



BEAVERHEAD COUNTY APPLICATION & SUBDIVISION EXEMPTION FORM

1. Petitioner(s) *(if more than two Petitioners, please attach additional sheets)*

- a. Name _____
- b. Address _____
- c. Phone _____ Email _____
- d. Name _____
- e. Address _____
- f. Phone _____ Email _____
- g. Nature of Petitioner(s) business: _____

2. Surveyor

- a. Name _____ Firm _____
- b. Address _____
- c. Phone _____ Email _____

3. Existing Parcel(s) *(if more than two parcels, please attach additional sheets)*

- a. Address _____
- b. Legal Description: Section _____ Township _____ Range _____
- c. Other legal description _____
- d. MT Dept. of Revenue #18- _____
- e. How and when was the parcel created *(example: Subdivision, Occasional Sale, COS 999, 5/1/92)?*

4. Type of Exemption and Reason or Justification (Check the appropriate exemption)

 Gift or Sale to Immediate Family Member ("Family Transfer")

<u>Recipient(s)</u>	<u>Relationship to Petitioner</u>	<u>Age</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

- If recipients are under age 18, attach documentation of trust, custodianship pursuant to the Montana Uniform Transfers to Minors Act., etc.

___ **Agricultural Exemption**

(Covenant running with the land, revocable only by mutual consent of the Commission and the property owner, that the land will be used exclusively for agricultural purposes. No Structure requiring water or sewer facilities shall be utilized on this parcel.) Description of current and proposed agricultural use:

___ **Relocation of Common Boundary Lines Outside or Adjoining a Platted Subdivision**

Describe or provide documentation showing the purpose for the relocation:

___ **Lot Aggregation/Relocation of Common Boundary Lines within Platted Subdivision**

Describe or provide documentation showing the purpose for the relocation:

___ **Security for Construction ("Mortgage Survey")**

Attach signed and notarized statement from lending institution confirming that the exempt parcel is necessary to secure a construction loan for buildings or other improvements on the parcel.

___ **Court Orders**

Court Order also requires evidence of entitlement such as a copy of the Court Order.

☐ **Right-of-Way or Utility Site**

☐ **Right-of-Way** ☐ **Utility Site** (please check one)

Description of current use and proposed use:

☐ **Other, Retracement, Life Estate**

☐ **Other** ☐ **Retracement** ☐ **Life Estate** (please check one)

Reason/justification:

5. Survey Review Committee Comments (See attached corrections)

The committee notes regarding corrections needed on the certificate of surveying prior to the filing of the survey.

6. Required Attachments For All Exemption Types

☐ Draft Certificate of Survey *(to include:)*

☐ Three (3) paper copies: 18"x24"

☐ One Digital Copy of Plat (Adobe PDF)

☐ Documentation of existing recorded deeds documenting the present ownership for all affected parcels. Evidence of entitlement (such as): recorded deeds, contracts, restrictions, and covenants related to all the affected properties that have been recorded at the Beaverhead County Clerk & Recorder Office within the past year.

☐ Aerial photograph or topographic map showing property location.

☐ Documentation in support of the sanitation exemption(s), if applicable.

☐ Survey Closure Reports

If application is for Relocation of Common Boundary Lines, provide documentation showing the need or reason for the relocation:

- ☐ Surveyor Error
- ☐ Structure Encroachment
- ☐ Enhancement of the Configuration of the Property
- ☐ Other (please describe): _____

If application is for Family Transfer Exemption, also include:

- ☐ If recipients are under age 18, documentation of trust, custodianship pursuant to the Montana Uniform Transfers to Minors Act, etc.

If application is for Mortgage Exemption: also include a statement from lending institution confirming need.

If application is for Court Order: Evidence of entitlement such as a copy of the Court Order.

If application is for Right-of-Way or Utility Site: The required documents listed above along with the following:

- ☐ Documentation to verify the utility meets the term of a "public utility" in 69-3-101, MCA.
- ☐ Landowner approval and proof of eminent domain authority by the utility.
- ☐ Documentation to be filed shall include a notarized statement from the recipient accepting the right-of-way or utility site, and noticing that under MCA 76-3-201 a subsequent change in the use of residential, commercial, or industrial subjects the division to review under the MSPA and the local subdivision regulations.
- ☐ Instrument of conveyance, such as a deed.

7. Acknowledgements

- **I understand** that the State of Montana provides that certain divisions of land, which would otherwise constitute subdivisions, are exempt from local subdivision review and approval, unless the transactions are an attempt to evade the Montana Subdivision and Platting Act.
- **I affirm** that the proposed exemption is not an attempt to evade the Montana Subdivision and Platting Act.

8. Signature(s) must include all property owners involved in the certificate of survey.

Petitioner(s) Printed Name(s)

I, as Petitioner, have read the foregoing Subdivision Exemption form and affirm that it is true and correct.

Petitioner(s) Signature

Date _____

Property Owner(s) if different than petitioner Printed Name(s)

I, as property owner, have read the foregoing Subdivision Exemption form and affirm that it is true and correct.

Property Owner(s) Signature

Date _____

Property Owner(s) if different than petitioner Printed Name(s)

I, as property owner, have read the foregoing Subdivision Exemption form and affirm that it is true and correct.

Property Owner(s) Signature

Date _____