

IN THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO.

98-8-5-8

)IN THE MATTER OF APPROVING THE
)TRANSFER OF TAX FORECLOSED
)COUNTY-OWNED PROPERTY TO THE
)CITY OF EUGENE AND EXECUTING
)THE CONVEYANCE DOCUMENT.

WHEREAS, the City of Eugene has requested that Lane County transfer the parcel of land identified on Exhibit "A" attached hereto, to the City to be used as public right of way necessary for the development of adjacent Tax Lot 103 and other properties to the south and east; and

WHEREAS, the requested land is held by Lane County as a result of tax foreclosure and ORS 271.330(1) gives the County express power to relinquish the title to any of its property to any governmental body, providing such property shall be used and continue to be used, for a public purpose by the governmental body, including transfers without consideration of property held by the County as a result of tax foreclosure.

NOW THEREFORE IT IS ORDERED that the County-owned land identified on Exhibit "A" attached hereto be conveyed by Quitclaim Deed to the City of Eugene.

IT IS FURTHER ORDERED that the County Commissioners sign the Quitclaim Deed needed to accomplish the transfer to the City.

IT IS FURTHER ORDERED that this Order shall be entered into the records of the Board of County Commissioner's Journal of Administration, Lane County, Oregon.

DATED this 5th day of August, 1998.



Chair, Lane County Board of Commissioners

FILED

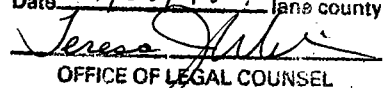
AUG 10 1998

COUNTY CLERK

BY M. Bullock

APPROVED AS TO FORM

Date 7/28/98 Lane County


OFFICE OF LEGAL COUNSEL

DESCRIPTION OF THE COUNTY-OWNED LAND TO BE TRANSFERRED TO THE
CITY OF EUGENE

A parcel of land lying in the Southeast one-quarter of the Southwest one-quarter (SE 1/4 SW 1/4) of Section 1, and Northeast one-quarter of the Northwest one-quarter (NE 1/4 NW 1/4) of Section 12, Township 17 South, Range 4 West of the Willamette Meridian, Lane County, Oregon, and being a portion of that tract of land conveyed to LANE COUNTY, a political subdivision of the State of Oregon, by that certain deed recorded June 13, 1974, on Reel 694, Recorder's Reception Number 7425259, LANE COUNTY OREGON DEED RECORDS, being the northerly 211 feet of the following described parcel:

"Beginning at a point in the East boundary line of the Lawrence Poin-dexter Donation Land Claim #52, in Township 17 South, Range 4 West, Willamette Meridian 676.80 feet South of the Northeast corner of said claim, and running thence West, 30.00 feet; thence South 00° 30' East, 211.00 feet parallel with the East Line of said claim; thence East, 15.00 feet parallel with the North line of said claim; thence South 00° 30' East, 155.00 feet parallel with the East line of said claim; thence East, 15.00 feet parallel with the North line of said claim to the East line thereof; thence North 00° 30' West, 366.00 feet along said East line to the point of beginning, in Lane County, Oregon."

BOOK 160 PAGE 2579

AGENDA COVER MEMO

DATE: July 21, 1998
TO: Lane County Board of Commissioners
DEPARTMENT: Public Works
PRESENTED BY: Don Maddox
Real Property Manager
AGENDA ITEM TITLE: In The Matter of Approving the Transfer of Tax Foreclosed
County-Owned Property to the City of Eugene and Execut-
ing the Conveyance Document.

I. MOTION

THAT THE RESOLUTION AND ORDER BE ADOPTED AUTHORIZING CON-
VEYANCE OF COUNTY-OWNED LAND TO THE CITY OF EUGENE AND
EXECUTING THE CONVEYANCE DOCUMENT.

II. ISSUE OR PROBLEM

The City of Eugene has requested that a parcel of County-owned property be transferred to the City to be used as public right of way.

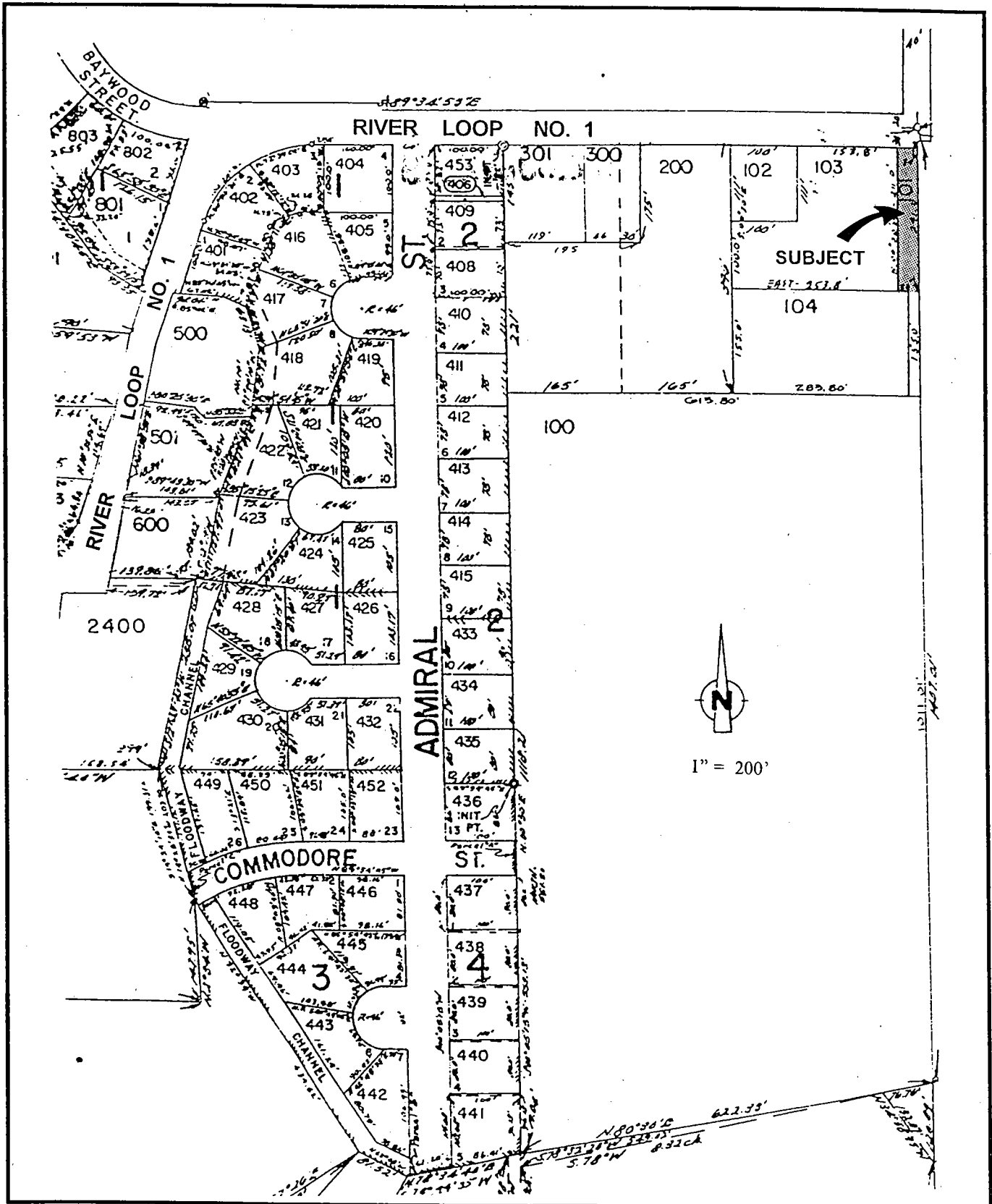
III. DISCUSSION

A. Background

Lane County acquired ownership of a strip of land identified as Tax Lot 101 on Lane County tax map 17-04-12-2 by tax foreclosure deed recorded as Instrument No. 74-25259 on Reel 694 of Lane County Oregon Deed Records. The owner of the adjacent tax lot to the west has applied to the City of Eugene for a development permit, and the City has determined that the north 211 feet of Tax Lot 101 will be needed for public right of way before they can approve the permit. This will also allow future development of other properties in the immediate vicinity.

B. Analysis

ORS 271.330(1) gives counties express power to relinquish the title to any of its property to any governmental body, providing such property shall be used



Return to:

City of Eugene - Public Works/Engineering
Attn. Russ Royer
858 Pearl Street
Eugene, Oregon 97401

17-04-12-2 101

QUITCLAIM DEED

LANE COUNTY, a political subdivision of the State of Oregon, hereinafter called GRANTOR, for the true and actual consideration of public benefits and advantages to be derived, does hereby release and quitclaim to the CITY OF EUGENE, a municipal corporation of the State of Oregon, all its rights, title and interest in that real property situated in Lane County, State of Oregon, described as follows:

A parcel of land lying in the Southeast one-quarter of the Southwest one-quarter (SE 1/4 SW 1/4) of Section 1, and Northeast one-quarter of the Northwest one-quarter (NE 1/4 NW 1/4) of Section 12, Township 17 South, Range 4 West of the Willamette Meridian, Lane County, Oregon, and being a portion of that tract of land conveyed to LANE COUNTY, a political subdivision of the State of Oregon, by that certain deed recorded June 13, 1974, on Reel 694, Recorder's Reception Number 7425259, LANE COUNTY OREGON DEED RECORDS, being the northerly 211 feet of the following described parcel:

"Beginning at a point in the East boundary line of the Lawrence Poindexter Donation Land Claim #52, in Township 17 South, Range 4 West, Willamette Meridian 676.80 feet South of the Northeast corner of said claim, and running thence West, 30.00 feet; thence South 00° 30' East, 211.00 feet parallel with the East Line of said claim; thence East, 15.00 feet parallel with the North line of said claim; thence South 00° 30' East, 155.00 feet parallel with the East line of said claim; thence East, 15.00 feet parallel with the North line of said claim to the East line thereof; thence North 00° 30' West, 366.00 feet along said East line to the point of beginning, in Lane County, Oregon."

The parcel of land to which this description applies contains 6,330 square feet, more or less.

City, by acceptance of this grant, hereby declares and otherwise agrees that City shall indemnify, hold harmless and defend the County, its officials, agents and employees, from and against any and all claims, damages, losses, and expenses, including attorney's fees, arising in and from City acceptance and use of the subject property.

The property shall be used for public purposes. Should this property be used for other than public purposes, the interest of the recipient shall automatically terminate and ownership shall revert to Lane County.

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 interest to the property should check with the appropriate City or County Planning Department to verify approved uses.

