

# FREMONT COUNTY VACATION OF INTERIOR LOT LINE APPLICATION

A vacation of interior lot line(s) is normally an administrative process which allows for the vacation of interior lot lines and adjoining easements between two or more adjacent platted lots of record. Under certain circumstances, approval of such an application may require review by the Fremont County Planning Commission and approval by the Fremont County Board of County Commissioners. In such a circumstance an additional review fee is required.

All questions in this application must be answered and all required attachments shall be provided (*including application fees*) or the submittal of the application will not be accepted for review by the Fremont County Department of Planning and Zoning. One application containing all original signatures and original attachment documents, also a minimum of two copies of the same, shall be provided at the time of application.

The Department of Planning and Zoning, Planning Commission, and or Board of County Commissioners may require additional information, documentation or evidence as deemed necessary by the same, regarding this application.

1. Please provide the name, mailing address and telephone number for each property owner of each property involved in the vacation of interior lot line:

Name: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Facsimile Number: \_\_\_\_\_

2. Consulting Firm Name: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Facsimile Number: \_\_\_\_\_

3. The proposed plat title is \_\_\_\_\_ Interior Lot Line Vacation.

4. The total number of lots involved prior to this vacation are \_\_\_\_\_

5. The total number of lots as a result of this vacation are \_\_\_\_\_

The legal descriptions of all lots prior to this vacation (*lot, block, subdivision name*) are: \_\_\_\_\_

\_\_\_\_\_

6. Copies of the most current deeds of record are attached to this application, marked as exhibit 7.1, 7.2 etcetera and can be found recorded in the Fremont County Clerk and Recorder's Office as follows:

In Book \_\_\_\_\_ at Page \_\_\_\_\_ and under Reception Number \_\_\_\_\_

In Book \_\_\_\_\_ at Page \_\_\_\_\_ and under Reception Number \_\_\_\_\_

7. A title commitment with an effective date within 30 days of the date of application submittal for each property involved in this application shall be attached to this application, marked as exhibit 8.1 and 8.2 etcetera:

Document Number \_\_\_\_\_ Effective Date of Document \_\_\_\_\_

Document Number \_\_\_\_\_ Effective Date of Document \_\_\_\_\_

8. As per the Fremont County Subdivision Regulations (XIII., E., 3.) an executed Ratification, Consent and Release Form (*forms are provided by the Department for execution*) shall be provided for each outstanding mortgage, deed of trust, lien, judgment or the like for each property involved in a Vacation of Interior Lot Line application prior to final approval by the Department. Will any lot involved in this application require a form to be executed and submitted?  Yes  No Explain \_\_\_\_\_

9. All easements of record intended to remain on lots involved must be shown on the proposed plat and labeled or noted as to use, recording information, location and size through appropriate survey information. All easements of record intended to be vacated by this application shall be shown on the proposed plat and labeled "to be vacated" along with an identification labels. Please answer the following questions and provide a brief description of each easement noted.

a. Do the lots involved in this application have easements of record as per the submitted title commitment? \_\_\_\_\_

b. Do the lots involved in this application have easements not of record? \_\_\_\_\_

c. Are any easements proposed to be vacated by this application? \_\_\_\_\_

d. Are any easements proposed to be relocated by this application? \_\_\_\_\_

e. Are any new easements proposed by this application? \_\_\_\_\_

f. Do any existing easements contain improvements?  Yes  No Please describe the improvements \_\_\_\_\_

11. What is the existing size of each lot?

Acreage \_\_\_\_\_ Square Footage \_\_\_\_\_

Acreage \_\_\_\_\_ Square Footage \_\_\_\_\_

12. What is the proposed size of each lot after platting?

Acreage \_\_\_\_\_ Square Footage \_\_\_\_\_

Acreage \_\_\_\_\_ Square Footage \_\_\_\_\_

13. What is the percentage of land area that each proposed lot will gain or lose?

Sq. ft. gained \_\_\_\_\_ Sq. ft. lost \_\_\_\_\_ percentage  gained or  lost \_\_\_\_\_ %

Sq. ft. gained \_\_\_\_\_ Sq. ft. lost \_\_\_\_\_ percentage  gained or  lost \_\_\_\_\_ %

14. What is the current Zone District for each involved property?

This property is located in the \_\_\_\_\_ Zone District.

This property is located in the \_\_\_\_\_ Zone District.

15. In accordance with the Fremont County Zoning Resolution (2.4.3) properties involved in a Vacation of Interior Lot Line application that are not located in the same Zone District must process a Zone Change Application if the property receiving land is proposed to be enlarged by more than twenty-five percent of the existing land area. Will this application require a zone change process? \_\_\_\_\_

\_\_\_\_\_

16. What is the current and proposed land use of each property? Are these uses in conformance with the current (*and or proposed*) zoning of each property?

Current land use \_\_\_\_\_ Proposed land use \_\_\_\_\_

Conforming  Non-conforming, Explain \_\_\_\_\_

Current land use \_\_\_\_\_ Proposed land use \_\_\_\_\_

Conforming  Non-conforming, Explain \_\_\_\_\_

17. Does each lot currently conform to the lot development requirements (*lot size, lot coverage, lot width*) of the zone district in which they are located?  Yes  No If no please explain \_\_\_\_\_

\_\_\_\_\_

18. Will each proposed lot comply with the lot development requirements (*lot size, lot coverage, lot width*) of the zone district in which the proposed lot is located (*or proposed zone district, if a zone change of the property is necessary*)?  Yes  No If no please describe the development requirements that will not be met and how compliance will be attained. \_\_\_\_\_

\_\_\_\_\_

19. Do any of the proposed lots contain buildings or structures?  Yes  No If answered yes, do all such building or structures meet the development requirements (*maximum building height, front yard setback, rear yard setback, side yard setback taking into consideration use of structure or buildings and adjoining use etcetera*) of the zone district in which they will be located?  Yes  No If no, please describe the development requirement(s) which will not be met and how compliance will be attained? \_\_\_\_\_

\_\_\_\_\_

20. Have all general and lot design standards of the Fremont County Subdivision Regulations, Appendix 1 been met by this proposal?  Yes  No If no, please list the standards not being met. \_\_\_\_\_

\_\_\_\_\_

21. What is the access for each proposed lot to a public right-of-way? Will the proposed vacation affect the access of each proposed lot in any way?

Source of access \_\_\_\_\_ Effect \_\_\_\_\_

22. Do any of the proposed lots have irrigation rights?  Yes  No If yes, please state the company name and provide a statement as to how the proposed vacation will effect the irrigation rights.

Irrigation Company \_\_\_\_\_ Effect \_\_\_\_\_

23. Do any of the involved lots contain natural features and how may they be effected (*explain*) by this proposal?

Bodies of water \_\_\_\_\_ Effect \_\_\_\_\_

Natural water courses \_\_\_\_\_ Effect \_\_\_\_\_

Dry gulches or drainage ways \_\_\_\_\_ Effect \_\_\_\_\_

Bluffs or cliffs \_\_\_\_\_ Effect \_\_\_\_\_

Fault lines or other geologic hazards \_\_\_\_\_ Effect \_\_\_\_\_

24. In accordance with the Fremont County Subdivision Regulations (XIII., E., 5.) a copy of the proposed final plat shall be provided that locates, by providing dimensions from property lines and size by dimension, all improvements (*i.e....roads, driveways, sewer and water lines, other utility lines, septic systems, wells, structures, buildings, irrigation ditches, drainage structures etc.*), natural physical features (*i.e....soil type boundaries, bluffs, cliffs, debris fans, water courses, live streams, dry gulches, drainages etc.*), and easements and rights-of-way described in the title commitment or any of the same known to exist without being of record, which effect or traverse the property. More than one drawing may be used, if more understandable. If no such items exist then a written statement to that effect regarding each category shall be provided by the project surveyor (*such statement shall be attached and marked as exhibit 24.1*).

25. In accordance with the Fremont County Subdivision Regulations (XIII., E., 6.) proof (*certified mail with return receipt*) that all individuals and entities having any rights of record easements and all applicable utility companies were notified of this application shall be provided. The notification shall include a form letter provided by the Department and a copy of the proposed plat provided by the applicant. The person(s) and or entity(s) receiving such notice shall have ten days from the date of receipt to respond in writing to the Department with any comments regarding the proposed vacation. Please provide a copy of the certified mail and letter mailed to each entity and mark as Exhibit 25.1.

Water source \_\_\_\_\_ Mail date \_\_\_\_\_ Received date \_\_\_\_\_

Sanitation source \_\_\_\_\_ Mail date \_\_\_\_\_ Received date \_\_\_\_\_

Electric source \_\_\_\_\_ Mail date \_\_\_\_\_ Received date \_\_\_\_\_

Natural gas source \_\_\_\_\_ Mail date \_\_\_\_\_ Received date \_\_\_\_\_

Telephone source \_\_\_\_\_ Mail date \_\_\_\_\_ Received date \_\_\_\_\_

Cable Television source \_\_\_\_\_ Mail date \_\_\_\_\_ Received date \_\_\_\_\_

Irrigation source \_\_\_\_\_ Mail date \_\_\_\_\_ Received date \_\_\_\_\_  
 Right of easement \_\_\_\_\_ Mail date \_\_\_\_\_ Received date \_\_\_\_\_  
 Other required notice \_\_\_\_\_ Mail date \_\_\_\_\_ Received date \_\_\_\_\_

26. At least three copies of the proposed plat drawing, drawn in accordance with the Fremont County Subdivision Regulations (XIII., E., 4) shall be attached to this application.

27. A submittal fee of \$ \_\_\_\_\_ is attached to this application (Check # \_\_\_\_\_  cash)

**By signing this Application, the Applicant, or the agent / representative acting with due authorization on behalf of the Applicant, hereby certifies that all information contained in the application and any attachments to the Application, is true and correct to the best of Applicant's knowledge and belief.**

**Fremont County hereby advises Applicant that if any material information contained herein is determined to be misleading, inaccurate or false, the Board of Commissioners may take any and all reasonable and appropriate steps to declare actions of the Board regarding the Application to be null and void.**

**Signing this Application is a declaration by the Applicant to conform to all plans, drawings, and commitments submitted with or contained within this Application, provided that the same is in conformance with the Fremont County Zoning Resolution.**

\_\_\_\_\_  
 Property Owner Printed Name

\_\_\_\_\_  
 Signature

\_\_\_\_\_  
 Date