



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](http://www.deschutes.org)

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## **AGENDA REQUEST & STAFF REPORT**

**For Board Business Meeting of October 5, 2016**

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*Please see directions for completing this document on the next page.*

**DATE:** September 26, 2016

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

**TITLE OF AGENDA ITEM:**

Consideration of Board signature of Document 2016-652, Bargain and Sale Deeds for donation to City of La Pine.

**PUBLIC HEARING ON THIS DATE?** No

**BACKGROUND AND POLICY IMPLICATIONS:**

The attached Bargain and Sale Deed conveys a single property to the City of La Pine via donation for public use as permitted by ORS 271.330 (1). The subject property, located at 51680 Coach Road in La Pine, was acquired by Deschutes County via Warranty Deed in 1966. The property is approximately 0.32 acres in area, and is developed with an older shop building. The property was used in the past by the Deschutes County Road Department. A portion of the building is currently licensed (for the past 10 years) to the La Pine Frontier Days organization – this license will continue following the property conveyance. The City of La Pine has indicated through correspondence their desire to acquire the property.

The Bargain and Sale Deed contains a provision for reversion to Deschutes County if the property ceases to be used for public purposes for a time-period less than 20 years.

**FISCAL IMPLICATIONS:**

There is no consideration for this conveyance. The donation of property for public use is authorized pursuant to ORS 271.330 (1).

**RECOMMENDATION & ACTION REQUESTED:**

Staff recommends signature of Documents 2016-652.

**ATTENDANCE:** James Lewis, Property Manager

**DISTRIBUTION OF DOCUMENTS:**

Original to James Lewis for recordation.

REVIEWED

LEGAL COUNSEL

For Recording Stamp Only

After Recording, Return To:  
City of La Pine  
Cory Misley, City Manager  
P.O. Box 2460  
La Pine, OR 977396

After recording, forward all tax  
statements to:  
Same as above

### BARGAIN AND SALE DEED

DESCHUTES COUNTY, a political subdivision of the State of Oregon, Grantor, conveys to the CITY OF LA PINE, a municipal corporation, Grantee, the real property described in Exhibit A, attached hereto and incorporated herein by this reference.

SUBJECT TO: all encumbrances of record and those common and apparent on the land.

**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.**

The true consideration for this conveyance is zero (0) dollars pursuant to Oregon Revised Statutes 271.330 (1), subject to the following condition: the subject property shall be used for a public purpose for not less than 20 years, or the Grantor, its successors or assigns may enter and terminate this estate and title shall thereupon revert to Grantor, its successor or assigns..

**SIGNATURES ON FOLLOWING PAGE**

DATED this \_\_\_\_ day of \_\_\_\_\_, 2016.

BOARD OF COUNTY COMMISSIONERS  
OF DESCHUTES COUNTY, OREGON

\_\_\_\_\_  
ALAN UNGER, Chair

ATTEST:

\_\_\_\_\_  
TAMMY BANEY, Vice-Chair

\_\_\_\_\_  
Recording Secretary

\_\_\_\_\_  
ANTHONY DEBONE, Commissioner

STATE OF OREGON            )  
  ) ss.  
County of Deschutes        )

Before me, a Notary Public, personally appeared ALAN UNGER, TAMMY BANEY, and ANTHONY DEBONE the above-named Board of County Commissioners of Deschutes County, Oregon and acknowledged the foregoing instrument on behalf of Deschutes County, Oregon.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Notary Public for Oregon

My Commission Expires: \_\_\_\_\_

ACCEPTANCE

City of La Pine, acting by and through its City Manager, does hereby accept the foregoing Bargain and Sale Deed pursuant to ORS 93.808.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2016

CITY OF LA PINE

By: \_\_\_\_\_  
Cory Misley, City Manager

STATE OF OREGON                    )  
  )       ss.  
County of Deschutes                )

The foregoing instrument was acknowledged before me on \_\_\_\_\_, 2016, by Cory Misley, City Manager for the City of La Pine.

\_\_\_\_\_  
Notary Public for Oregon  
My Commission Expires \_\_\_\_\_

## EXHIBIT A

In Township Twenty-two (22) South, Range Ten (10), East of the Willamette Meridian, Deschutes County, Oregon:

Section Eleven (11): A portion of the Southwest Quarter of the Southwest Quarter, the premises being described as follows: Beginning at a ½ inch iron bar from which the section corner common to Section Ten (10), Eleven (11), Fourteen (14) and Fifteen (15) bears South 0° 36' East, 1,099.44 feet; thence North 89° 57' East 140.00 feet; thence South 0° 36' East 100.50 feet; thence North 89° 57' West 140.00 feet; thence North 0° 36' West 100.50 feet to the true point of beginning of the tract herein being conveyed, EXCEPTING the westerly 30 feet for right of way purposes.