

W.5.E.1

## AGENDA COVER MEMORANDUM

**Memorandum Date:** April 1, 2009

**Agenda Date:** April 15, 2009

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**TO:** Board of County Commissioners

**DEPARTMENT:** Management Services

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

**SUBJECT:** IN THE MATTER OF AUTHORIZING THE SALE OF SURPLUS COUNTY OWNED REAL PROPERTY FOR \$3,000 TO MONTE GOLDBECK (MAP NO. 20-35-35-00-00200, EAST OF 78166 HIGH PRAIRIE RD., OAKRIDGE)

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1. **PROPOSED MOTION:** IT IS MOVED TO AUTHORIZE THE SALE OF SURPLUS COUNTY OWNED REAL PROPERTY FOR \$3,000 TO MONTE GOLDBECK (MAP NO. 20-35-35-00-00200, EAST OF 78166 HIGH PRAIRIE RD., OAKRIDGE)

2. **AGENDA ITEM SUMMARY:**

Mr. Goldbeck has submitted an offer of \$3,000 for the subject property. The matter is being brought to the Board for acceptance or rejection of the offer.

3. **BACKGROUND/IMPLICATIONS OF ACTION:**

**A. Board Action and Other History**

The subject parcel is .5 acres and is zoned RR5. The subject was acquired through tax foreclosure in September, 2007. The subject has an assessed value of \$2,590. It was offered at a recent Sheriff's sale on March 16, 2009 with a minimum bid of \$5,000. No bids were received.

**B. Policy Issues**

Pursuant to LM 21.425 the County shall dispose of County property not otherwise needed for public purposes thereby returning the property to the tax role.

ORS 275.200 provides for selling property via private sale, without notice, that has been offered at a Sheriff's sale but remained unsold. The property cannot be sold for less than 15% of the minimum bid set at the Sheriff's sale.

**C. Board Goals**

A sale of the property would be consistent with the Board's goals to return surplus property to private ownership and the tax roll.

**D. Financial and/or Resource Considerations**

The revenue received from a sale of the subject property would provide funding for the Property Management Program.

**E. Analysis**

The subject property is outside the city limits and urban growth boundary of Oakridge. It is triangular in shape and given its size, topography and high water table it is unlikely approvals would be granted for a well and septic system rendering the subject unsuitable for the placement of a dwelling.

Prior to the March 16<sup>th</sup> Sheriff's sale, notices of the sale were sent to adjoining property owners. None have contacted the Property Management office concerning the subject parcel.

**F. Alternatives/Options**

1. Accept Mr. Goldbeck's offer
2. Reject the offer and direct staff to negotiate additional consideration.
3. Reject the offer and offer the subject parcel at a future Sheriff's sale.

**4. RECOMMENDATION**

It is recommended that Mr. Goldbeck's offer be accepted.

**5. TIMING/IMPLEMENTATION**

No timing issues are present.

**6. FOLLOW-UP**

Upon approval by the Board, the Quitclaim deed will be executed and the property sold.

**7. 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 FOR  
\$3,000 TO MONTE GOLDBECK (MAP NO. 20-35-35-00-  
00200, EAST OF 78166 HIGH PRAIRIE RD.,  
OAKRIDGE)

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:

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 real property was offered at a Sheriff's sale on March 16, 2009 with a minimum bid of \$5,000 and

WHEREAS said real property did not receive a bid and remained unsold at the close of said Sheriff's sale

IT IS HEREBY ORDERED that, pursuant to ORS 275.200 the real property described in attached Exhibit "A" be sold to Monte Goldbeck for \$3,000, that the Quitclaim Deed be executed by the Board and that the proceeds be disbursed as follows:

Foreclosure Fund	(268-5570270-446120)	\$2,800
General Fund	(124-5570260-436521)	200

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, Board of County Commissioners

4/6/09  
21C  
CLERK OF LANE COUNTY

IN THE MATTER OF AUTHORIZING THE SALE OF SURPLUS COUNTY OWNED REAL PROPERTY FOR  
\$3,000 TO MONTE GOLDBECK (MAP NO. 20-35-35-00-00200, EAST OF 78166 HIGH PRAIRIE RD.,  
OAKRIDGE)

**EXHIBIT "A"**

**LEGAL DESCRIPTION**

**20-35-35-00-00200**

Beginning at a point on the North line of Section 35, Township 20 South, Range 3 EAST of the Willamette Meridian, 1180.59 feet North  $89^{\circ} 57'$  East of the North quarter section corner of said Section 35, and running thence North  $89^{\circ} 57'$  East along the North line of said Section 35, 373.75 feet to its intersection with the center of County Road No. 799, thence along the center of said County Road South  $67^{\circ} 47' 30''$  West 48.44 feet, thence South  $64^{\circ} 14'$  West 162.24 feet, thence South  $66^{\circ} 00'$  West 151.38 feet, thence North  $16^{\circ} 30'$  West 156.52 feet TO THE PLACE OF BEGINNING, all in Lane County, Oregon. EXCEPTING THEREFROM, any portions lying within the County Road.

**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:

**Monte Goldbeck**

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. 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

The true and actual consideration for this transfer is: \$3,000.00

**LANE COUNTY BOARD OF COMMISSIONERS**

*This space reserved for recording sticker*

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

STATE OF OREGON    )  
                              ) ss  
COUNTY OF LANE    )

On \_\_\_\_\_, 2009 personally appeared \_\_\_\_\_

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

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

After recording, return to/taxes to:  
Monte Goldbeck  
PO Box 40112  
Eugene, OR 97404

\_\_\_\_\_  
Notary Public for Oregon  
My Commission Expires \_\_\_\_\_

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