Meeting of the Board

APPROVED AS TO FORM

Date 6-22-2011, Lane County

  
\_\_\_\_\_  
OFFICE OF LEGAL COUNSEL

IN THE MATTER OF AUTHORIZING THE TRANSFER OF COUNTY OWNED REAL PROPERTY, FOR \$15,000 CONSIDERATION, LOCATED AT 234 BERINGER CT. EUGENE TO THE NEIGHBORHOOD ECONOMIC DEVELOPMENT CORPORATION FOR THE PURPOSE OF PROVIDING AFFORDABLE HOUSING (MAP NO. 17-04-03-13-12100, SECOND READING AND PUBLIC HEARING JUNE 22, 2011 AT 1:30 PM IN HARRIS HALL)

## **QUITCLAIM DEED**

**LANE COUNTY**, a political subdivision of the State of Oregon, pursuant to Ordinance No.3-11 of the Board of County Commissioners of Lane County, releases and quitclaims to:

### **NEIGHBORHOOD ECONOMIC DEVELOPMENT CORPORATION**

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

Lot 146, SECOND ADDITON TO LEE ESTATES, as platted and recorded in File 74, Slides 129, 130 and 131, Lane County Oregon Plat Records, Lane County, Oregon.

This grant is made pursuant to ORS 271.330 and ORS 456.355- 456.370 and is conditioned upon use of the herein conveyed property by grantee, its heirs, assigns and successors in interest, for the provision of low income housing to qualified families for a period of ten (10) years from the date of this transfer. A "low income family" shall be defined as a family whose annual gross income does not exceed 80% of the median income for the area as determined by the U. S. Department of Housing and Urban Development.

This grant is further conditioned upon use of the herein conveyed property for the provision of low income housing within three (3) years from the date of its transfer to grantee or said property shall be subject to reversion to grantor. Use shall be defined as the property being occupied by a "qualifying family" as noted above.

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: \$15,000

