

AGENDA COVER MEMORANDUM

W. 11.9.

Agenda Date: April 5, 2006

---

**DATE:** March 22, 2006

**TO:** Board of County Commissioners

**DEPARTMENT:** Management Services

**PRESENTED BY:** Jeff Turk, Property Management Officer

**SUBJECT:** IN THE MATTER OF PROVIDING DIRECTION TO STAFF FOR THE DISPOSITION OF COUNTY OWNED REAL PROPERTY IDENTIFIED AS MAP NO. 17-04-36-41-12500 (ADJACENT TO 1393 POLK STREET, EUGENE)

---

1. **PROPOSED MOTION:** NO MOTION IS PROPOSED.

2. **ISSUE/PROBLEM:** The subject property has been under the management of the Fairgrounds since its purchase in 1977. The Fair Board has deemed that the property is no longer needed for Fair purposes and would like the County Board to sell the property with net proceeds returned to the Fair. Staff would like direction concerning:

- Sell or retain the parcel
- Process for disposing the parcel (auction/private sale/affordable housing)
- Disposition of proceeds from a sale

3. **DISCUSSION:**

3.1 Background

The subject parcel is a 53' x 160' vacant lot on the East side of Polk St. between 13<sup>th</sup> & 14<sup>th</sup> Avenues. It was purchased by the County in January, 1977 for \$19,000 (it had a house on it at the time). Preliminary research by Property Management staff has not been able to determine the source of funds used for the purchase (although it is likely Fair funds were used as with other property purchases for Fair use). The property has a market value per the Assessor of \$43,308. The property is zoned for low density residential use.

No other county property adjoins the subject. The Eugene Faith Center (located across the street) owns the lots to the North and South. Parcels to the East of the subject are also privately owned.

The Eugene Faith Center is interested in purchasing the subject and has made an offer of \$43,308.

3.2 Analysis

**Sell or Retain:** The Fair Board has determined that the property is surplus to their needs. Given the residential zoning & size of the parcel, it may preclude other public uses such as a park (assuming the

City of Eugene would want the property). The property is surplus and should be disposed of (the Fair is responsible for maintenance of the property).

**Disposition Process:** There are several options for sale of the property

First, as the property was acquired via a purchase as opposed to a tax foreclosure, ORS 275.030 does allow for a private sale (without the property first being offered at a public sale), pursuant to ORS 271 upon a finding by the Board that it is in the County's best interest for a private sale to take place. If it is determined to proceed with a private sale the county would have the option of marketing the property itself or contracting with a realtor to do so.

Second, the property could be included in a Sheriff's auction which Property Management staff anticipates holding in June.

It should be noted that each year the Property Management Office receives several unsolicited inquiries from the public concerning the availability of the subject property. The response has been that the property was not available and to contact the Fair for additional information on its status.

Finally, the subject can be transferred to a non-profit agency for affordable housing purposes. ORS 271.330 provides for the transfer of county property to a non-profit or municipal corporation for the purpose of providing low-income housing, education or social services. Such a transfer does not preclude receiving monetary consideration in return. The Board would have the option of offering the property to a qualifying agency through the process outlined in Lane Manual 21.430 (contacting the Housing Policy Board) to see if any were interested in a purchase at a price determined by the Board.

**Disposition of Proceeds:** Technically, the property is owned by Lane County. Preliminary research has not revealed information, such as a Board Order, relating to the purchase which indicates the source of funds used for the purchase. If Fair funds were used, it is likely that proceeds from the sale of the subject would need to be returned to the Fair and used for Fair purposes. Property Management staff and County Counsel are continuing to research the matter.

3.3 Alternatives/Options

- A. Retain the parcel for County purposes.
- B. Sell the parcel at private sale.
- C. Sell the parcel at a future Sheriff's sale (auction)
- D. Sell the parcel to a non-profit agency for affordable housing purposes.
- E. Donate the property for affordable housing purposes.

3.4 Recommendation

If the Board chooses to sell the parcel, it is recommended that the parcel first be offered at a Sheriff's sale (option C). Given that the public has been told in the past that the property is not available,

offering the property at a Sheriff's sale would provide a public process for disposition affording an equal opportunity for purchase.

If the Board chooses to have the property used for affordable housing purposes and offer the property to a non-profit agency at market value (option D), it is recommended that the matter be presented to the Housing Policy Board to determine interest by non-profits and to offer a recommendation for a sale to a particular agency.

### 3.5 Timing

For a Sheriff's sale in June a list of properties to be offered would need to be finalized by May 1.

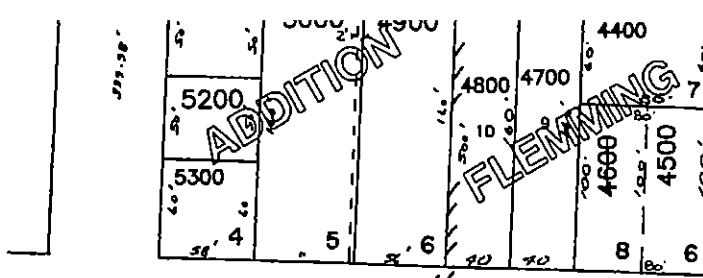
4. **IMPLEMENTATION/FOLLOW-UP:** Staff will implement the direction given by the Board

5. **ATTACHMENTS:**

Tax Map

Aerial Photo

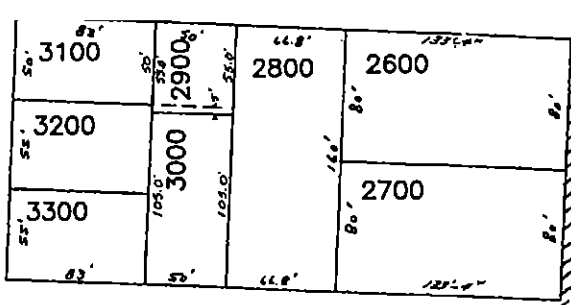
SEE MAP 17 04 36 42



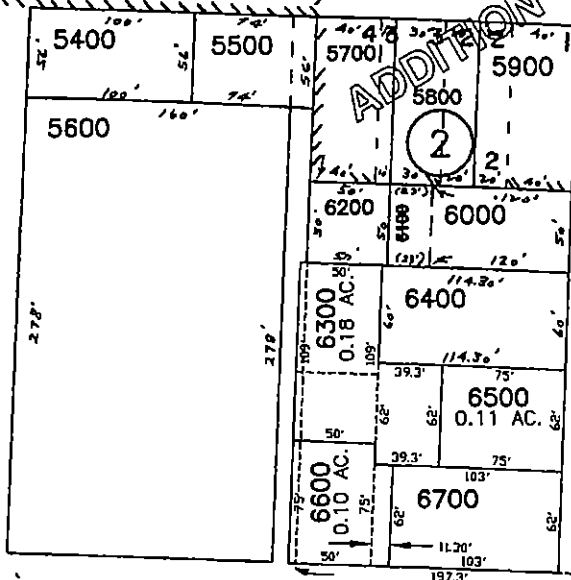
ADDITION

FLEMMING

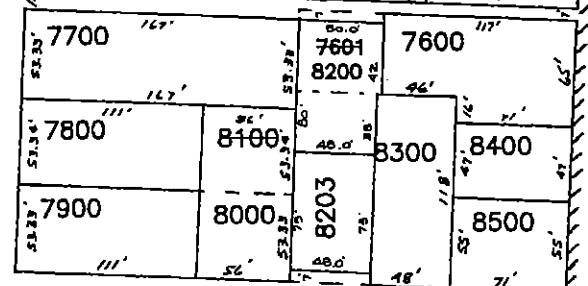
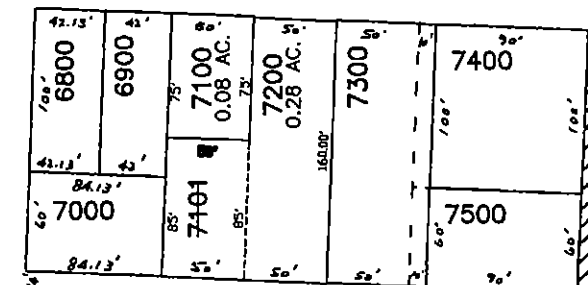
12 th



AVENUE

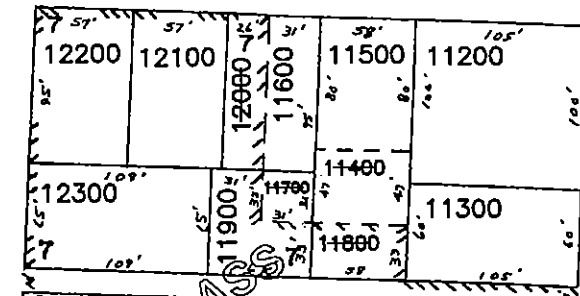


ADDITION

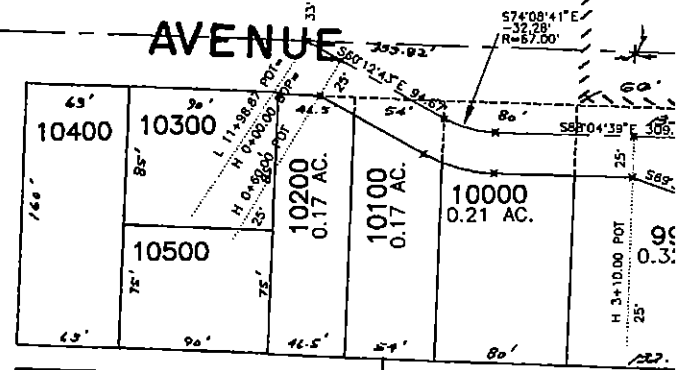


VAN BUREN

13 th



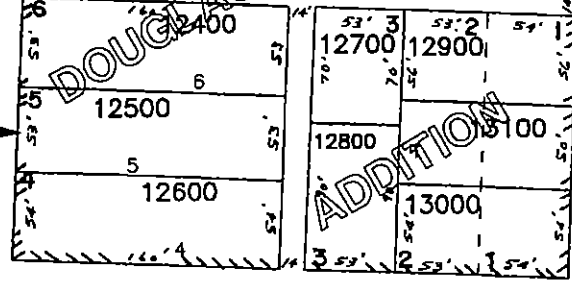
DOUGLASS



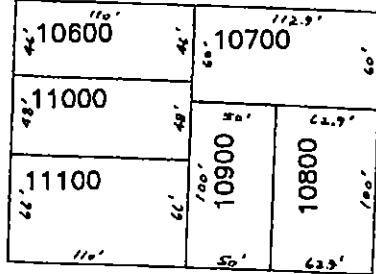
AVENUE

POLK

TYLER



ADDITION



14 th

AVE

WEST

Tax Lots

