

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY  
STATE OF OREGON

**FILED**

DEC 10 1996

COUNTY CLERK  
BY *Lenny Wood*

ORDER NO. 96-12-4-9

(IN THE MATTER OF AUTHORIZING  
(RELINQUISHMENT OF COUNTY-OWNED  
(ROAD FUND PROPERTY ON THE CORNER  
(OF SIDE STREET & HIGHWAY 99 TO CITY  
(OF EUGENE UNDER ORS 271.330.

WHEREAS, City of Eugene has requested relinquishment of county-owned real property for road and other public purposes; and

WHEREAS, ORS 271.330 provides for relinquishment of title of property not needed for public use to other governmental bodies in the State of Oregon; and

WHEREAS, property relinquished to another governmental body under ORS 271.330 shall be used and continue to be used, by that governmental body for a public purpose; and

WHEREAS, the subject real property proposed to be relinquished is a road fund asset; and

WHEREAS, property is now in city limits and has been assessed for curbs, gutters and sidewalks. County has agreed to pay the assessments and the city will accept a quitclaim deed for a purchase price equal to the amount of the lien amount plus interest or \$354.51.

NOW THEREFORE BE IT ORDERED that the real property described in Exhibit "B" attached and incorporated herein is not needed for County purposes.

BE IT FURTHER ORDERED that Lane County authorize the relinquishment of that county-owned property to City of Eugene via Quitclaim Deed.

DATED this 4th day of December, 1996

*Bobby Green Sr.*  
Chair

Lane County Board of Commissioners

APPROVED AS TO FORM

Date 11-26-96 Lane County

*Stephen D. Verby*  
OFFICE OF LEGAL COUNSEL

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**QUITCLAIM DEED**

LANE COUNTY, a political subdivision of the State of Oregon, hereinafter called GRANTOR, for the true and actual consideration of three hundred fifty four and 51/100 (\$354.51)----- dollars, does hereby release and quitclaim to 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 Northwest one-quarter (NW 1/4) of Section 26, Township 17 South, Range 4 West of the Willamette Meridian, Lane County, Oregon, and being all of that tract of land conveyed to LANE COUNTY, a political subdivision of the State of Oregon, by that certain deed recorded July 2, 1964, on Reel 246, Recorder's Reception Number 61534, LANE COUNTY OREGON DEED RECORDS, described as follows:

"Beginning at the stone marking the northwest corner of the Solomon Zumwalt Donation Land Claim No. 41, Township 17 South, Range 4 West of the Willamette Meridian; thence, North 89° 27' West, 279.27 feet to an iron pipe set on the easterly right of way line of Highway 99 North; thence, South 33° 58' East, 2087.04 feet along said right of way line (being parallel with and 38 feet easterly from when measured at right angles to the surveyed centerline of said Highway) to the TRUE POINT OF BEGINNING; thence, South 33° 58' East, 10.06 feet along said right of way line to its intersection with the north margin of a 40.00 foot roadway commonly known as Side Street; thence, North 62° 41' East, 85.74 feet along the north margin of Side Street to a point; thence, North, 11.26 feet to a point; thence, South 62° 41' West, 92.08 feet to the true point of beginning in Lane County, Oregon."

The parcel of land to which this description applies contains approximately 0.02 of an acre, more or less.

City, by acceptance of this grant, hereby declares that it has full knowledge that the entire property conveyed by this grant was acquired with road funds of Lane County and hereby accepts the legal obligations and restrictions of use provided for under Oregon law and this grant.

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.

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.

