

**INSTRUCTIONS FOR FILING DECLARATORY STATEMENT
(Geological Hazardous Area)**

1. This acknowledgment is required when the County permits development within a Geologically Hazardous area, as designated by Marion County. 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.

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.

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 Statement shall be returned to the Planning Division for review. The recording of the document will be the responsibility of the applicant. 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, Oregon 97305

DECLARATORY STATEMENT
(Geological Hazardous Area)

THIS COVENANT, made by and between _____ (Owner(s)) and Marion County in consideration of a development permit on real property within a geologically hazardous area as shown on the attached site plan or development plan and described as follows:

(If space insufficient, continue description on reverse side)

Owners do hereby acknowledge and covenant:

1. The property herein described is identified to be in a geologically hazardous area of Marion County. The County requires geological and/or geotechnical reports to manage the geological hazardous risk in these areas. Restrictions on the use or alteration of the site may exist due to natural conditions of the site. Measures to minimize the hazardous risk are regulated by Marion County=s Geological Hazardous Area Overlay Zone. All approved geological and/or geotechnical reports for the property are on file with Marion County.
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 geological related hazards. The County, its officials, employees and agents shall not be liable for property damage caused by geological related hazards.

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

In Witness Whereof, the 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 by:

Marion County Planning Director

Building permit #/Case #