



**PLAT VACATION
RECORDED EXEMPTIONS & SUBDIVISION EXEMPTIONS**

DEPARTMENT OF PLANNING SERVICES | 1555 N. 17TH AVENUE, GREELEY, CO 80631
www.weldgov.com | 970-400-6100 | FAX 970-304-6498

APPLICATION SUBMITTAL REQUIREMENTS

- _____ Application form. (See attached).
- _____ Authorization form if applicant or authorized agent is different than owner. (See attached).
- _____ Incorporation documents if the owner is a business entity (LLC, etc.), or trust documents.
- _____ Vacation Request Letter. The vacation request shall be submitted, in writing, to the Department of Planning Services and shall be signed by all owners of the lot(s) to be vacated. The vacation request letter shall describe the purpose of the vacation, any existing improvements, and any easements or rights-of-way that may be affected.
- _____ Deed or legal instrument identifying the applicant’s interest in the property.
- _____ Draft exemption vacation plat meeting the following requirements:

1. The plat shall be titled “VACATION OF LOT [X] OF [original case title and number]”
2. The plat shall contain a complete and accurate metes and bounds or aliquot legal description of the parcel that is vacated from the Recorded Exemption or Subdivision Exemption after the vacation is effective.
3. The vacated parcel shall be labeled “VACATED ON [DATE] BY RESOLUTION [#] OF THE BOARD OF COUNTY COMMISSIONERS OF WELD COUNTY.”
4. In the case of a partial vacation, the plat shall depict all non-vacated lots as still existing within the Recorded Exemption or Subdivision Exemption.
5. The plat shall contain the certificates found in Appendix 24-G of the Weld County Code:

A. PROPERTY OWNERS CERTIFICATE

I (We), the undersigned, being the sole owners in fee of the above described property, do hereby [partially] vacate the land division plat of record, row recognized as an unplatted tract of land.

(Signature) _____	(Signature) _____
Typed or printed name	Typed or printed name

All signatures must be notarized in accordance with the Revised Uniform Law on Notarial Acts, C. R. S. §24-21-501, et. seq.

B. BOARD OF COUNTY COMMISSIONERS APPROVAL

This vacation plat is approved by the Board of County Commissioners of Weld County, State of Colorado.

Witness my hand and the corporate seal of Weld County this ____ day of _____, 20__.

CHAIR, BOARD OF COUNTY COMMISSIONERS

ATTEST:
Weld County Clerk to the Board

BY: _____
Deputy Clerk to the Board Date _____

**PLAT VACATION
RECORDED EXEMPTIONS & SUBDIVISION EXEMPTIONS
CODE REQUIREMENTS**

Sec. 24-11-50. Complete or partial vacation of recorded exemption or subdivision exemption.

A. A property owner may request a complete or partial vacation of an existing Recorded Exemption or Subdivision Exemption through the procedures set forth in this Section. The vacation request shall be submitted, in writing, to the Department of Planning Services and shall be signed by all owners of the lot(s) to be vacated. The vacation request letter shall describe the purpose of the vacation, any existing improvements, and any *easements* or *rights-of-way* that may be affected.

B. Complete vacations must include all *lots* created by the same exemption plat. Partial vacations may be used to vacate the largest lot within a Recorded Exemption plat, which is greater than thirty-five (35) acres in size, without affecting the remaining lot(s) within the same plat. *Lots* created by a plat that has been approved by the County pursuant to Article 10 of this Chapter 24, Lot Line Adjustments, may be eligible for vacation if they were originally created by exemption plat. No property resulting from the vacation may be left without access to a public road *right-of-way*. No property resulting from the vacation may continue to use any access easement across other lots within the exemption plat without the express consent of those *lot* owners.

C. The vacation request may be processed without any of the submission, referral or review requirements of Chapter 24. No sign posting or legal publication shall be required. No notice to surrounding property owners is required, except for a partial vacation of only the largest lot, in which case notice shall be sent to the owners of all other lots within the same exemption plat.

D. Upon receipt of the vacation request letter, the *Planner* will prepare a memorandum summarizing the vacation request to be forwarded to the Clerk to the Board. Exemption vacations will be placed on the Board of County Commissioners Agenda.

E. The owners of all *lots* within the affected exemption plat shall be notified of the hearing date, time and location via Certified Mail, sent by the Clerk to the Board, at least ten (10) days prior to the hearing.

F. Prior to the hearing, the Clerk to the Board shall draft a Board Resolution setting forth the determination that the Exemption plat is vacated. Record of such action and a copy of the Resolution will be kept in the files of the Clerk to the Board.

G. In the event any *easement* is included in the vacation, the resolution may include a condition requiring the *applicant* to provide evidence that the interests of the easement grantees are protected. Such evidence shall include a separate document demonstrating that any easement created by the exemption plat is retained, has been replaced, or has been relinquished or extinguished with the consent of all beneficiaries of the easement or by order of a court of competent jurisdiction.

H. If the vacation request is approved by the Board of County Commissioners, an exemption vacation plat meeting the requirements of subsection I of this section shall be submitted to the Department of Planning Services for recording with the recording fee. The applicant shall submit a signed deed conveying the vacated property to himself or herself. Such deed shall contain the metes and bounds or aliquot legal description from the plat. Upon receiving all required signatures, the Department of Planning Services will record the plat and the deed. The vacation is effective on the date of recordation of the plat with the Weld County Clerk and Recorder.

I. Exemption vacation plat requirements.

1. The plat shall be titled "VACATION OF LOT [X] OF [RECX-XXX]"
2. The plat shall contain a complete and accurate metes and bounds or aliquot legal description of the parcel that is vacated from the Recorded Exemption or Subdivision Exemption after the vacation is effective.
3. The vacated parcel shall be labeled "VACATED ON [DATE] BY RESOLUTION [#] OF THE BOARD OF COUNTY COMMISSIONERS OF WELD COUNTY."
4. In the case of a partial vacation, the plat shall depict all non-vacated lots as still existing within the Recorded Exemption or Subdivision Exemption.
5. The plat shall be signed by the owners of the vacated parcel and the Chair of the Board of County Commissioners.

A copy of the Weld County Code is available online at www.weldgov.com (Useful Links > Weld County Code).

**PLAT VACATION APPLICATION
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<u>FOR PLANNING DEPARTMENT USE:</u>	DATE RECEIVED: _____
	PLANNER ASSIGNED: _____

PLAT INFORMATION

Title of plat to be vacated: _____ S ____ T ____ R ____

Complete Vacation (must include all lots) Partial Vacation of the largest lot (must be over 35 acres)

List of lots to be vacated:

Lot	Parcel Number	Acreage	Affected Easements

PROPERTY OWNER(S) *(Attach additional sheets if necessary.)*

Name: _____
 Company: _____
 Phone #: _____ Email: _____
 Street Address: _____
 City/State/Zip Code: _____

APPLICANT/AUTHORIZED AGENT *(Authorization must be included if there is an Authorized Agent.)*

Name: _____
 Company: _____
 Phone #: _____ Email: _____
 Street Address: _____
 City/State/Zip Code: _____

I (We) hereby depose and state under penalties of perjury that all statements, proposals, and/or plans submitted with or contained within the application are true and correct to the best of my (our) knowledge. All fee owners of the property must sign this application. If an Authorized Agent signs, an Authorization Form signed by all fee owners must be included with the application. If the fee owner is a corporation, evidence must be included indicating the signatory has the legal authority to sign for the corporation.

I (We) have read and agree to comply with the regulations for complete or partial vacation of recorded exemption or subdivision exemption.

 Signature: Owner or Authorized Agent Date Signature: Owner or Authorized Agent Date

 Print: Owner or Authorized Agent Print: Owner or Authorized Agent



DEPARTMENTS OF PLANNING
BUILDING, DEVELOPMENT REVIEW
AND ENVIRONMENTAL HEALTH
1555 NORTH 17TH AVENUE
GREELEY, CO 80631

AUTHORIZATION FORM

I, (We), _____, give permission to _____
(Owner – please print) (Authorized Agent/Applicant–please print)

to apply for any **Planning, Building, Access, Grading or OWTS** permits on our behalf, for the property located at (address or parcel number) below:

Legal Description: _____ of Section _____, Township _____ N, Range _____ W

Subdivision Name: _____ Lot _____ Block _____

Property Owners Information:

Address: _____

Phone: _____ E-mail: _____

Authorized Agent/Applicant Contact Information:

Address: _____

Phone: _____ E-Mail: _____

Correspondence to be sent to: Owner ____ Authorized Agent/Applicant ____ by: Mail ____ Email ____

Additional Info: _____

I (We) hereby certify, under penalty of perjury and after carefully reading the entire contents of this document, that the information stated above is true and correct to the best of my (our) knowledge.

_____ Date _____ _____ Date _____

Owner Signature

Owner Signature

Subscribed and sworn to before me this _____ day of _____, 20 _____ by _____.

My commission expires _____

Notary Public