



**Plat Vacation
Recorded Exemptions & Subdivision Exemptions**

Department of Planning Services
1402 N. 17th Avenue, P.O. Box 758, Greeley, CO 80632
www.weld.gov | 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.
- _____ Deed or legal instrument identifying the applicant's interest in the property.
- _____ Draft exemption vacation plat meeting the following requirements:
 - _____ The Planner shall provide the applicant or their surveyor the title to include on the vacation plat.
 - _____ The vacation plat shall be prepared by a registered professional land surveyor in the State of Colorado and contain a complete and accurate metes and bounds or aliquot legal description of the lot(s) to be vacated.
 - _____ The vacated lot(s) shall be labeled, "VACATED ON [DATE] BY RESOLUTION [#] OF THE BOARD OF COUNTY COMMISSIONERS OF WELD COUNTY".
 - _____ In the case of a partial vacation, non-vacated lots shall be labeled "NOT A PART" along with their legal description.
 - _____ The vacation plat shall include the certificates found in Appendix 24-G of the Weld County Code. (See below. Do not sign until the plat is approved.)
 - _____ The scale of the vacation plat shall be 1" = 100'.
 - _____ Existing easements not vacated shall be shown and labeled with recording information of the creating document. An easement created by dedication on the original exemption plat and not vacated shall be rededicated on the vacation plat in the signed Property Owner's Certificate.
 - _____ The plat shall include the recording information for the original exemption plat.

Property Owner's Certificate

I (We), the undersigned, being the sole owner(s) in fee of the property described and shown hereon, by and through the vacation action taken by the Board of County Commissioners of Weld County to now be recognized as an unplatted tract of land, do hereby acknowledge and understand that any existing easements are not affected by the vacation unless indicated as "vacated by this plat" hereon. Any easement created by the original land division plat that is not shown as vacated on the accompanying map hereon is hereby rededicated as shown hereon. Road rights-of-way are not affected by this vacation.

(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.]

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

Surveyor's Certificate

I, _____, a Registered Professional Land Surveyor in the State of Colorado, do hereby certify that the survey represented by the plat was made under my personal supervision, and that this plat is an accurate representation thereof. I further certify that the survey and this plat comply with all applicable rules, regulations, and laws of the State of Colorado, State Board of Registration for Professional Engineers and Professional Land Surveyors, and Weld County.

By: _____
Registered Land Surveyor

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 lot or lots may be removed from an exemption plat, or an exemption plat may be completely vacated, in accordance with this Section 24-11-50.
- B. A complete or partial vacation of an exemption plat results in one (1) lot with a metes and bounds or aliquot legal description. No internal lot lines shall be shown on the vacation plat.
- C. Complete vacations shall include all lots created by the same exemption plat, excluding any lot(s) further subdivided by subsequent plat.
- D. A partial vacation may remove any lot of at least thirty-five (35) acres from an exemption plat. No lot smaller than thirty-five (35) acres shall be included in a partial vacation.
- E. Lots created by a plat approved by the County pursuant to Article X of this Chapter 24, Lot Line Adjustments, may be eligible for vacation if they were originally created by exemption plat.
- F. The vacation shall not be approved if it would cause any property to be left without access to a public road right-of-way as a result of the vacation.
- G. In the event any easement is to be vacated by the vacation, the Planner may require the applicant to provide evidence that the interests of the easement beneficiaries are protected. Such evidence may include, but is not limited to, signed and notarized consent of all beneficiaries of the easement to be vacated. Existing easements are not affected by a complete or partial vacation of an exemption plat except as indicated on the vacation plat. Any easement created by dedication on the original exemption plat and not vacated shall be rededicated on the exemption vacation plat in the signed Property Owner's Certificate. Road rights-of-way are not affected by a complete or partial vacation of an exemption plat.
- H. Submittal requirements. [See previous page.]
- I. Process.
 - 1. Once the Planner has determined the application is complete and in compliance with this Section 24-11-50, the Clerk to the Board shall draft a Board Resolution approving the vacation and place the resolution on the Board's Consent Agenda in accordance with Section 2-1-30 of this Code. For partial vacations, the Clerk to the Board shall notify via certified mail the owner of any lot that is a part of the original exemption plat but not included in the vacation. Such notice shall state that the item will be on the Consent Agenda and no public testimony shall be heard unless it is removed from the Consent Agenda and placed on the regular agenda by action of the Board.
 - 2. If the application is determined to be not in compliance with this Section 24-11-50 and the applicant has not corrected the deficiencies within sixty (60) days of being notified of the deficiencies by the Planner, the Clerk to the Board shall draft a Board resolution denying the vacation and request that the resolution be placed on the Board's regular agenda. The Planner shall notify the applicant at least ten (10) days prior to the hearing.
 - 3. Upon approval, the applicant shall submit a plat for recording, along with any other documentation required as conditions of approval, the recording fee, and a draft deed conveying the vacated property to the applicant. Such deed shall contain the metes and bounds or aliquot legal description from the plat. The plat shall be delineated in nonfading permanent black ink on Mylar measuring thirty-six (36) inches wide by twenty-four (24) inches high with original signatures and seals in permanent black ink. The plat shall be prepared, signed, and stamped by a registered professional land surveyor in the State of Colorado and signed by all owners of lots to be vacated. Upon completion of all conditions of approval, the plat shall be recorded in the office of the County Clerk and Recorder by the Department of Planning Services. The plat shall be recorded within ninety (90) days from the date of the resolution or the Planner shall schedule a public hearing before the Board of County Commissioners and request the applicant to appear and present evidence substantiating that the application has not been abandoned and that the applicant possesses the willingness and ability to record the plat. The Board may extend the date for recording the plat or revoke the approval and deny the application. The vacation is not effective until the vacation plat has been recorded in the office of the County Clerk and Recorder by the Department of Planning Services.

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

Plat Vacation Application Recorded Exemptions & Subdivision Exemptions

Planning Department Use: _____	Date Received: _____
Amount \$ _____	Case # Assigned: _____
Application Received By: _____	Planner Assigned: _____

Plat Information

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

☐ Complete Vacation (must include all lots)

☐ Partial Vacation (vacated lots must be over 35 acres each)

List of lots to be vacated:

Lot	Parcel Number	Acreage	Affected Easements
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Property Owner(s) *(Attach additional sheets if necessary.)*

Name: _____

Company: _____

Phone #: _____ Email: _____

Street Address: _____

City/State/Zip Code: _____

Applicant/Authorized Agent *(Authorization form 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, or 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 exemptions or subdivision exemptions.

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 and Development Review
1402 N 17th Avenue, P.O. Box 758
Greeley, CO 80632

Authorization Form

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

to apply for any **Planning, Building, Access or Grading** 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

To Whom it May Concern,

I/We _____
(Name of Property Owner)

are writing to request the (complete / partial) vacation of Lot _____ of _____
(Circle one) (Insert Lot Designation)

Recorded Exemption _____.
(Insert Recorded Exemption number)

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