



November 4, 2021

Board of County Commissioners
Clackamas County

Members of the Board:

Approval of the Sale and Transfer of Clackamas County surplus property, Tax Lot 21E14CA 01600, Parcel no. 05025396 to the City of West Linn

Purpose/Outcomes	Approval of the Sale and Transfer of Clackamas County surplus property, Tax Lot 21E14CA 01600, Parcel no. 05025396 to the City of West Linn for part of Lots 25 and 26, Block 1, COLLEGE HILL ESTATES ANNEX NO. 1, in the City of West Linn, Clackamas County Oregon.
Dollar Amount and Fiscal Impact	\$943.00
Funding Source	N/A
Duration	In perpetuity.
Strategic Plan Alignment	1. The Property Disposition division of Business & Community Services purpose is to provide land and surplus property management services to County departments and elected officials on behalf of the public so they can make informed decisions regarding land development and infrastructure, and generate additional revenue to support, maintain, and enhance other public services. Selling county-owned properties advances the goal of repurposing properties for public benefit or returning them to the tax rolls. 2. Build public trust through good government by conducting property sales in a transparent manner.
Previous Board Action	On 10/12/2021, Senior Asst. County Counsel, Kathleen Rastetter presented to the BCC a surplus parcel with the intent to sell and transfer said parcel to the City of West Linn. The BCC approved it moving forward.
Counsel Review	10/12/2021, KR
BCS	Sarah Eckman, Interim Deputy Director, BCS

BACKGROUND:

Clackamas County's Department of Assessment and Taxation annually forecloses on tax delinquent properties. The foreclosure process is a six-year process – taxes are delinquent for three years, at the end of the third year the foreclosure judgment is filed, there is a two year right of redemption, and in the sixth year, foreclosure occurs. The properties are deeded to the County in lieu of uncollected taxes. Following the recording of the deed, the management and disposition of the properties are transferred to the Property Disposition Division of Business & Community Services (BCS). The Board of County Commissioners delegates its authority to the BCS Director and Deputy Director to develop and implement the procedures necessary and by which surplus properties are transferred or sold in accordance with ORS 275 and other applicable Oregon laws.

The goal of Property Disposition is to manage tax foreclosed parcels to secure the Highest Permanent Value benefitting the citizens of Clackamas County. Highest Permanent Value is defined as managing, administering and dispersing of tax foreclosed and surplus real property assets in a timely and cost effective manner that can provide a full range of social, economic and environmental benefits for the people of Clackamas County through the disbursement of such properties to other County departments and agencies, local governments and/or special districts for a public benefit or returning these properties to the tax rolls.

The City of West Linn, pursuant to ORS 271.330, has requested to purchase Tax Lot 21E14CA01600 for \$943.00 allowing the city to meet their comprehensive plans and goals of developing transportation facilities that are accessible to all members of the community. Thus, allowing the City of West Linn to install an ADA compliant sidewalk ramp.

The County must approve of the transfer and sale, which is then advertised in a newspaper for two consecutive weeks, after which the County holds a public hearing on the transfer to allow for any objections to the transfer and sale. The proposed transfer and sale has now been advertised in a newspaper for two consecutive weeks, and the public hearing is being held November 4, 2021. After the hearing the County may proceed with the transfer and sale if the BCC approves.

RECOMMENDATION:

Staff respectfully recommends the BCC approve the sale and transfer of Tax Lot 21E14CA01600. No issues are anticipated with the recommendation of approval.

No other county department requested the property for transfer.

ATTACHMENTS:

1. Foreclosure Deed
2. Aerial photo of Tax Lot 21E14CA 01600, Parcel no. 05025396

Respectfully Submitted,



Sarah Eckman
Interim Director, Business & Community Services

After recording return to:
Clackamas County Property Disposition, R. Bonsi
150 Beaver Creek Rd.
Oregon City, OR 97045

Until a change is requested all taxes shall be sent to:
City of West Linn
22500 Salamo Road
West Linn, OR 97068



QUITCLAIM DEED

CLACKAMAS COUNTY, OREGON, a political subdivision of the State of Oregon, Grantor, releases and quitclaims to City of West Linn , Grantee, all its right, title and interest in that real property situated in Clackamas County, Oregon, and being described as follows:

Part of Lots 25 and 26, Block 1, COLLEGE HILL ESTATES ANNEX NO. 1, in the City of West Linn, Clackamas County, Oregon, described as follows: Beginning at the most Northerly corner of Lot 27, Block 1, COLLEGE HILL ESTATES ANNEX NO. 1; thence Southeasterly along the Southwesterly line of Hill Side Drive, also being along a curve to the left with a radius of 572.94 feet through a central angle of 11° 27' 12" an arc distance of 114.53 feet (lon chord bears South 36° 41' 23" East 114.34 feet); thence continuing along Hill Side Drive South 42° 25' 00" East 52.13 feet to the true point of beginning; thence South 2° 34' 26" West 28.29 feet; thence North 47° 33' 44" East 20.00 feet to the Southeasterly line of Hill Side Drive; thence North 42° 25' 00" West along said Southeasterly line 20.00 feet to the true point of beginning, *in the County of Clackamas and State of Oregon.*

The true and actual consideration being paid for this transfer stated in terms of: Nine Hundred Forty Three dollars (\$943.00). This amount excludes any amount for liens, mortgages, contract, indebtedness, or other encumbrances existing against the above-described real property to which the property remains subject or which the purchaser agrees to pay or assume. The granting political subdivision of Clackamas County reserves the right to a reversionary interest in the event the property is not used for a public purpose.

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, AND 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, AND SECTIONS 2 TO 9 AND 17 CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Clackamas County, Oregon approved by its Board of County Commissioners by Board Order Number [Click here](#) to enter text..

Date this the _____ day of _____, 2021.

CLACKAMAS COUNTY

Tootie Smith, Chair, Clackamas County Board of Commissioners

State of Oregon }
County of Clackamas }

This document was acknowledged before me on _____ day of _____ 2021, by Sarah Eckman, Interim, Director of Business and Community Services of Clackamas County.

Notary Public for Oregon
My Commission Expires: _____



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Results (New Selection):

