

UMATILLA COUNTY, OREGON

[AP-M37] 12/04

*This application is used for review of compensation
claims as provided in
ORS Chapter 197*

MEASURE 37 COMPENSATION DEMAND

Submit to: Planning Department
Umatilla County Courthouse
216 SE Fourth Street
Pendleton, Oregon 97801

Please print in black ink, or type all information

OFFICE USE ONLY

File N^o _____

Fee Paid \$300 Dep./COST+ thereafter

Receipt N^o _____

App. Received by _____

Date Received _____

NOTE: The applicant must be all property owner(s) whose collective interests amount to fee simple title, their attorney or agent duly authorized in writing. If a person other than the current property owner(s) is filing this claim, a notarized affidavit, letter of authorization or power of attorney must be submitted with this claim. For purposes of claim review, the Claimant Owner or Agent will be designated as the primary contact for purposes of communication, correspondence and notices pertaining to the claim.

CLAIMANT PROPERTY OWNER(S):

OTHER PROPERTY OWNER(S):

Please list **all** owners with an interest in the property, or the authorized representative if a corporation.

Name: _____

Mailing Address: _____

City: _____

State: _____ Zip: _____

Daytime Phone: _____

Name: _____

Mailing Address: _____

City: _____

State: _____ Zip: _____

Daytime Phone: _____

AGENT:

An agent is not the Owner

Name: _____

Mailing Address: _____

City: _____

State: _____ Zip: _____

Daytime Phone: _____

Property Description: (list all lots or parcels that are under the same ownership or that are part of the claim)

Township	Range	Section	Tax lot(s)	Date Acquired	Zone on Date

Property Address: _____

Date of Acquisition (attach copy of document that transferred ownership, note County deed record instrument number if applicable):

Is the Property in the Same Configuration as When It Was Acquired? ___ YES ___ NO

Zoning Map and Plan Map Designation(s) on Date of Acquisition by Current Owner:

Use Requested (specify what you want to do with your land):

Has a Land Use Regulation Been Enforced on Your Property That Prevents the Use(s) You Described Above? ___ YES ___ NO

List the Land Use Regulation(s) That Prevent the Use(s) You Specified (list specific local Ordinance, noting date of enactment):

Has Umatilla County Formally Denied the Use You Specified Above? ___ YES ___ NO

Please Explain Circumstances (describe land use permits sought and outcome of applications):

List Prior Claims Filed with Umatilla County or the State of Oregon:

Relief Sought (specify whether compensation or a use waiver is desired, if compensation is requested, specify the dollar amount of relief sought):

THE CLAIM APPLICATION MUST INCLUDE:

1. A completed, signed claim form. If a person other than the owner(s) of the subject property is filing this claim, documentation must be provided as outlined on page one of this form.
2. A scaled site plan showing the location of all existing and proposed uses on the owner's property. A copy of any surveys recorded with the County can be obtained at the Surveyor's Office located at 3920 Westgate in Pendleton. Alternatively, a copy of the most recent assessment plat map showing the subject property may be used as a base to show existing and proposed uses.
3. Copies of all deeds or other records that document ownership and date of acquisition, including a copy of the last recorded deed for the subject property. This can be obtained from the County Recorder's Office located on the first floor of the Courthouse. A copy of the acquisition title report may be submitted to fulfill this requirement.

4. A sworn statement indicating any other interests and encumbrances against the property, including but not limited to leases and encroachments, of which the claimant is aware or may have reason to believe exists (a title report may be substituted for this requirement).
5. Documentation of the reduction of fair market value of the Owner's property before and after application of the regulation. The County will notify you if a written appraisal prepared in accordance with the Uniform Standards of Professional Appraisal Practice (USPAP) by a professional appraiser licensed and registered in the state of Oregon is required.
6. A written statement addressing how the land use regulation enacted after property acquisition restricts the use of the property and the degree to which fair market value is affected. Explain why available land use processes can not remedy the regulatory restriction.
7. A copy of any other documents upon which the owner/applicant relies to support his/her claim. Such records may include birth certificates, baptismal records, marriage certificates, divorce decrees, wills, or other documents proving family relationships among owners of the subject property when such relationships are the basis for a compensation claim. Copies of denied land use permit applications, enforcement citations or other evidence demonstrating the County has enforced land use regulations that restrict use of the property should also be submitted.

Note: *The applicant/claimant has the burden of proof and must submit clear and convincing evidence to demonstrate they are entitled to monetary compensation or a waiver under Measure 37. The claim will not be forwarded to the Board of Commissioners for action until County staff have determined that all necessary information has been submitted.*

Please Read and Initial the Statements Below:

- _____ I/We understand Umatilla County will notify nearby property owners of my/our claim and that the Board of Commissioners or an appointed Hearings Officer may conduct a public hearing prior to making any determination regarding compensation or waiver of land use regulations.
- _____ I/We understand any land use regulation waiver issued by Umatilla County may include conditions of approval that may include, but not be limited to, filing a deed declaration regarding the means of obtaining a permit and the status of any use so permitted upon transfer of said use.
- _____ I/We understand that a decision by Umatilla County to waive its local land development regulations does not relieve me/us of the responsibility of seeking a waiver from the State of Oregon if the local regulations waived by the County are also contained in State law or administrative rules.

I/WE, THE UNDERSIGNED OWNER(S) OR AUTHORIZED AGENT, AFFIRM BY MY/OUR SIGNATURE(S) THAT THE INFORMATION CONTAINED IN THE FOREGOING APPLICATION AND ASSOCIATED SUBMISSIONS IS TRUE AND CORRECT.

Dated this _____ day of _____, 20____.

All Owner Signatures Must Be Notarized

CLAIMANT OWNER:

Print Name: _____ **Notary:**

Signature: _____

OTHER PROPERTY OWNER(S):

Print Name: _____ **Notary:**

Signature: _____

Print Name: _____ Notary:

Signature: _____

Print Name: _____ Notary:

Signature: _____

AGENT:

Print Name: _____

Signature: _____

NOTICE:

In recognition that all land-use planning authority of Umatilla County derives from the laws and administrative rules of the State of Oregon, it is the policy of the County to advise individuals seeking compensation to file simultaneous claims against the State of Oregon in accordance with procedures established by law.