Memorandum Date: August 4, 2023
Order Date: August 22, 2023

TO:	Board of County Commissioners
DEPARTMENT:	Public Works/Engineering and Construction Services/Surveyors
PRESENTED BY:	Mikeal Jay Blommé, Interim Division Manager / Lane County Surveyor
AGENDA ITEM TITLE:	ORDER / IN THE MATTER OF LISTING FOR SALE COUNTY OWNED REAL PROPERTY IDENTIFIED AS MAP AND TAX LOTS 17-06-06-00-03501 AND 17-06-07-00-00600, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE DOCUMENTS TO COMPLETE THE SALE.

I. MOTION

Move to approve the Order to list for sale two Lane County owned Road Fund properties and to authorize the County Administrator to execute documents to complete the sale.

II. AGENDA ITEM SUMMARY

The Board is being asked to authorize Public Works Right of Way Services Staff to list and negotiate the sale of County owned real property identified as Map and Tax Lots 17-06-06-00-03501 and 17-06-07-00-00600, and authorize the County Administrator to execute any necessary documents to facilitate the closing of the sale.

III. BACKGROUND / IMPLICATIONS OF ACTION

A. Board Action and Other History

The properties proposed to be sold are two contiguous tax lots comprising of a total of 36.51 acres of timberland located on the west side of Poodle Creek Road between mileposts 3.3 and 3.8, north of W. Sheffler Road in Noti Oregon. The properties were conveyed to Lane County in 1977 in conjunction with an improvement project along Poodle Creek Road, where additional right of way was needed.

Tax Lot 3501 is Zoned F-2, Impacted Forest and contains 7.61 acres. Tax Lot 600 is Zoned F-1, Non-Impacted Forest and contains 28.90 acres. There are no home sites or building structures on the property.

Records indicate there have been several offers to purchase the property during Lane County's ownership. For unclear reasons, the County was not interested in disposing of the property at those times.

Public Works has determined there is no reason to retain the property, as it is not needed for public use.

B. Policy Issues

Oregon Revised Statutes (ORS) 271.310 allows the transfer or lease of real property owned by a political subdivision if the real property is not needed for public use. It has been determined the sale of this property meets those criteria.

C. Board Goals

This proposal is in line with Strategic Priority 3, Robust Infrastructure. The proceeds from the sale of this County owned property will be redistributed into the Lane County Road Fund, which will ultimately be used to improve the safety of Lane County's transportation and operations facilities.

D. Financial and/or Resource Considerations

A timber cruise and valuation dated as of July 13, 2023, was prepared by Mason, Bruce & Girard, Inc. The report indicates Tax Lot 3501 includes 5.5 acres of merchantable timber composed of 89 percent Douglas-fir and 11 percent western hemlock with a nominal amount of grand fir and western red cedar, with a total estimated net volume of 201mbf (thousand board feet). The remaining 2.18 acres of Tax Lot 3501 is composed of riparian and HLHL (high landslide hazard location) areas. Tax Lot 600 includes 28.8 acres of merchantable timber composed of 99 percent Douglas-fir with a nominal amount of western hemlock, grand fir and western red cedar, with a total estimated net volume of 1,557.7mbf (thousand board feet). Mason, Bruce, & Girard Inc. appraised the timber at $817,000 (rounded).

The Mason, Bruce, & Girard Timber Appraisal was provided to Clint Becraft, MAI, of Viewpoint Appraisals, LLC for the purpose of determining the market value for the sale of the property. As of June 16, 2023, the Viewpoint appraisal values both properties at $930,000.

Lane County Right of Way Services proposes to offer 2% of purchase price to the buyer's licensed real-estate broker. Lane County will pay standard sellers closing costs.

The subject real property was acquired with Road Funds. All net proceeds will be redistributed back into the Road Fund.

E. Health Implications

There are no health implications.

F. Analysis

The County owned real property as described in the Order is not needed for public purposes, and the public interest will be furthered by selling the property.

G. Alternatives / Options

The Board of County Commissioners has the option to:

1. Approve the motion allowing Public Works Right of Way Services Staff to list and negotiate the sale of County owned real property at fair market value, and authorize the County Administrator to execute any necessary documents to close the sale.

2. Deny the motion.

3. Continue the matter for further consideration.

IV. RECOMMENDATION

Public Works Right of Way Services Staff recommends the Board support Option Number 1, allowing Public Works Right of Way Services Staff to list and negotiate the sale of the County owned real property, and authorize the County Administrator to execute any related documents, pursuant to the requirements set forth in ORS 271.310.

V. TIMING / IMPLEMENTATION

Timing is not important.

VI. FOLLOW-UP

If the Board of County Commissioners approves the Order to sell the County owned real estate, Right of Way Services Staff will begin the process of listing the property and considering offers accordingly. Upon accepting a reasonable offer, Staff will work with the purchaser and County Administrator to close the transaction.

VII. ATTACHMENTS

Order with Exhibits:
Map of Real Property – Exhibit "A"

Contact Person: Mikeal (Jay) Blommé, Ext. 6997

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO. 23-08-22-07

IN THE MATTER OF LISTING FOR SALE COUNTY OWNED REAL PROPERTY IDENTIFIED AS MAP AND TAX LOTS 17-06-06-00-03501 AND 17-06-07-00-00600, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE DOCUMENTS TO COMPLETE THE SALE.

WHEREAS, Lane County owns real property located along Poodle Creek Road identified as Map and Tax Lots 17-06-06-00-03501 and 17-06-07-00-00600; and

WHEREAS, the County owned real property was acquired through the use of Road Funds, and is not being used or needed for transportation purposes; and

WHEREAS, Public Works Staff has determined it is in the best interest of the public to sell the County owned real property at fair market value; and

WHEREAS, ORS 271.310 provides the transfer or lease of real property owned or controlled by a political subdivision if the real property is not needed for public use or whenever the public interest may be furthered; and

WHEREAS, the sale of the County owned real property meets the criteria set forth in ORS 271.310; and

WHEREAS, the Board is of the opinion that selling the County owned real property is in the best interest of the public.

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

1. Public Works Right of Way Services Staff are authorized to list and negotiate the sale of the County owned real property identified as Map and Tax Lots 17-06-06-00-03501 and 17-06-07-00-00600, at fair market value.

2. The County Administrator is authorized to execute any documents necessary to complete the sale.

3. All net proceeds from the sale of the real property are to be redistributed into the Lane County Road Fund.

4. This Order be entered into the records of the Lane County Board of Commissioners Journal of Administration.

ADOPTED this 22nd day of August, 2023.

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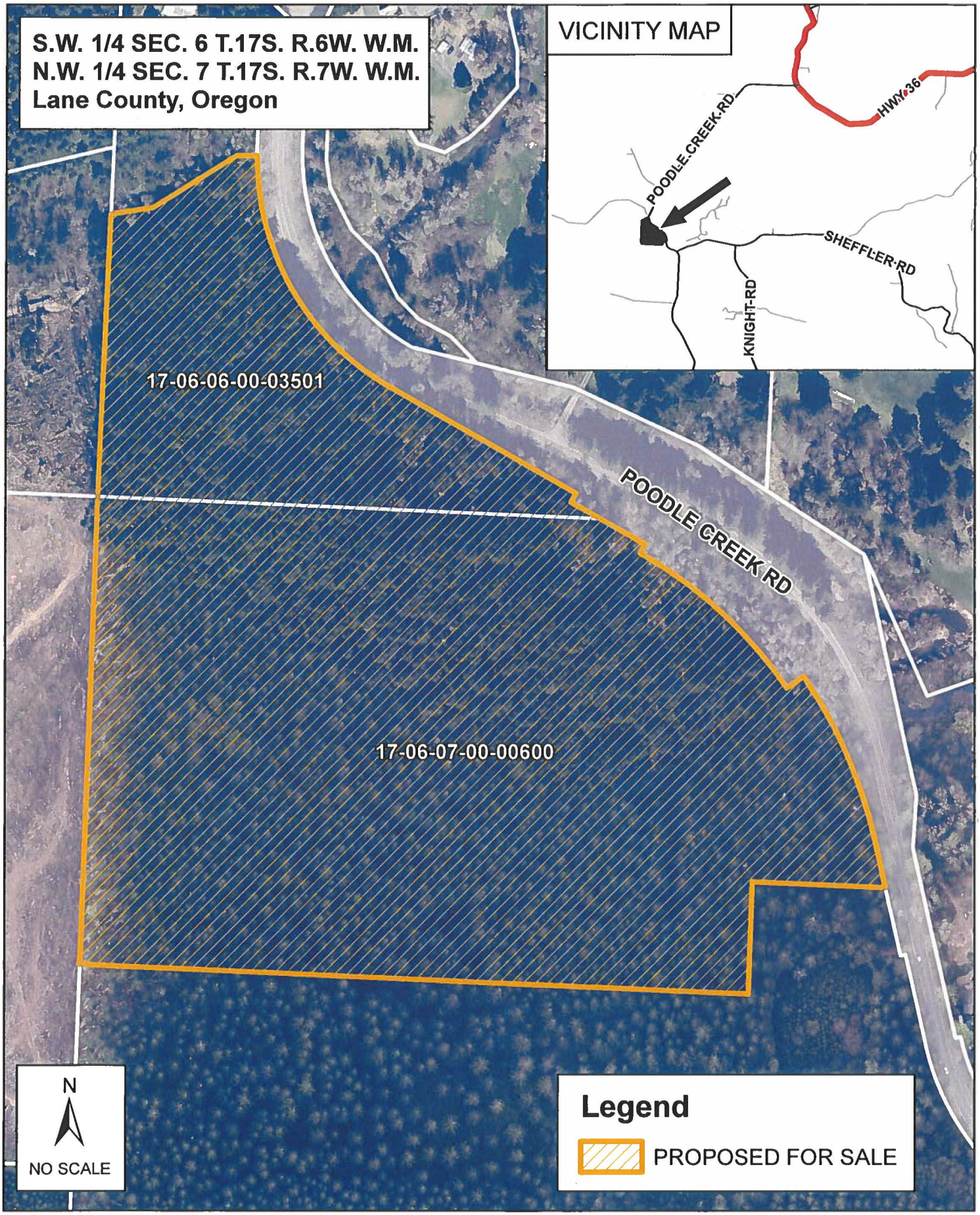
Pat Farr, Chair
Lane County Board of Commissioners

EXHIBIT "A"

POODLE CREEK PROPERTIES - PROPOSED FOR SALE