



RECORDED EXEMPTION (RECX) SUBMITTAL CHECKLIST

DEPARTMENT OF PLANNING SERVICES * 1555 N. 17TH AVENUE * GREELEY, CO 80631
www.weldgov.com * 970-353-6100 EXT 3540 * FAX 970-304-6498

APPLICATION REQUIREMENTS:

- _____ Submit a Recorded Exemption application. The application must be signed by all persons on the deed, an authorized agent with a letter from the property owner(s) granting authorization, or if the property is owned by a corporation - documentation indicating that the person signing is authorized (officer of the corporation) to sign the application.
- _____ Submit a completed Recorded Exemption questionnaire.
- _____ Submit all the required documents on a CD or via email (.pdf).
- _____ Submit a 8-1/2" by 11" map that includes the following
 - ☐ North arrow
 - ☐ Estimated boundary of the properties
 - ☐ All existing and proposed lots (labeled with the approximate size in acres)
 - ☐ Easements and/or rights-of-way
 - ☐ Existing roads/highways abutting the property
 - ☐ All existing structures including: dwelling(s), mobile homes, outbuildings, pens, irrigation ditches, oil and gas well production facilities, or other unique characteristics
- _____ Submit a Weld County Access Permit Application Form, for each access on the property provide pictures (residential, agricultural, oil and gas, ditch, etc.), and fee (Note: fee is required for new and change of use access permits).
- _____ Submit the deed or legal instrument identifying the applicant's interest in the property.
- _____ Provide proof of water on site: Submit a letter from the water district, municipality, water bill, or a copy of the well permit(s) indicating existing service or availability of water service to each proposed lot. If using a well, please complete the attached Water Supply Information Summary form.
- _____ Provide proof of sewage disposal: Submit a copy the septic system permit(s) on each lot, a statement that septic will be provided for vacant lots only, or a letter from the sanitary sewer district indicating existing service or availability of sewage disposal to each lot.
- _____ Submit the Certificate of Conveyances including the cover letter and all attachments (deeds). Must be completed within thirty days of the application submission date or it will be void.
- _____ Submit a Statement of Taxes from the Weld County Treasurer showing no delinquent taxes exist for the original parcel.
- _____ Submit an Acreage Waiver form if this is a two or three lot split and the lot is eligible for a three or four lot split.
- _____ Application fee – see page 2

The applicant shall submit 1 packet containing one original of all of the above. Electronic submittals are also acceptable. The packet shall be bound with either paper clips or binder clips (no substitutes). Applications bound in any other fashion may be returned to the applicant without review.

Updated 7/2015

RECORDED EXEMPTION (RECX) PROCEDURAL GUIDE

APPLICATION TYPE	FEE	REVIEW BY STAFF*	PROCESSING TIME
2 Lot Recorded Exemption	\$1,000.00	Staff Review or Board of County Commissioners*	60 days
3 Lot Recorded Exemption	\$1,300.00	Staff Review or Board of County Commissioners*	60 days
4 Lot Recorded Exemption	\$1,600.00	Staff Review or Board of County Commissioners*	60 days
Plat recording fee	\$11.00 for the first page and \$10.00 for each additional page	Due with the final Mylar	7 days

* If the staff recommendation for the recorded exemption application is for denial a meeting before the Board of County Commissioners will be scheduled.

Fees are non-refundable and due at time of application submittal.

Fees are set by the Board of County Commissioners by Resolution and County Staff is not authorized to negotiate fees and cannot, under any circumstance, change, reduce, or amend the fees set forth in the Weld County Planning Fee Schedule.

PURPOSE

The purpose of this packet is to provide applicants with information regarding the Weld County Recorded Exemption application process. It is the responsibility of the applicant to be knowledgeable of the specific requirements of the Recorded Exemption application process. Specific requirements regarding Recorded Exemptions may be found in Chapter 24 of the Weld County Code. A copy of the Weld County Code is available online at www.weldgov.com

GENERAL INFORMATION

The recorded exemption is a subdivision process used to divide a lot (not located in an approved subdivision) into two, three, or four separate lots.

Per Section 24-8-70.A. of the Weld County Code; The Board of County Commissioners (Board) delegates the authority and responsibility for considering and approving exemptions to the Department of Planning Services (DPS) through an administrative review process. The DPS shall approve the request for a recorded exemption unless the DPS finds the applicant has not met the standards of Chapter 24, Article VIII of the Weld County Code. If the DPS determines that the applicant has not met the required standards, the request will be scheduled before the Board in a public hearing. The Board will consider the application and take final action on the recorded exemption request.

No lot which is part of an approved subdivision plat or any map or plan providing for lots or parcels of less than thirty-five acres filed in the records of the County Clerk and Recorder prior to adoption of any regulations controlling subdivisions, or part of any minor subdivision, shall be further divided or changed in any manner by the subdivision exemption procedure. Such platted lots may only be re-subdivided or changed by utilizing the applicable re-subdivision recorded process.

RECORDED EXEMPTION STANDARDS

A recorded exemption application shall comply with the standards listed in Section 24-8-20 of the Weld County Code. A copy of the Weld County Code is available online at www.weldgov.com.

The proposed recorded exemption application shall not be assigned a case number or be reviewed until all required items on the recorded exemption submittal checklist have been completed and submitted to the Department of Planning Services.

When a recorded exemption is approved by Weld County, a plat as described in Section 24-8-60 of the Weld County Code shall be prepared by a Colorado registered land surveyor and be submitted to the Department of Planning Services. One paper copy or one electronic copy of the recorded exemption plat shall be submitted and reviewed by the Department of Planning Services. Once the plat has been reviewed a final Mylar copy shall be submitted with all other necessary paperwork. The plat will be recorded by the Department of Planning Services in the office of the Weld County Clerk and Recorder. The applicant shall be responsible for paying the recording fee. No recorded exemption shall be considered complete nor shall lots be transferred until the plat has been recorded.

If a well is proposed as the source of water for the proposed lot(s), the applicant should be aware the quantity of water available for usage may be limited to specific uses, i.e, domestic use only, etc. Because each situation is unique, DPS encourages the applicant to contact the Office of the State Engineer, Division of Water Resources, to discuss your individual situation. The applicant should also be aware that groundwater may not meet all drinking water standards as defined by the Colorado Department of Public Health and Environment.

If the proposed access is via a state highway the applicant shall contact the Colorado Department of Transportation regarding the access permit(s).

CONTACT INFORMATION AND OFFICE LOCATIONS

Weld County Planning and Zoning

Planning

Engineering

Floodplain Administration

1555 N. 17th Avenue

Greeley CO 80631

(970) 353-6100, Ext. 3540

www.weldgov.com/Departments/PlanningZoning

Weld County Building Inspection

Building Permits

Department of Planning

1555 N. 17th Avenue

Greeley CO 80631

(970) 353-6100 x3540

www.weldgov.com/Departments/PlanningZoning

Division of Water Resources

Water Wells

1313 Sherman St

Room 818

Denver CO 80203

(303) 866-3581

810 Ninth St

Second Floor

Greeley CO 80631

(970) 352-8712

www.water.state.co.us

Well permitting information:

www.dwr.state.co.us/WellPermitSearch/default.aspx

Colorado Geological Survey

Division of Minerals and Geology

1313 Sherman Street

Room 715

Denver CO 80203

(303) 866-2611

www.coloradogeologicalsurvey.org

Weld County Department of Public Works

Access Permits

1111 H Street

Greeley CO 80631

(970) 356-4000 x3750

www.weldgov.com/Departments/PublicWorks

Colorado Dept. of Transportation

1420 Second Street

Greeley CO 80631

(970) 353-1232

www.coloradodot.info

Weld County Department of Public Health and Environment

Weld County Septic Permits

On Site Waste Water Systems (OWTS)

1555 N 17th Ave

Greeley CO 80631

(970) 304-6415

www.weldgov.com/Departments/HealthEnvironment

Soil Conservation Districts

Big Thompson (Fort Collins) - 970-493-1638

Boulder Valley (Longmont) - 303-776-4034

Centennial - 970-522-7440 x3

Fort Collins - 970-221-0611

Morgan - 970-867-9659 x3

Platte Valley (Brighton) - 303-857-6721

Southeast Weld (Brighton) - 303-659-7004 x101

West Adams (Brighton) - 303-659-2080

West Greeley - 970-356-8097 x3

www.cacd.us

ACREAGE WAIVER FORM

If the parcel is greater than 122 acres in size

_____ I have been informed by the Weld County Planning Department that the Recorded Exemption process requires inclusion of _____ [80/122] acres. I am aware that the inclusion of the entire _____ acre parcel into this Recorded Exemption is not necessary at this time. I understand that by including the entire _____ acre parcel into this Recorded Exemption, rather than doing a Recorded Exemption on the _____ [80/122] acre parcel, I waive my opportunity to further divide my property without utilizing the Recorded Exemption process.

_____ I have been informed that I am eligible to apply for a Subdivision Exemption in conjunction with this Recorded Exemption. I waive my opportunity to obtain an additional lot utilizing the Subdivision Exemption process. [Applicable if this is the first recorded exemption on the property and there is a second set of improvements on the parcel. Read other section of code for Subdivision Exemption eligibility prior to 1992.]

_____ I have been informed by the Weld County Planning Department that the Recorded Exemption process allows for _____ [three/four] lots. I am aware that this Recorded Exemption is for _____ [two/three] lots and that by not including the _____ [third/fourth] lot I waive my opportunity to create additional lots until such time that I may be eligible again to further divide my property by utilizing the Recorded Exemption process of the Weld County Code.

Signatures of all fee owners of property must sign this application or if an Authorized Agent signs, a letter of authorization from all fee owners must be included with the application. If a corporation is the fee owner, notarized evidence must be included showing the signatory has the legal authority to sign for the corporation.

Signature: Owner or Authorized Agent

Date

Signature: Owner or Authorized Agent

Date

Print: Owner or Authorized Agent

Print: Owner or Authorized Agent

The foregoing instrument was subscribed and sworn to me this _____ day of _____,

WITNESS my hand and official seal.

My Commission Expires: _____

Notary



RECORDED EXEMPTION (RECX) APPLICATION

DEPARTMENT OF PLANNING SERVICES * 1555 N. 17TH AVENUE * GREELEY, CO 80631
www.weldgov.com * 970-353-6100 EXT 3540 * FAX 970-304-6498

FOR PLANNING DEPARTMENT USE:

DATE RECEIVED: _____

AMOUNT \$ _____

CASE # ASSIGNED: _____

APPLICATION RECEIVED BY: _____

PLANNER ASSIGNED: _____

Parcel Number _____ - _____ - _____ - _____ - _____

(12 digit number - found on Tax I.D. information, obtainable at the Weld County Assessor's map found at www.weldgov.com)

Legal Description _____, Section ____, Township ____, North, Range ____, West

Has the property been divided from or had divided from it any property(ies) since August 30, 1972? YES ☐ NO ☐

Is the property located in a floodplain? YES ☐ NO ☐ Unknown ☐

Is the property located in a geohazard area? YES ☐ NO ☐ Unknown ☐

FEE OWNER(S) OF THE PROPERTY:

Name: _____

Company: _____

Phone #: _____ Email: _____

Address : _____

City/State/Zip Code: _____

FEE OWNER (cont.) or APPLICANT:

Name: _____

Company: _____

Phone #: _____ Email: _____

Address : _____

City/State/Zip Code: _____

AUTHORIZED AGENT*:

Name: _____

Company: _____

Phone #: _____ Email: _____

Address : _____

City/State/Zip Code: _____

**Authorization Form must accompany all applications signed by an Authorized Agent*

	Lot A smallest lot	Lot B	Lot C	Lot D
Proposed Use (i.e. Ag or Res)				
Proposed Acreage				
Address				

I (We) request that the above described property be designated a Recorded Exemption by the Weld County Board of County Commissioners. 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. Signatures of all fee owners of property must sign this application. If an Authorized Agent signs, a letter of authorization from all fee owners must be included with the application. If a corporation is the fee owner, notarized evidence must be included showing the signatory has the legal authority to sign for the corporation.

Signature: Owner or Authorized Agent

Date

Signature: Owner or Authorized Agent

Date

Print: Owner or Authorized Agent

Print: Owner or Authorized Agent

*If an Authorized Agent signs, a letter of authorization from all fee owners must be included with the application. If a corporation is the fee owner, notarized evidence must be included showing the signatory has to legal authority to sign for the corporation.

RECORDED EXEMPTION (RECX) QUESTIONNAIRE

++++ Please type or print your responses to the following questions below and use a separate sheet of paper if needed. +++++

1. Domestic/Potable water: Describe the water supply and provide evidence of sufficient quality, quantity and dependability for all lots. A letter from a water district, municipality, or a well permit is examples of evidence of domestic/potable water. If utilizing a drinking water well include either the well permit number and/or the well permit application that was submitted to the State. If sharing a well a shared well agreement is required. If on public water include a letter from the Water District, a tap or meter number, or a copy of the water bill. (Example - "Water will be provided by the 123 Water Company, a tap agreement has been purchased and a copy of the receipt is attached." or "Water will be provide by a well Well Permit # 12345 is attached." or "Water bill from XYZ Water Company is attached".)

Lot A Water Source	
Lot B Water Source	
Lot C Water Source	
Lot D Water Source	

2. Irrigation water: State the type and quantity of irrigation water to the site or when irrigation water has been removed from the site (Example - "Four (4) shares of ABC Ditch Company Water will remain with the site, a copy of the purchase agreement addressing this item is attached," or "The parcel was purchased with no water rights.")

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3. Adequate means for the disposal of sewage: If utilizing an existing septic system provide the septic permit number. If there is not a permit due to the age of the existing system, apply for a septic permit/documentation through the Department of Public Health and Environment prior to submitting this application. If a new septic system will be installed please state that a new septic system is proposed. A copy of the septic permit or a letter from the sewage disposal facility must accompany the application. (Example - "Sewer service will be provided by Anytown Sewer and a Commitment to Serve letter from Anytown is attached." or "A Septic system will be designed, constructed and permitted according to Weld County septic requirements." or "A copy of the existing Septic Permit #1236789 is included with the application.")

Lot A sewage disposal	
Lot B sewage disposal	
Lot C sewage disposal	
Lot D sewage disposal	

4. Describe how the property is being used. (Example - "The parcel has one house, one mobile home for the hired hand permitted under Mobile Home Permit # ZPMH-123, two barns, and one loafing shed. The north half is currently used for pasture for one-hundred head of cattle and ten horses. There is an oil and gas well head and tank battery in the northeastern corner. The south half of the property is flood irrigated and currently planted in alfalfa.")

5. Describe the vehicular access to the new and existing lots? (Example – "Each lot will have individual driveways off of County Road 72" or "All lots will share the existing access point off of County Road 59")

6. Describe the location, size, of the new lot(s). (Example - "The property will be split into one five (5) acre lot and one 40 acre lot.")

7. Describe any unique physical characteristics on the site, if applicable such as rock outcroppings, hills, ditches. (Example - "The ABC ditch runs diagonally across the southeastern quarter of the property.")

8. Is there a business or Use by Special Review permit on the property? ☐ Y ☐ N ☐ UNKNOWN
If YES, will it be vacated or remain on the Recorded Exemption lot(s)? (Example - "USR12-1234 for my concrete business will be vacated as my son is moving the business and equipment to his property outside of Weld County.")

CERTIFICATE OF CONVEYANCES
STATE OF COLORADO
COUNTY OF WELD

WELD COUNTY
DEPARTMENT OF PLANNING SERVICES

The _____ TITLE INSURANCE or ABSTRACT COMPANY hereby certifies that it has made a careful search of its records, and finds the following conveyances affecting the real estate described herein since August 30, 1972, and the most recent deed recorded prior to August 30, 1972.

LEGAL DESCRIPTION:

CONVEYANCES (if none appear, so state):

Reception No. _____,	Book _____
Reception No. _____,	Book _____
Reception No. _____,	Book _____
Reception No. _____,	Book _____
Reception No. _____,	Book _____
Reception No. _____,	Book _____
Reception No. _____,	Book _____
Reception No. _____,	Book _____

The certificate is made for the use and benefit of the Department of Planning Services of Weld County, Colorado.

This certificate is not to be constructed as an Abstract of Title nor an opinion of Title, nor a guarantee Title and the liability of _____ COMPANY, is hereby limited to the fee paid for this Certificate.

In Witness Whereof, _____ COMPANY, has caused this certificate to be signed by its proper officer this _____ day of _____, 20 _____, at _____.

Company: _____

By: _____
Authorized Signature

WATER SUPPLY INFORMATION SUMMARY

Section 30-28-133(d), C.R.S. requires that the applicant submit to the County, "Adequate evidence that a water supply that is sufficient in terms of quantity, quality and dependability will be available to ensure an adequate supply of water.

1. NAME OF DEVELOPMENT AS PROPOSED

2. LAND USE ACTION

3. NAME OF EXISTING PARCEL AS RECORDED

SUBDIVISION

FILING

BLOCK

LOT

4. TOTAL ACREAGE

5. NUMBER OF LOTS PROPOSED

PLAT MAP ENCLOSED ☐ YES

6. PARCEL HISTORY - Please attach copies of deeds, plats or other evidence or documentation.

A. Was parcel recorded with county prior to June 1, 1972? ☐ YES ☐ NO

B. Has the parcel ever been part of a division of land action since June 1, 1972? ☐ YES ☐ NO

If yes, describe the previous action

7. LOCATION OF PARCEL - Include a map delineating the project area and tie to a section corner.

_____ 1/4 OF _____ 1/4 SECTION _____ TOWNSHIP _____ ☐ N ☐ S RANGE _____ ☐ E ☐ W

PRINCIPAL MERIDIAN: ☐ 6TH ☐ H.M. ☐ UTE ☐ COSTILLA

8. PLAT - Location of all wells on property must be plotted and permit numbers provided.

Surveyors plat ☐ Yes ☐ No

If not, scaled hand drawn sketch ☐ Yes ☐ No

9. ESTIMATED WATER REQUIREMENTS - Gallons per Day or Acre Feet per Year

HOUSEHOLD USE # _____ of units _____ GPD _____ AF

COMMERCIAL USE # _____ of S.F. _____ GPD _____ AF

IRRIGATION # _____ of acres _____ GPD _____ AF

STOCK WATERING # _____ of head _____ GPD _____ AF

OTHER _____ GPD _____ AF

TOTAL _____ GPD _____ AF

10. WATER SUPPLY SOURCE

☐ EXISTING WELLS ☐ DEVELOPED SPRING

WELL PERMIT NUMBERS

☐ MUNICIPAL
☐ ASSOCIATION
☐ COMPANY
☐ DISTRICT

NAME _____
LETTER OF COMMITMENT FOR
SERVICE ☐ YES ☐ NO

☐ NEW WELLS -

PROPOSED AQUIFERS - (CHECK ONE)

☐ ALLUVIAL ☐ UPPER ARAPAHOE
☐ UPPER DAWSON ☐ LOWER ARAPAHOE
☐ LOWER DAWSON ☐ LARAMIE FOX HILLS
☐ DENVER ☐ DAKOTA
☐ OTHER _____

WATER COURT DECREE CASE NO.'S

11. ENGINEER'S WATER SUPPLY REPORT ☐ YES ☐ NO IF YES, PLEASE FORWARD WITH THIS FORM. (This may be required before our review is completed.)

12. TYPE OF SEWAGE DISPOSAL SYSTEM

☐ SEPTIC TANK/LEACH FIELD

☐ CENTRAL SYSTEM - DISTRICT NAME _____

☐ LAGOON

☐ VAULT - LOCATION SEWAGE HAULED TO _____

☐ ENGINEERED SYSTEM (Attach a copy of engineering design)

☐ OTHER _____

**Weld County Public Works Dept.**

1111 H Street

P.O. Box 758

Greeley, CO 80632

Phone: (970)304-6496

Fax: (970)304-6497

**ACCESS PERMIT
APPLICATION FORM****Applicant**

Name _____

Company _____

Address _____

City _____ State ____ Zip _____

Business Phone _____

Fax _____

E-mail _____

Property Owner (If different than Applicant)

Name _____

Address _____

City _____ State ____ Zip _____

Phone _____

Fax _____

E-mail _____

▲ = Existing Access Δ = Proposed Access

Parcel Location & Sketch

The access is on CR _____

Nearest Intersection: CR _____ & CR _____

Distance from Intersection _____

Parcel Number _____

Section/Township/Range _____

Is there an existing access to the property? ☐ YES ☐ NO

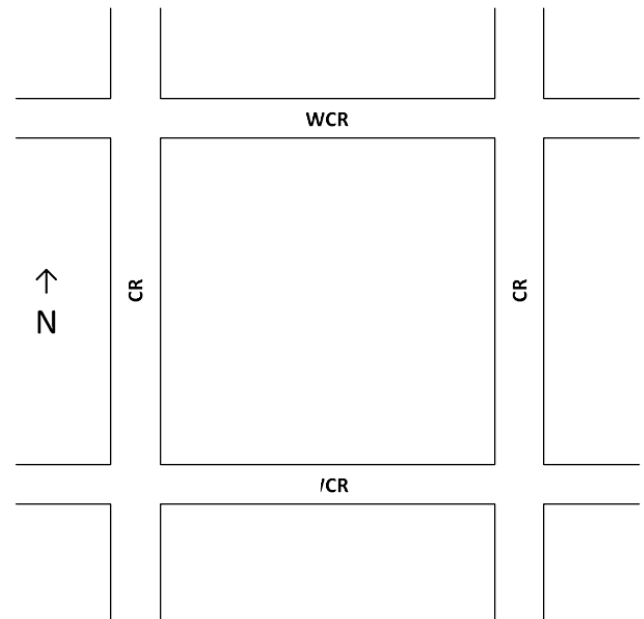
Number of Existing Accesses _____

Road Surface Type & Construction InformationAsphalt ☐ Gravel ☐ Treated ☐ Other _____

Culvert Size & Type _____

Materials used to construct Access _____

Construction Start Date _____ Finish Date _____

**Proposed Use**☐ Temporary (Tracking Pad Required)/ \$75☐ Small Commercial or Oil & Gas/\$75☐ Field (Agriculture Only)/Exempt☐ Single Residential/\$75☐ Large Commercial/\$150☐ Industrial/\$150☐ Subdivision/\$150Is this access associated with a Planning Process? ☐ No ☐ USR ☐ RECX/SUBX ☐ PUD ☐ Other _____**Required Attached Documents**

- Traffic Control Plan

- Certificate of Insurance

- Access Pictures (From the Left, Right, & into the access)

By accepting this permit, the undersigned Applicant, under penalty of perjury, verifies that they have received all pages of the permit application; they have read and understand all of the permit requirements and provisions set forth on all pages; that they have the authority to sign for and bind the Applicant, if the Applicant is a corporation or other entity; and that by virtue of their signature the Applicant is bound by and agrees to comply with all said permit requirements and provisions, all Weld County ordinances, and state laws regarding facilities construction.

Signature _____ Printed Name _____ Date _____

Approved by _____