

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
IN AND FOR THE COUNTY OF CURRY, OREGON**

In the Matter of an Amendment to)
The Curry County Code Adding a)
New Article Eleven Division Seventeen)
Relating to Adopting a County Surveyor)
'Map of Survey' & 'Plat' Review) ORDINANCE NO. 16-06

THE BOARD OF CURRY COUNTY COMMISSIONERS HEREBY ORDAINS AS FOLLOWS:

SECTION I TITLE

This Ordinance shall be known as Ordinance No. 16-06 and may be cited as the "Map of Survey & Plat Review Ordinance of Curry County".

SECTION II AUTHORITY

ORS Chapter 92.048, ORS 92, ORS 209, and OAR 820.

SECTION III PURPOSE

The purpose of this Ordinance is to establish standards and requirements for the review and approval of survey maps, partition plats, condominium plats, subdivision plats and property line adjustments in an accurate, efficient and timely manner as necessary for the promotion of economic development and protection of property rights.

SECTION IV ADOPTION

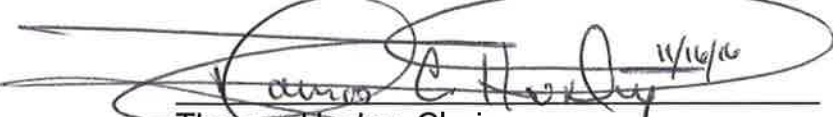
Exhibit "A", attached hereto and incorporated by reference, is adopted as an amendment to the Curry County Code, to wit, as a new Article Eleven Division Seventeen.

SECTION 4 SEVERANCE CLAUSE

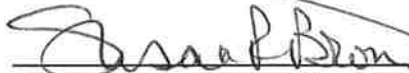
If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance, or any part thereof, is for any reason held to be unconstitutional (or otherwise invalid), such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof. The legislative body hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional (or otherwise invalid).

Dated this 16 day of November, 2016.

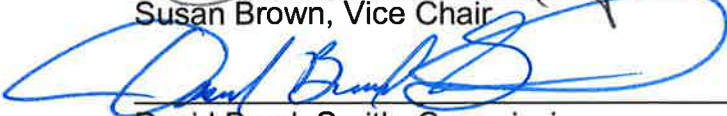
Board of Curry County Commissioners

 11/16/16

Thomas Huxley, Chair

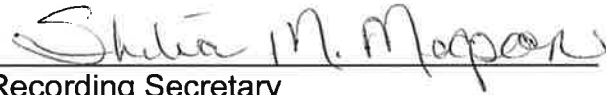


Susan Brown, Vice Chair




David Brock Smith, Commissioner

ATTEST:


Recording Secretary

APPROVED AS TO FORM:


John Hutt
Curry County Legal Counsel

First Reading: November 02, 2016
Second Reading: November 16, 2016
Effective Date: February 13, 2017

EXHIBIT "A"

ARTICLE ELEVEN

DIVISION SEVENTEEN – ADOPTING A COUNTY SURVEYOR 'MAP OF SURVEY' & 'PLAT' REVIEW

Section 11.17.010 Title:

This Ordinance shall be known as the County Surveyor 'Map of Survey' & 'Plat' Review.

Section 11.17.020 Definitions:

a) "Plat" shall mean the map representing the survey of a partition, condominium, or subdivision.

b) "Map of Survey" refers to boundary surveys and property line adjustment surveys.

c) "Aliquot" means a proportional breakdown of a Section of Land in the Public Land Survey System (PLSS); i.e. ¼ section, ¼, ¼ section, etc. as described in the Manual of Survey Instructions published by the U. S. Bureau of Land Management.

Section 11.17.030 County Requirements (exceptions may be made by the County Surveyor):

a) Monuments shall be set on the new adjusted property line and a Map of Survey filed for a property line adjustment regardless of the abutting property lot sizes, unless it is an aliquot part of the section and is 10 acres, or more.

b) A Property Line Adjustment map shall clearly identify the old and new property line(s).

c) The owner's name, deed number, assessor tax map number and tax lot number shall be shown on the subject property and adjoining parcels.

d) All Maps of Survey and Plats shall be a size of: 18"x 24" with a 1" margin.

e) All abbreviations and symbols shall be defined on the map's legend.

f) Road names, numbers (where applicable) and width shall be stated on all maps. This shall include private streets and alleys.

g) Stream or waterway name and direction of flow shall be shown on all plats. Where relevant, they shall also be shown on Maps of Survey.

h) For reproduction purposes, all lettering shall have a minimum height of 2.0 millimeter (0.08 inch) and all lettering shall be made with archival quality black ink. Dense black permanent ink is required. Blue or black ballpoint shall not be accepted.

i) Public Land Survey Corners (1/4 corners, section corners, meander corners, closing corners, witness corners, etc.) are to be maintained; thus the following map information is required:

1. If the corner is part of the subject property being surveyed and found to be in substandard condition, the corner shall be rehabilitated and new reference points established, if needed. Restoration information shall be shown on the filed map, or a Corner Record filed.

2. If a Public Land Survey Corner is incidental to the subject survey, but found to be in need of rehabilitation, the Land Surveyor shall notify the County Surveyor that work is needed. The County Surveyor shall be responsible for this rehabilitation work, but please note that the County Surveyor has the ability to negotiate a contract for the surveyor to do this work while the surveyor is at the jobsite.

3. The County Surveyor shall provide signs & posts, 30" aluminum monuments, and witness corner signs to any land surveyor requesting them for PLSS corners in Curry County.

j) Identify all found or set monuments and the accessories on the map face or in a legend/table describing:

- 1) Type and dimensions of all found and set monuments.
- 2) Type and/or color of tag or cap and information stamped on the tag or cap.
- 3) Indicate whether pipe dimensions are inside or outside diameter (inside preferred).
- 4) Show the relationship of the monuments found to the monuments set.
- 5) Describe any accessories set.
- 6) Inches or decimal feet (specify) the monument is above or below grade.

k) If the Land Surveyor checked or found gaps, overlaps or other potential boundary concerns, while doing a property survey, copies of the relevant deeds shall be provided to the County Surveyor for the Map of Survey check.

l) The following shall be provided to the County Surveyor for Plat checks:

- 1) A Preliminary Title Report, if prepared for the Community Development Department with the supporting documents, shall also be provided to the County Surveyor for map review.
- 2) Closure calculation sheets for all individual parcels and the overall beginning parcel.
- 3) An original and "True and exact copy" shall be provided for all plats.
- 4) The true and exact copy statement shall state: I HEREBY CERTIFY THAT THIS IS A TRUE AND EXACT COPY OF THE ORIGINAL. Signed by the surveyor with his printed name and PLS number on each page of the plat copy.
- 5) A copy of the subject deed and surrounding deeds shall be provided to the County Surveyor for the map check.
- 6) Easements: their purpose; recorded information; and width. If created by the plat, also name the beneficiary; whether private or public; time limit if temporary; etc. Dashed lines shall be used to illustrate the easement's location.
- 7) Approvals: City/County Planning and their miscellaneous required statements; County Surveyor; Tax Collector/Assessor; and Recorder. For Subdivisions, lines for County Commissioners to sign.
- 8) Statement to the effect that the Surveyor "has correctly surveyed and marked with proper monuments the lands as represented."

m) Declarations for Parcel Maps and Subdivisions

- 1) Owners – signatures in black ink
- 2) Notarized – Legible stamp, signature and date in black ink ORS 92.075(1)
- 3) State that "the declarant has caused the subdivision or partition to be prepared and the property subdivided or partitioned in accordance with the provisions of ORS chapter 92."
- 4) Any dedication of land for public purposes, or any public/private easements, or any other restriction made shall be stated in the declaration.
- 5) Consent affidavit if others (Trust Deed Beneficiaries, Mortgage Holders, or Contract Vendors) have an interest in the property platted.