

## MEMORANDUM

TO: Mayor and City Council

FROM: Faye Stewart, Public Works & Development Director

SUBJECT: A RESOLUTION DECLARING SURPLUS REAL PROPERTY  
AND AUTHORIZATION FOR SALE TO ADJOINING  
PROPERTY OWNER

DATE: February 3, 2021

### Background

In August of 2020 the Mayor and City Council received an offer in writing of \$1,000.00 plus the cost of professional surveying services for a portion of map and tax lot 20-03-27-32-01800 (offer letter included in with this memo). The offer to buy a portion of tax lot 1800 made by Double H Investment Group, LLC was made so Double H Investment Group, LLC could design and develop a multi-family project with 40 dwellings on the referenced portion of tax lot 1800 and the adjoining tax lots 1300, 1403, and 1900. Council directed staff to take the necessary steps to facilitate the transaction.

At the time the offer was made by Double H Investment Group, LLC, tax lot 1800 was encumbered on the northern two-thirds by the developed Gateway Blvd and the south two-thirds no development. The City Council authorized the Mayor to sign a right-of-way dedication deed and acceptance at its regular meeting on January 25, 2021 to dedicate the developed Gateway Blvd portion of tax lot 1800 as a public right-of-way.

Currently no buried City infrastructure is within the property such as; water, sanitary sewer, or storm sewer. The maintenance of tax lot 1800 is currently performed by Jack and Linda Hartness, members of Double H Investment Group, LLC and owners of the property to the east.

The City came into ownership of the parcel, tax lot 1800, in 2011 when it was sold to the City for \$30.00 by Quitclaim Deed from Lane County. The ownership of tax lot 1800 was conveyed to the City of Cottage Grove because of the developed Gateway Blvd.

In consideration of having a party willing to purchase and accept the transfer of real property, that party already maintaining the property and liabilities associated with illegal dumping, staff believes it to be in the interest of the City to sell the 7,114 sf lot to the adjoining property owner Double H Investment Group, LLC.

Notice of the Public Hearing will be advertised in the Cottage Grove Sentinel on Thursday, February 4, 2021.

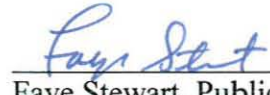
Recommendation

That the City Council by resolution, declare the lot known as map and tax lot: 20-03-27-32-01800 surplus and authorize the City Manager to sign relevant documents in support of the land sale to Double H Investment Group, LLC.

Cost

To date the costs incurred by the City of Cottage Grove has been in staff time deed/title research and advertising.

  
Richard Meyers, City Manager

  
Faye Stewart, Public Works &  
Development Director

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION DECLARING REAL PROPERTY TO BE SURPLUS AND  
AUTHORIZING SALE TO ADJOINING PROPERTY OWNER

WHEREAS, the City of Cottage Grove is the owner of real property described as: SEE EXHIBITS A & B, with the address of “unaddressed 7,114 sq.ft. parcel”, known as TL 1800 (Property); and

WHEREAS, the City received this property via quitclaim deed in 2011 for the sum of \$30.00; and

WHEREAS, Double H Investment Group, LLC (Purchaser) has made an offer to purchase the 7,114 sq. ft. Property from the City of Cottage Grove for \$1,000.00 in order to construct a 40-unit multi-family development; and

WHEREAS, Double H Investment Group, LLC is the owner of real property abutting the Property and the Property being integral to the development of the multi-family project as approved by the Planning Commission; and

WHEREAS, the Property is not needed for City purposes and does not contain City infrastructure, i.e. water, sanitary sewer, storm sewer; and

WHEREAS, on February 8, 2021, the Council held a properly noticed public hearing pursuant to ORS 221.725 regarding the intended declaration as surplus and subsequent sale of Property.

NOW, THEREFORE, BE IT RESOLVED that the Cottage Grove City Council hereby declares the Property identified above as surplus and no longer needed by the City. The Council, therefore, finds that the public interest will be furthered by the disposal and transfer of the Property by Statutory Quitclaim Deed to Double H Investment Group, LLC.

BE IT FURTHER RESOLVED that the Council hereby directs staff to draft any documentation required for this transfer, subject to City Attorney review, and authorizes the City Manager to sign all such documentation on the City’s behalf.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately upon its passage.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR THIS 8<sup>TH</sup> DAY OF  
FEBRUARY, 2021.

\_\_\_\_\_  
Jeffrey D. Gowing, Mayor  
Dated: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Richard Meyers, City Manager  
Dated \_\_\_\_\_

## **EXHIBIT A**

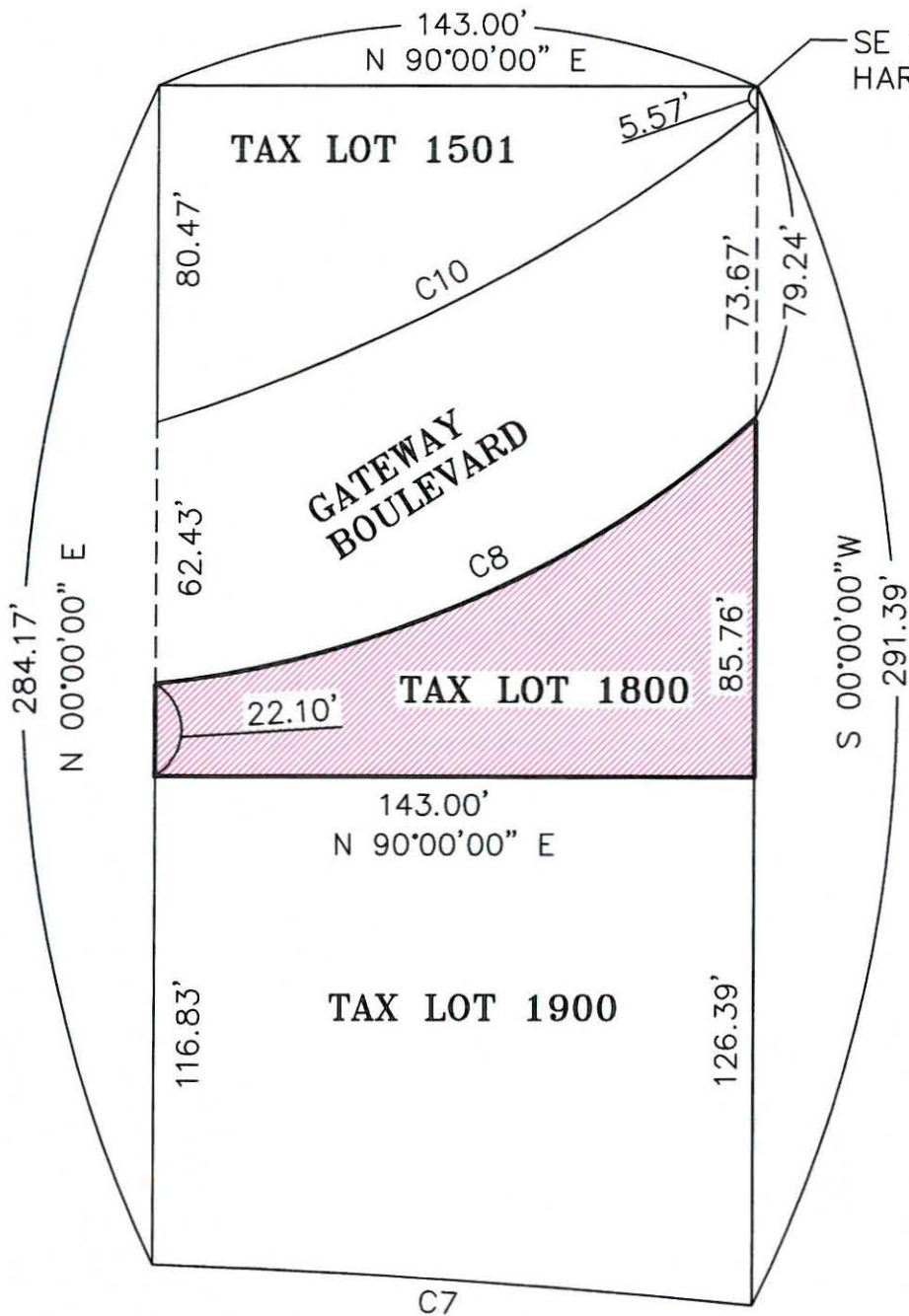
### **LEGAL DESCRIPTION**

A tract of land located in the Southwest Quarter of Section 27, Township 20 South, Range 3 West, Willamette Meridian, Lane County, Oregon and more particularly described as follows:

Beginning at the Southeast Corner of Lot 13 of the Harvey Subdivision as recorded in Book 11, Page 17, Lane County Deeds and Records, thence South 00° 00' 00" West 79.24 feet to an iron on the Southerly right of way line of Gateway Boulevard and the TRUE POINT OF BEGINNING; thence continuing South 00° 00' 00" West 85.76 feet to an iron rod; thence South 90° 00' 00" West 143.00 feet to an iron rod thence North 00° 00' 00" East 22.10 feet to an iron rod, said iron rod is on the said Southerly right of way; thence along said right of way along the arc of a 502.44 foot radius curve to the left (Chord bears North 66° 00' 16" East, chord distance is 156.53 feet) 157.17 feet to the TRUE POINT OF BEGINNING.

Bearings and distances used from Lane County Survey File No. 45294. The intent of this legal description is to describe the parcel in Lane County Deeds and Records No. 2011-002213 expecting the right of way dedicated in Lane County Deeds and Records No. 2021-006103

# EXHIBIT B



SE CORNER OF LOT 13 OF HARVEY SUBDIVISION

C7

R=2,178.60'

DELTA=03°46'12"

L=143.34'

CHORD BEARING=N 86°10'40" W

CHORD DISTANCE=143.32'

C8

R=502.44'

DELTA=17°55'05"

L=157.17'

CHORD BEARING=N 66°00'16" E

CHORD DISTANCE=156.53'

C10

R=442.44'

DELTA=21°01'20"

L=162.34'

CHORD BEARING=N 62°21'25" E

CHORD DISTANCE=161.43'





OR LICENSE 158824

**Quality Design & Construction Services**

August 2, 2020

City of Cottage Grove  
ATTN: Mayor and City Council  
400 E Main Street  
Cottage Grove, OR 97424

**RE: PROPOSED BOUNDARY ADJUSTMENT  
(MAP/TL: 20-03-27-32-01800 & 01900)**

Dear Mayor Gowing and City Council,

As agent for Double H Investments, the owners of Tax Lots 1300, 1403 and 1900 (map 20-03-27-32) on Gateway Blvd. in Cottage Grove, I am writing to request a boundary adjustment between Tax Lot 1800 (owned by the City of Cottage Grove) and Tax Lot 1900 (owned by Double H Investments) to incorporate that portion of Tax Lot 1800 that does not include Gateway Blvd. and City sidewalk (see attached Preliminary Survey) into Tax Lot 1900. The addition of this property would help with the layout and placement of up to four multifamily 8-plex units (with the potential of two being 12-plex) on the three adjacent parcels named above. Once fully developed, there will be an addition of 32 to 40 new housing units available.

The property is currently maintained by the City of Cottage Grove. It is of little value, as it is, for development, and Cottage Grove is in need of residential housing.

For your consideration, we are proposing to perform all necessary surveying and map replat to achieve this goal, as well as offer a monetary compensation of \$1000.00.

Sincerely,

John Lee  
JDL Construction, Inc.

ATT: Preliminary Survey

CC: Double H Investments

JL:sbl