

INSTRUCTIONS FOR FILING DECLARATORY STATEMENT REPLACEMENT RESIDENCE REQUIREMENTS

1. This acknowledgment is required when the County permits the placement of a residence for the purpose of replacing an existing residence located on the property. Such permits are granted with the condition that the existing residence be removed, demolished, or converted to an allowable use. In order to be accepted, documents must be completed and correct.
2. The attached Replacement Residence Declaratory Statement must be filled out (typed or neatly printed) and signed before a Notary Public.

If you need assistance in preparing this Statement, please feel free to bring your documents to the Planning Division. For your convenience, the Planning Division has employees who are Notary Public.

3. Names of **ALL** current property owners who appear on the property deed or contract shall be shown, typed in the appropriate space at the top of the document, and signed in the presence of a Notary Public. (Signatures must be **IDENTICAL** to those listed).
4. Property description: the property description must be **IDENTICAL** to what has been recorded in the Marion County Deed Records.
5. The notarized Declaratory Statement shall be returned to the Planning Division for review. The recording of the document will be the responsibility of the applicant. After review by the Planning Division, the Planning Director, or his designee, will sign the Statement.
6. The applicant then records the Statement with the Marion County Clerk located on the second floor of the Courthouse Square Building, 555 Court St. NE, Salem. Please be advised there is a recording fee.
7. The applicant must then either return a copy of the recorded Statement to the Marion County Planning Division **...OR...** call our office with the official Reel and Page Number that will be placed on the original document when recorded. If building permits are pending, they will not be issued until the Planning Division either receives a copy of the recorded document or the Reel and Page Number information.

If you have any questions about the Statement, or the recording procedure, please contact the Planning Division at (503) 588-5038.

AFTER RECORDING RETURN TO:

Marion County Planning Division
5155 Silverton Rd. NE, Salem OR 97305

DECLARATORY STATEMENT
REPLACEMENT RESIDENCE REQUIREMENTS

THIS ACKNOWLEDGMENT, made this _____ day of _____, 20____, by and between _____ and the County of Marion, State of Oregon, in consideration of the land use approval by Marion County and/or the issuance of building permits by Marion County for the replacement of an existing residence on property described as follows to-wit:

(If space is insufficient, continue description on reverse side)

Tax Account Number: _____ **Property Address:** _____

Do hereby promise and certify as follows:

1. I/We certify that I/We fully understand that the construction of a residence or the placement of a manufactured home on the above described real property is a replacement residence for the existing residence located on the property and is approved only on that condition.
2. I/We certify that within ninety (90) days of occupancy of the new residence, I/We shall provide evidence to the Planning Division that the replaced residence has been removed, demolished, or converted to an allowable non-residential use.
3. I/We also acknowledge that in order to convert the replaced residence to an allowable non-residential use, I/We shall file a Declaratory Statement regarding the use of the replaced residence and prohibiting its use as a residence (Declaratory Statement available from the Planning Division).
4. I/We realize it is not the intent of this permit to subvert the intent of the Single Family zones or any other zones by permitted more than one permanent residence on each property.

In Witness Whereof, said Party has executed this instrument this _____ day of _____, 20_____

Owner

Owner

STATE OF OREGON)
Marion County) **ss.**

This instrument was acknowledged before me this _____ day of _____, 20_____

Notary Signature

Notary Public for Oregon

(OFFICIAL SEAL)

Accepted:

Marion County Planning Director

Permit # or Case #