



Memorandum Date: January 20, 2023

Order Date: February 7, 2023

TO: Board of County Commissioners

DEPARTMENT: County Administration - Operations

PRESENTED BY: Kellie Hancock, Property Management Officer

AGENDA ITEM TITLE: ORDER/In the Matter of Authorizing a Sale of County Owned Tax Foreclosed Real Property for \$500 to Derek Eli and Marissa D. Madsen, Map No. 17-05-29-00-00303, in Lane County, Oregon.

I. MOTION

Move to authorize the sale of County owned tax foreclosed real property for \$500 to Derek Eli and Marissa D. Madsen, map no. 17-05-29-00-00303, in Lane County, Oregon.

II. AGENDA ITEM SUMMARY

Pursuant to ORS 275.225, Derek and Marissa Madsen are offering to purchase map and tax lot 17-05-29-00-00303 which was foreclosed upon by Lane County for non-payment of property taxes. This would be in the best interest of the County because they also own map 17-05-29 tax lots 00300 and 00400, which are the parcels to the west and north of the County owned property. They intend to merge the parcels for a contiguous lot.

III. BACKGROUND/IMPLICATIONS OF ACTION

A. Board Action and Other History

The property consists of 1,307 square feet (0.03 acres) of land with no improvements. Due to the size and shape of the land, it is unsuited for placement of a dwelling. The real market value is \$500 per the 2022 Lane County Assessor's roll.

The \$500 sale price represents the market value of the land and includes all taxes, interest and penalties due at the time the property was deeded, current year taxes and administrative fees.

B. Policy Issues

Pursuant to ORS 275.225 the governing body of a county may authorize the sale of County land by private sale if each parcel of county land to be sold:

- a) Has a real market value of less than \$15,000 on the assessment roll prepared for the county; and
- b) Is unsuited for the construction or placement of a dwelling under applicable zoning ordinances and building codes.

C. Board Goals

By returning this property to the tax roll, the Board is contributing to an engaged and healthy community.

D. Financial and/or Resource Considerations

The Tax Foreclosure Program is self-funded from the sale of foreclosed properties. After program expenses are deducted, revenue from the sale of foreclosed properties is disbursed in a manner similar to property taxes, per statute.

E. Health Implications

None.

F. Analysis

An offer has been made by adjoining owners to purchase a small piece of unbuildable county owned land. It is within ORS guidelines to complete the sale with Board approval.

G. Alternatives/Options

The following options are available to the Board:

- 1. Sell the property to the adjacent owner for the amount of \$500.
- 2. Reject the request to sell to the adjacent owner and instead offer the property at a sheriff's sale.

IV. RECOMMENDATION

Staff recommends Option 1 above.

V. TIMING/IMPLEMENTATION

Immediate.

VI. FOLLOW-UP

If a sale to the adjacent owner is authorized, staff will follow-up to close transaction.

VII. ATTACHMENTS

Board Order

Quitclaim Deed

Tax Map Aerial

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO: 23-02-07-04

ORDER / IN THE MATTER OF
AUTHORIZING A SALE OF COUNTY
OWNED TAX FORECLOSED REAL
PROPERTY FOR \$500 TO DEREK ELI AND
MARISSA D. MADSEN, MAP NO. 17-05-29-
00-00303, IN LANE COUNTY, OREGON.

WHEREAS, Lane County foreclosed upon and entered a judgment against the following Real Property due to non-payment of property taxes on June 12, 2020:

Beginning at the Northwest corner of the Levi Zumwalt Donation Land Claim #52, Township 17 South, Range 5 West of the Willamette Meridian: Running thence along the South line of the William Jeans Donation Land Claim #48, North 89°30' West 145.0 feet; thence South 85.55 feet to the centerline of County Road number 847 (Jeans Road); thence along said centerline to the point of beginning, in Lane County, Oregon;

and

WHEREAS, the Property was deeded to Lane County on September 27, 2022 at the end of the owner's redemption period and it was not redeemed by said owner; and

WHEREAS, the property consists of a .03 acre parcel, too small for construction of a residence under existing land use rules; and

WHEREAS, an adjacent property owner has offered to purchase said Property for the amount of back taxes, interest, penalties and fees owed; and

WHEREAS, ORS 275.225 allows the governing body of a county to authorize the sale of county land when the land has a real market value of less than \$15,000 on the assessment roll prepared for the county and is unsuited for the construction or placement of a dwelling under applicable zoning ordinances and building codes; and

WHEREAS, the county has prepared a Quitclaim Deed to convey the above referenced property to the adjacent owner, a copy of which is attached to this Order as Exhibit A;

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

1. The Quitclaim Deed conveying the sale of the Property, in substantially the form attached as Exhibit A, is approved, and
2. The County Administrator is delegated authority to execute the Deed and any other necessary documents to close the transaction.

ADOPTED this 7th day of February, 2023.

Pat Farr, Chair
Lane County Board of Commissioners

QUITCLAIM DEED

LANE COUNTY, a political subdivision of the State of Oregon, for good and valuable consideration, receipt of which is hereby acknowledged, pursuant to Order No. 23-02-07-04 of the Board of County Commissioners of Lane County, releases and quitclaims to Derek Eli and Marissa D. Madsen, all its right, title and interest in that real property situated in Lane County, State of Oregon, described as:

Beginning at the Northwest corner of the Levi Zumwalt Donation Land Claim #52, Township 17 South, Range 5 West of the Willamette Meridian: Running thence along the South line of the William Jeans Donation Land Claim #48, North 89°30' West 145.0 feet; thence South 85.55 feet to the centerline of County Road number 847 (Jeans Road); thence along said centerline to the point of beginning, in Lane County, Oregon.

This property is conveyed AS-IS without covenants or warranties, subject to any municipal liens, easements, and encumbrances of record.

The true consideration for this conveyance is \$500

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES 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 THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Pat Farr, Chair, Lane County Board of Commissioners

STATE OF OREGON)
) ss
COUNTY OF LANE)

The foregoing instrument was acknowledged before me on this ____ day of _____, 2023, by Pat Farr, Chair, Lane County Board of Commissioners, who acknowledged such instrument to be their free and voluntary act and deed, and on oath stated that they were duly authorized to execute such instrument.

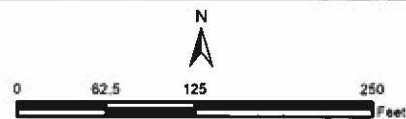
After Recording Return to and Send Tax Statements to:
Derek and Marissa Madsen
1148 Trail Creek Rd.
Bozeman, MT 59715

Notary Public for Oregon _____

My Commission Expires _____



The information on this map was derived from digital databases on the Lane County regional geographic information system. Care was taken in the creation of this map, but is provided "as is". Lane County cannot accept any responsibility for errors, omissions or positional accuracy in the digital data or the underlying records. Current plan designation, zoning, etc., for specific parcels should be confirmed with the appropriate agency. There are no warranties, expressed or implied, accompanying this product. However, notification of any error will be appreciated.



CartoViewer Web Map

Lane County, Oregon