

ORIGINAL

IN THE BOARD OF COUNTY COMMISSIONERS  
OF LANE COUNTY, OREGON

ORDER NO. 13-02-26-08

( In the Matter of Authorizing the Sale of  
( a Parcel of County-Owned Surplus  
( Property Identified as Tax Lots 2000  
( and 2100 on Lane County Assessor's  
( Map #17-04-07

**WHEREAS**, Lane County owns the property located at 28456 Kokkeler Road, Eugene;  
and

**WHEREAS**, Earl Cavin has offered to purchase the property for \$120,000 and that offer  
was previously approved through Board Order No. 12-9-19-3; and

**WHEREAS**, Earl Cavin has also applied for a VA loan and entered into an agreement with  
Clayton Homes of Albany to install a new manufactured home on the site; and

**WHEREAS**, said lender will not make a loan to Mr. Cavin unless the property and the  
manufactured home is sold as a unit; and

**WHEREAS**, this can only occur if CMH Homes, Inc. DBA Clayton Homes #613 takes title  
to the land instead of Earl Cavin; and

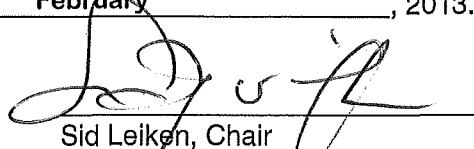
**WHEREAS**, ORS 275.030 (2) allows the sale of property in the manner provided in ORS  
Chapter 271 if the real estate was not acquired by foreclosure for nonpayment of real property  
taxes and if the Board determines that the public interest will be furthered; and

**NOW THEREFORE, IT IS HEREBY ORDERED** that pursuant to ORS 275.030 (2), the  
real property be sold to CMH Homes, Inc., DBA Clayton Homes #613 for \$120,000, that the  
Bargain and Sale Deed in the form shown on the attached Exhibit A be executed by the Board,  
and that the proceeds be disbursed as follows:

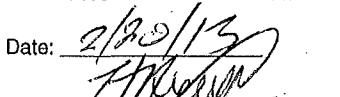
Road Fund (225-3632-446120-101) \$120,000

**IT IS FURTHER ORDERED** that this Order shall be entered into the records of the Board  
of Commissioners of Lane County, Oregon.

**EFFECTIVE DATE:** this 26th day of February, 2013.

  
Sid Leiken, Chair  
Board of County Commissioners

APPROVED AS TO FORM:

Date: 2/20/13  
  
Lane County Office of Legal Counsel

After recording return to,  
and send tax statements, to:

Clayton Homes  
1437 NE Century Drive  
Albany, Oregon 97322

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 No. \_\_\_\_\_ of the Board of County Commissioners of Lane County, hereinafter called Grantor, for the true and actual consideration of One Hundred Twenty Thousand Dollars, conveys to **CMH Homes, Inc. DBA Clayton Homes #613**, hereinafter called Grantee, all that real property situated in Lane County, State of Oregon, described as follows:

A parcel of land lying in the Northeast one-quarter of the Southwest one-quarter (NE ¼ SW ¼) of Section 7, Township 17 South, Range 4 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 June 7, 1974, on Reel 693, Recorder's Reception Number 7424473, LANE COUNTY OREGON DEED RECORDS, and being described as follows:

Beginning at a point opposite and 45 feet distance Southerly of the 1973 alteration of Clear Lake Road Engineers' Centerline Station L<sup>2</sup> 27+07.78 P.O.C., said point being South 814.30 feet and West 949.70 feet of the brass cap marking the center of Section 7, Township 17 South, Range 4 West, Willamette Meridian; thence along the arc of a 999.93 foot radius curve right, (the chord of which bears North 54°52'45" West, 142.87 feet), a distance of 143.00 feet to a point opposite and 45 feet distance southerly of Engineers' Centerline Station L<sup>2</sup> 25+71.22 P.C. of said Clear Lake Road; thence North 50°46'56" West, 258.03 feet along said Clear Lake Road; thence along the arc of a 909.93 foot radius curve left, (the chord of which bears North 54°46'15" West, 126.59 feet), a distance of 126.69 feet to a point opposite and 45 feet southerly of Engineers' Centerline Station L<sup>2</sup> 21+80.24 P.O.C. of said Clear Lake Road; thence South 1°51'46" West, 469.01 feet along the West line of said parcel of land conveyed to Lane County, to a point on the centerline of the "A-2 Channel - Beltline to Clear Lake" unit as surveyed in 1968 by the U.S. Department of Agriculture, Soil Conservation Service; thence along the Centerline of said A-2 Channel, South 34°55'38" East, 22.54 feet; thence continuing along the Centerline of said A-2 Channel, South 88°16'56" East, 418.74 feet; thence North 1°14'21" East, 181.50 feet along the Westerly line of a parcel of land conveyed to the City of Eugene as recorded on Reel 507-R, Recorder's Reception Number 27926, Lane County Oregon Deed Records, to the Point of Beginning all in Lane County, Oregon.

**Also:** A parcel of land lying in the Northwest one-quarter of the Southwest one-quarter (NW ¼ SW ¼) of Section 7, Township 17 South, Range 4 West, Willamette Meridian, 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 December 6, 1974 on Reel 719, Recorder's Reception Number 7451551, Lane County Oregon Deed Records, said parcel being described as follows:

Beginning at a point on the East-West one-quarter section line of Section 7, Township 17 South, Range 4 West, Willamette Meridian, said point being North 88°24'19" West, 1353.01 feet from the brass cap marking the center of said Section 7; run thence South 1°51'46" West along the West line of the tract of land conveyed to C.W. Kokkeler, Trustee, by that certain deed recorded on Reel 530-R, Recorder's Reception Number 45916, Lane County Oregon Deed Records, 432.04 feet to a point on the Northerly right of way of relocated Clear Lake Road, said point being opposite and 45 feet distance Northerly of Engineers' Centerline Station L<sup>2</sup> 21+32.51 P.O.C.; thence South 1°51'46" West, 570.86 feet to a point on the centerline of the "A-2 Channel - Beltline to Clear Lake" unit, as surveyed in 1968 by the U.S. Department of Agriculture, Soil Conservation Service; thence North 34°55'38" West, 866.31 feet along the centerline of said A-2 Channel to Engineers' Centerline Station 246+48.57, said station being the point of intersection of the centerline of said A-2 Channel and the centerline of said relocated Clear Lake Road at Engineers' Centerline Station L<sup>2</sup> 16+07.12; thence North 34°55'38" West, 330 feet, more or less, to the centerline of the traveled County Road No. 234 (commonly known as Clear Lake Road); thence Easterly along the centerline of said traveled County Road Number 234, 730 feet, more or less, to the Point of Beginning in Lane County, Oregon.

**EXCEPT:** Those portions conveyed to Lane County, a political subdivision of the State of Oregon, by those certain deeds recorded June 7, 1974 on Reel 693, Recorder's Reception Numbers 7424470 and 7424471, Lane County Oregon Deed Records.

The parcel of land to which this description applies contains 9.70 acres, more or less.

The bearings used herein are based on the Oregon Coordinate System (NAD 27), South Zone.

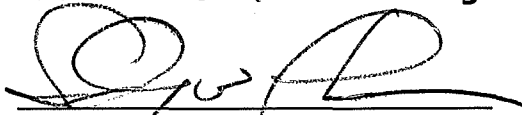
THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS THAT, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND THAT LIMIT LAWSUITS AGAINST FARMING OR FOREST 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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. 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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

IN WITNESS WHEREOF, the undersigned have executed this instrument this 27<sup>th</sup> day of

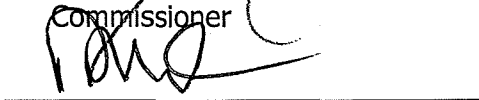
February, 2013.

**LANE COUNTY, a political subdivision of the State of Oregon**



Commissioner

Commissioner



Commissioner

Commissioner




Commissioner

STATE OF OREGON     )  
                                  )     ss.  
County of Lane     )

On February 27, 2013, personally appeared Sidney Leiken,  
Patrick M. Jare Jr, Jay Zoyevich

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: 1-14-2017