

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO.

12-3-14-7

IN THE MATTER OF AUTHORIZING THE EXECUTION OF A QUITCLAIM DEED TO ROBERT A. AND SARA E. MELTEBEKE FOR A PORTION OF COUNTY PROPERTY IDENTIFIED AS MAP NO. 17-03-33-21-00134 TO CLEAR UP OWNERSHIP ISSUES (PROPERTY LOCATED IN THE OLDHAM SLOUGH ALONG ALTON BAKER PARK)

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 transfer the following real property, to wit:

See Attached Exhibit "A"


WHEREAS said real property was to be included in an exchange of properties with Robert and Sara Meltebeke pursuant to Order No. 81-9-9-9 and

WHEREAS said real property was omitted in the legal description in the deed conveying the property to the Meltebekes due to a scrivener's error

IT IS HEREBY ORDERED that the Board shall execute a Quitclaim Deed to Robert A. and Sara E. Meltebeke for the real property described in Attached Exhibit "A".

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

ADOPTED this 14th day of March, 2012



Sid Leiken, Chair, Board of County Commissioners

APPROVED AS TO FORM

Date 2-29-12 lane county



OFFICE OF LEGAL COUNSEL

IN THE MATTER OF AUTHORIZING THE EXECUTION OF A QUITCLAIM DEED TO ROBERT A. AND SARA E. MELTEBEKE FOR A PORTION OF COUNTY PROPERTY IDENTIFIED AS MAP NO. 17-03-33-21-00134 TO CLEAR UP OWNERSHIP ISSUES (PROPERTY LOCATED IN THE OLDHAM SLOUGH ALONG ALTON BAKER PARK)

QUITCLAIM DEED

LANE COUNTY, a political subdivision of the State of Oregon, pursuant to Order No. 12-3-14-7 of the Board of County Commissioners of Lane County, releases and quitclaims to:

Robert A. and Sara E. Meltebeke

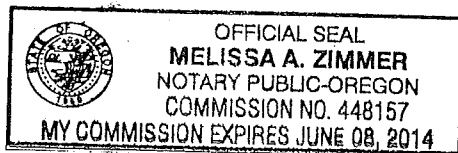
all its right, title and interest in that real property situated in Lane County, State of Oregon, described as:

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: Clearing of Title

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LANE COUNTY BOARD OF COMMISSIONERS

[Handwritten signatures of Lane County Board of Commissioners members]

STATE OF OREGON)
) ss
COUNTY OF LANE)

On March 14, 2012 personally appeared SIDNEY W. LEIKEN,
JAY BOZEMICH & FAYE STUART

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

After recording, return to/taxes to:
Robert A. & Sara E. Meltebeke
3224 Boardwalk Ave.
Eugene, OR 97401

[Handwritten signature of Melissa A. Zimmer]
Notary Public for Oregon
My Commission Expires June 8, 2014

Lane County, 125 E. 8th Ave., Eugene, OR 97401

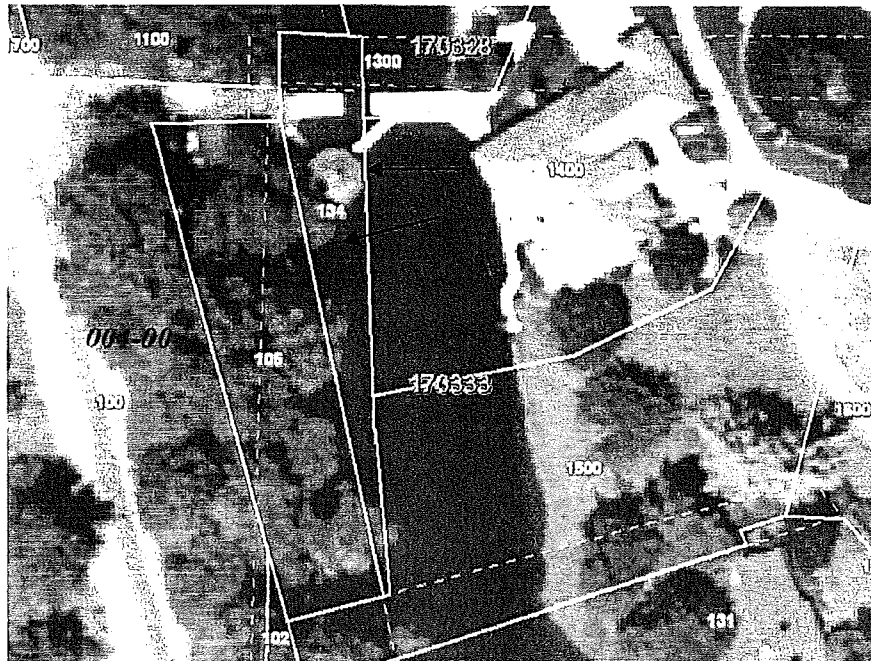
EXHIBIT "A"

From LC to Meltebeke
A portion of 17-03-33-21-00134

It is the intent of this document to convey any interest in a triangular shaped parcel lying in Section 33 only and between the banks of Oldham Slough, lying directly west of Lots 9, 10, and 11 of The Fountains Subdivision as filed in CSF 40083 and described as follows:

That portion of the following described parcel lying in the North West one quarter of Section 33, Township 17 South, Range 3 West of the Willamette Meridian and bounded as follows:
Beginning at the north west corner of Lot 9 of The Fountains Subdivision as filed in CSF 40083; thence along the west boundary of said Subdivision, South 13° 29' 54" East, 26.59 feet; thence South 15° 51' 55" East, 75.08 feet, to the True Point of Beginning; thence continuing along said west boundary, South 87° 57' 56" East, 6.07 feet; thence South 4° 25' 00" East, 203.41 feet; thence South 7° 39' 20" East, 84.09 feet to the north boundary of that Plat known as Eugene's Park Place, platted in book 73/593; thence South 73° 06' 40" West along said north boundary to a point on the east boundary of that parcel described in Reel 1163R Instrument 8145140; thence along said east boundary, North 11° 46' 06" West, 252 feet more or less; thence North, 45 feet more or less, Thence South 87° 57' 56" East, 36 feet more or less to the True Point of Beginning.

Excepting any portion of said description in Section 28, Township 17 South, Range 3 West, of the Willamette Meridian.



REL 111 PAGE 1220

FILED

AT 0'CLOCK

SEP 11 1981

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY

STATE OF OREGON

By *[Signature]*
DEPUTY

IN THE MATTER OF AN EXCHANGE OF
PROPERTIES BETWEEN LANE COUNTY AND
ROBERT AND SARAH MELTEBEKE IN THE
AREA OF ALTON BAKER PARK

ORDER 81-9-9-12

WHEREAS, Lane County and Robert and Sarah Meltebeke wish to resolve issues with regard to ownership and cleaning of areas in and near Oldham Slough;

WHEREAS, Lane County owns land generally described as all that part of a slough commonly known as the Oldham Slough lying west of the center of the said slough from a point approximately 450 feet southerly of the Autzen Stadium Gate 4 southerly 940 feet, more or less, to the south line of the Mahlon Harlow Donation Land Claim No. 57, comprising approximately 1.18 acres, and Robert and Sarah Meltebeke own land generally described as an irregularly shaped tract of land running from the intersection of the right (northerly) bank of the canoe waterway and the west bank of the Oldham Slough in an easterly direction 300 feet, more or less, comprising approximately .33 acre; all in the vicinity of Alton Baker Park;

WHEREAS, the parties have agreed that the property owned by each party would more fully benefit the other and the parties have further agreed to certain other conditions with regard to the proposed exchange of properties;

WHEREAS, the Board finds it in the best interest of Lane County to enter into a negotiated settlement with the Meltebekes including the proposed exchange of properties as a means of resolving a dispute with regard to cleaning of a portion of Oldham Slough and a dispute with regard to ownership of property over which the PreFontaine Jogging Trail and Alton Baker Park Bike Path are located.

WHEREAS, notice of hearing on the proposed exchange of properties has been published in a newspaper of general circulation once each week for four consecutive weeks and the Board has considered the matter at a public hearing conducted September 9, 1981, in accordance with ORS 275.100;

IT IS HEREBY ORDERED that the General Administrator be authorized to enter into a settlement agreement with Robert and Sarah Meltebeke involving exchange of properties as generally described above in accordance with ORS 275.100 without further compensation by either party except that Robert and Sarah Meltebeke agree to waive any and all rights with regard to recovery of costs incurred by the Meltebekes in cleaning Oldham Slough prior to the exchange of properties and Lane County agrees to consult with Robert and Sarah Meltebeke as long as they are parties of interest in the property adjacent to Alton Baker Park prior to utilizing the County park property between the slough and North Walnut Road for purposes other than the present use;

IT IS FURTHER ORDERED that the necessary deeds be executed and recorded by each party to properly effect this exchange of properties.

DATED this 9 th day of September, 1981.


Chairman, Lane County Board of Commissioners

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