



## ANNEXATION APPLICATION – Type IV

### 1. APPLICANT INFORMATION (If a corporation, list all principals)

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Email \_\_\_\_\_

Telephone (Business): \_\_\_\_\_ (Residence) \_\_\_\_\_

### 2. AGENT INFORMATION (Owner's consent required)

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Email \_\_\_\_\_

Telephone (Business): \_\_\_\_\_ (Residence) \_\_\_\_\_

### 3. PROJECT DESCRIPTION

Address (if any): \_\_\_\_\_

Map #: \_\_\_\_\_ Tax Lot #(s): \_\_\_\_\_

Acres of Annexation Area: \_\_\_\_\_

Comprehensive Plan Map Designation: \_\_\_\_\_

Existing Zone: \_\_\_\_\_

Southeast Plan Map Designation (if applicable): \_\_\_\_\_

List any land use application file numbers (including pre-applications) associated with this subject property:

\_\_\_\_\_

#### 4. REQUIRED SUBMITTALS

- Application Form (signed)
- Assessor’s Map of area to be annexed
  - Show parcels for which *Consents to Annex* have been acquired
  - Show adjacent right-of-way to be annexed (check with staff to determine the right-of-way to be included)
- Signed and notarized Consent to Annex forms (for either individual owner, elector, or corporate owner) (page 5)
  - Include consent form for each property
  - Include a copy of a deed, or other document, verifying ownership of each property
- Signed and notarized Irrevocable Consent to Annex forms for each property (page 6)
- For each property a signed and notarized Restrictive Covenant waiving Measure 37 claims for combined Annexation and Zone Change (page 7)
- Current assessed valuation of each property per Jackson County’s assessor’s rolls
- Map and tax lot for each parcel
- Acreages of private property and public right-of-way to be annexed
- Addresses of all dwelling units & business within annexation area
- Names of all residents & whether they are registered voters within annexation area
- Existing land uses, zoning, and improvements (i.e. water systems, streets, sanitary sewer, and storm water drainage) within annexation area
- Special districts within annexation area (i.e. water, irrigation, fire, school, sewer, etc.)
- Completed Confidential Census Form for each housing unit within annexation area (page 8)
- Written Findings of Fact indicating compliance with annexation approval criteria (page 4)
- Mailing Labels (see example)
  - To include name, address, and map & tax lot number of each property within 200-feet of annexation area
- Fees:
  - \$4,890 (includes \$990 Publication and Recording fee)
  - Fees are due at time of project submittal
  - Checks shall be made payable to *City of Medford*

Mailing Label Example:

372W19DB Tax Lot 3700

Jane and John Jones  
000 Delta Waters Road  
Medford, OR 97504

**NOTE:** A legal description of the entire area to be annexed will be required once the project area (including any right-of-way) has been determined by Staff. Staff will contact you when the area has been determined. The legal description must be submitted digitally, in either Microsoft Word or ASCII text format.

**5. I HEREBY STATE THAT THE FACTS RELATED IN THE ABOVE APPLICATION AND THE PLANS AND DOCUMENTS SUBMITTED HERewith ARE COMPLETE, TRUE, CORRECT, AND ACCURATE TO THE BEST OF MY KNOWLEDGE.**

Signature \_\_\_\_\_ Date: \_\_\_\_\_

Applicant     Agent     Owner

If any wetlands exist on the site, it is the applicant’s responsibility to apply for a permit to the Division of State Lands and Army Corps of Engineers before any site work begins.

## WHAT IS AN ANNEXATION?

Annexation is the action taken to incorporate land into a city. The State requires that property being annexed to a city be next to the city and within the city's Urban Growth Boundary.

The final approving authority for an annexation is the City Council. However, before the Council makes a decision, the Planning Department staff makes a recommendation concerning the proposed annexation. When an application is received, the Planning Department analyzes the information supplied by the applicant, as well as information supplied by other potentially affected departments and agencies. At that time, the City determines what new City zoning will be applied to the property when it is annexed. The City applies the City zone that is the most comparable to the County zone on the property at the time of annexation.

At the City Council meeting, a public hearing is held, and the City Council makes a final decision to approve or deny the annexation. After the city has approved the annexation, further processing occurs, including an appeal period of 21 days.

## MEDFORD LAND DEVELOPMENT CODE SECTION 10.216, ANNEXATION APPROVAL CRITERIA

For the City Council to approve an annexation, they must find that certain requirements and criteria are met. It is the responsibility of the applicant to submit findings indicating compliance with the annexation approval criteria, which include:

1. The subject property is within the City's Urban Growth Boundary.
2. The land is contiguous to the current City limits.
3. Unless the land being considered is enclaved by the City or the City chooses to hold an election, a majority of the landowners and/or electors have consented in writing to the annexation per ORS 222.125 or ORS 222.170.

## FINDINGS OF FACT

The applicant need only make a statement in the Findings of Fact verifying the approval criteria.

The preferred way to present the findings for the consent requirement is to make a chart that lists each parcel of land, the map and tax lot number, the address(es) of any residence or business (include the name of the business), the acreage, the assessed valuation (including improvements), the type of improvement (if any), the number of electors residing on the property, the number of owners of the property, and whether or not the electors (registered voters) and owners are consenting.

There are two different consent requirements that may apply, depending on whether electors are involved. The requirements, found in State law (ORS 222.170), are summarized below:

- a. If there are no electors residing in the area to be annexed, then a majority of the property owners who own a majority of the land, representing a majority of the assessed value of the land, must consent in writing to the annexation. This is referred to as the "triple majority."
- b. If there are electors residing in the area to be annexed, then a majority of both the property owners and the electors must consent in writing to the annexation. This is referred to as the "double majority."

It is the responsibility of the applicant to obtain consents. The consent forms are attached, and must be signed by the consenting parties and notarized.

**CONSENT TO ANNEX**

Consent is hereby given to the annexation by the City of Medford, Oregon of the following described real property:

Map and Tax Lot: \_\_\_\_\_

Address: \_\_\_\_\_

Legal Description:

in the corporate limits of said city, which is owned by the undersigned

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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

STATE OF OREGON        )  
                                      ) ss  
County of Jackson        )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, personally appeared

\_\_\_\_\_

who, being duly sworn did acknowledge the foregoing instrument to be his/her/their voluntary act and deed.

\_\_\_\_\_  
Notary Public for Oregon  
My Commission expires \_\_\_\_\_

Filed with the City of Medford this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Planning Director or Designee

**IRREVOCABLE CONSENT TO ANNEX**

The undersigned hereby agree (s) that the consent to annexation of the property described as:

Map and Tax Lot: \_\_\_\_\_

Address: \_\_\_\_\_

is irrevocable and shall be binding upon our heirs, successors, and assigns forever, being a covenant running with the land. The one-year period prescribed by ORS 222.173 is hereby waived.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

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

STATE OF OREGON        )  
                                  ) ss  
County of Jackson        )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, personally appeared

\_\_\_\_\_

who, being duly sworn did acknowledge the foregoing instrument to be his/her/their voluntary act and deed.

\_\_\_\_\_  
Notary Public for Oregon  
My Commission expires \_\_\_\_\_

Filed with the City of Medford this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Planning Director or Designee

**RESTRICTIVE COVENANT REGARDING ANNEXATION AND ZONE CHANGE**

The undersigned is/are the record owner/s of the property described as:

Map and Tax Lot: \_\_\_\_\_

Address: \_\_\_\_\_

which is subject to the attached consent to annexation and separate agreement making the consent irrevocable.

As part of the contract consent to annexation and zone change, and in consideration of the city accepting the application for annexation and zone change, the undersigned hereby waives any rights and claims for compensation as a result of the enactment or enforcement of land use regulations by the City of Medford, arising under 2007 Oregon Ballot Measure 37 and future versions thereof.

This waiver shall bind the undersigned, their agents, heirs, successors and assigns, and shall constitute a covenant running with the land, and may be recorded in the official records of the county in which the subject real property is located.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

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

STATE OF OREGON        )  
  ) ss  
County of Jackson        )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, personally appeared

\_\_\_\_\_

who, being duly sworn did acknowledge the foregoing instrument to be his/her/their voluntary act and deed.

\_\_\_\_\_  
Notary Public for Oregon  
My Commission expires \_\_\_\_\_

Filed with the City of Medford this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Planning Director or Designee

# CONFIDENTIAL

## Census Form

Use one form per housing unit

City of \_\_\_\_\_

Address \_\_\_\_\_

**Housing Type:**

- Single Unit Structure
- Multiple Unit Structure
- Trailer or Mobile Home

**Tenure:**

- Owner Occupied
- Renter Occupied
- Vacant
- Seasonal

**Residents:**

**Last Name**

**First Name**

**Respondent:**

1)	_____	_____
2)	_____	_____
3)	_____	_____
4)	_____	_____
5)	_____	_____
6)	_____	_____
7)	_____	_____
8)	_____	_____
9)	_____	_____
10)	_____	_____

POPULATION RESEARCH CENTER  
PORTLAND STATE UNIVERSITY  
(503)725-3922