

**POLK COUNTY  
MEASURE 37 CLAIM FORM**

**(POST 12/4/2006)**

**Submit to: Community Development Department  
850 Main Street  
Dallas, Oregon 97338**

**File Number:** \_\_\_\_\_

**Fee:** **NONE**

**Date Received:** \_\_\_\_\_

**Received by:** \_\_\_\_\_

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You may be asked to submit additional information after staff has reviewed this form in order to verify or support your statements. You will be notified within 30 days if additional information is needed.

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**CONTACT INFORMATION** (Either a property owner or an authorized representative):

**Name:** \_\_\_\_\_

**Mailing Address:** \_\_\_\_\_

**Phone: (H)** \_\_\_\_\_ **(W)** \_\_\_\_\_

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**PROPERTY INFORMATION** (List all contiguous properties associated with the claim):

<b>Map #</b>	<b>Acct #</b>	<b>Acreage</b>	<b>Current Zoning</b>
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**LEGAL PARCEL CONFIGURATION ~ How was the parcel created? Please provide documentation.**

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**COMPENSATION INFORMATION:**

The Polk County Board of Commissioners has authority to make a final decision as to compensation, waiver, modification, or non-application of a regulation.

**Documentation must accompany the summary of information below. To facilitate timely processing of the application, it is suggested to label attachments.** Please provide documentation from a title company containing a complete listing of all present owners of the subject parcel of real property. Include the date each owner acquired ownership of the real property and a chronology of any subsequent ownership changes (completed within 30 days of submission).

**Date of Acquisition by:**

**Current Owner:** \_\_\_\_\_ **Book:** \_\_\_\_\_ **Page:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Family Member:** \_\_\_\_\_ **Book:** \_\_\_\_\_ **Page:** \_\_\_\_\_ **Date:** \_\_\_\_\_

Please provide evidence of family relationships (possibly birth certificates, marriage licenses, etc.).

Provide a copy of any covenants, conditions, or restrictions, on the subject property, as certified by a title company as being complete.

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**Zoning Designation(s) (if any) at Time of Acquisition by:**

Current Owner: \_\_\_\_\_

Family Member: \_\_\_\_\_

**1. List the specific use or uses that you desire to establish on your property (partition, dwelling etc.).**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**2. List the current ordinance section(s) that restricts the use and reduces the value of your property.**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**3. What Ordinance Number was in effect that you want considered that would allow you to use the property when you acquired it? \_\_\_\_\_ Please include a copy \_\_\_\_\_**

**Date Enacted:** \_\_\_\_\_

**Has Polk County Formally Denied the Use Specified Above?**  Yes  No **If yes, please attach a copy.**

**Indicate File # or other Action Denying Use:**

\_\_\_\_\_  
\_\_\_\_\_

**Loss of Fair Market Value (\$ amount):** \_\_\_\_\_

**Describe how this Figure was derived (List any attachments):**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Please provide a copy of a plot plan of the property that identifies existing and proposed features (property lines, driveway, structures, septic tank and drainfield, well, streams, other improvements, and the location of proposed uses).**

**\*\*\*An appraisal is not required at the time you submit this claim. However, if you have an appraisal, please submit it with this form. The County may request an appraisal at some time during the processing of this application. An appraiser that is certified as required by Polk County Code Chapter 37 must conduct the appraisal.**

**SIGNATURES** (Includes all property owner(s) whose collective interest's amount to fee simple title and any authorized representative):

I/We, the undersigned Owner(s) and authorized Representative, affirm by my/our signature(s) that:

- The information contained in this claim form and any associated submissions is true and correct; and
- A decision by Polk County to compensate, modify or not apply a land use regulation does not relieve me/us of the responsibility of seeking a waiver from the State of Oregon or any other agency if the local regulation modified by the County is also contained in State law, administrative rules, or the regulations of any other agency; for example a city if your property is in an Urban Growth Boundary, and
- A decision by Polk County to modify or not apply a land use regulation does not warrant or otherwise guarantee I/we or any of my/our successors in interest can legally use the subject property for the purpose, or in the manner, approved by the County as such use or purpose may impact third parties, including rights established by Covenants, Conditions and Restrictions (CC&Rs), other private restrictions, or other regulations, restrictions or contracts; and
- A decision by Polk County to modify or not apply a land use regulation to allow a use may result in an increase in property tax due to reassessment; and/or a loss of special assessment status and additional taxes in accordance with existing assessment statutes if applicable; and
- Subsequent to a decision by Polk County to modify or not apply a land use regulation to allow a use permitted at the time the current property owner(s) acquired the property, the use must be reviewed subject to any review process and land use regulations that were in effect at the time and there is no guarantee of approval.
- Relief granted by Polk County pursuant to Measure 37 and/or this chapter is specific to Polk County and is not binding on other jurisdictions.

**Representative(s) if different than Owner**

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Printed Name	Signature	Date
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Printed Name	Signature	Date
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**Owner(s)**

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Printed Name	Signature	Date
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Printed Name	Signature	Date
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Printed Name	Signature	Date
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Printed Name	Signature	Date
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Printed Name	Signature	Date
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Printed Name	Signature	Date
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\* The 180-day clock starts upon submission of this completed form. We will review the submittal and if additional information is needed, we will notify you in writing that the information is not complete. This letter will stop the 180-day clock. You will be asked to submit specific additional information within a specific time frame. You have the option of submitting the additional information within the time frame, ask for a specific amount of additional time or indicate that you want us to process your claim with the information you have already provided.

The Polk County ordinance that implements the provisions of Statewide Ballot Measure 37 and additional application forms may be obtained at the Polk County web page at: [www.co.polk.or.us](http://www.co.polk.or.us)

## **ATTENTION:**

The State of Oregon has determined that the language of Measure 37 requires that a claimant submitting a claim with the State of Oregon on or after December 5, 2006, must provide proof that he/she submitted a complete land use application with the local jurisdiction, that the subject regulation(s) was applied as an approval criteria by the local jurisdiction, and that the application was thereafter denied.

The applicable administrative rule is OAR 660-041-0010.