

Agenda Item No.:	B
Work Plan Title & #:	State Forests Work Plan 2
Objective # & Title	IBI 4 –Land Acquisitions, Exchanges, and Decertifications
Date of Presentation:	November 6, 2009
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SUMMARY

The purpose of this agenda item is to obtain Board approval to correct the deed records on 13 Common School Forest Land parcels totaling 154.31 acres in Coos and Douglas counties.

CONTEXT, BACKGROUND AND ANALYSIS

These 13 parcels were acquired under the authority of ORS 526.166(1) which authorizes the Board of Forestry to acquire rights of way to lands of the state, under the management or jurisdiction of the board or forester. The parcels were acquired between 1960 and 1974 from various landowners in Coos and Douglas counties to provide access to the Elliott State Forest. Since these parcels were acquired to provide access to Common School Forest Lands (CSFL), the money used for these acquisitions came from the Common School Fund and the parcels have been designated on our ownership maps as CSFL and have been included in our Management Agreement with the Department of State Lands (DSL). However, the deeds for these parcels were issued to the Board of Forestry

Since the parcels were acquired with Common School Funds and have been designated in the records as CSFL, the Department and DSL believe that the deeds should reflect the owner as being the State Land Board instead of the Board of Forestry. Staff has obtained advice from the Department of Justice (DOJ) on the action needed in order to correct the deed records. DOJ has advised that the Board may transfer title to the parcels to the State Land Board for designation as CSFL under the authority of ORS 526.194 which authorizes the Board to dispose of any real property acquired under ORS 526.162 to 526.194, when, in the judgment of the board, it will serve the best interests of the state.

RECOMMENDATION

Staff recommends the Board approve the conveyance by deed of the 13 parcels to the State of Oregon, acting by and through its State Land Board on behalf of the Oregon Department of State Lands to be designated as Common School Forest Lands.

NEXT STEPS

Upon approval by the Board, the Department will prepare and execute the necessary deeds and provide them to the Department of State Lands. No further action by the Board will be required.

ATTACHMENTS

None