



UNION COUNTY Planning Department

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Planning Director

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PRIVATE PROPERTY BURIAL – LAND USE APPLICATION

Please complete & return this form with ATTACHMENTS

Property Owner Name(s)			
Map & Tax Lot(s)		Account ID(s)	
Property Address or N/A			
Phone Number		Email Address	
Mailing Address			
Applicant Name State "same" if applicant is owner			
Phone Number		Email Address	

Name of person to be interred _____

The person to be interred must be a family member. **What is the relationship between the property owner and the person to be interred** _____

As the owner of the above-described property, I am requesting written consent from Union County for the burial of human remains on referenced property in accordance with ORS (Oregon Revised Statutes) 91.460. I agree to disclose the disposition of human remains upon sale of the property. All owners must sign.

Property Owner

Property Owner

Name

Name

Signature

Date

Signature

Date

REQUIRED ATTACHMENTS

- Detailed site plan, see attached Site Plan Example. In addition, include any locations of previous burials and/or monuments
- Submit the Private Burial Covenant with attached exhibits. You can get this notarized at the Planning Department

For Planning Department Purposes Only

Date of Submittal _____

Date Considered Complete _____

Application Number _____

Payment Receipt Number _____

Planner Approval

Union County Planning Department certifies that the property owner consents to a private property burial in accordance with ORS 97.460. The burial shall be consistent with the approved site plan.

Signature

Date

For Your Information

Oregon Revised Statutes 97.460 states:

(1) A person may not lay out, open up or use any property for cemetery or burial park purposes, unless the person:

(a) Is the owner of the property;

(b) Has the written consent of the planning commission of the county or city having jurisdiction under ORS 92.042 or, if there is no such commission in such county or city, the governing body of such county or city;

(c) Agrees to maintain records of the disposition of human remains on the property as required by the planning commission or governing body of the county or city having jurisdiction under ORS 92.042; and

(d) Agrees to disclose the disposition of human remains upon sale of the property. Failure to disclose the disposition of human remains does not invalidate the sale of the property.

(2) A planning commission of a county or city or, if there is no planning commission in a county or city, the governing body of the county or city, shall provide to the State Mortuary and Cemetery Board a list of the requirements for laying out, opening up or using property in the county or city for cemetery or burial park purposes.

Union County recommends you call Before You Dig at 811 or 1-800-332-2344. Calling before beginning any excavation prevents damage to underground facilities, service interruptions & bodily injury

You may wish to record an Access Easement with the Clerk's Office that will provide you and any family members access to the site should the property change ownership.

There is no limit on the number of relatives you can bury on your property. Each internment will require a separate application.

Scattering of ashes can be done without a land use permit. You are permitted to scatter **family member ashes** on private property as long as you are the owner of the property or have permission from the owner.

After Recording Return to:

Recording Label Here

PRIVATE BURIAL COVENANT

The undersigned person(s), _____, the "OWNER(S)" of real property located in Union County, Oregon, identified as Township _____, Range _____ and Tax Lot _____ and more particularly described on Exhibit "A", hereby make the following restrictive covenant for the above-described real property, specifying that the covenant shall constitute a covenant to run with all of the land and shall be binding on all persons claiming under such land and that these restrictions shall be for the benefit of and limitation upon all future owners of said real property.

The following restrictive covenants hereafter bind the subject property:

1. As provided by ORS 97.460, the property has been used as a private family burial ground, where human remains have been buried. The specific location of the burial site is shown on the site plan attached on Exhibit "B".
2. Pursuant to ORS 97.010 and 692.010, the burial site identified in paragraph 1 does not dedicate the subject property, or any portion of the property, for cemetery or burial park purposes.
3. Pursuant to ORS 92.010, the use of the property as a burial site does not act as a division of land.

The undersigned OWNER(S) further declare and agree that they have read and understood this Declaration and Covenant and has signed the same of Owner(s') own free will.

Signature date

Signature date

STATE OF _____)
COUNTY OF _____) ss.

The foregoing instrument was signed before me by,

dated this _____ day of _____, 20____.

Notary Public for Oregon _____

My Commission Expires _____

(Notary stamp here)