

## AGENDA COVER MEMORANDUM

M.9.D.1  
05-1-3-10

**Agenda Date: January 5, 2005**

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**DATE:** December 21, 2004

**TO:** Board of County Commissioners

**DEPARTMENT:** Management Services

**PRESENTED BY:** Jeff Turk, Property Management Officer 2

**SUBJECT:** ORDER/IN THE MATTER OF AUTHORIZING THE SALE OF SURPLUS COUNTY OWNED REAL PROPERTY TO OAESYS CORPORATION (MAP # 18-12-34-13-01300, LOCATED IN THE SIUSLAW RIVER TIDELANDS, FLORENCE)

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1. **PROPOSED MOTION:** THE BOARD OF COUNTY COMMISSIONERS MOVES TO AUTHORIZE THE SALE OF SURPLUS COUNTY OWNED REAL PROPERTY TO OAESYS CORPORATION (MAP # 18-12-34-13-01300, LOCATED IN THE SIUSLAW RIVER TIDELANDS, FLORENCE)
2. **ISSUE/PROBLEM:** The Oaesys Corporation has submitted an offer of \$1,000 for the subject property. The Board is being asked to accept or reject the offer.
3. **DISCUSSION:**

3.1 Background

The subject parcel was acquired through property tax foreclosure in September, 2000. It is .9 acre, zoned RR2 and located in the tidelands on the South bank of the Siuslaw River across from Florence (the parcel is underwater). The subject has a current assessed value of \$645

Oaesys Corporation owns the tidelands on either side of the subject. Oaesys is developing oyster beds in the tidelands for commercial production. Acquiring ownership of the subject property will provide them additional area for cultivation.

### 3.2 Analysis

The property does not have any development potential with respect to structures and can best be used by an adjoining owner.

ORS 275.225 provides for selling County owned real property at private sale which has an assessed value under \$5,000 and is not suited for the placement of a dwelling under current zoning and building ordinances. Notice of a proposed sale of the subject was published in the Register Guard on December 3, 2004. The County may sell the subject not less than 15 days from the date of publication of the notice. The subject parcel has a current assessed value of \$645 and qualifies for private sale pursuant to ORS 275.225.

### 3.3 Alternatives/Options

1. Sell the parcel to the offer.
2. Negotiate other sale terms than those offered.
3. Retain the parcel in county inventory.

### 3.4 Recommendation

It is recommended that the offer be accepted and the property sold.

### 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 sold.
5. **ATTACHMENTS:**  
Board Order  
Quitclaim Deed  
Plat 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  
OAESYS CORPORATION (MAP # 18-12-34-13-  
01300, LOCATED IN THE SIUSLAW RIVER  
TIDELANDS, 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 sell the following real property which was acquired through tax foreclosure, to wit:

*The Tide Lands lying between the Northerly extension of the Easterly line of Hazel Street and the Northerly extension of the Easterly line of Lot 7, Block 1, AMENDED PLAT OF SOUTH FLORENCE ADDITION TO GLENADA, as platted and recorded in Volume 2, Page 13, Lane County Oregon Plat Records, said tract lying in Government Lot 3, Section 34, Township 18South, Range 12 West of the Willamette Meridian (map # 18-12-34-13-01300).*

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 real property is assessed under \$5,000 on the most recent tax roll and is unsuited for the placement of a dwelling and

WHEREAS notice of the County's intent to sell said real property was published on December 3, 2004 in the Eugene Register-Guard and sale of said real property shall occur 15 days after publication of said notice

IT IS HEREBY ORDERED that, pursuant to ORS 275.225 and ORS 275.275, the real property be sold to Oaesys Corporation for \$1,000, that the Quitclaim Deed be executed and that the proceeds be disbursed as follows:

Foreclosure Fund	(228-5570270-446120)	\$948
General Fund	(124-5570260-436521)	52

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, Lane County Board of Commissioners

IN THE MATTER OF AUTHORIZING THE SALE OF SURPLUS COUNTY OWNED REAL  
PROPERTY TO OAESYS CORPORATION (MAP # 18-12-34-13-01300, LOCATED IN THE  
SIUSLAW RIVER TIDELANDS, FLORENCE)

APPROVED AS TO FORM  
Date 12/27/04 Lane County  
Teresa Smith  
OFFICE OF LEGAL COUNSEL

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:

Oaesys Corporation

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

*The Tide Lands lying between the Northerly extension of the Easterly line of Hazel Street and the Northerly extension of the Easterly line of Lot 7, Block 1, AMENDED PLAT OF SOUTH FLORENCE ADDITION TO GLENADA, as platted and recorded in Volume 2, Page 13, Lane County Oregon Plat Records, said tract lying in Government Lot 3, Section 34, Township 18South, Range 12 West of the Willamette Meridian (map # 18-12-34-13-01300).*

**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 \$1,000.00

LANE COUNTY BOARD OF COMMISSIONERS

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

STATE OF OREGON    )  
                              ) ss  
COUNTY OF LANE    )

On \_\_\_\_\_, 2004 personally appeared \_\_\_\_\_,

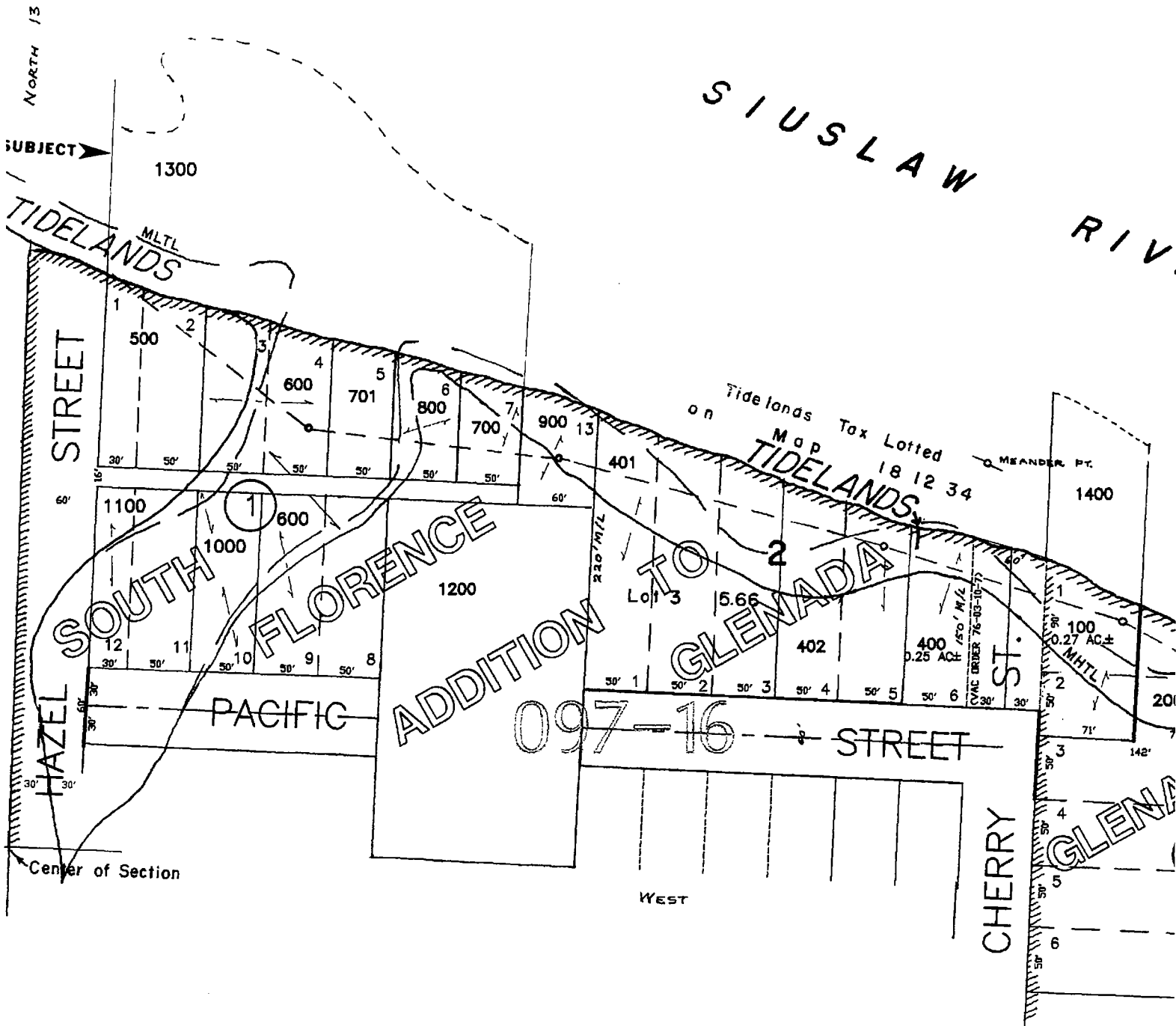
\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_,

\_\_\_\_\_, 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:  
Oaesys Corporation  
1525 W. 12<sup>th</sup> St., Suite 1  
Florence, OR 97439



SEE MAP 18 12 34 42