

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO: 21-10-12-09

IN THE MATTER OF AUTHORIZING A
DIRECT SALE OF COUNTY OWNED
EXCESS REAL PROPERTY FOR \$2,700 TO
WILDISH LAND CO., MAP NO. 18-02-10-00,
TAX LOT 00500.

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 sell the following excess Lane County real property, to wit:

Approximately 0.55 acres of land identified as Tax Lot 00500 on Assessor's Map 18-02-10-00, being more particularly described on the attached Bargain and Sale Deed, Exhibit A; and

WHEREAS, said property was acquired by purchase through the General Road Fund for road purposes and not by tax foreclosure; 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; and

WHEREAS, an offer was received by the adjoining landowner, Wildish Land Co., in the amount of \$2,000 plus closing cost (See Exhibit B).

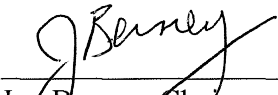
NOW, THEREFORE, the Board of County Commissioners of Lane County **ORDERS** as follows:

1. The offer from Wildish Land Co. in the amount of \$2,700 is accepted.
2. The Deed conveying said property to Wildish Land Co. is signed by the Board.
3. Evergreen Land and Title and Lane County Right of Way staff is instructed to close the transaction and record the Deed.

4. The sale proceeds are disbursed to the General Road Fund (225-3632-446120-101).

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

ADOPTED this 12th day of October, 2021.



Joe Berney, Chair
Lane County Board of Commissioners

EXHIBIT B

PURCHASE SURPLUS LANE COUNTY OWNED REAL PROPERTY

Name of Offeror (print): Wildish Land Co.
(As wanted to appear on Deed)

Address of Offeror: P.O. Box 40310
Eugene, Oregon 97404-0047
(For tax statement purposes)

Offer to purchase Lane County owned real property described as follows, to wit:

Assessor's Map and Tax Lot No's # 18-02-10-00-00500 (North of Bob Straub/Jasper)

Amount of Offer & Closing Costs

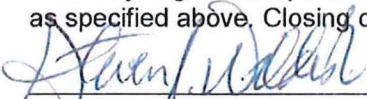
Amount of Offer:	\$2,000.00
Deposit:	<u>(\$0.00)</u>
Remaining Amount of Offer	\$2,000.00
Estimated Closing Costs:	
Title Insurance/PTR/Escrow (to be paid by Wildish)	\$600.00
Escrow, Recording Fees (to be paid by Wildish)	\$100.00
Final Balance Due upon Acceptance	<u>\$2,700.00</u>

NOTE: Lane County reserves the right to accept or reject any and all offers.

The undersigned has offered and agrees to the terms set forth in the "Terms of Sale" (attached hereto), which are incorporated herein by reference and made a part hereof and agrees to pay Lane County the sum indicated above as the "Amount of Offer."

In the event the offeror fails to pay the balance due in the time specified, all rights of the offeror in said real property shall cease and all right, title, and interest in said real property shall continue to remain vested in Lane County, free of any claims or equity in the undersigned offeror or those claiming through him/her.

I hereby agree to purchase the above property and to pay the price of \$ 2,700.00 as specified above. Closing costs to be paid by Wildish, Buyer.


Signature of Offeror

P.O. Box 40310, Eugene, OR 97404
Address of Offeror

March 16, 2021
Date

Wildish Land Co.
Print Name of Offeror

541.485.1700
Phone:

kellyw@wildish.com
Email

TERMS OF SALE

This offer must get the approval and acceptance from the Lane County Board of Commissioner's. Only the Lane County Board of Commissioner can legally accept offers on behalf of Lane County. Until such approval and acceptance is received, Lane County reserves the right to consider any and all offers received for any particular property.

Title insurance is required and will be paid by the Buyer, which includes a Preliminary Title Report, escrow and recording fees. The transaction will be closed at Evergreen Land and Title.

All payments must be made in CASH, BUSINESS CHECK, OR CERTIFIED CHECK, payable to "Lane County".

In the event the offeror fails to pay the balance due within 45 days of Notice of Commissioner's Board Approval, all rights of the offeror in said real property shall cease and all right, title, and interest in said real property shall continue to remain vested in Lane County, free of any claim or equity in the undersigned offeror or those claiming through him/her, and Lane County shall retain the deposit as liquidated damages for failure of offeror to complete purchase.

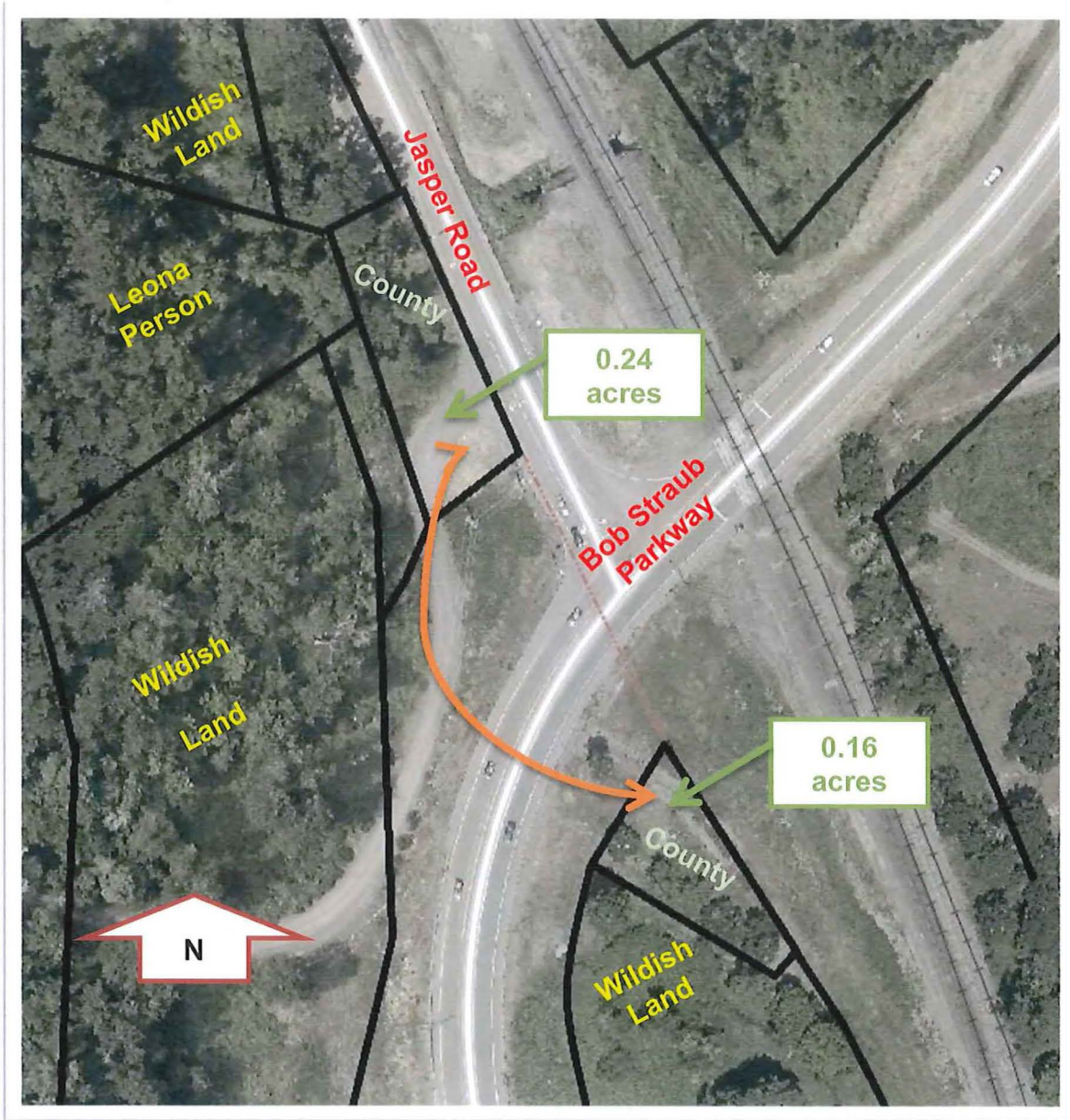
This property is sold on an "**as is, where is, with all faults**" basis. Lane County shall convey only such right, title and interest in said real property as is now vested in Lane County. Conveyance will be made by **Bargain and Sale Deed**. No warranty or guarantee, expressed or implied, is made regarding condition of title (encumbrances, liens, easements, etc.), ability to use a property for any particular purpose pursuant to Oregon land use law, existence of legal access, location of property boundaries or any other matter concerning a property. Title insurance will be provided, including a preliminary title report. It is the responsibility of the Buyer to thoroughly investigate the property prior to purchasing it from Lane County.

THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS THAT, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND THAT LIMIT LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, IN ALL ZONES. 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. 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 VERIFY THE EXISTENCE OF FIRE PROTECTION FOR STRUCTURES 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. THE PROPERTY DESCRIBED IN THIS INSTRUMENT IS SUBJECT TO SPECIAL ASSESSMENT UNDER ORS 358.505.

EXHIBIT C

COUNTY OWNED EXCESS PROPERTY

GIS Aerial Photo*
18-02-10-00-00500



*Lines are approximate.

After Recording Return to, and
Wildish Land Co.
P.O Box 40310
Eugene, OR 97404

Send Tax Statements to:
Wildish Land Co.
P.O. Box 40310
Eugene, OR 97404

RECORDING INFORMATION

DO NOT WRITE IN THIS SPACE

BARGAIN AND SALE DEED

LANE COUNTY, a political subdivision of the State of Oregon, pursuant to Order Number _____ of the Board of County Commissioners of Lane County, hereinafter called GRANTOR, for the true and actual consideration of TWO THOUSAND SEVEN HUNDRED DOLLARS and no/100 dollars, (**\$ 2,700**) and other consideration, conveys to **Wildish Land Co.**, hereafter called GRANTEE, all that real property situated in Lane County, State of Oregon, described as follows:

See Exhibit A

Reserving unto the Grantor (Lane County) a permanent access easement over, across and along the existing driveway approach to a permanent drainage easement described in Recorder's Reception Number 2006-057424, Lane County Deeds and Records, Lane County, Oregon

Subject to all rights of way, easements, covenants, restriction, and encumbrances of record including the following:

The Grantee shall not obstruct or otherwise interfere with the Grantor's use of the access easement.

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.

IN WITNESS WHEREOF, the undersigned have executed this instrument this _____ day
of _____, 20____.

Joe Berney, Chair
Lane County Board of Commissioners

STATE OF OREGON)
) ss.
County of Lane)

On _____, 20____, personally appeared _____

who, duly being sworn, did say that he is member of the Board of Commissioners of Lane County, Oregon and
that said instrument was signed and sealed in behalf of Lane County by authority of its Board of
Commissioners; and they acknowledged said instrument to be its voluntary act and deed. Before me:

Notary Public for Oregon

My Commission Expires: _____

EXHIBIT A

A parcel of land lying in the Northwest one-quarter of the Southwest one-quarter (NW 1/4 SW 1/4) of Section 10, Township 18 South, Range 2 West of the Willamette Meridian, Lane County, Oregon, and being all of that tract of land conveyed to LANE COUNTY, A Political Subdivision Of The State Of Oregon by that certain deed recorded February 01, 2000, on Recorder's Reception Number 2000-005959, LANE COUNTY OREGON DEED RECORDS, and being described as follows:

"Beginning at a 5/8 inch iron bar found at the beginning point of that parcel of land deeded and re-recorded on Reel No. 106, Clerk's Filing Number 23832, Lane County Oregon Deed Records, said 5/8 inch iron rod being 909.75 feet South and 29.03 feet West of the Northwest corner of the John C. Looney Donation Land Claim No. 39, Township 18 South, Range 2 West, Willamette Meridian; and thence North 25° 15' West 44.00 feet to a 5/8 inch iron bar found at the Northeast corner of said parcel of land recorded on Reel No. 106, 23832; thence running North 50° East 58.5 feet and set a 1/2 inch iron pipe (#1) on the Westerly right of way of the Springfield-Lowell Road (County Road No. 266); thence following said Westerly right of way the following courses: South 25° 21' 30" East 371.25 feet and set a wooden stake; thence South 28° 38' East 120.81 feet and set a wooden stake; thence South 34° 10' East 88.97 feet and set a 1/2 inch iron pipe (#2); thence leaving the road right of way and running south 55° 50' West 24.76 feet and set a 1/2 inch iron pipe (#3); thence North 61° 18' 05" West 195.81 feet and set a 1/2 inch iron pipe; (#4); thence North 15° 44' 55" West 371.89 feet to the point of beginning, in the County of Lane, State of Oregon.

LESS AND EXCEPT a portion of land within County Road Number 2255, Jasper Road Extension, Bob Straub Parkway, and being more particularly described as follows:

Beginning at Engineers' Centerline Station L 141+47.63 PC, said station being 1,071.64 feet South and 138.59 feet East of the Lane County Surveyors Office Brass Cap '1977' marking the West Northwest Corner of the John C. Looney Donation Land Claim Number 39, located in Section 10, Township 18 South, Range 2 West of the Willamette Meridian, Lane County, Oregon; run thence along a 498.22 foot radius curve left (the long chord of which bears South 1° 26' 47" East, 737.94 feet) a distance 830.96 feet to Engineers' Centerline Station L 149+78.59 PT and there ending, all in Lane County, Oregon.

The widths in feet of the strip of land herein described are as follows:

<u>STATION TO STATION</u>		<u>WIDTH ON WEST'LY SIDE OF C/LINE</u>	<u>WIDTH ON EAST'LY SIDE OF C/LINE</u>
L 141+59.35 POC	L 143+75.00 POC	130 ft.	
L 143+75.00 POC	L 144+25.00 POC	130 ft. tapering on a straight line to 100 ft.	
L 144+25.00 POC	L 149+78.59 PT	100 ft.	
L 142+73.66 POC	L 149+78.59 PT		100 ft.

The bearings used herein are based on a bearing of South 53° 36' 19" West between LCCM 1159 and LCCM 1160 set by the Lane County Surveyors Office. Said bearing based on the Oregon Coordinate System (NAD 83/91), South Zone.