

BENT COUNTY

*P. O. Box 350, Las Animas, Colorado 81054
Phone: 719-456-2223 Fax: 719-456-0375*

APPLICATION FOR EXEMPTION FROM DEFINITION OF SUBDIVISION

Please note: An application fee of \$25.00 must accompany this application.

Fee paid: ____ Yes ____ No

Note: Any tract of land to be exempted in zoning area Agriculture District (A-1) must be a minimum of one (1) acre.

This application is requesting an exemption of _____ acres from a total parcel of _____ acres.

The undersigned owner does hereby apply for a recommendation by the Bent County Land Use Administrator and a determination by the Board of County Commissioners of Bent County, Colorado, that the sale and conveyance of the property described as follows, to-wit: *(identify by quarter section, section, township and range; if space is not sufficient please attach legal description by addendum).*

is exempt under the provision of the Model Subdivision Regulations for Counties from the definition of the term "subdivision" and "subdivided land" and that the conveyance of said tract would not be within the purposes of the regulations and the Colorado Land Use Act. All provisions listed under zoning regulation 01.01.10 of this application have been complied with and/or approved by the Bent County Zoning and Building Inspector.

Dated this _____ day of _____, 2010

Owner's Name (please print)

⇒ _____

Owner's signature

Address of Owner

Phone: _____

SUBDIVISION EXEMPTION REQUIREMENTS

As a minimum, the following information must be supplied and/or approved by the Bent County Land Use Administrator and the Bent County Commissioners for any application for exemption from the Subdivision Regulations as adopted by Bent County to be considered.

1. Each building site, tract or lot has access as otherwise required for subdivided land in these subdivision regulations and roads constructed within the property in question shall meet the minimum standards as set forth in these subdivision regulations and by Bent County.
2. The property to be divided is not a part of a parcel, site, tract, or lot previously divided into four (4) parcels under this subsection 01.01.10 nor

a part of an existing subdivision, nor would approval of the request create more than four (4) parcels out of the property as it existed January 17, 1980.

3. Such division shall not be detrimental to the public good or impair the intent and purpose of these subdivision regulations or the Colorado Revised Statutes, 30-29-133, 1973, as amended and shall not be in conflict with this regulation or any adopted elements of the Bent County Master Plan, as amended.
4. If the exemption is adjacent or abutting a subdivision, lot sizes must be as large or larger than those lots in the subdivision.
5. Any person seeking an exemption under this subsection 01.01.10 shall submit their request for exemption to the Administrator on a form supplied by the Administrator, which application shall include the following:
 - (a) A boundary drawing prepared by a licensed engineer or surveyor showing the legal description and acreage of the subject property and of the lots to be created.
 - (1) One (1) copy of this drawing shall contain the proposed layout and legal descriptions.
 - (2) One (1) copy of this drawing shall contain the proposed layout, legal descriptions and all man-made features on and adjacent to the subject property and existing road rights-of-way adjacent to the property, existing easements, existing ditch laterals, and other improvements shall also be shown.
 - (b) A legible vicinity sketch at a scale of sufficient detail showing the perimeter outline of the property and significant man-made features (roads, lakes, ditches, bridges) within one (1) mile of the surrounding area. This vicinity sketch shall be placed on the drawing requested in (a) (2) above.
 - (c) Statements indicating the type of water system proposed, also documentation of water rights, future use, and well permit or application for plan for augmentation, if applicable. In the case of water from a district association, or municipality, correspondence from that entity indicating availability of water service and commitment to serve (and specifying all conditions to such service, if any).
 - (d) Statements indicating the type of sewer proposed. Where on-lot sewage disposal is proposed on any lot of five (5) acres or less, the application shall include the results of eight (8) borings representative of the entire tract to be divided and a percolation test run on each proposed lot of less than five (5) acres. These must be done by a licensed engineer or an approved sanitarian. In the case of sewage treatment by a sanitation district or municipality, correspondence indicating availability of service and all conditions to service, if any)
 - (e) A subdivision improvements agreement and sufficient collateral must be submitted.

- (f) The applicant shall be responsible for having his application reviewed by applicable utilities. Any easements which might be required shall be placed on the plat and line capacity and ability of the utility to provide service at present and in the future must be confirmed.
- (g) Each application will be reviewed by applicable federal, state, and local agencies. Each agency will be asked to make comments relative to the impact of the property division and what the applicant must do to comply with their rules and regulations.
- (h) Completed Deed of Dedication forms, where necessary, for the dedication of additional right-of-way along county streets and/or new rights-of-way for the lots to be created. (Note) These rights-of-way must be shown on the plat.
- (i) School site and/or open space dedication, or fee in lieu thereof, as required in Part II of the regulation.

6. If the application for subdivision exemption is approved a boundary survey of the approved lots shall be recorded in the office of the Bent County Clerk and Recorder at the applicant's expense.

I hereby certify that the above requirements have been met and approval of this application is recommended.

_____, 2010
 LAND USE ADMINISTRATOR

I certify that by a motion unanimously passed by the Board of County Commissioners of Bent County, at its regular meeting on the ____ day of _____, 2010, the foregoing application was approved and it was determined that the conveyance of the tract above described is exempt under the provision of the Model Subdivision Regulations for Counties and the Colorado Land Use Act.

DATED THIS _____ DAY OF _____, 2010

BOARD OF COUNTY COMMISSIONERS, BENT COUNTY, COLORADO

By: _____
 Chairman

BENT COUNTY PERMIT DISCLAIMER

In connection with application for this:

- building permit
- septic tank permit
- subdivision exemption
- Special Review Use Permit
- Mobile Home application
- other permit _____

Applicant acknowledges having read and understood the following:

1. Bent County in granting the permit makes no representation as to the status of Applicant's title to the real property described in the application.
2. The County further makes no representation as to any matter which could be disclosed in a survey, and if Applicant has any questions regarding location of boundary lines, possible encroachments, either by the Applicant or by third party, the location of any easements or rights of way, or any other matter which would be property shown by a survey, the Applicant may obtain a survey from a professional land surveyor.
3. The County makes no representation regarding Applicant's right to legally access the real property described in the application. If Applicant has questions regarding access, Applicant may engage the services of any attorney or professional land surveyor.
4. The County makes no representation as to the availability of any utility services to property, including but not limited to gas, electricity, water, trash disposal or sewer. If Applicant has questions regarding the availability of utilities, Applicant may request such information from the appropriate utility provider.

Signed this _____ day of _____, 2010

Applicant