



## BOARD OF COMMISSIONERS

# AGENDA REQUEST & STAFF REPORT

**MEETING DATE:** Wednesday, July 27, 2022

**SUBJECT:** Authorize a Road and Access Easement over County-owned property known as Map and Tax Lot 211033B001700, authorize dedicating two County-owned properties known as Map and Tax Lots 211033A000098 and 21033A001800 to public right-of-way, and approve Board Order 2022-036 to authorize the Deschutes County Property Manager to execute the associated documents

**RECOMMENDED MOTION:**

Move approval of Board Order 2022-036, authorizing the Deschutes County Property Manager to execute documents associated with a Road and Access Easement over County-owned property, and dedicating County-owned property to public right-of-way.

**BACKGROUND AND POLICY IMPLICATIONS:**

In 2016, Deschutes County acquired a 0.45-acre property through the tax foreclosure process due to nonpayment of property taxes. The County-owned unimproved "road" segment known as Map and TaxLot 211033B001700 is located on Ranch Place, La Pine. The property is neither public right-of-way nor a local access road. The Real Market Value is \$500 as determined by the Deschutes County Assessor's Office.

The Lloyd Gilbertson Trust (Trust) owns the adjacent south property known as Map and Tax Lot 211033B001800. The Trust needs to acquire legal access to their parcel before it can be listed for sale. There are five privately-owned properties between the Trust property and the nearest public right-of-way, Ranch Drive. Property Management in collaboration with the Road Department, outlined a path for the Trust to achieve desired legal access to their property.

1. Trust to acquire a Road and Access Easement over two privately owned properties known as Map and Tax Lots 211033B001000 and 211033A001802; this step has been completed.

Note: Two additional properties are also County-owned and would require either a Road and Access Easement **or** be dedicated to public right-of-way. Due to the adjacency

of the two properties to existing public right-of-way and after further review by the Road Department, it was determined that these two properties are candidates for public right-of-way dedication:

- 1) Map and Tax Lot 211033A000098 – In 2016, the County acquired a 0.86-acre property through the tax foreclosure process due to nonpayment of property taxes. The Real Market Value is \$1,000 as determined by the Deschutes County Assessor’s Office.
  - 2) Map and Tax Lot 211033A001800 – In 1988, the County acquired a 0.02-acre property through the tax foreclosure process due to nonpayment of property taxes. The Real Market Value is \$500 as determined by the Deschutes County Assessor’s Office
2. At the sole cost and expense of the Trust, provide title reports for the two County-owned properties to be dedicated to right-of-way; this step has been completed.
  3. At the sole cost and expense of the Trust, engage a professional land surveyor to complete the following work for the two County-owned properties to be dedicated to right-of-way:
    - a. Create legal descriptions; this step has been completed
    - b. Set property corner monuments; this step has been completed.
    - c. Draft a Record of Survey to ultimately file with the County Surveyor’s Office; this step is pending.
  4. At the sole cost and expense of the Trust, record the following documents in the official records at the Deschutes County Clerk’s Office:
    - a. Dedication Deeds; this step is pending.
    - b. Road and Access Easement; this step is pending.
  5. At the sole cost and expense of the Trust, file the Record of Survey at the Deschutes County Surveyor’s Office; this step is pending.

**BUDGET IMPACTS:**

None.

**ATTENDANCE:**

Kristie Bollinger, Property Manager