

RETURN TO:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Tax Lot # \_\_\_\_\_

## Affidavit of Mineral Resources and Quarry Use

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Type or print all property owner names and addresses)

I/we the undersigned do hereby affirm:

THAT I/we are the owners(s) or contract purchaser(s) of the property described as follows, to-wit:

THAT The subject property is located in an area designated for mineral resource uses. It is the County policy to protect mineral resource operations from conflicting land uses in such designated areas. Accepted mineral resource and quarry practices in this area may create inconveniences for the owners or occupants of this property. However, Yamhill County does not consider it the responsibility of the operator of a mineral resource operation to modify accepted practices to accommodate the owner or occupants of this property, with the exception of such operator's violation of State law.

THAT by signing this affidavit I/we acknowledge that I/we are prohibited from pursuing a claim for relief or cause of action alleging injury from mineral resource and quarry practices for which no action or claim is allowed under Yamhill County Ordinance No. 657.

THAT this affidavit is to complete the requirements for approval by Yamhill County in Docket No. \_\_\_\_\_ for the placement of a dwelling on the above-described property which shall run with the land and is intended to and hereby bind my/our heirs, assigns, lessees and successors.

In Witness Whereof, the said party has executed this instrument this \_\_\_\_\_ day of \_\_\_\_\_,  
20 \_\_\_\_.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**STATE OF OREGON**

County Of \_\_\_\_\_

The foregoing instrument was affirmed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
by \_\_\_\_\_.

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

Recorded pursuant to Yamhill County Zoning Ordinance No. 310, as amended.

## Instructions for Filing Mineral Resource Affidavit

1. This Affidavit is required when the County approves a new dwelling in an area that is within one mile of an area which has been designated or has otherwise been approved by the county for mineral resource uses.
2. The attached Declaratory Statement must be filled out and signed before a Notary Public. Documents must be typewritten or printed legibly. Documents cannot be accepted until complete and accurate.
3. Names of **ALL** current property owners who appear on the property deed or contract shall be shown in the appropriate space at the top of the document, and each property owner must sign the form in the presence of a Notary Public. The names on the affidavit must match the names of property owners on the property deed or contract.
4. Property description: the property description must be **IDENTICAL** to what has been recorded in the Yamhill County Deed Records or as proposed to be recorded (in the case of partitioning or lot line adjustment). A copy of the deed, containing the legal description of the property, may be obtained in the County Clerk's office, located 414 NE Evans Street, McMinnville, Oregon 97128. If the legal description of the property is too lengthy to fit in the space provided, the words see attached Exhibit A may be written in the space and the legal description attached as an additional page or multiple pages.
5. The notarized Affidavit shall be returned to the Planning Department for review. Once the Planning Department has approved the content of the form, it must be recorded in the deed records for the county. This is done at the County Clerk's office at 414 NE Evans Street, McMinnville, Oregon 97128. A copy of the recorded Affidavit must be submitted to the Planning Department before building or septic permits will be issued.
6. If you have any questions about this Affidavit, or the recording procedure, please contact the Planning Department at 503-434-7516.