

LOT LINE ADJUSTMENT (LLA)

APPLICATION

Note: This application applies only to un-platted residential property.
Note: A plat amendment is required if the property is within a residential subdivision.
Note: This application may be used for commercial or industrial property.



FILE #: _____ FILING DATE: _____ RECEIVED BY: _____
FEE: \$200 FEES PAID: _____ RECEIPT #: _____

ASSESSOR'S PARCEL NUMBER(S): (Tax ID No.) _____

I / We _____ of _____
Applicant's Name Address

_____, _____ do hereby apply

To the City of St. George Community Development (Planning) Department for a Lot Line

Adjustment between two (2) adjacent lots located at _____

The adjacent property owner does agree to participate in this lot line adjustment.

Signed Address

Purpose of Lot Line Adjustment: _____

Submit the following (along with the application) to the City Planner:

Item	Requirement	Comments
1	Preliminary Title Report (not older than 90 days) that lists all property owners of the subject parcels.	After review and approval of the legal descriptions, provide the city with: 1) new deed conveyance documents prepared by a Title Company (TC) for the newly created lot portion, also the new easement conveyance document prepared by the TC.
2	Exhibits of the “Existing” and “Proposed” lot boundaries.	Provide on 8 ½ x 11 sheets showing the <i>before</i> “existing” and <i>after</i> “proposed” lot line change.
3	Survey Plat Map	1) A plat titled “Record of Survey”(ROS) / Lot Line Adjustment is to be filed at the surveyor repository. 2) The ROS shall include the new parcel(s) legal, the new abandonment or vacation legals. HCN Bearings are required unless the project is within St. George City Plats A, B, C, D, & E or other recorded subdivision.
4	City Review	All submitted documents shall be reviewed by the City. Corrections shall be made as required.
5	Vacation / abandonment of existing easement(s) that are not needed (this requires coordinating with the Development Services Department to have the City Council abandon the easement(s).	1) Provide a legal description for the easement being vacated or abandoned. The conveyance document format will be prepared by the City Legal Department. 2) Include Tax ID No. 3) A separate application form is required for easement abandonment by the Development Services Department. 4) Easement vacation / abandonment requires JUC approval. 5) Requires Planning Commission (PC) and City Council (CC) approvals.

6	Upon approval of the Lot Line Adjustment (LLA), the City Planner will execute an approval stamp on each document, and the appropriate deeds may be recorded in the County Recorder's office.	<p>This is the last step.</p> <p>The Planning Department will <u>not</u> stamp the LLA approved until after acceptance and release is provided by the Development Services Department.</p> <p>The Planning Department will <u>not</u> stamp the LLA approved until after acceptance and release is provided by Engineering Department. This final approval requires a filed / stamped ROS plat map submitted to City Surveyor.</p>
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GUIDELINES FOR SUBMITTING LOT LINE ADJUSTMENTS

- Lot line adjustments between adjacent properties may be executed upon the recordation of an appropriate deed(s) if no new dwelling lot or housing unit results from the lot line adjustment, the adjoining property owners consent to the lot line adjustment, the lot line adjustment does not result in remnant land that did not previously exist, and the adjustment does not result in violation of applicable zoning requirements.
- Each lot line adjustment request is limited to the adjustment of property line boundaries between only two adjacent properties (additional properties require separate lot line adjustment requests).
- Obtain an application from the Community Development (Planning) Department.
- Obtain a Preliminary Title report that lists all property owners of the subject parcels (no longer than 90 days, or may be up to 120 days if updated and backed by title company).
- Draw up the appropriate deeds, legal descriptions, and exhibits (“Existing” and “Proposed” lot boundaries) that reflect the proposed lot line adjustment).

Note: The deeds are not to be recorded until the City Planner executes an approval stamp on each document.

If any new easements are required along the proposed boundary between the two properties, the required procedures for dedicating easements shall be followed and the new easements shall be recorded prior to lot line adjustment approval.

If any existing easements are proposed to be vacated because they will be affected by the proposed lot line adjustment, the required procedures for vacating easements shall be followed and an additional fee may be required (the property owners may elect to leave the existing easements in place along with new easements, resulting in extra wide easements along the proposed boundary).

- Submit a completed application and the required fee, Preliminary Title Report, Record of Survey (ROS) Plat Map, and the appropriate deeds, legal descriptions, Tax ID No.s, and exhibits to the Community Development (Planning) Department to the attention of the City Planner.
- Upon approval of the lot line adjustment, the appropriate deeds may be recorded in the County Recorder’s office by arrangement of the property owners or their representatives.

When Recorded: Return To:
City of St. George
City Attorney's Office
175 East 200 North
St. George, Utah 84770

**EXAMPLE
UTILITY AND DRAINAGE
EASEMENT**

Tax ID:

PUBLIC UTILITIES AND DRAINAGE EASEMENT

That in consideration of One Dollar and other good and valuable consideration paid to NAME, LLC, herein referred to as Grantor, by the City of St. George, a Utah municipal corporation, herein referred to as Grantee, the receipt of which is hereby acknowledged, the Grantor does hereby grant, bargain, sell, transfer and convey unto Grantee, its successors and assigns, a perpetual easement for ingress and egress, to use, install, operate, maintain, repair, remove, relocate and replace public utility and drainage facilities, in and along real property owned by Grantor in Washington County, State of Utah, and the easement being more fully described as follows:

INSERT LEGAL DESCRIPTION HERE
or say See Exhibit A.

TO HAVE AND TO HOLD such property to Grantee, the City of St. George, forever for the uses and purposes normally associated with public utilities and drainage.

Grantee shall maintain the perpetual easement in good repair. Grantee does agree to in no way encumber said easement or subject it to the imposition of liens of any type during the term of this easement. Grantor may not install, build, place or cause or allow anything to be installed, built, or placed in the easement. If any improvement is installed, built, or placed within the easement, Grantor bears the risk of loss or damage to those improvements resulting from the exercise of the easement rights and the City is not responsible to repair, replace, maintain, indemnify or reimburse Grantor for any damage or loss. To the extent the easement provides drainage, there is no representation on the part of Grantee that the easement shall have capacity to accommodate all drainage problems that arise.

The grant and other provisions of this easement shall constitute a covenant running with the land for the benefit of the Grantee its successors and assigns.

IN WITNESS WHEREOF, the Grantors has executed this instrument this _____ day of _____, 2007.

GRANTOR: NAME, LLC

NAME, Title

STATE OF UTAH)
 ss.
County of _____)

On the _____ day of _____, 2007, A.D., personally appeared before me NAME, who being by me duly sworn, did say and acknowledge that he is the Title of NAME, LLC, a Utah limited liability company, and that he executed the foregoing document on behalf of said limited liability company by authority of its Operating Agreement and that he executed the same for the uses and purposes stated herein.

Notary Public

ACCEPTANCE OF DEDICATION

The City of St. George, a municipal corporation of the State of Utah, hereby accepts the above conveyance and dedication, and in consideration thereof agrees that it will utilize and maintain the same for purposes consistent with the above dedication.

DATED this _____ day of _____, 2007.

CITY OF ST. GEORGE

Daniel D. McArthur, Mayor

ATTEST:

Gay Cragun, City Recorder

Approved as to form:

Paula Houston, Deputy City Attorney