

HB 2312 STAFF MEASURE SUMMARY

Senate Committee On Judiciary and Ballot Measure 110 Implementation

Prepared By: Channa Newell, Counsel

Meeting Dates: 4/27, 5/18

WHAT THE MEASURE DOES:

Specifies that lots or parcels of land that are created by judgment of a circuit court are considered lawfully created units of land if the judgment: resolves a boundary dispute between two adverse parties; adjudicates the rights of the parties to the property; includes a legal description of the relocated property line; is a final judgment for which the time to appeal has expired without appeal; is recorded in the office of the county clerk; and does not create an additional lot of parcel. Specifies that applications for permits must be based on property lines as relocated by court.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Lot lines may be adjusted to accommodate purchases, consolidation, or division of existing property. Lots may not be partitioned except as done in accordance with land division procedures. ORS 92.012. A lawfully created lot or parcel of land remains a discrete lot or parcel unless the lot or parcel lines are vacated or the lot or parcel is further divided, as provided by law. ORS 92.0127.

House Bill 2312 provides that lot or parcel adjustments made through the judgment of a circuit court are also considered lawfully-created units of land.