

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO: 17-01-31-04

IN THE MATTER OF AUTHORIZING THE SALE
OF COUNTY PROPERTY DESIGNATED AS
PARKLAND, IDENTIFIED AS ASSESSOR'S MAP
AND TAX LOT NO. 18-03-10-00-01103, EUGENE,
OREGON TO THE CITY OF EUGENE WITH A
PUBLIC HEARING

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 property, to wit:

Approximately 4.39 acres of land identified as tax lot 1103 on Assessor's map 17-04-28-11, being more particularly described on the attached Bargain and Sale Deed, Exhibit A

WHEREAS, Lane County owned property identified as Map No. 18-03-10-00-01103, has been designated as county parkland pursuant to Order No. 12-06-20-06, and

WHEREAS, ORS 275.330 provides for selling such designated property, and

WHEREAS, in conformance with ORS 275.330 a public hearing on the matter was held on January 31, 2017 at 1:30 pm, and

WHEREAS, the land is not needed for Lane County Park purposes and the Parks Department recommends the sale of the property, and

WHEREAS, the City of Eugene has offered to purchase the property in accordance with the terms and conditions of the Sales Agreement for the purpose of expanding the South Hills Ridgeline Trail system, and

WHEREAS, due consideration was given to testimony provided and, after hearing said testimony, the Board has deemed to be in the best interest of the County to sell said designated parkland.

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

1. The offer from the City of Eugene is hereby accepted and the sale is authorized.
2. To authorize the Board Chair to execute the deed conveying said property to the City of Eugene.
3. Lane County Parks and Animals Division staff is instructed to close the transaction and record the deed.
4. The proceeds of the sale shall be directed into the Parks Fund for purposes as set forth in ORS 275.330(2).

ADOPTED this 31st day of January _____, 2017

APPROVED AS TO FORM

Date

LANE COUNTY OFFICE OF LEGAL COUNSEL



Pat Farr, Chair
Lane County Board of Commissioners

EXHIBIT A

After Recording Return to:

City of Eugene,
City Recorder
777 Pearl St., Room 105
Eugene, OR 97401

Send Tax Statements to:

City of Eugene
Finance Department
100 W. 10th Ave, Suite 400
Eugene, OR 97401

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 **THIRTY ONE THOUSAND and no/100 dollars, (\$31,000.00)** conveys to **CITY OF EUGENE**, a municipal corporation of the State of Oregon, hereafter called GRANTEE, all that real property situated in Lane County, State of Oregon, described as follows:

BEGINNING at a point 843.3 feet South 00° 55' East of the Northwest corner of Lot 5, Section 10, Township 18 South, Range 3 West of the Willamette Meridian, in Lane County, Oregon; thence South 0° 55' East along the West line of said Lot 5 a distance of 296 feet; THENCE North 89° 19' East 296 feet to the Southeast corner of a tract of land sold to Raymond Glaze and Alma Glaze, which point is the TRUE POINT OF BEGINNING; THENCE North 0° 55' West 147.5 feet to the Southwest corner of a tract of land sold to Frank Hadley and Cleo Mae Hadley, husband and wife; thence North 89° 19' East along the South line of said Hadley tract a distance of 591 feet to the Southeast corner of said Hadley tract; THENCE North 0° 55' West 148.5 feet, more or less, to the Northeast corner of said Hadley tract; thence North 89° 19' East to the West line of the George M. Coryell Donation Land Claim No. 43, in said Township and Range; THENCE South along the West line of said George M. Coryell Donation Lane Claim No. 43, to the intersection of said West line with the North line of the right of way of the Relocated Bloomberg Road, as described in a certain conveyance from the grantor herein to Lane County, under date of November 12, 1959, recorded December 15, 1959 under Recorder's Reception No. 86015, Lane County Oregon Deed Records; THENCE on a curve in a Westerly and somewhat Northerly direction following the Northerly line of said right of way of the Relocated Bloomberg Road to a point South 0° 55' East of the place of beginning, and THENCE North 0° 55' West to the place of beginning, all lying and being in Lane County, State of Oregon. EXCEPTING therefrom all right of access to the Relocated Bloomberg Road, to and from said property. ALSO EXCEPTING THEREFROM that portion deeded to Lane County, Oregon by deed recorded on Reel 393, Reception No. 25893.

The total area of land contained is 4.4 acres, more or less.

All of the above described land is subject to all rights of way, easements, covenants, restriction, and encumbrances of record.

Grantee, by acceptance of this deed, hereby declares and otherwise agrees that Grantee shall indemnify, hold harmless and defend the Grantor, its officials, agents and employees, from and against any and all claims, damages, losses, and expenses, including attorney's fees, arising in and from Grantee acceptance and use of the land and property herein conveyed, unless such claims, damages, or losses are caused by Grantor's negligent or intentional act(s).

Conveyance of this land is conditioned upon its use for public uses for a period of not less than twenty (20) years from the date of conveyance.

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____.

Chair
Lane County Board of Commissioners

STATE OF OREGON)
) ss.
County of Lane)

On _____, 19____, personally appeared _____

who, duly being sworn, did say that they are members 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: _____