



LINN COUNTY PLANNING AND BUILDING DEPARTMENT

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**PROPERTY STATUS DETERMINATION  
LAND USE REVIEW  
\$1,000 + \$150 per additional tax lot**

Date Received: \_\_\_\_\_ Receipt number: \_\_\_\_\_ Fee paid: \_\_\_\_\_

Application accepted by: \_\_\_\_\_ Application reviewed by: \_\_\_\_\_

**THIS FORM MUST BE FILLED OUT COMPLETELY, IN INK OR TYPED**

**I. Property Owner/Applicant Information**

A. Applicant(s) \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
Phone number \_\_\_\_\_ Email \_\_\_\_\_

**II. Property Information**

A. Legal description of property: Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_  
Tax Lot \_\_\_\_\_

B. Additional Properties:  
Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_ Tax Lot \_\_\_\_\_  
Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_ Tax Lot \_\_\_\_\_  
Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_ Tax Lot \_\_\_\_\_  
Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_ Tax Lot \_\_\_\_\_  
Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_ Tax Lot \_\_\_\_\_

C. Site Address (if any) \_\_\_\_\_

D. Zoning designation \_\_\_\_\_ Comp Plan designation \_\_\_\_\_

E. Was this property used to qualify a tract for a dwelling? Yes/No

F. Based on the deeds submitted, how many Legal Lots do you believe exist within the subject property? \_\_\_\_\_

**III. Attachments**

**YOU MUST SUBMIT THE FOLLOWING ATTACHMENTS WITH THIS APPLICATION:**

- A. A property description card and tax map for each property, available from the Linn County Assessment and Taxation Office.
- B. Deeds listed on the property description card(s). Deeds are available at the Linn County Clerk's Office.
- C. Any recorded surveys of the property. Surveys can be provided by the Linn County Surveyor's Office.
- D. (Optional) An attachment with an explanation of how each property meets the definition of an authorized unit of land in LCC 920.100(B)(36).

**IV. Owner/Applicant Certifications**

**I hereby certify that the statements, attachments, exhibits, plot plan and other information submitted as a part of this application are true and any approval granted based on this information may be revoked if it is found that such statements are false.**

Owner/applicant signature \_\_\_\_\_ Date \_\_\_\_\_  
 Owner/applicant signature \_\_\_\_\_ Date \_\_\_\_\_

**VI. Verification of Ownership**

**Only the owner of the property is authorized to complete this section.**

- A. I hereby certify that this application does not violate any recorded codes, covenants or restrictions that are attached to the subject property.

I have the following legal interest in the property:

- \_\_\_\_\_owner of record
- \_\_\_\_\_land sales contract purchaser
- \_\_\_\_\_holder of a recorded exclusive option to purchase

Property Owner Signature \_\_\_\_\_ Date \_\_\_\_\_

- B. This section to be completed by Linn County Assessor or Planning and Building staff. County Code does not allow an application to be reviewed unless the owner has first authorized it. The assessor's office records are used to verify the ownership.

The Linn County Assessor's Office records indicate that:

Township\_\_\_\_\_, Range\_\_\_\_\_, Section(s)\_\_\_\_\_, Tax Lot(s)\_\_\_\_\_

is owned or is being purchased by: \_\_\_\_\_

If more than one owner is included, please list all other owners.

Other owners:

(1)\_\_\_\_\_ (3)\_\_\_\_\_

(2)\_\_\_\_\_ (4)\_\_\_\_\_

\_\_\_\_\_  
 Assessor or Planning Staff Signature Date

**Linn County Code, General Provisions, 920.100 Definitions**

(B)(31) "**Authorized unit of land**"

**(a) Means a unit of land that:**

- (i) has been lawfully created (see lawfully created unit of land), and
- (ii) is one of the lots described in subparagraph (b), or one of the parcels described in subparagraph (c), or one of the units-of record described in subparagraph (d).

**(b) A lot:**

- (i) that was platted before January 4, 1968, and
  - (I) recorded on an individual deed before March 22, 1972; or
  - (II) recorded on an individual deed on or after March 22, 1972 but before September 2, 1980, and meeting the requirements of land use regulations in effect between March 22, 1972 and September 2, 1980; or
- (ii) that was platted on or after January 4, 1968 but before March 22, 1972; and
  - (I) recorded on an individual deed before March 22, 1972; or
  - (II) designated RR or RCT in August 14, 1991; or
- (iii) that was platted on or after March 22, 1972 but before September 2, 1980; and
  - (I) recorded on an individual deed before September 2, 1980; or
  - (II) designated RR or RCT in August 14, 1991; or
- (iv) that was platted after September 2, 1980.

**(c) A parcel:**

- (i) that was approved and recorded on an individual deed between 1980 and 1991 and that conforms to the partition as approved; or
- (ii) that was platted after 1991.

**(d) A unit-of-record that was:**

- (i) described by metes and bounds on a deed that was recorded in Linn County:
  - (I) before March 22, 1972. The term may include more than one authorized unit of land if each unit was recorded on a deed before March 22, 1972, and if Appendix 2 are met; or
  - (II) on or after March 22, 1972 but before September 2, 1980 and meeting the requirements of land use regulations in effect between March 22, 1972 and September 2, 1980. The term may include more than one authorized unit of land if each unit was recorded on a deed on or after March 22, 1972, but before September 2, 1980, and if Appendix 2 are met; or
- (ii) created by a judgment of a foreclosure of:
  - (I) a lien financing the purchase or improvements of real property; or
  - (II) a recorded contract of sale of real property.

**(e) An authorized unit of land may or may not be a developable unit of land. Notwithstanding any provision to the contrary, the determination that a lawfully created unit of land is an authorized unit of land only authorizes the applicant thereof to apply for a development permit under the Land Development Code. That determination does not grant any development rights.**

**(f) Notwithstanding the definition of authorized unit of land in this paragraph, for purposes of units of land located in the Rural Resource, Rural Development, and Urban Growth Management zoning designations, the term also includes a unit of land:**

- (i) described by metes and bounds on an individual deed that was recorded in Linn County between March 22, 1972 and September 1, 1980; and
  - (ii) which contain a lawfully established dwelling that was established as of September 1, 1980.
- (g) The term, authorized unit of land, does not include administrative units of land (see Appendix 2 entitled "Authorized Units of Land" following this Chapter)