

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO.) IN THE MATTER OF AUTHORIZING THE SALE OF SURPLUS
96-4-17-6) COUNTY OWNED REAL PROPERTY TO JAMES AND ELIZABETH
) THORTON (FORMERLY ASSESSOR'S MAP # 21-03-30-00-00602)

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, the tax account to said real property was canceled by the County in 1985 and the legal description of said property was incorporated into the adjoining property owned by Mr. and Mrs. Thorton (Tax Lot 700) and

WHEREAS, no deed was ever conveyed to Mr. and Mrs. Thorton transferring the County's interest in said foreclosed property and

WHEREAS, said foreclosed property was offered at a Sheriff's sale on June 12, 1979 with a minimum bid of \$500.00 and remained unsold at close of said sale and

WHEREAS, the Board is fully advised of the premises

IT IS HEREBY ORDERED that, pursuant to ORS 275.200 and 275.275, the real property described in attached Exhibit "A" be sold to James and Elizabeth Thorton for \$75.00, that the Quitclaim Deed be executed by the Board and that the proceeds be disbursed as follows:

Foreclosure Fund (28-1870-44411-070) \$ 25.00
General Fund (24-1870-43370-010) 50.00

IT IS FURTHER ORDERED, that this Order be entered into the records of the Board of Commissioners of the County.

DATED this 17th day of April, 1996.

FILED

APR 24 1996

COUNTY CLERK

BY Pam DeWelle

[Signature]
Chair, Board of County Commissioners

IN THE MATTER OF AUTHORIZING THE SALE OF SURPLUS COUNTY OWNED REAL PROPERTY TO JAMES AND ELIZABETH THORTON (FORMERLY ASSESSOR'S MAP #20-03-30-00-00602)

APPROVED AS TO FORM
Date 4/17/96 Lane county
[Signature]
OFFICE OF LEGAL COUNSEL

Exhibit "A"

A parcel of land being in Section thirty, Township twenty South, Range three West of the Willamette Meridian, more particularly described as follows:

Beginning at a 1/2" iron rod, which is South 00° 02' 20" East 20.29 feet and South 84° 27' 40" West 227.26 feet and North 87° 02' 20" West 273.74 feet from the interior angle corner of the Harvey Small Donation Land Claim #61, Section thirty, Township twenty South, Range three West of the Willamette Meridian, run thence South 00° 02' 20" East 414.28 feet; thence North 86° 14' 20" West to the Southeast corner of William Vaughn's property as described in deed on Reel 150, Instrument No. 94866; thence North along the East boundary of said property, to the Southerly line of County Road #445; thence East along the right-of-way line of said road to the point of beginning, all in Lane County, Oregon.

The above described property is that particular property described in the Foreclosure Deed by Lane County recorded on Reel 909, Reception No. 7831530 in the Deed Records of Lane County, Oregon and was formerly Assessor's Map # 20-03-30-00-00602.

Exhibit "A"

A parcel of land being in Section thirty, Township twenty South, Range three West of the Willamette Meridian, more particularly described as follows:

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April 15, 1996

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Commissioners
Lane County
Eugene, OR 97401

To Whom It May Concern:

Before we begin with our summary of our personal nightmare we would like to thank you for dealing so promptly with our problem. It may make the difference in the completion of the sale of our home (which took us a year to get, homes in this price range are very slow moving) and the purchase of our dream home. Both were due to close April 15, 1996.

In 1980 we purchased Tax Lot 700. In 1985 we received a letter that stated the county would be taking part of our road frontage and in exchange we would receive Tax Lot 602 which was part of our access to our old homesite on our property (see attached map, #602 is highlighted in pink and #700 in blue, new map showing them combined and deed cards showing #700 frontage removed. Reduced acreage is in pink and added acreage of #602 is in yellow). After receiving this letter I (Elizabeth) called the county in a panic as at that time we had two small toddlers and could not afford any large expenses that we were afraid may be incurred. The man I spoke with calmed my fears and patiently told me the increase in taxes would be small and no cost would be incurred by us for the exchange of properties. We did not think twice about it again until we listed our home last spring and our realtor inquired about access to our old homestead. We then informed her about the switch of properties by the county in 1985. My realtor promptly went to the county and verified with two separate planners (Cheryl and Tom) that this was indeed a tax lot and that we were the owners. But because Sherry (our realtor) did not want to be responsible for the Legal Lot Verification deposit, she made me also speak with a planner and verify the information she had received. We then went forward with our Legal Lot Verification. At that time I spoke with Mr. Nichols who stated he had never seen the county do such a thing before but "yes" it was my property and was a legal lot, see attached Legal Lot Verification (the legal lot verification states "No deed was recorded except Tax Foreclosure Deed of 1978" this states to us it was merely an oversight by someone in a department who did not realize a deed was needed for a correct transfer.)

After receiving a sale on our property and months of meeting all requirements by purchaser, appraiser, lenders, etc. not to mention negotiating the purchase of our new home, we had just one contingency left...our lot line adjustment. We sent our surveyor out, and while he was collecting deeds he discovered that the title to lot #602 had not been correctly transferred. He first contacted our realtor on Monday, April 8th, 1996, he then contacted Mr. Turk and then Mr. Nichols on Wednesday, April 10th and explained the problem to them. We were completely devastated as we have paid taxes on this property for almost eleven years and we are packed and ready to move. This could be very traumatic for us, my husband works two jobs to support our family and this may be our only chance to remove the stress of the farm upkeep. In our panic we did contact an attorney who listed numerous reasons that we did not need to worry. Our realtor assured us the county is working very hard on this matter, which we appreciate! She encouraged us to let her handle this matter (due to our emotional state) which we have until now. We have attached all the information we have on our lots such as deeds, titles, maps, etc.

Again, Thank you for all of your time and effort in this matter.

Sincerely

James Thornton
Elizabeth A. Thornton

James and Elizabeth Thornton

Tax lot 700 before the 1985 Transfer East boundary
was 431 Road frontage was 387 478.51 remain the
same

Tax lot 700 after 1985 transfer East boundary 442.28 - (boundary at
Road frontage 3207 478.51 remains same legal lot 602)

ONS P. 1109
P. 1109
P. 1109
P. 1109

LOT 2
11.50

603

700

600

4003

4002

601

4004
6.57 AC.
INT. & N. J.M.A.
A.C. N.

604

500

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Post-It[®] Fax Note 7671

Date	8-23	# of pages	1
From	Emma		
To	Mea		
Org./Dept	Western Landco	Western Pioneer	
Phone #	484-2900		
Fax #	484-732		
Fax #	942-1653		

