

Parcel # \_\_\_\_\_ Reception # \_\_\_\_\_ approved date: \_\_\_\_\_

**SAGUACHE COUNTY LAND USE  
PO BOX 326 - SAGUACHE, CO 81149  
(719)655-2321 FAX (719)655-2321  
PLAT VACATION/CONSOLIDATION APPLICATION**

PROPERTY OWNER NAME \_\_\_\_\_  
MAILING ADDRESS \_\_\_\_\_  
CITY, STATE, ZIP \_\_\_\_\_ PHONE \_\_\_\_\_  
PROPERTY ADDRESS \_\_\_\_\_  
LEGAL DESCRIPTION OF PROPERTY \_\_\_\_\_

SUBDIVISION NAME \_\_\_\_\_

THIS REQUEST IS TO COMBINE \_\_\_\_\_ LOTS INTO \_\_\_\_\_ PARCELS CONTAINING \_\_\_\_\_ ACRES.

TRANSPORTATION ACCESS \_\_\_\_\_

UTILITIES PROVIDED BY:  
ELECTRICITY \_\_\_\_\_  
TELEPHONE \_\_\_\_\_

ADEQUATE WATER SUPPLIED BY \_\_\_\_\_ PERMIT # \_\_\_\_\_

ADEQUATE SEWAGE DISPOSAL SUPPLIED BY \_\_\_\_\_ PERMIT # \_\_\_\_\_

PROPOSED LAND USE IF VACATION IS APPROVED \_\_\_\_\_

**PLEASE SUPPLY THE FOLLOWING:**

1. **A SURVEY PLAT SHOWING ALL REQUIREMENTS AND AN 8.5 x 11 INCH SURVEY COPY**
2. **PROOF OF OWNERSHIP**
3. **COUNTY ROAD ACCESS APPROVAL, IF NEEDED**
4. **FEE AS ESTABLISHED BY THE BOCC. \$500.00 PLUS \$50.00 PER LOT AND CERTIFIED MAILING FEE.**
5. **A LIST OF ALL LANDOWNERS WITHIN 1500 FEET OF THE SUBJECT PROPERTY WILL BE ACQUIRED BY THE LAND USE OFFICE FOR CERTIFIED MAILINGS. CERTIFIED MAILING FEE MUST BE PAID PRIOR TO APPLICATION BEING HEARD BY PLANNING COMMISSION AND COMMISSIONERS. A STATEMENT WILL BE MAILED TO YOU.**
6. **ALL TAXES DUE MUST BE PAID ON ALL LOTS. (A fee of \$20.00 per lot will be charged for Certificate of Taxes due.)**

**IF APPLICANT HAS NOT COMPLETED ALL REQUIREMENTS WITHIN ONE YEAR APPROVAL WILL BECOME VOID.**

**APPLICATION, DOCUMENTS AND FEES MUST BE RECEIVED AND PAID FORTY FIVE (45) DAYS PRIOR TO PLANNING COMMISSION MEETING.**

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I understand the following:

1. There may be recorded protective covenants that apply to my property. Receiving County approval does not exempt me from meeting any applicable covenants.
2. Before constructing or modifying any access from a State of County road, you must obtain an approved access permit from the appropriate authority.
3. Receiving County approval on this Vacation does not exempt me from the requirements of other applicable county requirements, including building and septic permits, or applicable state requirements including water well, plumbing and electrical permits.
4. **All Consolidations must be completed, approved and recorded by June 1 to reflect tax value changes. Any consolidation completed after the deadline date will remain individual lots until the following year. Please note the tax year is always one year behind, for example in 2000 you are being taxed for the year 1999. All current taxes owed must be paid before application is presented to County Board.**

**Application must be signed by landowner only. An agent for landowner may represent landowner at County meetings only if the landowner has signed and has had the attached form notarized.**

I hereby certify that the above information is true and accurate to the best of my knowledge. I further certify that I or we are legal owner(s) of record of the property that is Vacation/Consolidation is being applied for.

Applicant need to be aware that by signing this application you are giving the Saguache County Land Use office staff permission to access your property for purposes relating to this application.

**ALL APPLICATION FEES ARE NON-REFUNDABLE**

\_\_\_\_\_  
Owner(s) Date \_\_\_\_\_

\*\*\*\*\*

**FOR OFFICE USE ONLY**

**The Land Use Office has determined that this property is in a:**

_____	Geologic Hazard Area	_____	Wildfire Area
_____	Critical Wildlife Habitat Area	_____	Area with possible high groundwater levels
_____	None of the above		

**Legal Description:** Quarter Section \_\_\_\_\_ Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_  
Subdivision \_\_\_\_\_ Location \_\_\_\_\_  
Lots \_\_\_\_\_ Block \_\_\_\_\_

Application received by: \_\_\_\_\_ Date \_\_\_\_\_

Saguache County Land Development Code  
effective January 1, 2017

beginning of the application process and confirmed before the Board of County Commissioners' final review.

- Applicant must supply an 8.5 x 11-inch paper copy of survey plat.

If applicant has not completed all requirements within one year, application will become void.

- II.7.1.1.3. After preliminary approval is given by the Planning Commission and the Board of County Commissioners a survey plat must be submitted, including a metes and bound description, drawn to an appropriate scale and prepared by a registered land surveyor, showing corners and boundaries of the land to be divided.

Also, included on the plat will be a title, scale, north sign, date, location map, all improvements if any on all parcels and signature certificates. See Appendix D.

Board of County Commissioners require that all landowners sign the approved resolution before County Commissioners will sign the approved resolution and the resolution is recorded. Resolution must be signed and returned to the Land Use office within 15 days of date of Commissioners' approval.

There will be a sixty - (60)-day time limit for property to be deeded to create the subdivided tract. The sixty (60) - day time limits shall start from the date of Board of County Commissioner approval. If any changes are required, the time limit shall begin on the date of Board of County Commissioner signing resolution.

The subdivided tract of land will now be subject to Article XV-Blight Regulation of this Code after the resolution is recorded.

## **II.8. Vacation/Consolidation**

### **II.8.1. Purpose**

To provide procedures for the use by the Planning Commission, Board of county Commissioners and applicant, to vacate lot of parcel tract line boundaries and consolidate smaller tracts into a larger tract, parcel or lot.

### **II.8.2. Modified Procedures**

The requirements set forth in the final plat section shall apply to all vacation/consolidation requests, except those which in the opinion of the Land Use Administrator, may be accomplished under a modified procedure. In general, such a modified procedure may be appropriate in the following cases;

Saguache County Land Development Code  
effective January 1, 2017

Vacation of public rights-of-way, roads and easements in which the proposed vacation does not affect provisions of access or necessary services.

Property Taxes owed on all affected parcels must be current at the time of Board of County Commissioners decision. A Certificate of Taxes Due will be obtained at the beginning of the application process and confirmed before the Board of County Commissioners final review.

II.8.2.1. Consolidated lots may not be re-subdivided, except by subdivision process.

II.8.3. Submittal Requirements

An application for vacation/consolidation of land may be filed only by the owner or owners having a legal of equitable interest in the land where the consolidation is proposed. Such application will be on a form provided by Saguache County and accompanied by:

II.8.3.1. A survey plat including lot numbers, metes and bounds descriptions, all improvements on parcel and drawn to an appropriate scale, prepared by a registered land surveyor. It must show corners and boundaries of the land to be vacated and lines being vacated will be shown as light dash lines. Parcel consolidated through the vacation process will be shown in heavy bold lines.

Areas of each parcel prior to vacation will be shown along with the combined area following consolidation. Easements, right-of-ways, access roads and location of existing utilities or wells. Wells should be shown with registration numbers.

Also, included on the plat will be a title, scale, north sign, vicinity location map, date and the certificates as shown in APPENDIX E.

II.8.3.2. Proof of ownership.

II.8.3.3. A list of adjoining property owners within 500 feet of applicant's property will be obtained from the County Assessor's office. In the Baca Grande Subdivision, exclusively, only contiguous landowners will be notified by certified mail.

II.8.3.4. A fee to be paid for certified mailings to all 500 feet adjoining landowners or contiguous landowners.

II.8.3.5. Property Taxes owed on all affected parcels must be current at the time of Board of County Commissioner decision. A Certificate of Taxes Due will be obtained at the beginning of the application process and confirmed before the Board of County Commissioners' final review.

II.8.3.6. Applicant must supply an 8.5 x 11-inch paper copy of survey plat.

Saguache County Land Development Code  
effective January 1, 2017

II.8.3.7. If applicant has not completed all requirements within one year, application will become void.

**II.9. Planned Unit Development (P.U.D.)**

Procedure for filing a P.U.D. is the same as that for other land development applications. It is found beginning in paragraph 2 of this Article II.

II.9.1. Design Standards

The County may modify the Design Standards of paragraph 3 of this Article II for a P.U.D. provided the overall design is consistent with the purpose of those design standards.

II.9.2. Open Space Requirement

The plan shall provide a percentage as calculated by a formula of the total area to be dedicated or reserved for "open space" land, exclusive of required parking and streets.

II.9.3. Common Area

Each parcel within the area shall be deeded as a unit granting to the parcel owner a proportionate undivided interest in the common area in perpetuity with a deed restriction against residential, commercial or industrial development.

There shall be a plan which shall also be a deed restriction by covenant or otherwise, in perpetuity, binding the unit owners to a method of maintenance of the common area.

II.9.4. Development Conformance Agreement

Prior to final approval of the P.U.D. the developer and County will enter into a Development Conformance Agreement. The agreement will specify the developer's obligation in areas of design standards, densities, open space, land uses and any special requirements that might be determined prior to final approval. The Development Conformance Agreement will be recorded with the P.U.D. plat and will be referenced by Book and Page on such P.U.D. plat at the time of recordation by the Clerk and Recorder of Saguache County.

Saguache County Land Development Code  
effective January 1, 2017

APPENDIX E

CERTIFICATE FOR CONSOLIDATION / VACATION

DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

THAT \_\_\_\_\_ is (are) the owner(s) of that real property situated in (legal description), Saguache County, Colorado and lying within the exterior boundary \_\_\_\_\_.

THAT I (they) have caused said real property to be vacated and that those easements or streets or alleys or other public ways remaining as shown on the accompanying survey plat do hereby remain as easements or streets or alleys or other public ways for those uses as identified.

IN WITNESS WHEREOF \_\_\_\_\_ has (have) caused his (their) name(s) to be hereunto subscribed this \_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_\_.

Signed: \_\_\_\_\_

STATE OF COLORADO )  
SS  
COUNTY OF SAGUACHE )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_\_, by \_\_\_\_\_.  
Witness my hand and seal.

Signed: \_\_\_\_\_  
Notary Address \_\_\_\_\_  
My commission expires: \_\_\_\_\_

Saguache County Land Development Code  
effective January 1, 2017

**SURVEYOR'S CERTIFICATE**

I, \_\_\_\_\_, a duly registered Land Surveyor in the State of Colorado, do hereby certify that this plat was prepared under my direction and supervision and is based solely on the plat of (Subdivision or Vacation plat title), filed under Reception Number(s) Reception number from Clerk and Recorder of the records in the office of the Saguache County Clerk and Recorder.

\_\_\_\_\_  
Surveyor  
(Surveyor's stamp shall appear with the Certificate.)

**COUNTY TREASURER CERTIFICATE**

STATE OF COLORADO  
COUNTY OF SAGUACHE

I, the undersigned, County Treasurer, in and for Saguache County, do hereby certify that there are not unpaid taxes or un-deemed tax sales as appears of record in this office on the above described application request.

In witness whereof, I have hereunto set my hand and seal, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Saguache County Treasurer

By \_\_\_\_\_, Deputy

**PLANNING COMMISSION CERTIFICATE**

APPROVED this \_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_, County Planning Commission, Saguache County, Colorado.

\_\_\_\_\_  
CHAIRMAN

Saguache County Land Development Code  
effective January 1, 2017

**COMMISSIONER'S CERTIFICATE**

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_, Board of Commissioners,  
Saguache County, Colorado.

ATTEST:

\_\_\_\_\_  
CLERK OF THE BOARD

\_\_\_\_\_  
CHAIRMAN

**CLERK AND RECORDER'S CERTIFICATE**

STATE OF COLORADO )  
SS  
COUNTY OF SAGUACHE )

I hereby certify that this instrument was filed in my office at \_\_\_\_\_ O'clock \_\_.m. this \_\_\_\_\_ day  
of \_\_\_\_\_, A.D. 20\_\_\_\_, and is duly recorded at Reception No. \_\_\_\_\_.

Fees \$\_\_\_\_\_ paid

\_\_\_\_\_  
RECORDER

\_\_\_\_\_  
DEPUTY