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AGENDA COVER MEMORANDUM

Agenda Date: January 22, 2003

DATE: January 6, 2003

TO: Board of County Commissioners

DEPARTMENT: Management Services

PRESENTED BY: Jeff Turk, Property Management Officer

SUBJECT: ORDER/IN THE MATTER OF AUTHORIZING THE SALE OF SURPLUS COUNTY OWNED REAL PROPERTY TO ROBERT H. HYLTON AND JO DE HYLTON FOR \$5,000 (MAP # 18-12-02-20-03500, ADJACENT TO 88551 HWY 101, FLORENCE)

1. **PROPOSED MOTION:** THE BOARD OF COUNTY COMMISSIONERS MOVES TO AUTHORIZE THE SALE OF SURPLUS COUNTY OWNED REAL PROPERTY TO ROBERT H. HYLTON AND JO DE HYLTON FOR \$5,000 (MAP # 18-12-02-20-03500, ADJACENT TO 88551 HWY 101, FLORENCE)
2. **ISSUE/PROBLEM:** Mr. and Mrs. Hylton have submitted an offer of \$5,000 for the subject property. The offer is being forwarded to the Board for consideration for acceptance.
3. **DISCUSSION:**

3.1 Background

The subject property is a 62' x 145' (.23 acre) unimproved parcel. The subject property was acquired through tax foreclosure in June 1976. The subject property is zoned R1. The parcel has an assessed value of \$18,142. The subject's size will make it difficult to site a well and septic system. The Hylton's own property adjoining the subject to the North.

The subject property was offered at the recent Sheriff's sale held on December 9, 2002 with a minimum bid of \$8,000. The subject property has been offered at a previous Sheriff sale in 1999 with a minimum bid of \$18,000. The parcel has been available for private sale after each Sheriff's sale.

Analysis

As adjoining owners, the Hylton's may be able to develop the parcel with a dwelling by using their property for the septic system and well water. The subject can also provide additional plottage to their property if not developed. It would be difficult to develop or otherwise use the subject for someone other than an adjoining owner.

Pursuant to ORS 275.200, property that did not sell at a Sheriff's sale can be sold at private sale without further notice but for not less than 15% of its minimum bid at the Sheriff's sale. The \$5,000 offer meets the requirements of ORS 275.200.

3.3 Alternatives/Options

The Board can reject the Hylton's offer and direct staff to continue negotiations or offer the property at a future Sheriff's sale.

3.4 Recommendation

It is recommended that the offer of \$5,000 be accepted.

3.5 Timing

None.

4. **IMPLEMENTATION/FOLLOW-UP:** Upon approval by the Board of County Commissioners, the Quitclaim Deed will be executed and the property will be sold.
5. **ATTACHMENTS:**
 - Board Order
 - Quitclaim Deed
 - Tax 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
ROBERT H. HYLTON AND JO DE HYLTON FOR \$5,000
(MAP # 18-12-02-20-03500, ADJACENT TO 88551 HWY
101, FLORENCE)

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 convey the following real property which was acquired through tax foreclosure, to wit:

Beginning at the Northwest corner of Section 2, Township 18 South, Range 12 West of the Willamette Meridian, running thence South 89° 30' East 1185.2 feet to the TRUE POINT OF BEGINNING; thence South 4° 54' West 62.2 feet; thence South 89° 30' East 187.0 feet to the Westerly line of U.S. Highway 101; thence North 4° 54' East 62.2 feet along said Westerly line to the section line between sections 2 and 35; thence North 89° 30' West 187.0 feet to the True Point of Beginning, all in Lane County, Oregon. EXCEPTING THEREFROM that portion to Highway 101 per deed recorded on Reel 1347, Reception No. 8525914, Lane County Oregon Deed Records (map # 18-12-02-20-03500)

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 parcel was offered at a Sheriff's sale on December 9, 2002 with a minimum bid of \$8,000 and

WHEREAS no bids were received for said parcel and it remained unsold at the close of said sale

IT IS HEREBY ORDERED that pursuant to ORS 275.200 and ORS 275.275, the parcel be sold to Robert H. Hylton and Jo De Hylton for \$5,000, that the Quitclaim Deed be executed by the Board and that the proceeds be disbursed as follows:

Foreclosure Fund	(228-5570270-446120)	\$4,950.00
General Fund	(124-5570260-436521)	50.00

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____.

Chair, Board of County Commissioners

IN THE MATTER OF AUTHORIZING THE SALE OF SURPLUS COUNTY OWNED REAL PROPERTY
TO ROBERT H. HYLTON AND JO DE HYLTON FOR \$5,000 (MAP # 18-12-02-20-03500, ADJACENT TO
88551 HWY 101, FLORENCE)

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:

Robert H. Hylton and Jo De Hylton

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

Beginning at the Northwest corner of Section 2, Township 18 South, Range 12 West of the Willamette Meridian, running thence South 89° 30' East 1185.2 feet to the TRUE POINT OF BEGINNING; thence South 4° 54' West 62.2 feet; thence South 89° 30' East 187.0 feet to the Westerly line of U.S. Highway 101; thence North 4° 54' East 62.2 feet along said Westerly line to the section line between sections 2 and 35; thence North 89° 30' West 187.0 feet to the True Point of Beginning, all in Lane County, Oregon. EXCEPTING THEREFROM that portion to Highway 101 per deed recorded on Reel 1347, Reception No. 8525914, Lane County Oregon Deed Records (map # 18-12-02-20-03500)

THIS INSTRUMENT WILL 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 APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS. 30.930.

The true and actual consideration for this transfer is \$5,000.00

LANE COUNTY BOARD OF COMMISSIONERS

STATE OF OREGON)
) ss
COUNTY OF LANE)

On _____, 2002 personally appeared _____,

_____, _____, _____,

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

Notary Public for Oregon
My Commission Expires _____

After recording, return to/taxes to:
Robert & Jo Hylton
PO Box 1378
Florence, OR 97439

19.34 ac.

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34.87 (g. l. o.)

