

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO. 22-01-04-18

IN THE MATTER OF AUTHORIZING THE SALE OF  
COUNTY OWNED REAL PROPERTY FOR \$5,000 TO  
LEVI A. MILLER, MAP NO. 17-04-28-10, TAX LOT  
00400.

**WHEREAS**, the Lane County Board of Commissioners deems it in the best interest of Lane County to sell the following property, to wit:

Approximately 12.47 acres of land identified as Tax lot 400 on Assessor's Map 17-04-28-10, being more particularly described on the attached Bargain and Sale Deed, Exhibit A; and

**WHEREAS**, the County owned real property was acquired through the use of Road Funds, and is not being used or needed for transportation purposes; and

**WHEREAS**, the property was offered for \$10,000 at the June 9, 2021 Sherriff's Sale auction, and did not sell; and

**WHEREAS**, ORS 275.200 provides for selling County property via a private sale if it has been offered at, and did not sell at, a Sheriff's Sale. A sale cannot be for less than 15% of the minimum bid for which it was offered at a Sheriff's Sale; and

**WHEREAS**, Levi A. Miller has offered to purchase property for an amount greater than 15% and in accordance with the terms and conditions of the attached Sales Agreement; and

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

1. The offer from Levi A. Miller in the amount of \$5,000 is accepted.
2. The Deed conveying said property to Levi A. Miller 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).

**ORDERED** this 4th day of January, 2022.



Chair

Lane County Board of Commissioners

EXHIBIT B

PURCHASE SURPLUS LANE COUNTY OWNED REAL PROPERTY

Name of Offeror (print): Levi A. Miller  
(As wanted to appear on Deed)

Address of Offeror: 509 N. Curry Rd.  
Roseburg, OR 97471  
(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 # 17-04-28-10-00400 (N Danebo and Roosevelt Blvd.)  
**Amount of Offer & Closing Costs**

Amount of Offer:	\$5,000.00
Deposit:	
(offeror will submit deposit to Evergreen Land and Title)	<del>(\$1,000.00)</del>
<b>Remaining Amount of Offer</b>	<b>\$4,000.00</b>
<b>Estimated Closing Costs:</b>	
Title Insurance was offered by County (offeror <i>waived</i> )	\$0.00
Total Escrow and Recording Fees (\$602) (to be paid by offeror and Lane County)	\$301.00
<b>Final Balance Due upon Acceptance</b>	<b><u>\$4,301.00</u></b>

**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 **\$ 5,000.00** as specified above. Closing costs to be paid by Levi A. Miller (Offeror), and Lane County.

  
Signature of Offeror

Levi A. Miller  
Print Name of Offeror

509 N. Curry Rd.  
Address of Offeror

(541) 378-1199  
Phone:

09/24/2021  
Date

levimiller25@icloud.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 was provided which the offeror waived. All escrow and recording fees will be paid by the offeror. 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 Offeror 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

Map and Tax Lot: 17-04-28-10-00400

(Lane County Trans Map, GIS)



After Recording Return to, and  
Levi A. Miller  
509 N. Curry Road  
Roseburg, OR 97471

Send Tax Statements to:  
Levi A. Miller  
509 N. Curry Road  
Roseburg, OR 97471

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 22-01-04-18 of the Board of County Commissioners of Lane County, hereinafter called GRANTOR, for the true and actual consideration of five THOUSAND DOLLARS and no/100 dollars, **(\$5,000)** and other consideration, conveys to **Levi A. Miller**, hereafter called GRANTEE, all that real property situated in Lane County, State of Oregon, described as follows:

See Attachment "A"

Subject to all rights of way, easements, covenants, restriction, and encumbrances of record

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 4th day  
of January, 2022.

\_\_\_\_\_  
Chair  
Lane County Board of Commissioners

STATE OF OREGON )  
  )     ss.  
County of Lane        )

On January 4, 2022, personally appeared \_\_\_\_\_  
Pat Farr, Chair, Lane County Board of Commissioners  
\_\_\_\_\_

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: \_\_\_\_\_

## ATTACHMENT "A" LEGAL DESCRIPTION

A tract of land lying in the West one-half of the Northeast Quarter of Section 28, Township 17 South, Range 4 West of the Willamette Meridian, and being a portion of that property as conveyed by that deed to Carl M & C. Jensen, as described in Book 235, Page 321, Lane County Deed Records. Described as follows:

### **Parcel I:**

Beginning at the North one quarter of Section 28; thence South 330.0 feet to the True Point of Beginning; thence South 600.00 feet; thence East 1170.00 feet, more or less, to a point that is 160.0 feet from (when measured at right angles to) the Easterly line of the West one-half of the Northeast Quarter; thence parallel with said Easterly line North 730.00 feet; thence West 642.00 feet; thence South 130.00 feet; thence West 528.00 feet to the True Point of Beginning, in Lane County, Oregon.

### **Parcel II:**

Beginning at a point 930.0 feet South and 1170.0 feet East of the North one quarter corner of said Section 28, said point being 160.0 feet ( when measured at right angles to) the Easterly line of the West one-half of the Northeast one quarter of Section 28; thence parallel with said Easterly line South 1710.0 feet, more or less, to the South line of said property; thence along said South line East 160.0 feet; thence along said Easterly line North 2640.0 feet, more or less, to the North line of said Section 28; thence West 168.0 feet, more or less, to a point on the said North line; thence South 200.0 feet; thence East 8.0 feet, more or less, to a point 160.0 feet from (when measured at right angles to) the said Easterly line; thence South 730.0 feet, more or less, to the point of beginning, in Lane County, Oregon.

### **Parcel III:**

Beginning at the Southwest corner of the West one-half of the Northeast Quarter; thence along said South line of said property East 1170.0 feet, more or less, to a point 160.0 feet from the Southeast corner of the West one-half of the Northeast Quarter; thence parallel with the Easterly line of said West one-half North 525.0 feet; thence West 1170.0 feet, more or less, to a point on the Westerly line of said West one-half; thence South 525.0 feet to the point of beginning, all in Lane County, Oregon.

EXCEPTING THEREFROM: Any portion lying within the City and County Roads.

ALSO EXCEPTING THEREFROM: That portion of land conveyed to Mobile Townes of America, Inc., an Oregon corporation by deeds recorded March 18, 1971, Reception No.39520 and recorded April 7, 1971, Reception No.42114, Lane County Official Records.

ALSO EXCEPTING THEREFROM: That portion of land conveyed to the State of Oregon, by and through its Department of Transportation by deed recorded September 1, 1998, Reception No.98-69787, Lane County Official Records.

ALSO EXCEPTING THEREFROM: That portion of land conveyed to Rick Sorric by deed recorded May 22, 2017, Reception No.2017-024374, Lane County Deeds and Records, in Lane County, Oregon.