

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO: 15-07-14-09

**IN THE MATTER OF AUTHORIZING THE
SALE OF TAX LOT 200 ON MAP 17-04-10-31
AND ADJOINING VACATED RIGHT-OF-WAY**

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:

An approximate 5.75 acre parcel and the approximate 0.62 acre adjoining vacated right of way located on Irving Road, Eugene and identified as Tax Lot 200 on Lane County Assessor's Tax Map 17-04-10-31; and

WHEREAS, said real property was acquired in 1995, a design was adopted by Lane County to construct an above-grade crossing of Irving Road over the NW Expressway and the railroad tracks, however, the project was discontinued; and

WHEREAS, Lane County constructed a new at-grade intersection and railroad crossing in 2011; and

WHEREAS, ORS 271.310 allows the sale of property in the manner provided in ORS Chapter 271 if the real estate was not acquired by foreclosure for nonpayment of real property taxes and if the Board determines that the public interest will be furthered; and

WHEREAS, Borg Commercial Properties, LLC, has offered to purchase the property for \$149,500; and

WHEREAS, said real property is not needed for any road purpose and the proceeds from the sale of said property would be returned to the Road Fund and it is therefore in the best interest of the County to do so; and

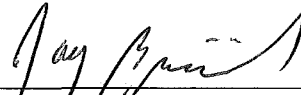
WHEREAS, these parcels are Tax Lot 200 on Map 17-04-10-31 and adjoining vacated right-of-way.

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

1. The offer from Borg Commercial Properties, LLC, in the amount of \$149,500.00 is accepted.

2. The deed conveying said property to Borg Commercial Properties, LLC, is executed by the Board.
3. That Lane County staff is instructed to record the deed and close this transaction.
4. That the proceeds be disbursed to the Road Fund.

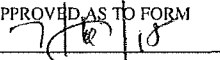
ADOPTED this 14th day of July, 2015.



Jay Bozlevich, Chair
Lane County Board of Commissioners

APPROVED AS TO FORM

Date



LANE COUNTY OFFICE OF LEGAL COUNSEL



After Recording Return to, and
Send Tax Statements to:
Lane County Public Works
Right of Way Management Section
3040 N. Delta Highway
Eugene, Oregon 97408

RECORDING INFORMATION

DO NOT WRITE IN THIS SPACE

BARGAIN & SALE DEED

LANE COUNTY, a political subdivision of the State of Oregon, pursuant to Order No. 15-07-14-09 of the Board of County Commissioners of Lane County, Grantor, for the true and actual consideration of \$149,500.00, conveys to **BORG COMMERCIAL PROPERTIES, LLC**, an Oregon Limited Liability Company, Grantee, all that real property situated in Lane County, State of Oregon, described as follows:

A tract of land lying in the Northeast one-quarter of the Southwest one-quarter (NE 1/4, SW 1/4) of Section 10, Township 17 South, Range 4 West of the Willamette Meridian, Lane County, Oregon, and being a portion of that real property acquired by Lane County by order of the Circuit Court of the State of Oregon, County of Lane, Case No. 16-95-03616, the said tract being that portion of said real property lying northerly of the following described line:

Beginning at a point opposite and 39.90 feet northerly of the centerline of Irving Road (County Road No. 2254) at Engineer's Centerline Station 'L2' 25+60.19 P.O.T.; thence easterly on a straight line to a point opposite and 39.93 feet northerly of said centerline at Engineer's Centerline Station 'L2' 28+62.60 P.O.T.; thence easterly on a straight line to a point opposite and 39.94 feet northerly of said centerline at Engineer's Centerline Station 'L2' 31+16.30 P.O.T.; thence easterly on a straight line to a point opposite and 40.00 feet northerly of said centerline at Engineer's Centerline Station 'L2' 33+83.77 P.O.T.; thence easterly on a straight line to a point opposite and 40.00 feet northerly of said centerline at Engineer's Centerline Station 'L2' 35+27.43 P.I. and the terminus of said described line.

The centerline of Irving Road (County Road No. 2254) is described as follows:

Beginning at Engineer's Centerline Station 'L2' 25+08.06 P.I., said Centerline Station being North 21.61 feet and West 2,932.06 feet from a found brass cap marking the N.N.W. Corner of the P. Bryan DLC No. 49, located in Section 10, Township 17 South, Range 4 West of the Willamette Meridian; thence South 87°53'37" East 1,019.37 feet to Engineer's Centerline Station 'L2' 35+27.43 P.I. and there ending, all in Lane County, Oregon.

Said tract of land contains 277,477.2 square feet (6.37 acres), more or less.

The described line and Engineer's Centerline are based on County Survey File No. 43342, on file at the Lane County Surveyor's Office, Lane County, Oregon.

This conveyance is subject to all assessments, existing restrictions, reservations and easements of record, including those ordered in the final judgement by the Circuit Court of the State of Oregon, County of Lane, Case No. 16-95-03616, and Lane County Board of Commissioners Final Order 15-06-02-06.

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 14th day of

July, 20 15.

Jay Bozovich
Commissioner

Faye Stewart
Commissioner

Pete Sorenson
Commissioner

Pat Farr
Commissioner

Sidney Leiken
Commissioner

STATE OF OREGON)
) ss.
County of Lane)

On July 14th, 20 15, personally appeared

Jay Bozovich

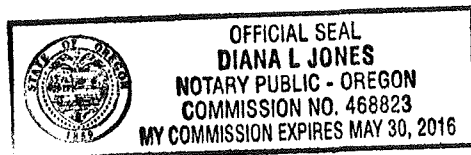
Faye Stewart

Pete Sorenson

Pat Farr

Sidney Leiken

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:



Diana L. Jones
Notary Public for Oregon

My Commission Expires: 5/30/16