

Guide to Lot Line or Easement Adjustments

INTRODUCTION

The Douglas County Department of Community Development 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 adjusting 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 ADJUSTMENT?

A lot line or easement adjustment is a replat of an existing platted area. This type of replat may be processed administratively under the conditions specified in Article 706A of the DCSR.

WHEN IS A LOT LINE OR EASEMENT ADJUSTMENT NECESSARY?

The lot line or easement adjustment process is necessary for anyone proposing to replat several lots, tracts or easements without creating additional lots and without substantially modifying the original subdivision. Tracts may be created as long as the intended use of the tract(s) does not include a structure.

Adjusting boundary lines between subdivisions, or platted land with unplatted land may also be approved by the Director as long as: additional lots are not created; the subdivision design is not significantly altered; and the intent is not to avoid the subdivision process. Zoning is not changed as a result of this action.

Dashed line indicates previous lot line



Solid line indicates the lot line adjustment

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Steps 1-3 of the Lot Line or Easement Adjustment Process

Presubmittal Review

STEP 1

COUNTY STAFF'S GOAL FOR COMPLETION: 7 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 adjustment. The applicant may request a presubmittal review by calling 303-660-7460. 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 706A of the DCSR)

- Presubmittal review
- Completed Land Use Application
- 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 adjustment 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 are within the same subdivision and filing, and 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 Adjustment 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
- Certified boundary survey of the lots prepared by a professional land surveyor, showing the existing and proposed lot or easement configuration including distances and bearings
- 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"
- Label the proposed lot lines or reconfiguration of existing easements, if applicable, with "Lot Line Hereby Granted" or by type of easement such as "8' Utility Easement Hereby Granted"
- The existing lot number and acreage will change with the adjustment 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 the lots are next to each other but not within the same subdivision, or 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 page 6) should include:

- Title block should be centered along 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)
- Surveyor certificate (Article 805 of the DCSR)
- Clerk and Recorder certificate (Article 809 of the DCSR)

(continued on page 3)

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

Submittal *continued*

- Signature and notary blocks for 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 adjustment” 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 adjustment”
- Certified boundary survey of the lots prepared by a professional land surveyor, showing the existing and proposed lots or easement configuration with distances and bearings
- Vicinity map of project and surrounding areas
- 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”
- Label the proposed lot lines or reconfiguration of existing easements, if applicable, with “Lot Line Hereby Granted” or by type of easement such as “8’ Utility Easement Hereby Granted”
- The existing lot number and acreage will change with the adjustment 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: 21 DAYS

The planner prepares a Referral Response Request form and includes it with the Approval Certificate, vicinity map, and exhibit. The packet is distributed to the 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 that the applicant can immediately begin addressing comments directly with the referral agencies. The planner assists in facilitating meetings or discussions between the applicant and referral agencies, as necessary.

STEP
6

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

Steps 7-10 of the Lot Line or Easement Adjustment 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 to address, the planner will send the complete Approval Certificate to the applicant to obtain all necessary signatures.

Deeds will be requested at this time if two or more property owners are involved. Deeds must be prepared for the new lots, when a conveyance is part of the process. For example, part of Lot 1 is conveyed to the owner of Lot 2 and becomes part of the new Lot 2A. If all land is under a single owner, the new deeds may be deferred until a lot is conveyed to a new owner.

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 signatures needed on the Approval Certificate, or final 24" x 36" mylar exhibit, whichever is being processed. The applicant will also prepare quitclaim deeds and obtain the necessary signatures.

The applicant submits the completed Approval Certificate, or final 24" x 36" mylar exhibit, quitclaim deeds (if applicable), 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 a 24" x 36" mylar exhibit and for all deeds.

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, and quitclaim deeds (if applicable) to ensure all necessary signatures and format of deeds are correct. 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 final 24" x 36" mylar exhibit, and deeds (if applicable), at the Clerk and Recorder's Office.

A copy of the recorded Certificate and deeds (if applicable) will be provided to the applicant.

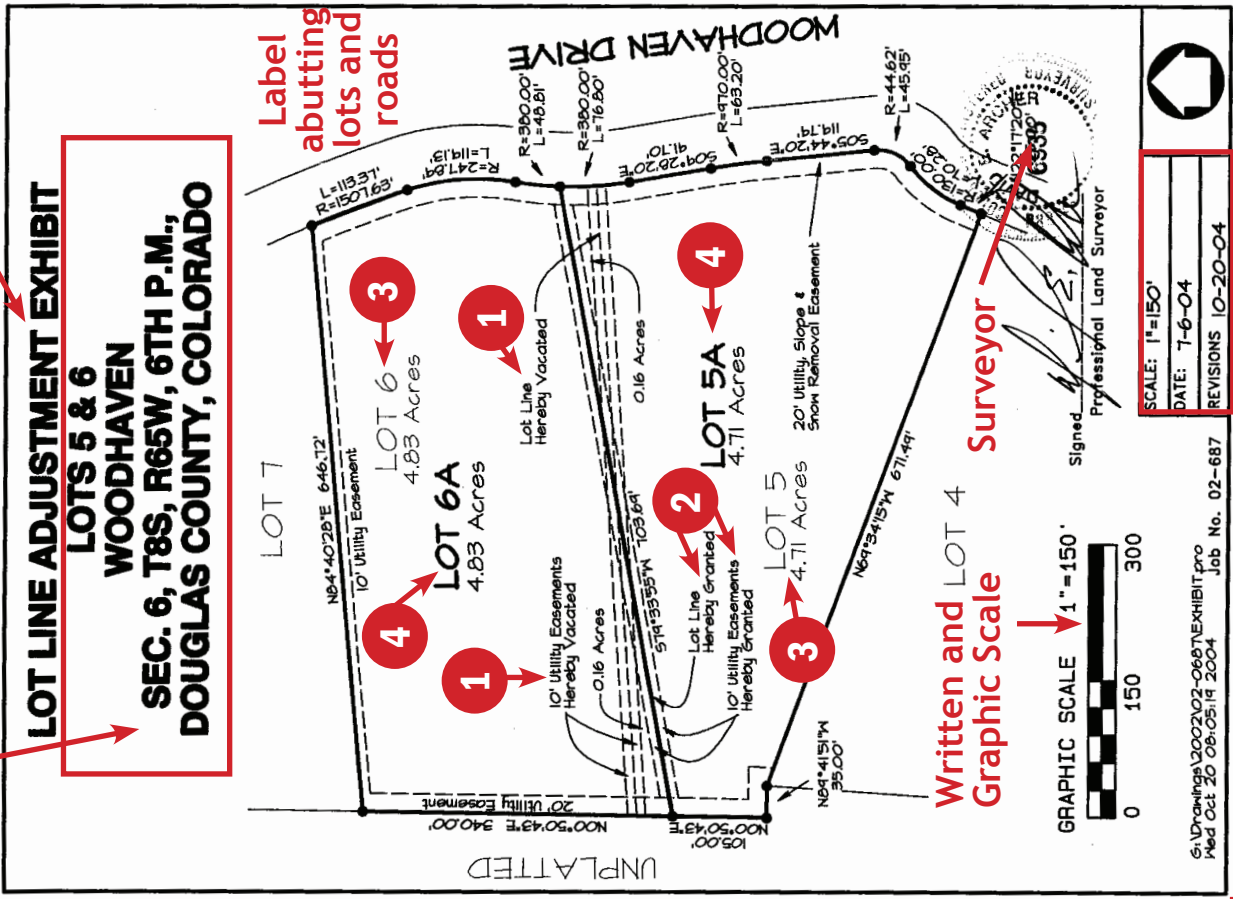
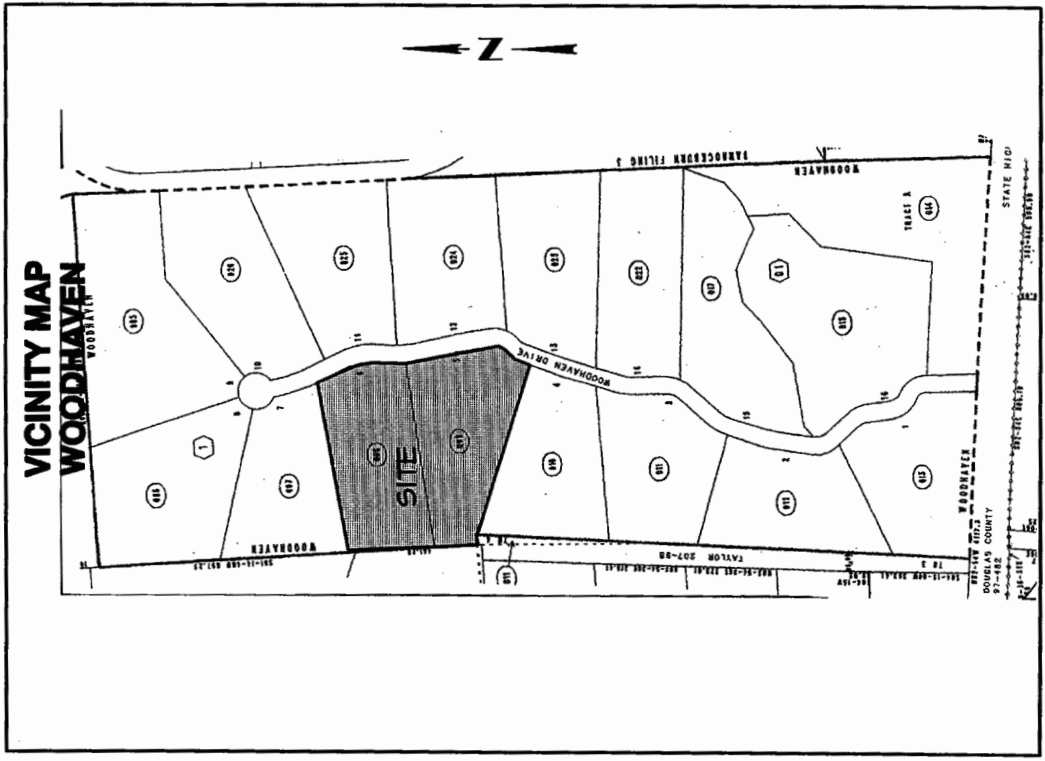
LOT LINE AND/OR EASEMENT ADJUSTMENT FEES

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

* 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 Adjustment Exhibit - 8.5" x 11"

Minimum Margins 1.5" 1" Legal Description Title



Minimum Margins 1" 1" Preparation Information North Arrow

- 1 - 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 - Label the proposed lot lines or reconfiguration of existing easements, if applicable, with "Lot Line Hereby Granted" or by type of easement such as "8' Utility Easement Hereby Granted"
- 3 - The existing lot number and acreage will change with the adjustment of a lot line and should be shown on the lot
- 4 - Label the new lot number and new acreage on the lot in bold print

Lot Line Easement Adjustment 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 ADJUSTMENT APPROVAL CERTIFICATE

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

WHEREAS, the lot owner(s) desire(s) to amend the common lot line between Lots ___ and ___, and the ___' utility easement on either side of the common lot line (if applicable), as shown hereon; and

WHEREAS, no utility easements will be affected as a result of this adjustment; 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 and their response

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

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), be vacated and replatted resulting in the creation of Lot ___ and Lot ___, _____, as shown hereon.

These legal descriptions are to be used for all conveyances or transfers of these properties.

Revised deed(s) for the lot(s) were recorded at the Clerk and Records Office on the ___ day of _____, 20__, at Reception #_____ and #_____.

APPROVED this ___ day of _____, 20__.

BOARD OF COUNTY COMMISSIONERS
of the COUNTY of DOUGLAS

By: _____
Director of Community Development