



Memorandum Date: January 20, 2023

Order Date: February 7, 2023

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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 \$67,396 to Richard Walk, Former Owner of Record, Map No. 17-03-33-12-01700, 3518 Regent Ave, Eugene, Oregon.

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I. MOTION

Move to authorize the sale of County owned tax foreclosed real property for \$67,396 to Richard Walk, former owner of record, map no. 17-03-33-12-01700, 3518 Regent Ave, Eugene, Oregon.

II. AGENDA ITEM SUMMARY

Pursuant to ORS 275.180(1), Richard Walk is requesting that real property which was foreclosed upon for non-payment of property taxes be sold back to them for the taxes, fees, interest and penalties owing. They are the former owner of record and the property was their residence at the time of foreclosure.

III. BACKGROUND/IMPLICATIONS OF ACTION

A. Board Action and Other History

The property consists of a 2,470sf dwelling built in 1976, residing on a 0.36 acre lot. The property is zoned R-1 (Low Density Residential) and is located within the city limits of Eugene. The market value of this property is \$681,817 per the assessor's 2022 tax roll.

The \$67,396 sale price represents 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 275.180(1), The governing body of a county may at any time, without the publication of any notice, sell and convey by deed to the record owner or the contract purchaser of record, any property acquired by the county for delinquent taxes for not less than the amount of taxes and interest accrued and charged against such property at the time of purchase by the county with interest thereon at the rate of six percent per annum from the date of such purchase. Lane Manual 21.010.020(D) further qualifies that real property acquired by tax foreclosure may be sold to the record owner or a contract purchaser of record as provided in ORS 275.180, when the following condition exists: the property was the residence of the record owner or contract purchaser of record at the time of the foreclosure.

C. Board Goals

By returning this property to the tax roll, the Board is contributing to an engaged and healthy community. Selling this property to the former owner follows the guidance of the Lane County Manual.

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

The former owner has acquired funds to pay the balance in full and wishes to remain in residency at the home. The Board is not obligated to sell back to the former owner. Historically, the Board has approved property to be sold to the former owner when the requirements of the Lane Manual have been met.

G. Alternatives/Options

The following options are available to the Board:

1. Sell the property to the former owner for the amount of \$67,396 which includes all taxes, administrative fees, interest and penalties.
2. Sell the property to the former owner for an amount greater than \$67,396.
3. Reject the request to sell back to the former owner and instead offer the property at a sheriff's sale, which would yield greater consideration.

IV. RECOMMENDATION

Staff recommends Option 1 above.

V. TIMING/IMPLEMENTATION

Immediate.

VI. FOLLOW-UP

If a sale to the former 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: 23-02-07-05

ORDER / IN THE MATTER OF  
AUTHORIZING A SALE OF COUNTY  
OWNED TAX FORECLOSED REAL  
PROPERTY FOR \$67,396 TO RICHARD  
WALK, FORMER OWNER OF RECORD,  
MAP NO.. 17-03-33-12-01700, 3518  
REGENT AVE., EUGENE, 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:

**Lot 1, Block 3, Chevy Chase, as platted and recorded in Book 44, Page 15, Lane County Oregon Plat Records 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 former owner of record now requests that said Property be sold back to them for the amount of back taxes, interest, penalties and fees; and

**WHEREAS**, in compliance with Lane Manual 21.10.020(D) the former owner of record was the resident at the Property at the time of foreclosure; and

**WHEREAS**, ORS 275.180 allows the governing body of a county to sell and convey property acquired by tax foreclosure back to the owner of record at any time, without the publication of any notice; and

**WHEREAS**, the County has prepared a Quitclaim Deed to convey the above referenced property to the former 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.
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

# Exhibit A

## 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. 23-02-07-05 of the Board of County Commissioners of Lane County, releases and quitclaims to Richard Walk, all its right, title and interest in that real property situated in Lane County, State of Oregon, described as:

**Lot 1, Block 3, Chevy Chase, as platted and recorded in Book 44, Page 15, Lane County Oregon Plat Records 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 \$67,396

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.

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Pat Farr, Chair, Lane County Board of Commissioners

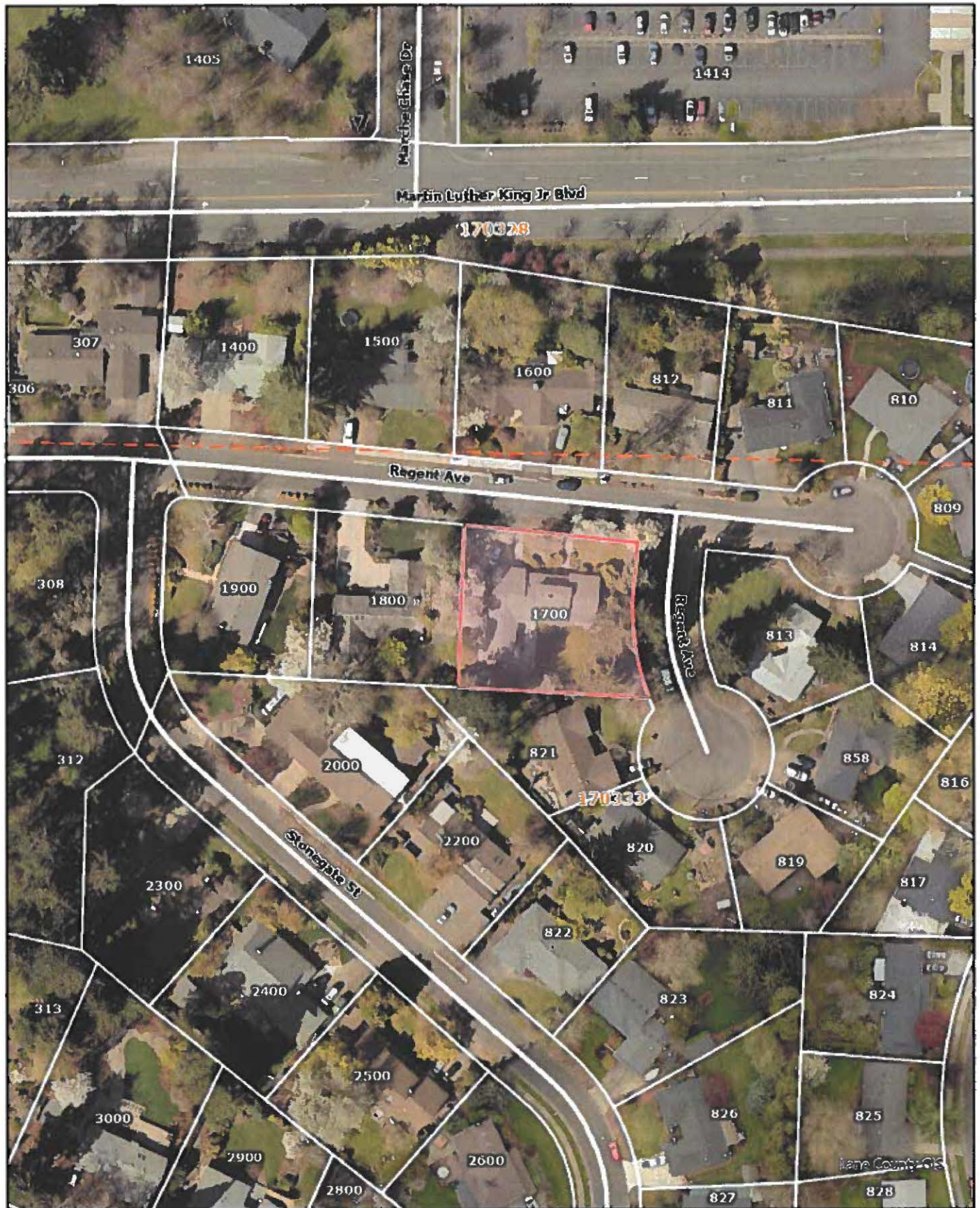
STATE OF OREGON     )  
                                  ) ss  
COUNTY OF LANE     )

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:  
Richard Walk  
3518 Regent Ave  
Eugene, OR 97401

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 errors will be appreciated.



Lane County, Oregon

CartoViewer Web Map