

INSTRUCTIONS FOR FILING DECLARATORY STATEMENT (Floodplain)

1. This acknowledgment is required when the County permits construction of improvements, activities, structures, or dwellings in or near an area designated by the County as floodplain. Documents cannot be accepted until complete and accurate.
2. The attached Declaratory Statement must be filled out (typed or neatly printed) and signed before a 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).

Each parcel involved will require a separate Declaratory Statement.

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.

4. Property description: the property description must be **IDENTICAL** to what has been recorded in the Marion County Deed Records.
5. The notarized Statement shall be returned to the Planning Division for review. After approval 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
(Floodplain)

THIS COVENANT, made by and between _____ (“owner(s)”) and Marion County in consideration of issuance of a building permit for construction of the improvements shown on the attached site plan on the following described real property:

(If space insufficient, continue description on reverse side)

Owners do hereby acknowledge and covenant as follows:

1. The property herein described has been identified as lying within a floodplain. The County recommends that measures be taken to mitigate flood damage and flood hazards and that flood insurance be maintained on all improvements.
2. Owners will not bring any claim against the County, its officials, employees or agents for damage to the subject property or improvements on the subject property caused by flood waters, debris carried by flood waters, slides or other flood related hazards. The County, its officials, employees and agents shall not be liable for property damage caused by flood waters, debris carried by flood waters, slides or other flood related hazards.

This covenant shall run with the land and is intended to and hereby shall bind my/our heirs, assigns, lessees, and successors.

In Witness Whereof, owners have executed this instrument this _____ day of _____, 20____

Owner

Owner

STATE OF OREGON)
) ss.
Marion County)

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

Notary Signature

Notary Public for Oregon

(OFFICIAL SEAL)

Accepted:

Marion County Planning Director

Permit #/Case #