



Deschutes County Board of Commissioners
1300 NW Wall St., Suite 200, Bend, OR 97701-1960
(541) 388-6570 - Fax (541) 385-3202 - www.deschutes.org

AGENDA REQUEST & STAFF REPORT

For Board Business Meeting of March 21, 2016

DATE: March 16, 2016

FROM: James Lewis Property & Facilities 541-385-1414

TITLE OF AGENDA ITEM:

Consideration of Signature by the Board of Document 2016-131, an Appointment of Successor Trustee; and authorization of County Legal Counsel for Signature of Document 2016-132, a Deed of Reconveyance.

PUBLIC HEARING ON THIS DATE? No

BACKGROUND AND POLICY IMPLICATIONS:

At public auction March 20, 2008, James M. and Janet A. Leach, were declared successful bidders for property legally described in that Bargain and Sale Deed recorded in the official records of the Deschutes County Clerk at 2008-22561. Deschutes County offered financing for the transaction and Mr./Mrs. Black signed a Promissory Note and Trust Deed. On March 16, 2016, the County Finance Department advised us that Mr./Mrs. Leach have paid the balance owing in full as of March 16, 2016 and have requested a Deed of Reconveyance.

At the time the original Promissory Note and Trust Deed were signed by Mr./Mrs. Leach, the Trustee on behalf of Deschutes County as the Beneficiary was Mark Pilliod, Deschutes County Legal Counsel (who has since left that position). As a result, in order to complete the reconveyance, the Board must appoint a Successor Trustee. The attached documents include a standardized form which appoints current Deschutes County Legal Counsel, David Doyle, as the Successor Trustee. Upon appointing Mr. Doyle, as Deschutes County Legal Counsel, as the Successor Trustee, the Board can then authorize Mr. Doyle to sign the Deed of Reconveyance.

FISCAL IMPLICATIONS:

Total received for the sale was \$40,000.

RECOMMENDATION & ACTION REQUESTED:

Staff recommends Board appoint David Doyle, Deschutes County Legal Counsel, as the Successor Trustee, and then authorize County Counsel to sign the Deed of Reconveyance as Trustee.

ATTENDANCE: James Lewis

DISTRIBUTION OF DOCUMENTS:

Original to James Lewis for recording with the County Clerk and transmittal to Mr./Mrs. Leach.

BA

NO PART OF ANY STEVENS-NESS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS.



APPOINTMENT OF SUCCESSOR TRUSTEE

James M. and Janet A. Leach

13701 Knaus Road

Lake Oswego, OR 97034-2135

Grantor's Name and Address

Mark Pilliod, Des. Co. Legal Counsel

1300 NW Wall Street, Suite 200

Bend, OR 97701

Trustee's Name and Address

Deschutes County

PO Box 6005

Bend, OR 97708-6005

Beneficiary's Name and Address

After recording, return to (Name and Address):

Deschutes County Property/Fac Dept.

PO Box 6005

Bend, OR 97708-6005

SPACE RESERVED
FOR
RECORDER'S USE

KNOW ALL BY THESE PRESENTS that James Mr. and Janet A. Leach, Husband and Wife,
is the grantor, Mark Pilliod, Deschutes County Legal Counsel,
is the trustee, and Deschutes County, a Political Subdivision of
the State of Oregon is the beneficiary under that certain trust deed dated May 23, 2008
 recorded on _____, in ☐ book ☐ reel ☒ volume No. 2008 on page 22562
 and/or as ☐ fee ☐ file ☐ instrument ☐ microfilm ☐ reception No. _____ of the Records of
Deschutes County, Oregon.

The undersigned, who is the present beneficiary under the trust deed, desires to appoint a new trustee in the place and stead of the original trustee named above.

NOW, THEREFORE, the undersigned hereby appoints David Doyle, Deschutes County Legal Counsel
 _____, whose address is
1300 N.W. Wall Street, Suite 200; Bend, OR 97701, Oregon, as successor trustee
 under the trust deed, to have all the power of the original trustee, effective immediately.*

In construing this instrument, where the context so requires, the singular includes the plural, the words "trustee," "grantor" and "beneficiary" include their respective successors in interest, if any, and all grammatical changes shall be made so that this instrument shall apply equally to businesses, other entities and to individuals.

IN WITNESS WHEREOF, the undersigned beneficiary has executed this instrument on _____;
 any signature on behalf of a business or other entity is made with the authority of that entity.

Alan Unger, Chair

Tammy Baney, Vice Chair

Anthony DeBone, Commissioner

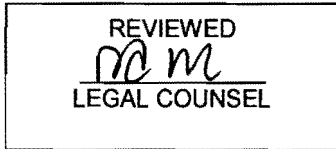
STATE OF OREGON, County of Deschutes) ss.

This instrument was acknowledged before me on _____,
 by _____

This instrument was acknowledged before me on _____,
 by _____
 as _____
 of _____

Notary Public for Oregon

My commission expires _____



For Recording Stamp Only

AFTER RECORDING MAIL TO:

James M. and Janet A. Leach
13701 Knaus Road
Lake Oswego, OR 97034-2135

DEED OF RECONVEYANCE

KNOW ALL MEN BY THESE PRESENTS: that the undersigned Trustee under that certain Trust Deed:

Dated: March 23, 2008
Recorded: March 23, 2008
Instrument No.: 2008-22562
Official Records of: Deschutes County
Grantor: James M. and Janet A. Leach, Husband and Wife.
Original Trustee: Mark Pilliod, as Deschutes County Legal Counsel
Successor Trustee: David Doyle, as Deschutes County Legal Counsel
Beneficiary: Deschutes County, Oregon

having received from the beneficiary under said Trust Deed a written request to reconvey said premises, reciting that the obligation secured by said Trust Deed has been fully paid and performed, does hereby grant, bargain, sell and convey, but without any covenant or warranty, express or implied, to the person or persons legally entitled thereto, all of the estate held by the undersigned in and to that described premises by virtue of said Trust Deed.

Dated this _____ of _____, 2016 DESCHUTES COUNTY, OREGON

David Doyle, Deschutes County Legal Counsel

STATE OF OREGON)
) ss.
County of Deschutes)

This instrument was acknowledged before me on _____, 2016 by David Doyle, County Legal Counsel, Deschutes County, Oregon.

Notary Public for Oregon
My Commission Expires: _____