

Guide to Lot Line or Easement Vacations

INTRODUCTION

The Douglas County Department of Community Development (DCD) is committed to providing open, transparent application processes to the public. This Guide is provided to assist anyone interested in the procedures and expectations involved in removing a lot line or easement through an administrative review process. The information in this packet is a summary of Article 7A, Section 705A of the Douglas County Subdivision Resolution (DCSR).

WHAT IS A LOT LINE OR EASEMENT VACATION?

A lot line or easement vacation is a replat of an existing platted area. This type of replat may be processed administratively under the conditions specified in Section 705A of the DCSR.

WHEN IS A LOT LINE OR EASEMENT VACATION NECESSARY?

The lot line or easement vacation process is necessary for anyone proposing to remove a lot line, tract line, or easement on their property. In order to vacate a lot line there cannot be an increase in the number of lots. To vacate an easement, all easements must be part of the plat and not restricted by a plat note.

Dotted line is the platted line that was removed to combine the two lots into one.



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Steps 1-2 of the Lot Line or Easement Vacation Process

Presubmittal Review

STEP

1

COUNTY STAFF'S GOAL FOR COMPLETION: 3 DAYS

The presubmittal review is the initial review of a proposal to identify potentially significant issues and submittal requirements. While Planning Services staff strives to identify critical issues at presubmittal, additional issues may be identified during the formal application review and referral process.

A streamlined presubmittal review process is available for an administrative lot line or easement vacation. The applicant may drop-off, mail-in, or e-mail the required presubmittal materials. The proposal will be discussed among staff once received. Written comments from the presubmittal review are typically provided to the applicant within two days. Presubmittal comments are valid for one year from the date of the presubmittal review.

Submittal

COUNTY STAFF'S GOAL FOR COMPLETION: 2 DAYS

Following the presubmittal review, the applicant may submit a formal application to Planning Services. A planning technician reviews the application submittal to ensure that all required items have been included. Once all materials are provided, a planner is assigned to the project.

Submittal Checklist (summarized from Article 7A, Section 705A of the Douglas County Subdivision Resolution - DCSR)

- Presubmittal review
- Completed Land Use Application form
- Written narrative describing the request
- Application fee
- Copy of a title policy or commitment
- Notarized letter from the landowner authorizing a representative to process the application, if applicable
- Stamped envelopes addressed to abutting landowners for courtesy notices
- Lot line or easement vacation exhibit
- Vicinity map of project and surrounding areas
- Letters from:
 - All special districts providing service to the lots
 - All known easement beneficiaries, if applicable

STEP

2

If the lots can be marked clearly on an 8.5" x 11" sheet of paper, the exhibit (see example on page 5) should include:

- Title centered across the top of the page to reflect the request, such as "Lot Line Vacation Exhibit," followed by a legal description of the properties (recorded lot numbers and subdivision name), section, township, range of the property, and Douglas County, Colorado
- Reproduction of the platted lots, showing the lot line(s) vacated and the new lot number, or a reproduction of the platted lots showing the easement(s) vacated
- North arrow
- Written and graphic scale
- A 1.5" top margin, 1" side and bottom margin
- Preparation date and dates of revisions, if applicable
- Label the lot lines or easements to be removed with "Lot Line Hereby Vacated" or by type of easement, such as "8' Utility Easement Hereby Vacated"
- The existing lot number and acreage will change with the vacation of a lot line and should be shown on the lot
- The new lot number and new acreage should be shown on the lot in bold print

If there are numerous lots that cannot clearly be shown on an 8.5" x 11" piece of paper, then a 24" x 36" exhibit is required. The 24" x 36" exhibit (see example on page 6) should include:

- Title block should be centered across the top of the long dimension of each sheet and should be identical to the previously recorded plat, followed by the next consecutive amendment number
- The subtitle should include a brief description of the request, section, township, and range of the property, total acreage, total number of lots, and Planning Services project file number
- Title verification certificate (Article 803 of the DCSR)
- Clerk and Recorder certificate (Article 809 of the DCSR)
- Signature and notary blocks for the owner(s) and lender(s) of all property involved, stating: "The undersigned, being the owner(s) of the land described hereon, and the beneficiaries of any deeds of trust encumbering that land, hereby consent(s) to the lot line vacation" OR "The undersigned, being the owner(s) of the land described hereon, and there being no beneficiaries of any deeds of trust encumbering that land, hereby consent(s) to this lot line vacation"
- Reproduction of the platted lots, showing the lot line(s) vacated and the new lot number, or a reproduction of the platted lots showing the easement(s) vacated

(continued on page 3)

Steps 2-6 of the Lot Line or Easement Vacation Process

Submittal *continued*

- Vicinity map of project and surrounding area
- North arrow
- Written and graphic scale
- A 1" margin on all sides
- Preparation date and dates of revisions, if applicable
- Label the lot lines or easements to be removed with "Lot Line Hereby Vacated," or by type of easement, such as "8' Utility Easement Hereby Vacated"
- The existing lot number and acreage will change with the vacation of a lot line and should be shown on the lot
- The new lot number and new acreage should be shown on the lot in bold
- Approval Certificate (see written example on page 7)

STEP

2

continued

Pre-Referral Review

COUNTY STAFF'S GOAL FOR COMPLETION: 5 DAYS

Planning Services and Public Works Engineering staff perform a completeness review to identify any additional information that may be required and comments on any obvious conflicts.

The planner reviews the submittal to ensure compliance with Douglas County's Comprehensive Master Plan, DCSR, and Douglas County Zoning Resolution (DCZR). If applicable, the planner reviews the request against any Planned Development (PD) requirements and verifies that PD commitments are satisfactorily addressed.

STEP

3

Applicant Revision

APPLICANT'S AVERAGE: 5 DAYS

The applicant reviews the pre-referral letter provided by staff and updates the exhibit. It is the applicant's responsibility to provide any additional exhibits, plans, studies or fees requested by staff in order to proceed with the referral. A prompt resubmittal addressing all staff comments will help achieve a speedy process.

STEP

4

Prepare the Approval Certificate

COUNTY STAFF'S GOAL FOR COMPLETION: 5 DAYS

The exhibit and vicinity map may be submitted in one of two sizes, which affect the preparation of the Certificate, title block, and the resulting legal description of the property. Staff prepares the Approval Certificate for requests shown on an 8.5" x 11" exhibit.

STEP

5

Referral Period and Courtesy Notification

REFERRAL PERIOD: 14 DAYS

The planner prepares a Referral Response Request form and includes it with the Approval Certificate, vicinity map, and exhibit, and distributes the referral packets to necessary referral agencies. The referral period provides an opportunity for various agencies and other County departments to comment on the application.

The planner forwards referral comments to the applicant as they are received so the applicant can immediately can begin addressing comments directly with the referral agencies. The planner assists in facilitating meetings or discussions between the applicant and referral agencies, as necessary.

Concurrent with the distribution of referral packets, the planner prepares and mails courtesy notices to abutting landowner(s) that states the application is in process.

STEP

6

Steps 7-10 of the Lot Line or Easement Vacation Process

Post Referral Review

**STEP
7**

COUNTY STAFF'S GOAL FOR COMPLETION: 5 DAYS

The planner ensures all referral responses have been forwarded to the applicant. Following the referral period, the planner provides a post-referral letter to the applicant summarizing any outstanding comments from Planning Services staff and referral agencies that the applicant must address. The applicant is encouraged to meet with the planner and referral agencies to discuss any comments or questions.

If there are no outstanding issues or comments to address, the planner will send the complete Approval Certificate to the applicant to obtain all necessary signatures.

Applicant Revision and Response

**STEP
8**

APPLICANT'S AVERAGE: 23 DAYS

The applicant reviews the post-referral letter provided by staff and makes all necessary revisions to the plan exhibit. The applicant addresses the comments of all referral agencies by identifying, in writing, the extent to which the project has been revised in response to the comments.

If there are no outstanding issues or comments to address, the applicant will obtain all of the signatures needed on the Approval Certificate, or final 24" x 36" mylar exhibit, whichever is being processed.

The applicant shall submit the completed Approval Certificate or final 24" x 36" mylar exhibit, with original, notarized signatures, and any recording fees, to Planning Services for approval. There is no recording fee for the 8.5" x 11" Certificate with exhibit and vicinity map. There is a recording fee for the final 24" x 36" mylar exhibit.

Approval

**STEP
9**

COUNTY STAFF'S GOAL FOR COMPLETION: 3 DAYS

The planner reviews the fully signed Certificate, or final 24" x 36" mylar exhibit, to ensure all necessary signatures are provided. Once verified, the planner presents the request to the Director of Community Development for approval.

Recordation

**STEP
10**

COUNTY STAFF'S GOAL FOR COMPLETION: 3 DAYS

The planner will record the approved Certificate, or 24" x 36" mylar exhibit, at the Clerk and Recorder's Office.

A copy of the recorded Certificate will be provided to the applicant.

LOT LINE VACATION FEES

Administrative Replat or Lot Line Vacation*	\$260
Recordation Fees**	
• 24" x 36"	\$10 per page + State Fee
• State Fee	\$1 per document

* Make checks payable to Douglas County

** Make checks payable to Douglas County Clerk & Recorder
Depending on the project, additional fees may apply

Sample Lot Line or Easement Vacation Exhibit - 8.5" x 11"

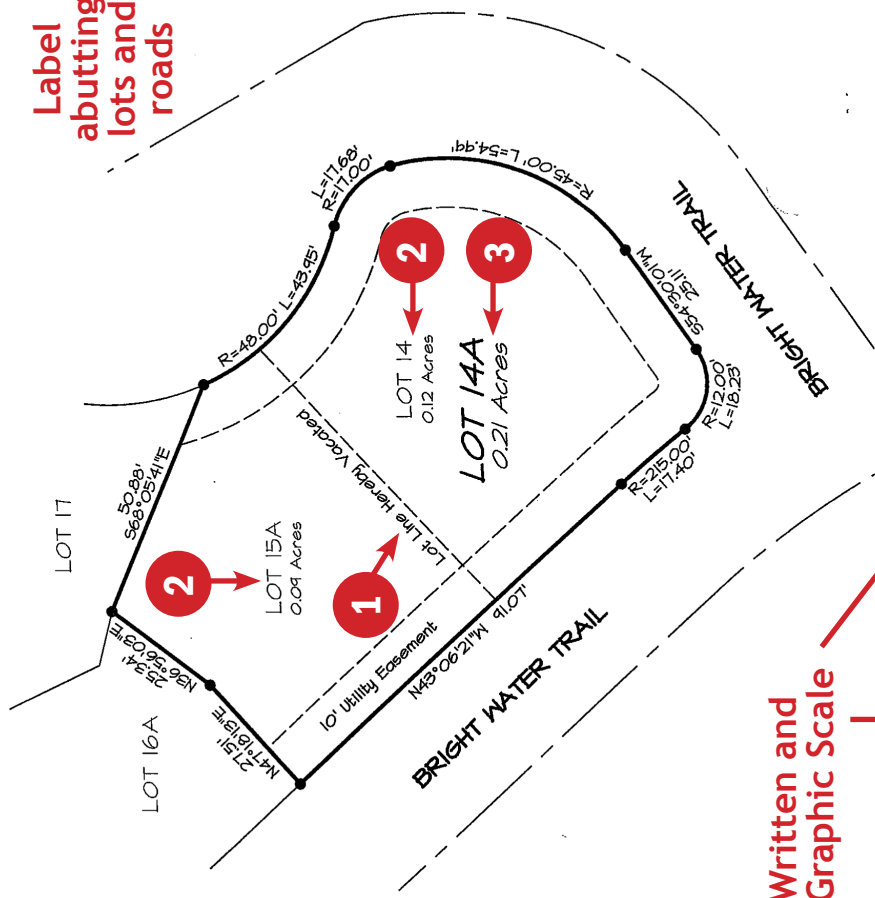
1.5" Minimum Margins
 1" Minimum Margins

Legal Description

Title

LOT LINE VACATION EXHIBIT
LOTS 14 & 15A
ROXBOROUGH DOWNS FILING NO. 2, SECOND AMENDMENT
SEC. 11, T7S, R69W, 6TH P.M.,
DOUGLAS COUNTY, COLORADO

Label abutting lots and roads



Written and Graphic Scale



SCALE: 1"=30'
DATE: 8-14-04
REVISIONS

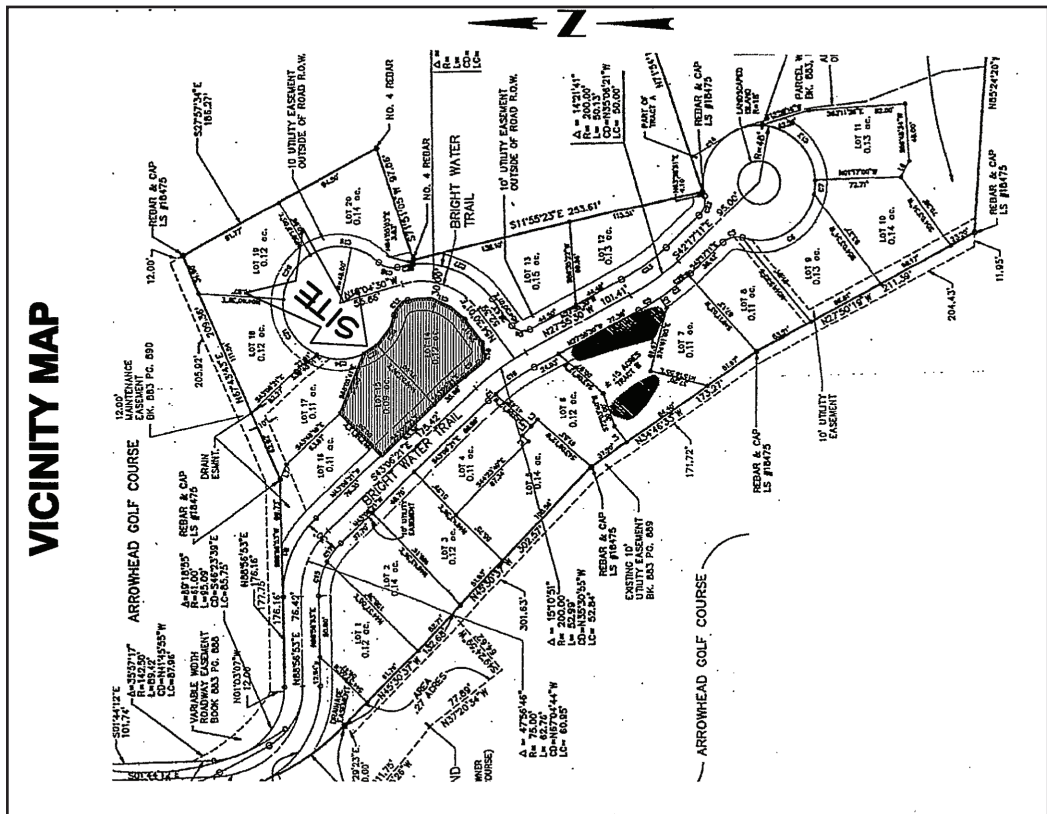
6:\Drawings\2004\04-0288\EXHIBIT.pro
 Mod Aug 14 10:45:22 2004 Job No. 09-0288

Preparation Information

Minimum Margins

North Arrow

VICINITY MAP



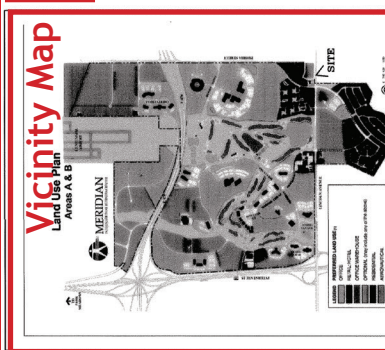
- 1 - Lot lines and easements to be deleted should be shown in faded or screened print - label the lot lines or easements to be removed with "Lot Line Hereby Vacated" or by type of easement, such as "8' Utility Easement Hereby Vacated"
- 2 - The existing lot number and acreage will change with the adjustment of a lot line and should be shown on the lot in faded print
- 3 - The new lot number and new acreage should be shown on the lot in bold print

Sample Lot Line or Easement Vacation Exhibit - 24" x 36"

Minimum Margins
1"

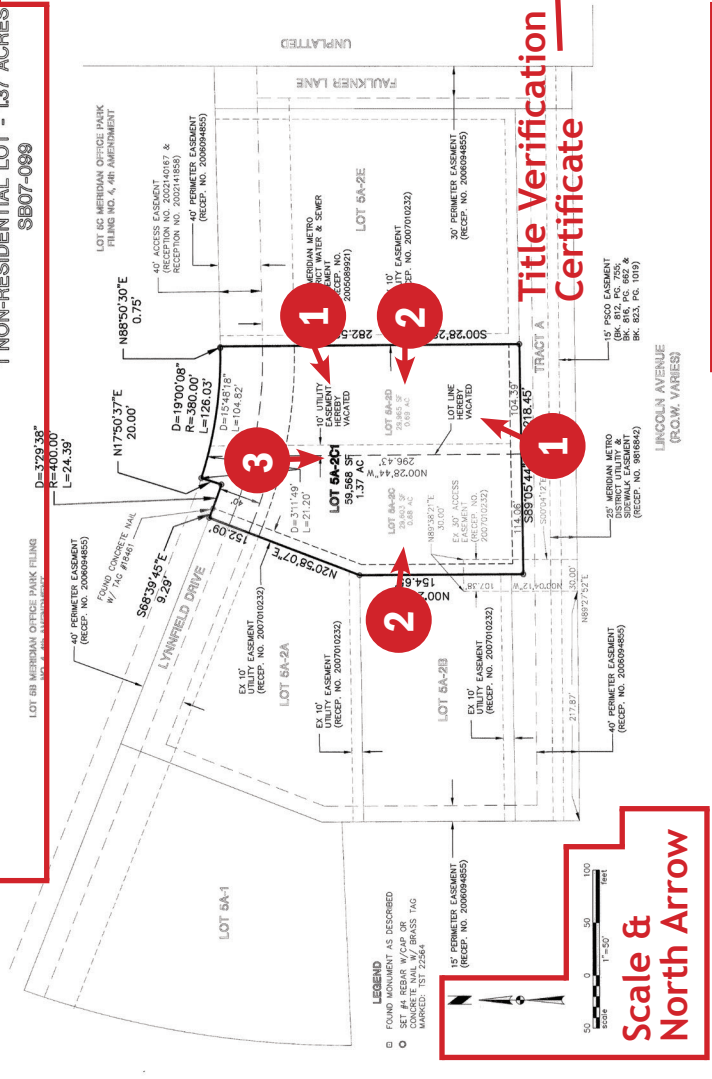
Title Block → **Meridian Office Park, Filing No. 4, 9th Amendment**
 AN ADMINISTRATIVE LOT LINE VACATION OF LOTS 5A-2C & 5A-2D, MERIDIAN OFFICE PARK, FILING NO. 4, 8TH AMENDMENT, PLANNING AREA A
 A PORTION OF THE SW 1/4 OF SECTION 12, TOWNSHIP 6 SOUTH, RANGE 87 WEST OF THE 6TH P.M.
 COUNTY OF DOUGLAS, STATE OF COLORADO
 1 NON-RESIDENTIAL LOT - 137 ACRES
 SB07-089

LEGAL DESCRIPTION
 WHEREAS, the owner of the land described herein, hereby conveys to this title and easement vacant:
 Owner: (Lots 5A-2C and 5A-2D)
 P & L Investments, L.C. A Colorado Limited Liability Company
 BY: *[Signature]*
 TITLE: **Owner's Signature**
 STATE OF COLORADO)
 COUNTY OF DOUGLAS)
 APPROVED BEFORE ME THIS 15th DAY OF December 2007
 INVESTMENTS, A COLORADO LIMITED LIABILITY COMPANY
 My commission expires 12/31/2010
 Witness my hand and official seal
 Notary Public
Notary Signature
Notary Block



BOARD OF COUNTY COMMISSIONERS APPROVAL CERTIFICATE
 WHEREAS, Lots 5A-2C and 5A-2D were platted as separate lots as shown on Plat Filing No. 4, 8th Amendment at Reception No. 2007010322, and
 WHEREAS, the lot owner desires to vacate the common lot line and 10 foot utility easement between Lots 5A-2C and 5A-2D resulting in one lot renamed Lot 5A-2C1, Meridian Office Park Filing No. 4, 8th Amendment as shown on record; and
 WHEREAS, the known beneficiaries of the utility easement were notified, and responded as follows:
 XCEL - No Objection
 Meridian Metro - No Objection
 WHEREAS, the Meridian Metropolitan District and Southeast Public Utilities District have been notified and have no objections to the lot line/easement vacation; and
 WHEREAS, Lots 5A-2C and 5A-2D, Meridian Office Park Filing No. 4, 8th Amendment, is amended by this plat subject to all covenants, conditions, and restrictions recorded against and appurtenant to the original plat and recorded on Reception No. 2007010322.
 NOW, THEREFORE, IT IS HEREBY ORDERED that
 The common lot line and 10 foot utility easement between Lots 5A-2C and 5A-2D, Meridian Office Park Filing No. 4, 8th Amendment,
 The legal description is to be used for all conveyances/trusts of this property.
 APPROVED BY: *[Signature]* Clerk
 BOARD OF COUNTY COMMISSIONERS
 COUNTY OF DOUGLAS
 By: *[Signature]* Assistant Director, Planning and Zoning Services

Clerk and Recorder's Certificate
 STATE OF COLORADO
 COUNTY OF DOUGLAS
 I HEREBY CERTIFY THAT THIS PLAT WAS FILED IN MY OFFICE ON THIS 20th DAY OF December, 2007, A.D., AT 2:15 P.M.
 AND WAS RECORDED AT RECEPTION NO. 2007010319
 Clerk
 Recorder
 MERIDIAN OFFICE PARK, FILING NO. 4, 9TH AMENDMENT
 PREPARATION DATE: 11-15-07
 SHEET 1 OF 1



Surveyor's Certificate
 I, THE UNDERSIGNED, REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS PLAT, TRACT, AND CORRECTLY REPRESENTS THE RESULTS OF A SURVEY MADE ON APRIL 11, 2007, FOR THE PURPOSE OF VACATING THE COMMON LOT LINE AND 10 FOOT UTILITY EASEMENT BETWEEN LOTS 5A-2C AND 5A-2D, MERIDIAN OFFICE PARK, FILING NO. 4, 8TH AMENDMENT, PLANNING AREA A, A PORTION OF THE SW 1/4 OF SECTION 12, TOWNSHIP 6 SOUTH, RANGE 87 WEST OF THE 6TH P.M., COUNTY OF DOUGLAS, STATE OF COLORADO. THAT MATHEMATICAL CALCULATIONS ARE LESS THAN 1/1000 OF AN INCH. THAT THE SURVEY WAS PREPARED IN FULL COMPLIANCE WITH ALL APPLICABLE LAWS OF THE STATE OF COLORADO DEALING WITH MONUMENTS, SUBDIVISIONS OR SURVEYING OF LAND. THAT THE SURVEY IS IN ACCORDANCE WITH THE PROFESSIONAL STANDARDS OF THE SURVEYING PROFESSION OF THE STATE OF COLORADO.
 I ATTEST THE ABOVE ON THIS 15th DAY OF December, 2007.
[Signature]
 MICHAEL C. CREAGER
 REGISTERED PROFESSIONAL LAND SURVEYOR
 COLORADO REGISTRATION NO. 22584
 NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON. IF YOU COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY, BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
 DEVELOPER/APPLICANT: P & L INVESTMENTS, L.C. 270 ST. PAUL ST., 8000 DENVER, CO 80206
 CONSULTING ENGINEERS: ISI 13711 PARK ST., 8000 DENVER, CO 80204

Preparation Information
 1 - Lot lines and easements to be deleted should be shown in faded or screened print - label the lot lines or easements to be removed with "Lot Line Hereby Vacated" or by type of easement, such as "8' Utility Easement Hereby Vacated"
 2 - The existing lot number and acreage will change with the vacation of a lot line and should be shown on the lot in faded print
 3 - The new lot number and new acreage should be shown on the lot in bold print
 4 - Approval Certificate

Lot Line or Easement Vacation Approval Certificate - 24" x 36"

This Certificate is to be placed on 24" x 36" plan exhibits only. The 8.5" x 11" Certificate is prepared by staff.

LOT LINE VACATION APPROVAL CERTIFICATE

WHEREAS, Lots ___ and ___ were platted as separate lots as shown on _____, recorded at Reception Number _____; and

WHEREAS, the lot owner(s) desire(s) to vacate the common lot line between Lots ___ and ___, and the ___' utility easement on either side of the common lot line (if applicable), thereby combining Lot ___ and Lot ___, resulting in one lot renamed Lot ___, _____, as shown hereon; and

WHEREAS, no utility easements will be affected as a result of this lot line vacation; and

OR

WHEREAS, the known beneficiaries of the utility easement were notified, and responded as follows:

List gas service provider and their response

List electric service provider and their response

List phone service provider and their response

List cable service provider (if applicable) and their response; and

WHEREAS, the _____ Homeowners' Association and the _____ Metropolitan District (if applicable) were notified and have no objection to the lot line vacation.

WHEREAS, Lots ___ and ___, _____ are amended by this plat subject to all covenants, conditions, and restrictions recorded against and appurtenant to the original plat recorded in the Office of the Douglas County Clerk and Recorder, Reception No. _____.

NOW, THEREFORE, IT IS HEREBY ORDERED that:

The common lot line between Lot ___ and Lot ___, and the ___' utility easement on either side of the common lot line (if applicable), is hereby vacated resulting in the creation of Lot ___, _____, as shown hereon.

This legal description is to be used for all conveyances or transfers of this property.

APPROVED this ___ day of _____, 20__.

BOARD OF COUNTY COMMISSIONERS
of the COUNTY of DOUGLAS

By: _____
Director of Community Development