

ROSEBUD COUNTY, MONTANA
PO Box 47, Forsyth, MT 59327

APPLICATION FOR EXEMPTION FROM SUBDIVISION REVIEW

GENERAL INFORMATION:

Claimant #1 Name: _____ **Phone:** _____
Address: _____ **Email:** _____

Claimant #2 Name: _____ **Phone:** _____
Address: _____ **Email:** _____

If more than two claimants are involved in this transaction, use additional sheets.

TRACTS OF RECORD INVOLVED IN TRANSACTION:

Parcel #1: Legal Description: _____ **Deed/Plat Reference:** _____
Zoning/Covenants: _____

Parcel #2: Legal Description: _____ **Deed/Plat Reference:** _____
Zoning/Covenants: _____

If more than two parcels are involved in this transaction, use additional sheets.

Surveyor Name: _____ **Company:** _____
Address: _____ **Phone:** _____ **Email:** _____

EXEMPTIONS AVAILABLE UNDER MCA 76-3-207:

Select one per application.

_____ **1a. Boundary Relocation Outside of Platted Subdivisions.**

Reason or Justification: _____

_____ **1b. Family Transfer.**

Recipient: _____ **Relationship to Claimant** _____ **Age:** _____
Recipient: _____ **Relationship to Claimant** _____ **Age:** _____

Attach copies of deeds, contracts, restrictions and covenants related to this property recorded in the past year. Attach a draft copy of the deed to be filed with the plat. Recipients under the age of 18 submit documents of trust, custodianship pursuant to the Montana Uniform Transfers to Minors Act.

_____ **1c. Agricultural Covenant.**

Complete recitation of agricultural covenant must appear on plat along with space for County Commissioner's Signature.

Description of Current Use: _____

Description of proposed use: _____

_____ **1d. Boundary Relocation Within a Platted Subdivision.**

Reason or Justification: _____

_____ **1e. Relocating a Common Boundary Between a Single Lot within a Platted Subdivision and Adjoining Land Outside a Platted Subdivision.**

Reason or Justification: _____

_____ **1f. Aggregation of Existing Parcels.**

Reason or Justification: _____

EXEMPTIONS AVAILABLE UNDER MCA 76-3-201:

_____ **Specify MCA Exemption:** _____

Reason or Justification: _____

CHECKLIST FOR APPLICATION PACKET

- _____ Signed Application For Exemption From Subdivision Review
 - _____ Examination fee of \$200.00, payable to Rosebud County Treasurer
 - _____ Application packet to County Sanitarian
 - _____ Payment of sanitation review fees (contact County Sanitarian)
 - _____ Preliminary plat – one paper
 - _____ Copies of recorded deeds
 - _____ Copies of all supporting documentation required for the claimed exemption
 - _____ Sage Grouse Letter, if required
 - _____ FEMA Community Panel No, if any portion of the parcel is within a designated flood zone
 - _____ Verification of Tract(s) of Record
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- _____ Final Plats – one mylar, one paper, one 11" x 17" paper
 - _____ Plat Certifications complete
 - _____ Deeds, as appropriate
 - _____ Recording fee

ACKNOWLEDGEMENTS:

I **understand** that the State of Montana provides 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. The State of Montana also provides for examination of claims of exemption by local government to determine whether or not the requirements of the Montana Subdivision and Platting Act apply to the division or aggregation.

I **affirm** that this exemption claim is not an attempt to evade the Montana Subdivision and Platting Act.

I **recognize** that I may be subject to penalty if my actions are deemed to be an effort to evade subdivision review, as set forth in the Montana Code Annotated:

- MCA 76-3-301(3) If transfers not in accordance with this chapter [3] are made, the county attorney shall commence action to enjoin further sales or transfers and compel compliance with all provisions of this chapter. The cost of such action shall be imposed against the party not prevailing.
- MCA 76-3-105 Violations. Any violation of the provisions of this chapter [3] or these regulations is an offense punishable by a fine of not less than \$100.00 nor more than \$500.00 or imprisonment in a county jail for not more than three months or both fine and imprisonment. Each sale or transfer, or offer of sale or transfer, of each separate parcel of land in violation of any provision of these regulations shall be deemed a separate and distinct offense.

AFFIDAVIT:

I (we) _____, claimant(s), being first duly sworn upon oath, deposes and state as follows:

I, as Claimant, have read the foregoing application for Exemption from Subdivision Review and affirm that it is true and correct.

_____ Date _____
Claimant Signature

_____ Date _____
Claimant Signature

State of: Montana
County of: _____

Subscribed and sworn to before me on this _____ day of _____, _____

Notary Public for the State of Montana