**BOUNDARY LINE ADJUSTMENT APPLICATION**

A subdivision Boundary Line Adjustment is a shortened form process for those parcels of land that meet the criteria set forth in Section 8.9-17 of the Hinsdale County Subdivision Regulations. (Please review online at hinsdalecountycolorado.us.) In order to be considered by the Planning Commission this application: (a) must be complete in all particulars; (b) must be accompanied by a survey prepared in accordance with the requirements set forth in the attached directions for this application, and (c) the completed application must be received by the Planning Commission a minimum of fifteen (15) days prior to a regularly scheduled meeting Planning Commission Meeting.

**Application Fee of Fifty Dollars ($50.00) per tract plus Twenty Dollars ($20.00) per tract for mapping paid at time of application.**

Application Number\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date Filed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

NAME OF PROPERTY OWNER/S:

ADDRESS/TELEPHONE/EMAIL OF PROPERTY OWNER/S:

LEGAL DESCRIPTION OF LAND: (May be attached. Location map would be useful.)

COPY OF DEED ATTACHED: \_\_\_\_\_ Yes \_\_\_\_\_\_ No

LIST ALL LIENS, ENCUMBRANCES, MORTGAGES, JUDGMENTS, CONTRACTS AND AGREEMENTS AGAINST THE PROPERTY:

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

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NAME/ADDRESS/PHONE & EMAIL OF REPRESENTATIVE (If Different than Owner):

NAME/ADDRESS/PHONE & EMAIL OF COLORADO REGISTERED SURVEYOR AND/OR ENGINEER TO BE USED IN THE DEVELOPMENT PROCESS:

TOTAL ACREAGE AND ACREAGE OF EACH PARCEL:

(1) ACREAGE \_\_\_\_\_\_\_\_\_\_ (Present) \_\_\_\_\_\_\_\_\_\_\_\_\_ (Proposed)

(2) ACREAGE \_\_\_\_\_\_\_\_\_\_ (Present) \_\_\_\_\_\_\_\_\_\_\_\_\_ (Proposed)

(3) TOTAL ACREAGE\_\_\_\_\_\_\_\_\_\_\_ (Present) \_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Proposed)

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Signature of Owner/Developer/Representative Date**

Accepted Declined Reason for Acceptance/Denial \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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

APPLICATION FEE OF $50.00 PLUS $20.00 PER TRACT PAID

**INSTRUCTIONS FOR PREPARING APPLICATIONS**

**FOR A BOUNDARY LINE ADJUSTMENT**

 **FROM THE HINSDALE COUNTY**

**SUBDIVISION REGULATIONS**

Section 8.9-17 of the Hinsdale County Subdivision Regulations provides that proposals which meet one of the following criteria may be granted exemption from the full subdivision review process required by these regulations **provided** full compliance with all of the applicable provisions of this Section 8.9-17 are met.

1. If the purpose is to transfer land to an adjoining parcel and not to create additional lots.
2. If the purpose is to adjust boundaries and not to create additional lots.
3. If the purpose is to dispose of land which is isolated from a main parcel of land by a dedicated and accepted public road or geographic feature which makes common use of the entire parcel impractical.

In order to apply for a Boundary Line Adjustment under Section 8.9-17 you **must** follow these instructions carefully and exactly. Failure to do so will result in wasted time, effort and money.

a. You must complete and sign an application form that will be provided you by the County Administrator's office. (See Page 1) If you are adjusting boundaries or transferring land to an adjoining landowner, **both** you and the other owner must sign the application form.

b. You must have a surveyor who is licensed by the State of Colorado prepare a survey which meets **all** of the requirements set forth in these instructions under the heading "Subdivision Boundary Line Adjustment Survey Requirements." You should give a copy of the survey requirements to your surveyor. Your application will not be processed until a proper survey is filed with the application.

 c. After your completed application and survey have been filed with the administrator's office, copies of the application and survey will be sent to the members of the Planning Commission, the Building Inspector, and to the Road and Bridge Department. The Planning Commission will review the application and survey for compliance with these instructions and the survey requirements. The Building Inspector will review the survey and inspect the property for the purpose of determining (i) that each final lot contains a feasible building site and (ii) if each lot is not within the Lake City Water and Sanitation District, that each final lot is appropriate for the installation of an individual sewage disposal system. The Road and Bridge Department will review the survey for the purpose of determining that the access to county roads as shown on the survey, and roadway dedications (if any), comply with county regulations. (In its discretion, the Planning Commission may recommend to the Board that the inspection of the property by the Building Inspector be waived.)

d. Your application will be placed on the agenda for consideration by the Planning Commission at its next meeting that is atleast **15 days** after the date of filing of your application. Meetings of the Planning Commission are held on the third Thursday of each month at 4:00 o'clock PM in the Coursey Annex meeting room at 311 N. Henson Street in Lake City (next to the Sheriff’s Office). This meeting is open to the public, and of course you should attend the meeting to make any comments regarding your application. At this meeting the Planning Commission will review the reports of the Building Inspector and the Road & Bridge Department, and it will hear any comments you or anyone else may wish to make regarding the application. The Planning Commission then will make its recommendation to the Board of County Commissioners regarding the application for a Boundary Line Adjustment.

e. The recommendation of the Planning Commission will usually be presented to the Board of County Commissioners on the Wednesday following the meeting of the Planning Commission. The Commissioners meet on the first and third Wednesdays of each month. The Commissioners may or may not act on Subdivision Boundary Line Adjustment applications at the meeting at which the Planning Commission recommendations are presented. They also need time to study the application and survey and to consider the recommendation of the Planning Commission. They may delay action on Subdivision Boundary Line Adjustment applications until the next meeting after the meeting at which they receive the recommendation of the Planning Commission. The recommendation of the Planning Commission is advisory only, and the Board of County Commissioners is not bound to follow the recommendation.

f. If approved an original Mylar and eight (8) blueprint copies of the survey must be filed with the County Administrator's office**. All of the signatures required by the Subdivision Boundary Line Adjustment Survey Requirements must be on the Mylar at the time it is filed, except for the signatures of the Planning Commission and the County Commissioners.**

g. You should count on 60 to 90 days from the date of filing of your application for it to be finally acted upon. This timing assumes that the application and survey are complete at the time they are filed.

h. **Please do not bring your application and survey to a Planning Commission meeting expecting it to be acted on at that meeting. Others besides the Planning Commission members must review the application and the survey, and the Planning Commission members must have time to review the application and the survey. This cannot be done during a meeting at which the matter is first presented.**

i. These instructions and requirements have been approved and established by the Board of County Commissioners, and only the Board has the authority to change them or to waive any provision of the instruction or the requirements.

### **BOUNDARY LINE ADJUSTMENT SURVEY REQUIREMENTS**

*THE SURVEY SUBMITTED WITH AN APPLICATION FOR A SUBDIVISION BOUNDARY LINE ADJUSTMENT REVIEW PROCESS REQUIRED BY THE HINSDALE COUNTY SUBDIVISION REGULATIONS* ***MUST*** *MEET THE FOLLOWNG REQUIREMENTS.*

**CAPTION.** The survey must have **one** of the following titles, as appropriate:

"Transfer of property from (insert name of owner transferring) to {insert name of owner receiving transfers pursuant to Section 8.9-17 of the Hinsdale County Subdivision Regulations."

"\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Name of Owners) Boundary Line Adjustment of the property of (insert name of owner) pursuant to Section 8.9-17 of the Hinsdale County Subdivision Regulations."

"\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Name of Owners) Boundary Line Adjustment between the properties of (insert names of owners of both properties) pursuant to Section 8.9-17 of the Hinsdale County Subdivision Regulations."

## **TECHNICAL**

**MATTERS**. (i) The bearings, distances and curve data of all perimeter boundary lines shall be indicated outside the boundary lines.

 (ii) The survey shall be drawn on a scale of not less than one inch equals one hundred feet and shall indicate the basis of bearings, astronomic north arrow, name of township, range, principal meridian section and quarter section, block number and lot number.

(iii) In instances in which either parcel to be created does not abut a public road, the means of ingress and egress to a public road must be delineated on the survey, and bearings and distances shown. Copies of the easements (including recording information) creating such access rights must be submitted with the survey.

(iv) The ownership of all interests in the property shown on the survey, including the ownership of any access easement property, must be certified on the survey by an attorney at law licensed by the State of Colorado, and if the attorney's certification reveals a lien or encumbrance, the holder of such lien of encumbrance must approve the boundary line adjustment.

(v) The survey must include a vicinity or location map showing the location of the property with reference to the nearest public road and an easily identifiable natural monument or geographical feature.

 (vi) The survey must include both lots created in the case of a subdivision, and each lot must be numbered.

 (vii) In the case of a boundary line adjustment, or of a conveyance of land to an adjoining parcel, both parcels must be shown as they will exist after the conveyance, and the original boundary between the parcels must be shown by a dotted or dashed line, and each lot must be numbered. Total acreage must be shown in each parcel.

 (viii) If necessary, the survey may consist of more than one sheet.

 (ix) The following legend must be set forth on the survey:

"THE APPROVAL OF THE SUBDIVISION {BOUNDARY LINE ADJUSTMENT OR PROPERTY CONVEYANCE} SHOWN ON THIS SURVEY PURSUANT TO SECTION 8.9-17 OF THE HINSDALE COUNTY SUBDIVISION REGULATIONS DOES NOT CONSTITUTE OR IMPLY ASSURANCE THAT WATER AND/OR ELECTRICITY ARE NOW OR WILL IN THE FUTURE BE AVAILABLE TO THE PROPERTY SHOWN ON THE SURVEY OR THAT A BUILDING PERMIT WILL BE ISSUED WHEN REQUESTED, NOR DOES SUCH APPROVAL CONSTITUTE A CHANGE IN, OR AN AGREEMENT TO CHANGE, THE ZONING CLASSIFICATION OF THE PROPERTY."

(x) If the property abuts or has its principal access to a public road on which winter maintenance is not presently being performed by Hinsdale County, the following additional legend must be set forth on the survey:

"THE APPROVAL OF THE SUBDIVISION [BOUNDARY LINE ADJUSTMENT OR PROPERTY CONVEYANCE] SHOWN ON THIS SURVEY PURSUANT TO 8.9-17 OF THE HINSDALE COUNTY SUBDIVISION REGULATIONS DOES NOT CONSTITUTE OR IMPLY THE AGREEMENT OF HINSDALE COUNTY (i) TO PROVIDE, OR PERMIT WINTER MAINTENANCE OF THE PUBLIC ROAD SHOWN ON THE SURVEY, or (ii) TO PROVIDE MAINTENANCE OF ANY KIND ON ANY PRIVATE ROADS SHOWN ON THE SURVEY."

(xi) If any part of the property shown on the survey abuts a county road over which the county has only a prescriptive easement, the portion of the abutting the road must be dedicated to the county, and the following dedication must appear on the survey:

[DEDICATION LANGUAGE TO BE OBTAINED FROM THE COUNTY ATTORNEY]

**CERTIFICATES.** In addition to the certification of property ownership by an attorney at law, all bearings, distances, boundaries and monuments shall be certified to be accurate and complete by a surveyor licensed by the State of Colorado.

 **Treasurer’s Certificate:**

 I, the undersigned County Treasure, in and for said County, do hereby certify that there are no unpaid taxes, or unredeemed tax sales, as appears of record in this office on the above described boundary line adjustment.

 In witness whereof, I have hereunto set my hand and seal, this \_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_.

 Treasurer of Hinsdale County Colorado

 By:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

#### **SIGNATURES.** The survey must be signed by the owners of all property shown thereon, except that the owner of the property over which a recorded access easement exists need not sign the survey. In addition, the survey must contain the following signature blocks for the use of the Planning Commission and the Board of County Commissioners;

"APPROVAL OF THE SUBDIVISION (*BOUNDARY ADJUSTMENT* OR *PROPERTY CONVEYANCE*) IS RECOMMENDED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_\_\_\_,20\_\_.

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

Chairman Hinsdale County Planning Commission"

"THE SUBDIVISION [BOUNDARY ADJUSTMENT OR PROPERTY CONVEYANCE] IS APPROVED PURSUANT TO SECTION 8.9-17 OF THE HINSDALE COUNTY SUBDIVISION REGULATIONS. *[INCLUDE ONLY IF THERE IS A ROAD DEDICATION]* THE DEDICATION OF THE ROAD(S) SHOWN ON THE SURVEY IS(ARE) HEREBY ACCEPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_\_\_\_,20\_\_.

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Chair, Board of Commissioners of Hinsdale County

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FOR OFFICIAL USE ONLY

Received By:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Fee Paid:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Planning Commission Review:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Action Taken by Board of County Commissioners:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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