



LANE COUNTY

MANAGEMENT SERVICES / 125 East 8th Ave. / Eugene, OR 97401
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W. 10. b.

AGENDA COVER MEMORANDUM

AGENDA DATE: May 17, 2006

PRESENTED TO: Board of County Commissioners

PRESENTED BY: David Suchart, Director, Management Services

AGENDA TITLE: **IN THE MATTER OF AUTHORIZING A PRIVATE SALE PURSUANT TO ORS 275.030 OF SURPLUS COUNTY OWNED REAL PROPERTY IDENTIFIED AS MAP NO. 16-45-24-00-01002, LOCATED AT 53270 MCKENZIE HWY., BLUE RIVER, AND COMMONLY KNOWN AS THE KAUFMAN PROPERTY.**

1. MOTION

MOVE APPROVAL OF ORDER 06 --, TO AUTHORIZE A PRIVATE SALE PURSUANT TO ORS 275.030 OF SURPLUS COUNTY OWNED REAL PROPERTY IDENTIFIED AS MAP NO. 16-45-24-00-01002 LOCATED AT 53270 MCKENZIE HWY., BLUE RIVER, AND COMMONLY KNOWN AS THE KAUFMAN PROPERTY.

2. ISSUE

The Department of Youth Services and the Department of Management Services have determined that the Kaufman property is no longer viable for County use, and wish to sell the property by private sale using the services of a realtor. As the property was donated to the County, it can be sold via a private sale without first being offered at a Sheriff's sale provided the Board determines that it is in the County's best interest to do so. Such a determination is being requested.

3. DISCUSSION

3.1 Background

The Kaufman property was donated to the County in June 1968, by Gertrude Kaufman. The deed stipulated that, for a period of 35 years, the property was to be used by the County for the benefit and welfare of children under the jurisdiction of the Circuit Court acting by and through the "Juvenile Department" (now Youth Services). After the expiration of the 35 year period, the County was free to sell the property and use the proceeds "for the benefit of the public". While the property remains in County ownership, regardless if the 35 year period has expired, it is to be used as stated in the deed.

The property is 5.4 acres, is zoned RR5, and is situated between Hwy. 126 and the McKenzie River. The property is improved with a 1,064 sq. ft. house and two smaller bunk houses.

An appraisal has been secured and valued the property at \$230,000. Management Services wishes to list the property with a realtor to insure maximum exposure. A selection process pursuant to Lane Manual is being used to choose a realtor.

3.2 Analysis

The 2001 legislature amended ORS 275.030 to allow property acquired by a county by means other than tax foreclosure to be sold pursuant to ORS 271. ORS 271.310(1) provides for selling, exchanging or leasing county property if the property is no longer needed for public use or if the public interest can be furthered by a sale. The governing body of the county is permitted to establish rules to effect a sale, exchange or lease.

3.3 Alternatives/Options

1. Proceed with authorizing selling the property pursuant to ORS 275.030 and ORS 271.
2. Offer the property at a Sheriff's sale (auction).

3.4 Recommendation

It is recommended that alternative #1 be implemented.

3.5 Timing

None.

4. **IMPLEMENTATION/FOLLOW-UP:** Upon approval by the Board of County Commissioners, the Department of Management Services will proceed with listing the property for sale with a realtor. Offers received will then be forwarded to the Board for acceptance or rejection.
5. **ATTACHMENTS:**
Board Order
Plat Map

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

**RESOLUTION AND
ORDER 06-**

-) **IN THE MATTER OF**
-) **AUTHORIZING A PRIVATE SALE PURSUANT TO**
-) **ORS 275.030 AND ORS 271.310 OF SURPLUS**
-) **COUNTY OWNED REAL PROPERTY IDENTIFIED**
-) **AS MAP NO. 16-45-24-00-01002, LOCATED AT 53270**
-) **MCKENZIE HWY., BLUE RIVER, AND COMMONLY**
-) **KNOWN AS THE KAUFMAN PROPERTY.**

WHEREAS county owned real property identified as Assessor's map no. 16-45-24-00-01002 and commonly referred to as the Kaufman property was donated to Lane County with the deed to said property recorded on Reel 398, Reception No. 30373 in the deed records of Lane County, and

WHEREAS said real property has been deemed surplus and is no longer needed for county purposes and should be sold, and

WHEREAS the Board has deemed it to be in the best interest of the County not to sell said real property via a Sheriff's sale pursuant to ORS 275.120,

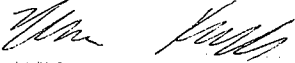
IT IS HEREBY ORDERED that county owned real property identified as Assessor's map No. 16-45-24-00-01002 be sold by private sale pursuant to ORS 275.030 and ORS 271.310, and that the Department of Management Services shall present bona fide offers to the Board for acceptance or rejection.

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

Dated this 17th day of May, 2006.

Bill Dwyer, Chair
Board of County Commissioners

APPROVED AS TO FORM

5-8-06

SECRETARY

