



ADMINISTRATIVE POLICIES

SECTION:	Property Management	POLICY #:	809
TITLE:	Sale of Tax Foreclosed and Surplus Real Property	PROCEDURE #:	809A, B, C, D
		ORDER #:	11-88
DEPT:	Finance	DIVISION:	
ADOPTED:	11/11	REVIEWED:	REVISED:

PURPOSE: To establish policy and standards for the sale of tax foreclosed and surplus real property.

AUTHORITY: The Marion County Board of Commissioners may establish rules and regulations in reference to managing the interest and business of the county under ORS 203.010, 203.035 and 203.111.

The Marion County Board of Commissioners expresses the governing body’s formal, organizational position of fundamental issues or specific repetitive situations through formally adopted, written policy statements.

The Administrative Policies and Procedures Manual of the Board of Commissioners outlines the forms and process through which the board takes official action on administrative policy, and is the official record of county administrative policy.

ORS Chapter 275- (County Lands) and ORS Chapter 312- (Foreclosure of Property Liens) govern the county’s process for tax foreclosure and the disposition of tax foreclosed and surplus real property.

APPLICABILITY: All county departments.

GENERAL POLICY: It is Marion County’s policy to offer parcels of tax foreclosed and surplus real property for sale to the prior owner of record, the adjacent property owners, or the general public in a fair and equitable manner for the benefit of the taxing districts and the county.

Tax foreclosed real properties are deeded to the county in accordance with ORS Chapter 312 for the nonpayment of real property taxes. Surplus real property is county owned property that was acquired by the county through purchase or donation and the board of commissioners has decided that the property is not required. This policy and the associated procedures shall be utilized for the sale of both tax foreclosed real property and surplus real property.

SUBJECT: SALE OF TAX FORECLOSED AND SURPLUS REAL PROPERTY

POLICY GUIDELINES:

1. Selling Surplus and Tax Foreclosed Property: Marion County shall sell surplus and tax foreclosed real property in accordance with ORS Chapter 275 and as set forth in this policy and the associated procedures. The board of commissioners will consider the best interests of the taxing districts and the county when deciding appropriate action to be taken on any sale of real property.
2. Reserves the Right to Retain: In any event, Marion County reserves the right to retain any piece of property or any interest in a piece of property if doing so is deemed to be in the public interest.
3. Property Transfer by Quitclaim Deed: Marion County makes no representation about the value, zoning, suitability for any purpose, building feasibility, environmental condition, wetland designation, forest zones, easements, city ordinances and regulations or any other matters. Marion County transfers any interest it may hold in properties by quitclaim deed, not warranty deed.
4. Exceptions: The board of commissioners may grant exceptions to this policy. Exceptions will be based on the best interests of the public, the county, and the taxing districts.
5. Implementation: The finance property specialist shall implement this policy with the review and approval of the board of commissioners.
6. Periodic Review:
The finance department shall review this policy at least every three years. This review may occur more often if needed and updated as necessary.

Adopted: 11/2/11