

## ZONING PETITIONS

### Submittal requirements for Stillwater County Clerk & Recorder's Office

A. The name and type of petition must be clearly stated on each signature page. A map and a legal description indicating the boundaries of the land to be included within the proposed district must be submitted. The freeholder's name must be legible and clearly marked on each signature page.

B. Signature Pages must include the following:

1. A separate line for each freeholder's signature. Each freeholder must sign in an identical format as the freeholder's name appears on their deed.
2. The freeholder's name must be either typed or legibly printed.
3. A line for the freeholder's mailing address.
4. A line for the date that the freeholder's signed.
5. The legal description for the freeholder's affected property.

C. Procedure by the Clerk and Recorder's office after submission.

1. Petition will be date stamped with the date, time and initials of the person accepting the petition.
2. The Clerk and Recorder will submit an affidavit to the Board of County Commissioners stating the number of affected freeholders within the boundaries of the proposed district, the number of valid signatures and verification of the percentage of freeholders within the proposed district that signed the petition after it has been reviewed by the county attorney.

#### D. Guidance for Signatures:

1. If property was acquired in different names, for example, J. D. Smith, Jon D. Smith and J. David Smith, an affidavit must be attached to the signature page stating that they are one and the same person.
2. Each freeholder within the proposed district can sign the petition and will be counted toward the total number of freeholders within the proposed boundaries. Only signatures of the freeholders with affected property within the proposed district boundaries may sign the petition.
3. Freeholder's who own multiple parcels within the boundaries of the proposed district will count as one freeholder and their signature will only be counted once.
4. If property is held jointly or as tenants in common, each joint tenant or tenant in common is counted as a freeholder and may sign the petition.
5. A trust is counted as one freeholder. The trustee must sign the petition as a trustee of the J.D. Smith Revocable Trust and provide a copy of the first page of the trust and the signature page of the trust showing that the person signing the petition on behalf of the trust is a current trustee.
6. A corporation is counted as one freeholder. Signatures must be provided as stated in their bylaws. Standard bylaws usually require signatures of both the president and secretary to sign as same. A copy of the first page and any relevant pages of their bylaws must be attached to the signature page.
7. A partnership is counted as one freeholder. All partners must sign or the non-signing partners must authorize one partner to sign for the partnership. A copy of that authorization must be attached to the signature page. The partners must sign as partners.
8. A limited partnership is counted as one freeholder. All partners must sign or the general partner may sign if authorized by all limited partners to sign for the partnership. A copy of the authorization must be attached to the signature page. The partners must sign as either a general partner or a limited partner.
9. A limited liability company is counted as one freeholder. The manager or one member may sign as authorized according to their Articles of Organization or their operating agreement. A copy of the relevant pages of

the Articles of Organization or the operating agreement must be attached to the signature page. A member must sign as a member or the manager must sign as the manager.

10. A limited liability partnership is counted as one freeholder. All partners must sign or the non-signing partners must authorize one partner to sign for the partnership. A copy of that authorization must be attached to the signature page. The partners must sign as a partner.
11. Signatures of freeholder's that meet the criteria will be counted, those who do not meet the criteria will not be counted.

E. Upon validation of signatures and acceptance of the petition there will be a \$300.00 filing fee.