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Minor Land Division Affidavit

The Town of Pima Zoning Ordinance requires property owners to complete a Minor Land Division Affidavit when splitting a parcel of land within the town limits into two (2) to three (3) new parcels.

This affidavit serves to formally identify the newly created parcels and must be returned to the Planning Department for review.

Key steps and requirements

- Obtain the Affidavit: The Town of Pima's Minor Land Division Affidavit form is available online.
- Identify New Parcels: The affidavit requires identification of the new parcels being created.
- Survey of the Land: A Survey of the Land is required, showing the original parcel, the proposed splits, existing structures, utilities such as wells, septic systems, service lines, and their relationship to the new property lines
- Submit to Planning Department: The completed affidavit, along with any necessary supporting documents, must be submitted to the Planning Department for review.
- Record with Graham County Recorder: Once the form is completed and reviewed, it MUST be recorded with the new deed at the Graham County Recorder's Office.

ORIGINAL PARCEL BEING SPLIT:

Assessor's Parcel Number (APN) _____

Zoning of the ORIGINAL PARCEL? Agricultural/ Residential ☐ Commercial ☐ Multi-family/Manufacturer ☐

Size is the ORIGINAL PARCEL (square ft or acreage)? _____

Number of NEW PARCELS created? 2 ☐ 3 ☐ (3 max including original)

Are property taxes paid up on the original parcel? Yes ☐ No ☐

Treasurer's Staff Initials _____

LEGAL ACCESS TO NEW PARCEL:

Each NEW PARCEL must have Legal Access, OR the Lack of Legal Access must be noted on the deed.

Does the NEW PARCEL have Legal Access? Yes ☐ No ☐

If yes, is the Legal Access: Public Dedication ☐ Public Easement ☐ Private Easement ☐

If no, has Legal Access been shown on the deed? Yes ☐ No ☐

ZONING FOR NEW PARCEL:

Each NEW PARCEL must meet *Minimum Town Zoning Requirements*. (If you don't know the zoning, contact the Planning and Zoning Department at (928) 485-2611.

Does the NEW PARCEL meet the Minimum Applicable Town Zoning Requirements for the Zoning District in which it is located? Yes ☐ No ☐



Contact Name: _____

Address: _____ City: _____

State: _____ Zip: _____ Phone Number: _____

VERIFICATION AND ACKNOWLEDGEMENT:

We, the owner(s) of the parcel being split as described above, hereby certify under oath that the information set forth above is true and correct.

Date The _____ Day of _____, 20 _____

Signature of Owner

State of Arizona

Town of Pima

Signature of Owner

Acknowledged by _____ before me on this day of _____, 20 _____

My Commission will Expire: _____

Notary Public

TOWN OF PIMA OFFICE USE ONLY

DOES THE NEW PARCEL MEET THE MINIMUM APPLICABLE TOWN ZONING REQUIREMENTS FOR THE ZONING DISTRICT IN WHICH IT IS LOCATED? YES ☐ NO ☐

NUMBER OF PARCELS ☐ 2 ☐ 3

PLANNING OFFICE REVIEW: APPROVED ☐ DENIED ☐

PLANNING OFFICER SIGNATURE: _____ DATE: _____

COMMENTS: _____

FEES _____ DATE PAID _____ CHECK # _____ ☐ CASH ☐ CREDIT CARD



Minor Land Division “Acting in Concert” Statement

I, _____, acknowledge by signing this statement that I am not “Acting In Concert” with any person or group of persons to attempt to avoid the provisions of the subdivision laws of the State of Arizona to divide a parcel of land or sell illegal subdivision lots by using a series of owners or conveyances or by any other method which ultimately results in the division of the lands into an illegal subdivision or the sale of illegally subdivided lots.

“Acting in Concert” Means Evidence of collaborating to pursue a concerted plan.

Persons **“Acting in Concert”** include but are not limited to, business partners, relatives, etc.

Signature

Date

Penalty is \$1000 per infraction from the Arizona Department of Real Estate. State of Arizona Revised Statute 32-2185.09

Minor Land Division Affidavit Process

Required Items for Minor Land Division Review

Incomplete packets will not be accepted. The review process cannot be completed at the time of receipt.

1. **Survey:** A survey of the property is required.
2. **Minor Land Division Affidavit:** A completed and notarized affidavit sheet.
3. **Acting in Concert Statement:** A signed statement sheet.
4. **Current Owner's Deed:** The current deed showing the legal description of the existing parcel.
5. **Proposed Deed(s):** New proposed deed(s) showing a legal description of each new parcel, including any access or utility easements.
6. **Scale Map:** A scale map (e.g., 1" = 500') with dimensions showing existing and future parcel lines and all easements. The map must be in a size and format acceptable to the Graham County Recorder's Office (maximum 8 ½ x 14 inches, unless Mylar print).
7. **Tax Verification:** Notice verifying that all property taxes and assessments on the original parcel have been paid in full.

Definition and Regulations of a Minor Land Division

A Minor Land Division Affidavit must be applied for and reviewed by the Pima Planning and Zoning department when a single parcel of land is split into a maximum of three parcels.

- **Process:** Upon approval from the Planning and Zoning Department, the applicant must record the affidavit and the approved deed(s) with the Graham County Recorder's Office at their own expense.
- **Regulations:** The regulations are found in the Town of Pima Town Code Chapter 12, Section 124-1 A.
- **State Law Reference:** The relevant state law is Arizona Revised Statute (A.R.S.) § 9-463 concerning the minor land division process.

Definition of Acting in Concert Statement

It is unlawful for individuals or groups "**acting in concert**" to evade state subdivision laws by dividing a parcel of land into four or more lots using a series of owners or conveyances. This is considered an illegal land split or "wildcat subdivision."

- **Enforcement:** This prohibition is enforceable by the Town of Pima or the Arizona State Real Estate Department pursuant to Arizona Revised Statute Title 32, Chapter 20.
- **Definition:** According to the Arizona State Real Estate Department, a person or group may include friends, relatives, in-laws, business partners, etc. "**Acting in concert**" implies collaborating to pursue a concerted plan to illegally subdivide land.