

SECTION ONE - LOT LINE ELIMINATION

GENERAL INFORMATION

How to Use this Attachment

Section One of this attachment contains general information about the review type, and the process used to review your application. Keep this section as a reference while your application proceeds through review.

Section Two contains material that **you are required to fill out, detach, and submit with your application.** The Application Submittal Requirements checklist describes the minimum information to include in your application. Your application will not be accepted for review unless all the information is present.

Use the information in this attachment to prepare your application. The information in this, and related, attachments **identifies the criteria that will be used to evaluate your application.** Your application should **focus on demonstrating how your proposal complies with all the criteria.** Effective use of this attachment will help you avoid costly revisions to your application later.

Lot Line Elimination Summary

Lot lines forming the boundary between two or more conforming lots within the same subdivision, or between lots or parcels that have merged into one building site, may be eliminated through this simple replatting process. Section 9-12-4(b), "Elimination of Lot Lines," B.R.C. 1981, specifies that this process may not be used if the replat:

- (1) Requires the dedication or vacation of easements on the replat; or
- (2) Changes the location of any remaining lot lines in the subdivision.

A Lot Line Elimination is reviewed through the Development Review Committee (DRC) as a Technical Document Review application. After an application has been submitted, and found to be complete, it is assigned to a review "track." The review track establishes a review schedule for the application. Typically, review takes three weeks after the review track is started.

At the end of the review period, the application will either be approved, or the applicant will be informed of deficiencies. The applicant is allowed up to two opportunities to correct deficiencies before final action is taken on the request. When approved, the city manager will notify the Planning Board within seven days of the approval, and will sign and record the approved replat.

LOT LINE ELIMINATION - SECTION TWO

APPLICATION SUBMITTAL CHECKLISTS AND FORMS **Submit with your application.**

Section Two contains:

- Lot Line Elimination Application Requirements checklist.
- Samples of Required Lot Line Elimination Signature Blocks and Sample Lot Line Elimination Plat.

The checklist must be filled out completely and submitted with your application, in the quantities specified on the Technical Document Review application form and on the Lot Line Elimination Application Requirements checklist.

APPLICATION REQUIREMENTS AND CHECKLIST

Submit with your application.

An application for a lot line elimination must meet the basic submittal requirements listed in the city's land use regulations (found in Section 9-12-4, B.R.C. 1981). These requirements are detailed below and are listed on the Technical Document Review Application Form. **An application fee, as specified on the application form, is also required.** In addition, an applicant may submit any additional materials that may be appropriate to the review.

All required materials must be included in order for an application to be accepted by the Planning and Development Services Center. Incomplete applications will not be accepted and will be returned to the applicant.

All application materials must be submitted in 5 collated packets, with one complete packet marked "Original." Each packet must contain one of each required plan, statement, etc. Every packet must include a cover sheet that clearly indicates the contents of the packet. Where fewer than 5 copies of an item are required, the cover sheet should clearly indicate the packets that contain those items.

Complete the checklist below, marking those items as they are included in your application submittal, and sign it at the end. The checklist is intended to assist the applicant in collecting all of the required materials and to assist the Planning and Development Services Center in determining that all of the application requirements are met.

Lot Line Elimination Application Requirements

- [] 1. A complete **Technical Document Review Application Form**, including signatures by or the written consent of the owners of all property to be included in the development.
- [] 2. Five (5) copies of an **improvement survey** or improvement location certificate by a registered surveyor, of the subject property.
- [] 3. Five (5) copies of a **vicinity map** (8 ½" x 11") indicating the site and adjacent streets. If the site is less than one acre, the map must be drawn at a minimum scale of 1":200'.
- [] 4. Five (5) copies of a **written statement** which describes the proposed lot line elimination.
- [] 5. Two (2) copies of a **current (within 30 days) title insurance commitment** or attorney memorandum based on an abstract of title must be submitted with the application at the time of application. An **update to the title insurance commitment** or attorney memorandum based upon an abstract of title must also be submitted current as of the date of submittal of the final plat on mylars.
- [] 6. Five (5) prints (24" x36", folded to 9" x 12" as well as a digital copy) of a **subdivision replat map**, drawn to a standard scale showing existing and proposed lot lines and including the following:
 - [] A map of the plat drawn at a scale of no less than one inch equals one hundred feet (and a scale sufficient to be clearly legible; maps of two or more sheets shall be referenced to an index placed on the first sheet;
 - [] The title under which the subdivision is to be recorded;
 - [] Accurate dimensions for all lines, angles, and curves used to describe boundaries, public improvements, easements, areas to be reserved for public use, and other important features. All curves shall be circular arcs and shall be defined by the radius, central angle tangent, arc and cord distances. All dimensions, both linear and angular, are to be determined by an accurate

control survey in the field that must balance and close within a limit of one in ten thousand. No final plat showing plus or minus dimensions will be approved;

- [] The names of all abutting subdivisions, or if the abutting land is unplatted, a notation to that effect;
 - [] An identification system for all lots and blocks and names of streets;
 - [] An identification of the public improvements, easements, parks, and other public facilities shown on the plat, a dedication thereof to the public use and areas reserved for future public acquisition;
 - [] The total acreage and surveyed description of the area;
 - [] The number of lots and size of each lot in square feet;
 - [] Proposed ownership and use of outlots;
 - [] A notation and delineation of areas subject to the one-hundred year flood, the estimated flow rate used in determining that designation, the effective date thereof, and a statement that such designation is subject to change;
 - [] A description of all monuments, both found and set, that mark the boundaries of the property and a description of all control monuments used in conducting the survey;
 - [] A statement by the land surveyor that the surveyor performed the survey in accordance with state law;
 - [] A statement by the land surveyor explaining how bearings, if used, were determined;
 - [] The signature and seal of the Colorado registered land surveyor;
 - [] The square footage of each lot;
 - [] Certification for approval by the following:
 - A. Director of Planning,
 - B. Director of Public Works and Utilities,
 - C. Director of Parks and Recreation, if park land is dedicated on the plat,
 - D. Director of Open Space and Mountain Parks, if open space land is dedicated on the plat,
 - E. Qwest Corporation, and
 - F. Public Service Company of Colorado;
 - [] Signature blocks for all owners and lenders with an interest in the properties involved (see sample signature blocks), including but not limited to the lenders identified in a current title commitment).
 - [] A signature block for city manager's signature (see sample signature blocks below); and
 - [] A Clerk and Recorder's Certificate (see sample signature blocks below).
- [] 7. If applicable, two (2) copies of **agreements with ditch companies**.
- [] 8. **Proof of authorization for Owner (If the owner is an entity)** Please note that different forms of documentation are required depending on the type of entity (i.e. a Limited Liability Company vs. a Corporation). The name and title of person(s) authorized to sign (Manager, President, etc) must be provided.

If the entity is a **Limited Liability Company** (LLC), the following are **examples** of documentation that may be accepted, subject to the review by the city:

- Articles of Organization
- Operating Agreement
- Statement of Authority
- Attorney's Memorandum (must be dated and signed and include company name and title of the authorized person)

If the entity is a **Corporation**, the following are examples of documentation that may be accepted, subject to the review of the city:

- Articles of Incorporation/ Bylaws
- Corporate Minutes confirming current officers
- Statement of Authority or Corporate Resolution/Delegation
- Attorney's Memorandum (must be dated and signed and include company name and title of the authorized person)

Please note that a copy of the "Articles of Organization" or "Articles of Incorporation" listing the name of the "Registered Agent" alone is not sufficient proof of authorization to bind. The documentation provided must clearly show the name of the person who has the authority to sign on behalf of the entity.

- [] 9. The lot line elimination **fee**, as stated on the Technical Document Review Application Form.
- [] 10. One (1) copy of a **computer check** to assure that the exterior lines of the final plat close. In the absence of such verification, the city shall obtain such computer check, and the applicant shall pay the fee therefore prescribed by section 4-20-34, B.R.C., 1981 before recording the plat.
- [] 11. One signed **Acknowledgement of Obligation to Pay** form for applications that may include hourly billing.

Note: At the time your Lot Line Elimination final plat is ready to be approved, you will be required to submit a reproducible ink-on-mylar original of the final plat, suitable for signature and recordation.

(signature of person who filled out checklist)

(print name)

SAMPLES OF LOT LINE ELIMINATION SIGNATURE BLOCKS

The following are samples of signature blocks typically required on Lot Line Elimination plats. Before a final plat can be approved, all information on the plat, including signature blocks, must be accurate and correct as to form. The following samples should be used to prepare Lot Line Elimination plat signature blocks that meet city requirements.

OWNER’S CERTIFICATE

_____, BEING THE OWNER OF (LEGAL DESCRIPTION), DOES HEREBY APPROVE THIS LOT LINE ELIMINATION PLAT SHOWN HEREON.

BY: _____
(NAME OF INDIVIDUAL)

ACKNOWLEDGEMENT

STATE OF COLORADO)
) SS.
COUNTY OF _____)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____, BY (NAME OF INDIVIDUAL).

WITNESS MY HAND AND SEAL.
MY COMMISSION EXPIRES: _____

[SEAL] _____
NOTARY PUBLIC

LENDER’S CONSENT AND SUBORDINATION

THE UNDERSIGNED, A BENEFICIARY UNDER A CERTAIN DEED OF TRUST ENCUMBERING THE PROPERTY, HEREBY EXPRESSLY CONSENTS TO AND JOINS IN THE EXECUTION AND RECORDING OF THIS SUBDIVISION PLAT, DEDICATION AND EASEMENTS SHOWN HEREON AND MAKES THE DEED OF TRUST SUBORDINATE HERETO. THE UNDERSIGNED REPRESENTS THAT HE OR SHE HAS FULL POWER AND AUTHORITY TO EXECUTE THIS LENDER’S CONSENT AND SUBORDINATION ON BEHALF OF THE ABOVE-STATED LENDER.

(NAME OF BANK)

BY: _____
AUTHORIZED REPRESENTATIVE

ACKNOWLEDGMENT

STATE OF _____)
) SS.
COUNTY OF _____)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____, BY _____ AS _____ OF (NAME OF BANK).

WITNESS MY HAND AND SEAL.
MY COMMISSION EXPIRES: _____

[SEAL] _____
NOTARY PUBLIC

APPROVALS

DIRECTOR OF PLANNING

DIRECTOR OF PUBLIC WORKS AND UTILITIES

QWEST CORPORATION

PUBLIC SERVICE COMPANY OF COLORADO

CITY MANAGER'S CERTIFICATE

IN WITNESS WHEREOF, THE SAID CITY OF BOULDER HAS CAUSED ITS SEAL TO BE HEREUNTO AFFIXED BY ITS CITY MANAGER THIS ____ DAY OF _____, 20__.

ATTEST:

CITY CLERK ON BEHALF OF THE
DIRECTOR OF FINANCE AND RECORD

CITY MANAGER

CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO)
) SS.
COUNTY OF BOULDER)

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE AT
_____ O'CLOCK __. M., THIS _____ DAY OF _____,
20____, AND IS RECORDED AT RECEPTION # _____.
FEES PAID: \$_____.

CLERK AND RECORDER

DEPUTY

