

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDINANCE NO. 3-05 IN THE MATTER OF AUTHORIZING THE TRANSFER OF SURPLUS COUNTY OWNED REAL PROPERTY LOCATED AT 04605 FALCON STREET, FLORENCE TO FLORENCE HABITAT FOR HUMANITY FOR THE PURPOSE OF PROVIDING AFFORDABLE HOUSING (MAP NO. 18-12-04-13-02600, SECOND READING AND PUBLIC HEARING AUGUST 24, 2005 AT 1:30 PM IN THE COMMISSIONER'S CONFERENCE ROOM)

WHEREAS, pursuant to ORS 271.330 and 456.365, any County may dedicate, sell, convey, lease or otherwise relinquish title to any of its property for the purpose of providing low income housing and

WHEREAS, the property identified by Assessor's map No. 18-12-04-13-02600 was acquired by Lane County through foreclosure for non-payment of property taxes and can be used as a resource in the development of low income housing and

WHEREAS, Lane Manual 21.430 prescribes procedures for effecting conveyances of County - owned real property for use in providing low income housing and said procedures have been adhered to and

WHEREAS, Florence Habitat for Humanity is a qualified non-profit corporation organized to undertake low-income housing projects and has submitted a request to acquire the aforementioned County-owned real property without consideration and

WHEREAS, Florence Habitat for Humanity has agreed to inclusion in the Quitclaim Deed from Lane County language which insures use of the property for the provision of low-income housing for a period of ten years from its transfer, with low-income housing defined as housing for families where annual income does not exceed 80% of the median income for the area as determined annually by the Department of Housing and Urban Development and

WHEREAS, Florence Habitat for Humanity has also agreed to include language in said Quitclaim Deed to ensure that the property is developed for low income housing within three years of its transfer or said real property shall be subject to reversion to Lane County and

WHEREAS, the Board further finds that the first reading of this ordinance was held on August 2, 2005, that on this date the second reading and public hearing were held and that notice of this ordinance and public hearing has been duly published in Lane County as required by ORS 271.330 and ORS 456.370 and

WHEREAS, due consideration was given to all testimony submitted at said public hearing

NOW, THEREFORE, the Board of County Commissioners of Lane County ordains as follows:

1. The Board finds that the facts are as stated in the above recitals.

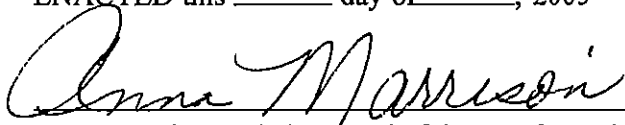
2. The Board further finds that, in accordance with ORS 271.330 and ORS 456.365, the aforementioned County-owned real property is appropriate for transfer to a non-profit corporation for the purpose of providing low-income housing.
3. The Board further finds that Florence Habitat for Humanity is a qualifying nonprofit corporation pursuant to ORS 271.330 and ORS 456.355, and that it is appropriate and in the best interests of Lane County to transfer the property to them.
4. Based upon these findings, the Board approves transferring without consideration to the Florence Habitat for Humanity, by Quitclaim Deed, title to Lane County owned real property identified as:

The South 106 feet of the West 18 feet of Lot 2, and the South 106 feet of the East 38 feet of Lot 3, Block 26, HECETA BEACH PLAT, as platted and recorded in Volume 7, Page 25, Lane County Oregon Plat Records, Lane County Oregon.

ALSO: The South 46.5 feet of Lot 1, Block 26 and the South 46.5 feet of the East 32 feet of Lot 2, Block 26 as platted and recorded in Volume 7, Page 25, Lane County Oregon Plat Records, Lane County Oregon.

5. The Board further approves executing said Quitclaim Deed with provisions to insure that the property is used for low-income housing as defined in LM 21.430(2)(a) for a period of ten (10) years from the date of its transfer and that said property shall be developed and used for said purpose within three years of its transfer or said property shall be subject to reversion to Lane County
6. It is further approved that the County Administrator or his designee is authorized to execute any other documents necessary to complete the transfer.

ENACTED this 24 day of August, 2005



Anna Morrison, Chair, Board of County Commissioners

APPROVED AS TO FORM

Date 8-1-05 lane county



OFFICE OF LEGAL COUNSEL

IN THE MATTER OF AUTHORIZING THE TRANSFER OF SURPLUS COUNTY OWNED REAL PROPERTY LOCATED AT 04605 FALCON STREET, FLORENCE TO FLORENCE HABITAT FOR HUMANITY FOR THE PURPOSE OF PROVIDING AFFORDABLE HOUSING (MAP NO. 18-12-04-13-02600, SECOND READING AND PUBLIC HEARING AUGUST 24, 2005 AT 1:30 PM IN THE COMMISSIONER'S CONFERENCE ROOM)

QUITCLAIM DEED

LANE COUNTY, a political subdivision of the State of Oregon, pursuant to Ordinance No.2-05 of the Board of County Commissioners of Lane County, releases and quitclaims to:

FLORENCE HABITAT FOR HUMANITY

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

The South 106 feet of the West 18 feet of Lot 2, and the South 106 feet of the East 38 feet of Lot 3, Block 26, HECETA BEACH PLAT, as platted and recorded in Volume 7, Page 25, Lane County Oregon Plat Records, Lane County Oregon.

ALSO: The South 46.5 feet of Lot 1, Block 26 and the South 46.5 feet of the East 32 feet of Lot 2, Block 26 as platted and recorded in Volume 7, Page 25, Lane County Oregon Plat Records, Lane County Oregon (map # 18-12-04-13-02600) .

This grant is made pursuant to ORS 271.330 and ORS 456.355- 456.370 and is conditioned upon use of the herein conveyed property by grantee, its heirs, assigns and successors in interest, for the provision of low income housing to qualified families for a period of ten (10) years from the date of this transfer. A "low income family" shall be defined as a family whose annual gross income does not exceed 80% of the median income for the area as determined by the U. S. Department of Housing and Urban Development.

This grant is further conditioned upon use of the herein conveyed property for the provision of low income housing within three (3) years from the date of its transfer to grantee or said property shall be subject to reversion to grantor. Use shall be defined as the property being occupied by a "qualifying family" as noted above.

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: The provision of low income housing.

BEACH

MAP # 18-12-04-13

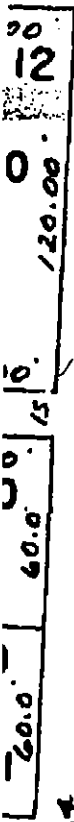
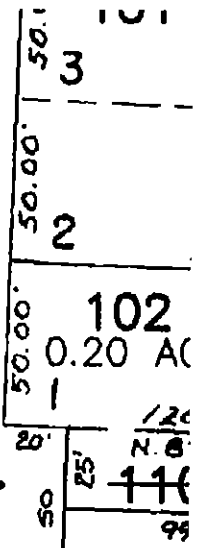
THIS MAP IS TO ASSIST
LOCATING PROPERTY
THE COMPANY ASSUMES NO
LIABILITY FOR INACCURACIES.



COURTESY OF
EVERGREEN LAND TITLE CO
741-1981

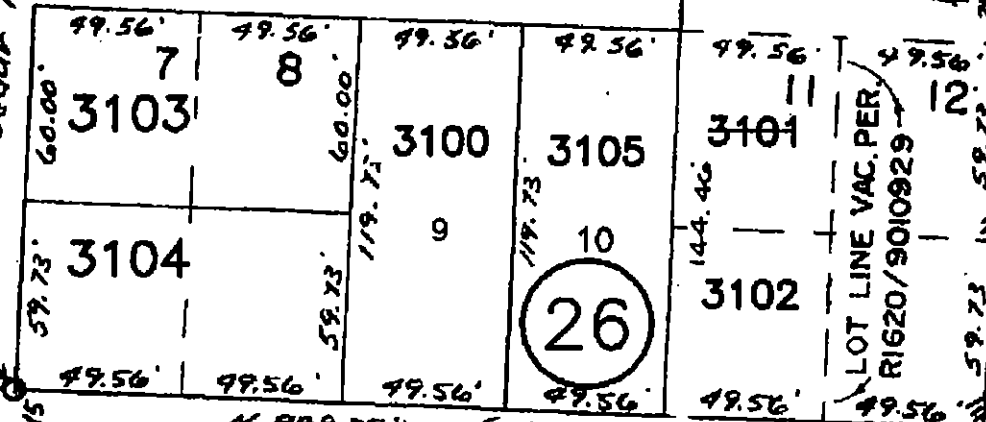
097-18

ARCH STREET



FND. S.E. Cor. Lot 12 BLK 24
ORIG. 4" x 4" Cedar Post.

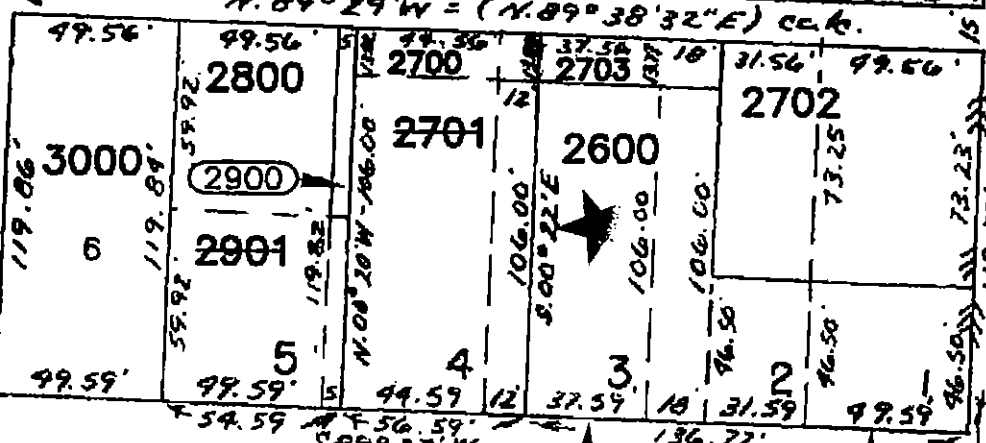
50'



N. 00° 26' W - 559.76 = 555.

AVENUE

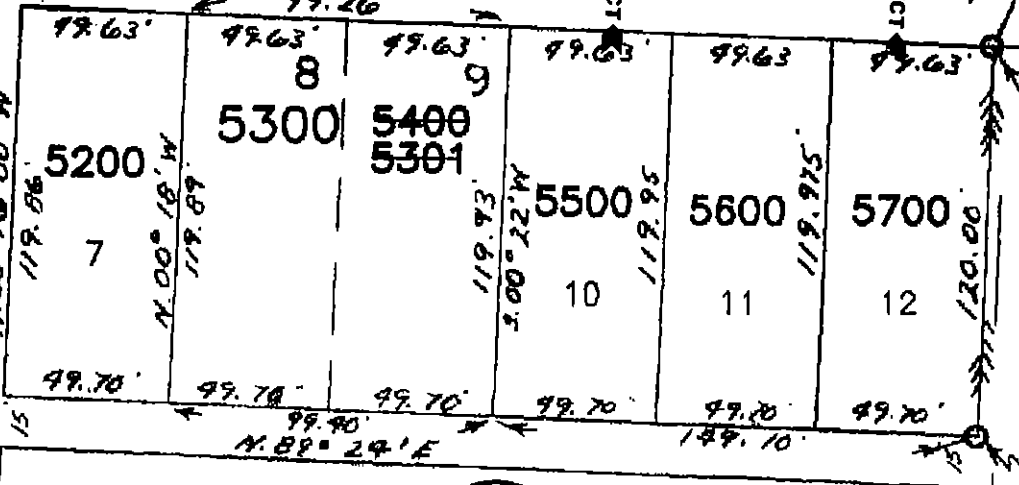
RHODOENDRON



FALCON STREET

FND. S.E. Cor. Lot 12 BLK 24
ORIG. 4" x 4" Cedar Post.

50'



N.E. of SE Cor. Lot 12 BLK 25
4" x 4" Cedar Post