

## SECTION 22

### PARCEL LINE/BOUNDARY ADJUSTMENTS AND ELIMINATION OF PARCEL(S)

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#### 22.1 **PURPOSE:**

The purpose of this section is to provide an expedited process for property owners to apply for, and receive approval of, a parcel line or boundary adjustment to change or vacate parcel lines between existing parcels not within a PUD or subdivision approved by the County and recorded in the County Clerk and Recorder's Office.

#### 22.2 **REQUIREMENTS:**

Boundaries between parcels may be altered or removed by this process, providing that:

- A. The adjustment creates not more than the original number of parcels.
- B. The purpose or effect of the parcel line/boundary adjustment is not the creation of an additional parcel.
- C. When altering the boundary of conforming parcels, the resulting parcels shall remain in conformity to the requirements of this Code.
- D. When altering the boundary of nonconforming parcels, the resulting parcels shall not increase the overall total nonconformity.
- E. The parcel line/boundary adjustment shall not create any new non-conformity.
- F. If the parcel line/boundary adjustment results in the elimination of a parcel, any density associated with the eliminated parcel shall also be eliminated, subject to future land use approvals.

#### 22.3 **APPLICATION SUBMITTAL:**

All applications for parcel line/boundary adjustments shall include the following:

- A. Completed application form and fee.
- B. Signature of all affected property owners or signed Agent Authorization Form.
- C. Narrative explaining purpose and description of the proposal.
- D. Copy of preliminary title report. (not less than 90-days old)
- E. Letter from all applicable utility companies, approving the proposal.
- F. Site plan showing all existing structures, ditches, roads, and any known easements.
- G. Map prepared by a Colorado Licensed Land Surveyor showing the existing and proposed parcel configuration and improvements (*to be recorded upon approval*).
- H. Copy of notification by certified mail of pending request for parcel line/boundary adjustment to the appropriate homeowners association (*if applicable*).

## 22.4 **PROCESS:**

- A. Applicant shall submit a complete application (paper and electronic) with the associated fee.
- B. Once the parcel line/boundary adjustment application has been accepted as complete, Staff shall set a date for review of the application by the Board of County Commissioners. Notice of the pending review by the BOCC shall be stated in the published agenda for the meeting. The Board of County Commissioners may grant approval of a request for a parcel line/boundary adjustment only upon a finding that all criteria listed in Section A has been met.
- C. If the application is approved, the applicant shall present to the Board of County Commissioners for signature, an improvement survey plat, prepared by a licensed surveyor, locating all improvements on each affected parcel, within 14-days from the date of the approval by the BOCC. The 24" x 36" mylar plat shall include at least the following:
  - (1) Title approved by Staff
  - (2) Legal description of the parcels affected
  - (3) Vicinity map
  - (4) Signature block for the chair of the Board of County Commissioners
  - (5) Signature and seal of the applicant's land surveyor
  - (6) Certificate to be signed and acknowledged by all parties having record title interest in the subject parcels, consenting to the preparation and recordation of the plat
  - (7) Signature block for the Ouray County Treasurer certifying that there are no delinquent taxes due or tax liens against the property.
  - (8) Attorney's (*for the applicant*) certification that title to the property has been examined and that all record owners and holders of encumbrances affecting the parcels have properly executed the plat.
  - (9) Signature block for all holders of encumbrances against the property included on the plat certifying consent to the parcel line/boundary adjustment.
  - (10) Acceptance block for the Ouray County Clerk and Recorder to record the plat.
- D. The Applicant shall record the executed plat with the Ouray County Clerk and Recorder's Office within 7 days from the date of the Board's signature.