

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON **PASSED**

ORDINANCE NO. 4-05

IN THE MATTER OF AUTHORIZING THE TRANSFER OF COUNTY OWNED REAL PROPERTY, FOR CONSIDERATION OF \$50,000, LOCATED AT 115 E. HILLCREST, EUGENE TO THE ST. VINCENT DE PAUL SOCIETY OF LANE COUNTY FOR THE PURPOSE OF PROVIDING AFFORDABLE HOUSING (MAP NO. 17-04-24-21-08100)

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, pursuant to ORS 275.320 county owned tax foreclosed real property identified as Assessor's map no. 17-04-24-21-08100 has been designated as county park land and

WHEREAS, pursuant to ORS 275.330 the county may sell, transfer or otherwise convey county park land at public or private sale subsequent to a public hearing and

WHEREAS a public hearing on the matter of selling said county park land was held on September 14, 2005 and the Board deemed it to be in the best interests of Lane County to sell said park land and

WHEREAS, said county owned real property 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, The St. Vincent de Paul Society of Lane County 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 with consideration of \$50,000 and

WHEREAS, The St. Vincent de Paul Society of Lane County 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, The St. Vincent de Paul Society of Lane County 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 24, 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

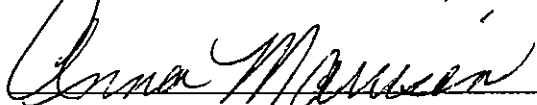
NOW, THEREFORE, the Board of County Commissioners of Lane County ordains as follows:

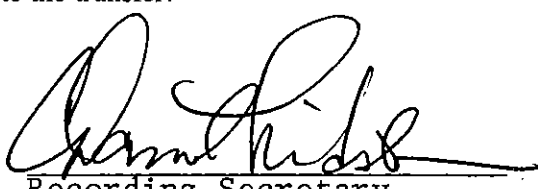
1. The Board finds that the facts are as stated in the above recitals.
2. The Board further finds that, in accordance with ORS 271.330 and ORS 456.365, the aforementioned County-owned real property is appropriate for transfer to a non-profit corporation for the purpose of providing low-income housing.
3. The Board further finds that The St. Vincent de Paul Society of Lane County 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 to The St. Vincent de Paul Society of Lane County, for consideration of \$50,000, by Quitclaim Deed, title to Lane County owned real property identified as Assessor's map no. 17-04-24-21-08100 and more particularly described as:

*See Attached Exhibit "A"*

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.

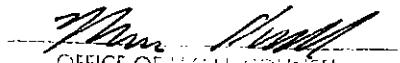
ENACTED this 13<sup>th</sup> day of Sept, 2005

  
\_\_\_\_\_  
Anna Morrison, Chair, Board of County Commissioners

  
\_\_\_\_\_  
Recording Secretary

IN THE MATTER OF AUTHORIZING THE TRANSFER OF COUNTY OWNED REAL PROPERTY, FOR CONSIDERATION OF \$50,000, LOCATED AT 115 E. HILLCREST, EUGENE TO THE ST. VINCENT DE PAUL SOCIETY OF LANE COUNTY FOR THE PURPOSE OF PROVIDING AFFORDABLE HOUSING (MAP NO. 17-04-24-21-08100)

APPROVED AS TO FORM

Date 8-18-05 lane county  
  
\_\_\_\_\_  
OFFICE OF LEGAL COUNSEL

Beginning at a point 76.52 feet West of the Southeast corner of that certain tract described in Deed Dated March 18, 1927, by Medora Rossman to B. E. Rayburn, Recorded in Book 153, Page 274, Lane County Oregon Deed Records, which real estate is also described as follows: from a point 13.585 chains North 17° West of a point 72.91 chains East of the Southwest corner of the Benjamin Davis and wife Donation Land Claim No. 45, Notification No. 2244, in Section 24, Township 17 South, Range 4 West of the Willamette Meridian, run North 17° West 38.61 feet; thence West 21 feet; thence North 17° West 729.87 feet to the Point of Beginning; thence run East 640.48 feet; thence North 267.07 feet to the Place of Beginning; and thence West 150 feet along the South line of the said 4 acre tract; thence run North 267.07 feet to the North line of said 4 acre tract; thence run East 150 feet along the North line of said 4 acre tract, to a point 76.52 feet West of the Northeast corner of said 4 acre tract; thence South 267.07 feet to the Place of Beginning, in Lane County, Oregon.

ALSO the East 76.52 feet of the following described tract of land in Lane County State of Oregon, to-wit: from a point 13.585 chains North 17° 00' West of a point 72.91 chains East of the Southwest corner of the Benjamin Davis and wife Donation Land Claim No. 45, Notification No. 2244, in Section 24, Township 17 South, Range 4 West of the Willamette Meridian, in Lane County, Oregon; thence run North 17° 00' West 38.61 feet; thence West 21 feet; thence North 17° 00' West 729.87 feet to the Point of Beginning; thence run East 640.48 feet; thence North 267.07 feet; thence West 722.04 feet; thence South 17° 00' East 279.27 feet to the Place of Beginning, in Lane County, Oregon.

EXCEPT: Tax Lot 8000 by Volume 236, Page 615 in 1943.

ALSO: Beginning at a point in the center of a certain 30 foot lane known as Hillcrest Avenue, said point being 15.0 feet North and 50.52 feet West of the Northeast corner of Lot 10, Block 2, PLAT OF OAKLEIGH, in Section 24, Township 17 South, Range 4 West of the Willamette Meridian, said point also being the Southeast corner of a certain 1 acre tract of land, recorded in the name of Hiram C. Burr, in Volume 236, Page 615, Lane County Oregon Deed Records; from said point run thence West 7.4 feet; thence North 267.07 feet to the North line of a certain 4 acre tract, the deed of which is Recorded in Volume 153, Page 274, Lane County Oregon Deed Records; thence East 7.4 feet along said North line; thence South 267.07 feet to the Place of Beginning, being a part of said 4 acre tract, said Township and Range, in Lane County, Oregon.

EXCEPT the South 26.90 feet to Lane County for Hillcrest Avenue.

## **QUITCLAIM DEED**

**LANE COUNTY**, a political subdivision of the State of Oregon, pursuant to Ordinance No.4-05 of the Board of County Commissioners of Lane County, releases and quitclaims to:

**THE ST. VINCENT DE PAUL SOCIETY OF LANE COUNTY, INC.**

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

*See Attached Exhibit "A"*

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: \$50,000

LANE COUNTY BOARD OF COMMISSIONERS

Anna Morrison  
Faye Stewart  
Bobby Green, Sr.  
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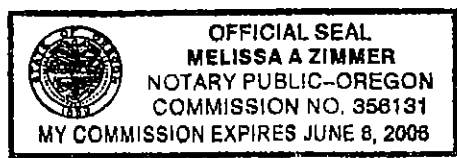
STATE OF OREGON    )  
                                  ) ss .  
COUNTY OF LANE    )

On SEPT 14, 2005 personally appeared Anna Morrison  
Faye Stewart, Bobby Green, Sr.

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

Melissa A. Zimmer  
Notary Public for Oregon  
My Commission Expires June 8, 2006

After recording, return to/taxes to:  
St. Vincent de Paul Society of Lane County  
PO Box 24608  
Eugene, OR 97402



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