

AGENDA COVER MEMORANDUM

Agenda Date: November 26, 2003

DATE: November 10, 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 JENNIFER LEHMER (MAP # 17-02-30-21-00100, ADJACENT TO 2246 32ND STREET, SPRINGFIELD)

1. **PROPOSED MOTION:** THE BOARD OF COUNTY COMMISSIONERS MOVES TO AUTHORIZE THE SALE OF SURPLUS COUNTY OWNED REAL PROPERTY TO JENNIFER LEHMER (MAP # 17-02-30-21-00100, ADJACENT TO 2246 32ND STREET, SPRINGFIELD)
2. **ISSUE/PROBLEM:** Ms. Lehmer has submitted an offer of \$100 for the subject property. Does the Board wish to accept the offer?
3. **DISCUSSION:**

3.1 Background

The subject property was acquired through tax foreclosure in September 1995. The property is approximately .11 acre (5,000 sq. ft.) and is zoned Low Density Residential. It has an assessed value of \$500.

The subject property was offered at a Sheriff's sale on September 8, 1997 with a minimum bid of \$500. No bids were received.

The subject property was initially created to be used as an irrigation ditch and is encumbered to be used as such by a recorded document in the county's Deed Records. The encumbrance effectively prevents permanent structures from being built on the subject property.

Ms. Lehmer is not an adjoining owner. Ms. Lehmer has indicated she would use the subject as a garden plot (which would conform with allowable uses). The subject does have legal access.

The subject property does require annual maintenance by the Property Management division to cut vegetation on the property.

Property Management staff has contacted the City of Springfield's Public Works department to see if the city had any interest in the property for right of way or other purposes. The city has not responded to the inquiry (as of the writing of this memo, it has been 2 weeks since the inquiry was made).

3.2 Analysis

The subject property has minimal value. Adjoining property owners have not expressed an interest in the property. Conveying the property to a private owner would relieve the county of any maintenance or other obligations and return the property to the tax roll.

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 \$100 offer exceeds 15% of the \$500 minimum bid at the September, 8 1997 sale.

3.3 Alternatives/Options

The Board can reject the offer and direct staff to continue negotiations for greater consideration or re-offer the parcel at a future Sheriff's sale.

3.4 Recommendation

It is recommended that the offer 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 JENNIFER LEHMER (MAP # 17-
02-30-21-00100, ADJACENT TO 2246 32ND
STREET, SPRINGFIELD)

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:

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 parcel was offered at a Sheriff's sale on September 8, 1997 with a minimum bid of \$500 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 identified as Assessor's map number 17-02-30-21-00100 be sold to Jennifer Lehmer for \$100 as described in attached Exhibit "A", that the Quitclaim Deed be executed by the Board and that the proceeds be disbursed as follows:

Foreclosure Fund	(228-5570270-446120)	\$50.00
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____.

Peter Sorenson, Chair
Lane County Board of Commissioners

IN THE MATTER OF AUTHORIZING THE SALE OF SURPLUS COUNTY OWNED REAL PROPERTY
TO JENNIFER LEHMER (MAP # 17-02-30-21-00100, ADJACENT TO 2246 32ND STREET, SPRINGFIELD)

APPROVED AS TO FORM

Date 11-17-03 lane county,



OFFICE OF LEGAL COUNSEL

EXHIBIT "A"

**Legal Description
17-02-30-21-00100**

Beginning at a point North 1° 36' West 80 feet from the Northwest corner of Lot 13, Block 1 SICON ACRES as platted and recorded in File 73, Slide 317, Lane County Oregon Plat Records; thence South 76° 07' 30" East, 107.14 feet to an iron rod on the Westerly right of way margin of North 32nd Street; thence South 65° 14' East 60 feet to a point on the Easter right of way margin of North 32nd Street; thence North 24° 46' East to the South boundary of a 40 foot roadway, said point also being the Northwest corner of that certain property described in Reel 1467, Reception No. 8729994, Lane County Oregon Deed Records; thence Westerly along the South boundary of said 40 foot roadway to a point that is North 1° 36' West from the point of beginning, said point also being the Northeast corner of Parcel 2, Partition Plat No. 2000-P1414, Lane County Oregon Plat Records; thence South 1° 36' East to the point of beginning.

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:

Jennifer Lehmer

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

See Attached Exhibit "A"

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 \$100.00

LANE COUNTY BOARD OF COMMISSIONERS

STATE OF OREGON)
) ss
COUNTY OF LANE)

On _____, 2003 personally appeared _____,

_____, _____, _____, _____,

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

Notary Public for Oregon

After recording, return to/taxes to:
Jeffifer Lehmer
2570 , #5 Sheldon Village Loop
Eugene, OR 97401

My Commission Expires _____

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17-02-30-21-00100

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