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For Office Use Only

Received By: _____

Date Submitted: _____

APPLICATION INVOLVING UNAUTHORIZED DIVISIONS OF LAND (FNSBC 17.08.100)

File No. _____

Property Information:

Pan No. of parcel or parcel(s) that were created via unauthorized division of land:

Section, Township, & Range:

Legal Description of the Last Legally Created Parent Parcel:

Last Legal Parent
Parcel recorded date / /
 Date Month Year
or patent approval date:

Copy of the Document that created the last
Legal Parent parcel: Yes ☐ No ☐

Important Terms:

An unauthorized division of land is a parcel of land not established by plat or other lawful division of land. Typically, it is a "deed split" parcel.

- The parent parcel is the last legally created parcel from which the unauthorized division of land was created. The parent parcel remainder tract(s) is the portion of the original parent plat outside of the unauthorized division of land. The parent parcel remainder tract(s) does not refer to any other existing unauthorized division(s) of land that was split from the parent parcel and is not part of this subdivision application.

- I. A parcel of land not established by plat or other lawful division of land shown in the district recorder's office records on or before October 20, 2023, may be considered a lot that may be subdivided according to this title. **Please answer all the questions below to determine if your application qualifies under FNSBC 17.08.100 Unauthorized Divisions of Land.**

1. On what date did the unauthorized division of land occur?

 / /
 Date Month Year

- *The unauthorized division of land must have occurred before October 20, 2023. Provide the recorded document that first created the parcel.*
- *Attach an extra sheet, if necessary, for applications involving subdivisions of multiple unauthorized divisions of land.*

2. Are any proposed subdivision parcels in common ownership with an adjoining parcel or tract of land that could be lawfully subdivided under this title?

Yes ☐ No ☐

3. Do any Category A or B trails on the adopted Comprehensive Recreational Trails Plan pass through the last legally created parcel?	Yes ☐ No ☐
a. If the answer to the above question is Yes, were the Category A or B trails previously dedicated, or did the division of land occur before November 1, 1985?	Yes ☐ No ☐

➤ *All trails must have been previously dedicated, or the unauthorized division of land occurred prior to November 1, 1985.*

4. Do any road corridors identified on the adopted Comprehensive Road Plan pass through the last legally created parcel from which it was divided?	Yes ☐ No ☐
a. If the answer to the above question is Yes, were the road corridors previously dedicated, or did the unauthorized land division occur prior to July 12, 1991?	Yes ☐ No ☐

➤ *All road corridors must have been previously dedicated, or the unauthorized division of land occurred prior to July 12, 1991.*

II. A subdivision application involving a parcel authorized under this section shall follow the procedure for approval of a major plat, and in addition to the major plat requirements under this title, **ALL** the following requirements must be met;

- a. The boundary of the last legally created parcel from which the tract was created (known as the parent parcel) shall be shown on the plat with a plat note stating how the parcel was created;
- b. Other existing parcels within the parent parcel shall be shown on the plat and labeled "not part of this subdivision" if the parcels are not included in the application;
- c. The controlling exterior corners of the parent parcel shall be shown and noted on the plat; if a monument of record does not exist for an exterior corner of the parent parcel, the plat shall reflect a boundary survey and tie to a monument of record which is a controlling corner of the parent parcel; and
- d. Legal access must be provided to the parent parcel remainder tract(s) as described by FNSBC 17.56.020(F). Note: Legal access is not required to be provided to any other existing unauthorized division of land that was split from the parent parcel and is not a part of this subdivision application.

III. The property owner shall submit with this form an affidavit verifying that they did not cause, have knowledge of, or profit from, directly or indirectly, the unauthorized division of the land and that the authorization under this section does not prevent, restrict, or in any way limit any penalty or enforcement right against a person who subdivided land in violation of this title. Please refer to the affidavit on the back of the form.

NOTE: This form shall be included with a Major Plat application that involves any parcel of land not established by plat or other lawful division of land; failure to submit this form with the preliminary plat application by the deadline shall be considered an incomplete application.

NOTE: All requirements under Section II must be met for a subdivision application involving a parcel of land not established by plat or other lawful division.

NOTE: The above requirements cannot be waived under FNSBC 17.64.010.

