

W801

**AGENDA COVER MEMORANDUM**

**Agenda Date: May 11, 2005**

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**DATE:** April 26, 2005  
**TO:** Board of County Commissioners  
**DEPARTMENT:** Management Services  
**PRESENTED BY:** Jeff Turk, Property Management Officer

**SUBJECT:** ORDER/IN THE MATTER OF AUTHORIZING THE SALE OF SURPLUS COUNTY OWNED REAL PROPERTY TO WM. MARK IMMEL AND PATRICIA A. IMMEL FOR \$4,000 (MAP # 19-11-30-30-00201, ACROSS FROM 83065 SILTCOOS STATION RD., WESLAKE)

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1. **PROPOSED MOTION:** THE BOARD OF COUNTY COMMISSIONERS MOVES TO AUTHORIZE THE SALE OF SURPLUS COUNTY OWNED REAL PROPERTY TO WM. MARK IMMEL AND PATRICIA A. IMMEL FOR \$4,000 (MAP # 19-11-30-30-00201, ACROSS FROM 83065 SILTCOOS STATION RD., WESLAKE)

2. **ISSUE/PROBLEM:** Mr. and Mrs. Immel have an offer of \$4,000 for the subject property. The offer is being presented to the Board for consideration of acceptance.

3. **DISCUSSION:**

3.1 Background

The subject property was acquired through tax foreclosure in May, 1992. It is 2.45 acres, zoned RR5 and is unimproved. It has an assessed value of \$16,748. The parcel was offered at a Sheriff's sale on January 25, 1993 with a minimum bid of \$9,860 and did not receive any bids.

The parcel likely cannot be developed with a dwelling. The parcel is mostly marsh and wetlands and is designated as wetlands on the National Inventory of Wetlands. A Land Management Division staff report on the parcel (1992) indicates that the parcel lacks sufficient highland area to site a dwelling or to install a septic system.

The railroad right of way separates the parcel from Siltcoos Lake.  
The Immels own tax lot 202 which is across Siltcoos Station Rd. from the subject.

### 3.2 Analysis

As the parcel is a designated wetland, not suitable for the placement of a dwelling and does not have direct legal access to the lake it has minimal value and utility.

Pursuant to ORS 275.200, property that did not sell at a Sheriff's sale can be sold at private sale without further notice but for not less than 15% of its minimum bid at the Sheriff's sale. The \$4,000 offer meets the requirements of ORS 275.200.

### 3.3 Alternatives/Options

- A. The Board can accept the offer.
- B. The offer can be rejected with staff directed to continue negotiations.
- C. The property can be offered again at a future Sheriff's sale.

### 3.4 Recommendation

It is recommended that the Immel's offer of \$4,000 be accepted.

### 3.5 Timing

None.

- 4. **IMPLEMENTATION/FOLLOW-UP:** Upon approval by the Board of County Commissioners, the Quitclaim Deed will be executed and the property will be sold.
- 5. **ATTACHMENTS:**
  - Board Order
  - Quitclaim Deed
  - Tax Map

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO.

IN THE MATTER OF AUTHORIZING THE SALE OF SURPLUS COUNTY OWNED REAL PROPERTY TO WM. MARK IMMEL AND PATRICIA A. IMMEL FOR \$4,000 (MAP # 19-11-30-30-00201, ACROSS FROM 83065 SILTCOOS STATION RD., WESLAKE)

WHEREAS this matter now coming before the Lane County Board of Commissioners and said Board deeming it in the best interest of Lane County to convey the following real property which was acquired through tax foreclosure, to wit:

*Beginning at a point 1659.3 feet North and 240.8 feet East of the Southwest corner of Section 30, Township 19 South, Range 11 West of the Willamette Meridian, said point being on the Westerly right-of-way boundary of the county road; thence North 74° 27' West 136.1 feet to the Easterly right-of-way boundary of the Willamette Pacific Railroad; thence along said railroad right-of-way boundary on a 3° curve left, the long chord of which bears North 2° 42' West 318.5 feet; thence South 84° 10' East 371.3 feet to said Westerly county right-of-way boundary; thence along said westerly county right-of-way boundary South 38° 29' East 133.5 feet; thence South 24° 55' West 112.0 feet; thence South 89° 15' West 186.0 feet; thence South 34° 10' West 132.0 feet to the Point of Beginning, Lane County Oregon (19-11-33-30-00201). EXCEPTING THEREFROM any portions thereof lying in the county road.*

WHEREAS said real property is owned by Lane County and not in use for County purposes, and sale of said property would benefit Lane County by its return to the tax roll, and

WHEREAS said parcel was offered at a Sheriff's sale on January 25, 1993 with a minimum bid of \$9,860 and no bids were received for said parcel and it remained unsold at the close of said sale

IT IS HEREBY ORDERED that pursuant to ORS 275.200 and ORS 275.275, the parcel be sold to Wm. Mark Immel and Patricia A. Immel for \$4,000, that the Quitclaim Deed be executed by the Board and that the proceeds be disbursed as follows:

Foreclosure Fund	(228-5570270-446120)	\$3,950.00
General Fund	(124-5570260-436521)	50.00

IT IS FURTHER ORDERED, that this Order shall be entered into the records of the Board of Commissioners of the County.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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Anna Morrison, Chair  
Lane County Board of Commissioners

IN THE MATTER OF AUTHORIZING THE SALE OF SURPLUS COUNTY OWNED REAL PROPERTY TO WM. MARK IMMEL AND PATRICIA A. IMMEL FOR \$4,000 (MAP # 19-11-30-30-00201, ACROSS FROM 83065 SILTCOOS STATION RD., WESLAKE)

APPROVED AS TO FORM

Date 5-2-05 lane county

  
OFFICE OF LEGAL COUNSEL

