

DATE: MARCH 12, 1996
TO: ALL INTERESTED PARTIES
FROM: CLACKAMAS COUNTY SURVEYOR'S OFFICE
RE: PROPERTY LINE ADJUSTMENTS

Apparently some confusion has come up regarding the final implementation process for Property Line Adjustments. That process is identified in ZDO 1020.08, "Process For Property Line Adjustment Approval."

The process as identified in ZDO 1020.08(c)(d) lists the below as the final items needed prior to issuing building permits:

1. All proposed property line adjustments under county jurisdiction must make application to County Planning.
2. Planning is to sign (approve) the final "Proposed Property Line Adjustment Record of Survey Map" (this map graphically depicts what is to happen and is considered evidence of the intent of the parties involved, but does not in itself legally change the property lines).

In some city planning jurisdictions, a planning signature on the survey map is not currently a requirement. You will need to check directly with the city to determine whether a Planning signature is required.

3. The Planning approved "Proposed Property Line Adjustment Record of Survey Map" original is submitted to the County Surveyor for review. Once approved, it is accepted for filing in the County Surveyor's records (the filing of this map does not complete the property adjustment, but as an original survey of that new line it does graphically show the intentions of the parties. This is especially important if there is an error in the deeds to be recorded. **Recording of the deeds is what actually completes the adjustment.**
4. Appropriate property descriptions or adjusted line descriptions are prepared by a Registered Professional Land Surveyor (Oregon registration), using the filed survey map as a base (new descriptions should refer to the survey).

After preparation, the appropriate descriptions are given to someone qualified to prepare the appropriate deeds (possibly a title insurance company or lawyer). The deeds are then recorded with the County Recording Office. **Please note** that effective 9/1/2000, those property line adjustments subject to County Planning jurisdiction require that the deeds be prepared and submitted with the final survey. Recording fees are required. The deeds are recorded by the County Surveyor's Office. If deeds are recorded before the survey map is approved, a copy of the recorded deed must be turned in to Planning with the mylar survey map.

It is important to differentiate between the purpose of the survey and the purpose of the deeds. The survey only shows what is intended to happen, whereas the recording of the deed with the County Clerk is the final and actual implementation of the property line adjustment. Without the recording of the deed, the survey has NO meaning.

If you have any questions, please contact our office at 353-4475.

SAMPLE SIGNATURE BLOCK:

APPROVAL:

Clackamas County Planning File No. _____

By: _____ Date: _____