



Lane County Circuit Court

May 25, 2007

The Honorable Kitty Piercy, Mayor of Eugene
777 Pearl Street, Room 105
Eugene, OR 97401

William A. Van Vactor, Lane County Administrator
Lane County Administration
125 East 8th Avenue
Eugene, OR 97401

Bill Dwyer, County Commissioner
Lane County Public Service Building
125 East 8th Avenue
Eugene, OR 97401

Pete Sorenson, County Commissioner
Lane County Public Service Building
125 East 8th Avenue
Eugene, OR 97401

Bill Fleenor, County Commissioner
Lane County Public Service Building
125 East 8th Avenue
Eugene, OR 97401

Bobby Green, County Commissioner
Lane County Public Service Building
125 East 8th Avenue
Eugene, OR 97401

Faye Stewart II, County Commissioner
Lane County Public Service Building
125 East 8th Avenue
Eugene, OR 97401

Dennis M. Taylor, Eugene City Manager
777 Pearl Street, Room 105
Eugene, OR 97401

Re: Proposed Sale of "Butterfly Lot"

Dear Mayor Piercy, Commissioner Dwyer, Commissioner Fleenor, Commissioner Green,
Commissioner Stewart, Commissioner Sorenson, Mr. Van Vactor and Mr. Taylor:

Please accept this letter as notification that Lane County Circuit Court and the Oregon Judicial Branch oppose the proposed sale of the property commonly referred to as the "Butterfly Lot", the lot bordered by 8th Avenue, Oak Street, West Park and 7th Avenue.

As you know, the Butterfly Lot is part of a donation land claim transferred to Lane County in 1854 from Eugene and Mary Skinner with specific, permanent, and exclusive deed restrictions. Those deed restrictions include the restriction that "the transfer was made in consideration of and on the condition that the permanent seat of justice for said County of Lane be located thereon." It is the position of Presiding Judge Mary Ann Bearden that the proposed sale would violate the deed restrictions. The lot is currently in use for courthouse purposes for the County seat of

justice; it provides the parking for staff for the Circuit Court, jurors and witnesses and others in attendance on the Court. In addition, the County and the Court have long-standing plans to build the new courthouse on this lot.

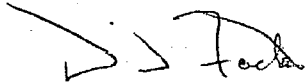
The proposed sale of the lot to the City of Eugene for the construction of a new City Hall, or for any other City of Eugene purpose, is prohibited by the deed itself and, accordingly, is unacceptable to the Court. The Presiding Judge is opposed the proposed sale, has employed counsel, and will take any necessary legal steps to ensure that the deed restrictions are enforced.

I respectfully suggest that the County Commissioners ask for a legal opinion from County Counsel on this matter before pursuing the sale of this lot.

I would be happy to speak or meet with the City and the County at your earliest convenience.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Factor". The signature is stylized with a large initial "D" and a flourish at the end.

David Factor
Court Administrator

cc: Mary Ann Bearden, Presiding Judge
The Honorable Chief Justice Paul J. De Muniz
Kingsley W. Click, State Court Administrator