AGENDA COVER MEMO

Memorandum Date: November 18, 2024

Order Date: December 3, 2024

TO:	Board of County Commissioners
DEPARTMENT:	County Administration - Operations
PRESENTED BY:	Kellie Hancock, Property Management Officer
AGENDA ITEM TITLE:	ORDER 24-12-03-04/ In the Matter of Authorizing a Sale of County Owned Tax Foreclosed Real Property for $3,448 to William Marcus Anthony, Former Owner of Record, Map No. 17-04-16-42-13300, Tax Account 1615135, in Eugene, Oregon.

I. MOTION

Move to authorize the sale of County owned tax foreclosed real property for $3,448 to William Marcus Anthony, former owner of record, Map No. 17-04-16-42-13300, tax account 1615135, in Eugene, Oregon.

II. AGENDA ITEM SUMMARY

Pursuant to ORS 275.180(1), William Marcus Anthony 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 located at their residence at the time of foreclosure.

III. BACKGROUND/IMPLICATIONS OF ACTION

A. Board Action and Other History

This tax account is for a garage, residing on a 0.17-acre lot within a manufactured structure community. The land is zoned R-1 (Low Density Residential) and is located within the city limits of Eugene. The market value of this property is $19,462 per the Lane County Assessor's 2024 tax roll.

The $3,448 sale price represents all taxes, interest, and penalties due at the time the property was deeded, plus 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.

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. Surplus funds from sales are held for possible claims from former owners. There are no surplus funds from this sale back to the former owner.

E. Health Implications

None.

F. Analysis

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 $3,448 which includes all taxes, administrative fees, interest and penalties.
2. Reject the request to sell back to the former owner and instead retain ownership of the property.

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 finalize the transaction.

VII. ATTACHMENTS

Board Order
Quitclaim Deed
Tax Map Aerial

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO: 24-12-03-04	IN THE MATTER OF AUTHORIZING A SALE OF COUNTY OWNED TAX FORECLOSED REAL PROPERTY FOR $3,448 TO WILLIAM MARCUS ANTHONY, FORMER OWNER OF RECORD, MAP NO. 17-04-16-42-13300, TAX ACCOUNT 1615135, IN EUGENE, OREGON.

WHEREAS, Lane County foreclosed upon and entered a judgment against the Real Property affixed to map and tax lot 17-04-16-42-13300 due to non-payment of property taxes; and

WHEREAS, the Property was deeded to Lane County on October 11, 2023, 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, 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, and
2. The County Administrator is delegated authority to execute the Deed and any other necessary documents to close the transaction.

ADOPTED this 3rd day of December, 2024.

_____

Laurie Trieger, 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. 24-12-03-___ of the Board of County Commissioners of Lane County, releases and quitclaims to **William Marcus Anthony,** all its right, title and interest in that real property situated in Lane County, State of Oregon, described as follows:

Improvement Only Tax Account 1615135, garage located at 2564 Rosebay Street, Eugene, 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 **$3,448**

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.

Signature Page Follows

Steve Mokrohisky, County Administrator

STATE OF OREGON)
) ss
COUNTY OF LANE)

The foregoing instrument was acknowledged before me on this ____ day of _____, 2024, by Steve Mokrohisky, County Administrator, 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:

William Marcus Anthony
2564 Rosebay Street
Eugene, OR 97477

17-04-16-42-13300-901

1615135

Notary Public for Oregon_____

My Commission Expires _____

Jessen Drive
Jessen Drive
Melrose Loop
Rosebay Street
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04/14/2023