



APPLICATION

**CREATE A TAX LOT TO SECURE FINANCING
(DEED RELEASE)**

File #

Fee: \$
(SEE CURRENT FEE SCHEDULE)

*ALL SECTIONS MUST BE COMPLETED. ATTACH ADDITIONAL SHEETS IF NECESSARY.
REVIEW WILL BEGIN ONLY WHEN THE APPLICATION IS DETERMINED TO BE COMPLETE*

I. Property Owner(s) Information

Name(s): _____ Phone #1: _____

Mailing Address: _____ Phone #2: _____

City: _____ State: _____ Zip: _____ Email: _____

II. Applicant Information

Name(s): _____ Phone #1: _____

Mailing Address: _____ Phone #2: _____

City: _____ State: _____ Zip: _____ Email: _____

Other individuals to be notified of this application: Name, Address, City & Zip, or Email

III. Property Information

Site Address: _____

Assessor's Map & Tax Lot Number: T _____ S, R _____ W, Section(s) _____, Tax Lot(s) _____

Acreage: _____ Zoning: _____ Fire District: _____

Water Supplied By: _____ Sewage Disposal Type: _____

Existing Structures: _____

Current use(s) of the property: _____

IV. Request Summary (Example: "Create a new tax lot to finance an addition to my house.")

V. Attached Documentation: With all land use applications, the “burden of proof” is on the applicant. It is important that you provide **ALL** the information listed on the following pages at the time you submit your application. The processing of your application does not begin until the application is determined to be complete.

Standard of Application

The Planning Official may grant the owner or contract purchaser of land an exemption to the provisions of Chapter 95 (Partition) in order to secure financing for a portion of a parcel, by allowing the creation of a new tax lot. A division of land resulting from lien foreclosure shall be exempt from the provisions of Chapter 95. For more detail, see 95.010 of the Benton County Code.

Required Attachments (Applicant to Provide)

- Plot plan showing dimensions, perimeter property line of the existing property, access, location of all existing and proposed structures, and location and size of the new tax lot proposed for the deed release.
- Evidence of need to secure financing for a portion of a parcel or lot, such as a statement from a lending institution.
- The owner shall submit for review and approval a Warranty or Bargain and Sale deed exhibit containing the following information and text as shown on Page 3:
 - (i) Metes and bounds descriptions for the proposed tax lots, labelled “Area A” and “Area B” under the heading “Parcel 1”; and
 - (ii) The following statement acknowledging the provisions of this section:

The Owner(s) or Contract Purchaser(s) agree to treat the land described herein as a single unit, notwithstanding the fact that portions may be given a separate tax lot and account. Sale or transfer of any portion of the property without prior approval by Benton County of a land partition will be a violation of the Benton County Code, except that a division of land resulting from lien foreclosure shall be exempt from the provisions of the Benton County Code.

All land owners must initial and sign this application to be processed

Initial(s)

- _____ I/We hereby agree to treat the total acreage as one parcel, regardless of the number of separate tax account numbers associated with that parcel.
- _____ I/We recognize that a separate tax lot grants no additional building rights and may not be sold as a separate property, under penalty of law. (Tax lots are for tax assessment purposes only and do not represent legal property boundaries.)
- _____ I/We agree to use the template provided on Page 3 of this application form as the exhibit attached to our deed for recording the new tax lot descriptions.
- _____ I/We acknowledge that, unless otherwise allowed by the development code, the new tax lot shall only become a legal parcel upon lien foreclosure. A division of land resulting from lien foreclosure shall be exempt from the provisions of Chapter 95.

Signature(s)

Assessed Property Value Notice

This action or any future related action(s), if approved, may result in a change to my property valuation, and therefore the tax amount I pay annually. I will contact the Assessor's Office at 541-766-6855 to discuss and understand potential property tax impacts.

I understand

I the undersigned hereby certify that the information contained herein is true and accurate to the best of my knowledge and that the request does not violate any deed restrictions.

Owner Signature

Date

For Office Use Only

Date Received: _____ By: _____ File Number Assigned: _____

Planner Assigned: _____ Date Application Deemed Complete: _____

Example Exhibit and Required Formatting and Text

Please note: An attorney or land surveyor can assist in the writing of the new tax lot description and in adding the following information to a Warranty or Bargain and Sale Deed that shall be signed by the owner(s) and submitted for recording in the Benton County Deed Records.

EXHIBIT A

PARCEL 1

AREA 1

[Insert description of small tax lot to be created.]

AREA 2

[Insert description of entire property]

EXCEPTING THEREFROM:

[Insert description of small tax lot to be created.]

The Owner(s) or Contract Purchaser(s) agree to treat the land described herein (Area 1 and Area 2) as a single unit, notwithstanding the fact that portions may be given a separate tax account. Sale of any portion of the property without prior approval by Benton County of a land partition will be a violation of the Benton County Code, except that a division of land resulting from lien foreclosure shall be exempt from the provisions of the Benton County Code.