

Archuleta County  
Development Services  
Building & Planning Departments  
1122 Hwy 84  
P. O. Box 1507  
Pagosa Springs, Colorado 81147  
970-264-1390 Fax 970-264-3338

### Lot Consolidation Submittal – Checklist for the applicant

#### All of the following must be submitted to the Planning Department

- Completed **APPLICATION FOR LOT CONSOLIDATION** (*attached page 9*).
- Written Statement for Lot consolidation
- Planning Department Filing Fee of \$ **300.00 up to 3 lots \$75.00 per each additional lot** (subject to change) payable to Archuleta County.
- Tax receipt** showing no taxes are due or delinquent against the lots involved. This can be obtained from the County Treasurer or from <http://www.archuletax.com/treasurer/web/>
- Current Title Documentation from a Colorado Title Company** specifying: 1. owner(s) name(s) of each lot; 2. all liens or otherwise state NO LIENS; 3. how the property is held in ownership. Title work can be no older than 3-months from date of application submittal. Examples may include Owners and Encumbrance report, Mortgage Guarantee or others; consult with your title company for what will satisfy these requirements.
- Notarized signatures of all owners (and lien holders if applicable) as shown on the Title Documentation, on the **Application** form. If there is more than one lien holder for properties being consolidated, make copies of **Lien Holder Consent to Consolidate Lots** form or contact planning for additional copies (*form attached page 9*). Ownership must be exactly the same (exact same names on all lots)
- Original **Certificates of Mailing** receipts (do not send certified mail as this is more expensive) of notification sent to all utility companies on the list (even those you do not think will ever service your area), and if applicable, the property owners association and the special district. (The **Certificates of Mailing** receipts are all of the white receipts that are given to you by the post office when you mail the letters.)
- (**For Lot Unconsolidations only**) If there are improvements located on the consolidated lot, the applicant shall provide an Improvement Location Certificate from a licensed Colorado surveyor showing no encroachment of improvements across the property boundary lines, or into easements or set backs of the original lots comprising the consolidation, as shown on the original recorded plat.
- Utility/HOA notification letter and vicinity map for applicant to mail out. **Planning provides.**

#### **NOTES and INSTRUCTIONS:**

Once the applicant has submitted all required materials, and 30 days have passed after the certified notifications were mailed, the Lot Consolidation or Unconsolidation request will be submitted to the Chairman of the Board of County Commissioners. That Resolution needs to be signed and approved by the Chairman of the Board. It takes approximately one to two weeks to record the resolution before copies are sent to the owner, the Assessor's Office, Pagosa Area Water and Sanitation District, and if applicable, the property owner's association or metro district.

#### **TECHNICAL INFORMATION:**

- Lots must be in the same: 1. zoning district, 2. subdivision or unit thereof, and 3. taxing district.
- New consolidated lots will be designated with an X. (i.e. Consolidating Lot 10 and Lot 11 to become Lot 10X).
- Unconsolidated lots will return to their original lot numbers and designated with an A. (i.e. Lot 10X will become Lot 10A and 11A)
- Lot number to be determined by planning. If there is an existing house, the lot number will be that of the lot with the house. If the lot is vacant, the lower lot number will be assigned. If no address is assigned, it will be determined with the Building Permit application.

- If you are requesting a lot consolidation because of plans to build over the center lot line, we advise checking with the utility companies before proceeding with the lot consolidation to ensure that all utility companies will quit claim the easements. To have utility easements released along the center lot line(s), obtain Quit Claim Deeds from each utility company after the approval of your lot consolidation by the Board of County Commissioners, and then record them with the County Clerk and Recorder's Office.

#### **TAX RECEIPT**

A copy of a tax receipt or some other proof showing that no taxes are currently due or delinquent for the property shall be submitted with this application. The lots must be within the same taxing district.

#### **TITLE REPORT/NOTARIZED SIGNATURES**

An original Mortgage Guarantee or Owners and Encumbrance report by a licensed Colorado Title Company, completed within three (3) months of submission, shall be submitted showing the names of all surface owners and lien holders on all lots to be consolidated/unconsolidated.

(a) The original notarized signature(s) of all owners and lien holders (as shown on the Mortgage Guarantee) shall be included giving their approval of the lot consolidation/unconsolidation.

#### **NOTIFICATION TO UTILITY COMPANIES, PROPERTY OWNERS ASSOCIATION(S), SPECIAL DISTRICTS**

A letter of notification (provided by planning staff) shall be sent a minimum of 30-days prior to consideration of the request, along with a vicinity map (provided by planning staff). The notification shall be mailed by the applicant or owner via Certificates of Mailing to **all** utility companies, property owners association(s), if applicable, and special district(s), if applicable. It is the responsibility of the applicant to notify **all utility companies** regardless if the utility currently serves the area.

Your original Certificates of Mailing receipts from the Post Office showing when the letters were mailed are required with your application.

#### **FEES**

The fee for lot consolidations is **\$300.00 up to 3 lots plus \$75.00 per each additional lot** (subject to change) and must be paid at the time of submittal. Checks should be made payable to Archuleta County. Fees are not refundable.

All of the costs of consolidating/unconsolidating lots including, but not confined to notifications, recording, etc., shall be paid by the applicant.

### **4.9 Lot Consolidations**

#### **4.9.1 Purpose and Intent:**

**4.9.1.1** Two or more bordering lots may be consolidated into one legal lot of record by resolution if all lots involved meet the following criteria:

- (1)** are in the same block, unit, phase, etc. of a platted subdivision
- (2)** are in the same taxing districts
- (3)** are in the same zoning district
- (4)** vested ownership in all lots is the same and title in which they are held is the same (names on the titles must be the same and must be held the same – either joint tenants or tenants in common).

The resolution eliminates the interior lot line(s) but has no effect on recorded easements.

**4.9.1.2** All applicants shall meet with the Planning Staff before submitting a Lot Consolidation application. The purpose of this is to inform the applicant of the procedural and submittal requirements.

#### **4.9.2 Submissions:**

The applicant shall then submit the following to the Planning Department:

- 4.9.2.1** A completed, signed and notarized Land Use Application form.
- 4.9.2.2** Payment of application fees, which shall be non-refundable.
- 4.9.2.3** A copy of a tax receipt or other written proof showing that no taxes are currently due or delinquent against the lot(s) involved. The tax receipt or other written proof must also show that the lots are in the same tax district.
- 4.9.2.4** An Ownership and Encumbrance (O&E) report from a licensed Colorado title company or an opinion of title from a Colorado licensed attorney, neither of which may be more than three months old. Such document shall evidence the following for each lot described individually:

- (1) Exact names of all owners, for all lots to be consolidated. Properties shall be vested identically (name variances only allowed in accordance with CRS 38-35-116);
- (2) All properties are title identically whether joint tenancy or tenants in common;
- (3) All liens (or specifically state there are no lien holders). Any and all lien holders will be required to complete the "Lien Holder Consent to Consolidate Lots" form as part of the application submittal.
- (4) Property description including legal descriptions and reception numbers for related resolutions or plats and other historical information.

If names or tenancy are not the same or liens are not specifically described, the planning department shall deny the application as the lots cannot be consolidated.

**4.9.2.5** The original notarized signature(s) of lien holders as shown on the O&E Report, giving their approval of the lot consolidation, is required and shall be included with the submittal. A sample form is included with the application.

**4.9.2.6** The notice of intent and the map, as detailed in Section 4.9.3.

**4.9.2.7** Any supplemental data, as requested by the Planning Staff, which is deemed necessary to adequately review the request.

Incomplete submissions will not be considered.

#### **4.9.3 Notifications:**

Notice of intent to consider such lot consolidation shall be given as follows:

**4.9.3.1** Notification shall be sent via Certificates of Mailing, a minimum of 30 days prior to consideration of the request by the Planning Department. The notification shall include the following:

- (1) A description of the proposed consolidation;
- (2) A vicinity map showing the lots which are being consolidated and nearby roads or other identifying landmarks;
- (3) An invitation to comment on the application;
- (4) The address and telephone number for the Planning Department; and
- (5) The date when responses must be received by the Planning Department (thirty days from the date sent).

**4.9.3.2** The above notice shall be sent via Certificates of Mailing to all utility companies, applicable property owners association(s) and special districts.

**4.9.3.3** The original Certificates of Mailing receipts shall be submitted to the Planning Department.

**4.9.3.4** The vicinity map, the detail map and the notification shall be reviewed and approved by the Planning Department prior to mailing.

#### **4.9.4 Effects on Platted Easements:**

Consolidating lots does not change any of the previously recorded, platted utility easements and they shall remain as platted on the subject property.

**4.9.4.1** The applicant may make a written request to all utility companies to vacate utility easements along the center lot line(s) that are to be eliminated.

**4.9.4.2** If a lot consolidation is requested because of plans to build over the center lot line(s), the applicants shall check with the utility companies before proceeding with the lot consolidation, to ensure that all utility companies will quit claim the easements.

**4.9.4.3** To have utility easements released along the center lot line(s), applicants must obtain Quit

Claim Deeds from each utility company, *after* approval of the lot consolidation by Archuleta County. These Quit Claim Deeds must be recorded in the County Clerk and Recorder's Office, at the expense of the applicant.

**4.9.5 Review Process:**

Once a lot consolidation request is submitted and considered complete (including all notice requirements), the Planning Staff will review the request. The request will be reviewed within seven calendar days of the submittal. After the expiration of the thirty-day notification period, and upon approval by the Planning Staff, the request will be submitted to the Chairman of the Board of County Commissioners, in the form of a Resolution, for signature and final approval. In the absence of the Chairman, the Vice-Chairman shall be authorized to sign the Resolution.

**4.10 Reversing a Lot Consolidation or Re-Subdividing the Consolidated Lots:**

A consolidation may be reversed either by a Resolution or as a subdivision, both described below. To reverse a lot consolidation, the applicant shall comply with all of the following conditions.

**4.10.1 By Resolution:**

- (a) A reversal of a lot consolidation by resolution will only be allowed once per 3-year period.
- (b) The consolidated lot shall be returned to a pre-consolidation boundary configuration. The original and all applicable subsequent plat name(s) and recording number(s) shall be referenced in the Resolution.
- (c) A resolution to reverse a consolidation may result in no more than three (3) lots.
- (d) No improvements may encroach on property lines or current setbacks. If there are any improvements located on the consolidated lot, the applicant shall provide an Improvement Location Certificate from a licensed Colorado surveyor.

**4.10.2 Submissions:**

The applicant shall submit the following to the Planning Department:

**4.10.2.1** A completed, signed, and notarized Land Use Application form.

**4.10.2.2** Payment of application fees, which shall be non-refundable.

**4.10.2.3** A copy of a tax receipt or other written proof showing that no taxes are currently due or delinquent against the lots involved.

**4.10.2.4** An Ownership and Encumbrance (O&E) Report from a licensed Colorado title company no more than three months old. The O&E Report must list all liens (or specifically state there are no lien holders). Any and all lien holders will be required to sign the "Lien Holder Consent" form.

If liens are not specifically described, or if a "Lien Holder Consent" is not signed and notarized, the planning department shall deny the application.

**4.10.2.5** A copy of the notice of intent and the map, as detailed in Section 4.10.3.

**4.10.2.6** Any supplemental data, as requested by the Planning Staff, which is deemed necessary to adequately review the request. Incomplete submissions will not be considered.

**4.10.3 Notifications:**

Notice of intent to reverse such lot consolidation shall be given as follows:

1. Notification shall be sent via Certificates of Mailing, a minimum of 30 days prior to consideration of the request by the Planning Department.
2. The notification shall include the following:
  - a. A description of the proposed reversal of lot consolidation;
  - b. A vicinity map showing the general location of the existing consolidated lot and nearby roads or other identifying landmarks;

- c. A map depicting the proposed configuration of the lots to be reversed
  - d. An invitation to comment on the application;
  - e. The address and telephone number for the Planning Department; and
  - f. The date when responses must be received by the Planning Department (30 days from the date sent).
3. The above notice shall be sent via Certificates of Mailing to the following:
    - a. All bordering owners as shown on the current records of the Assessor's records
    - b. All utility companies, regardless of whether they serve the property or not
    - c. Applicable property owners' associations
    - d. All special districts.
  4. The original Certificates of Mailing receipts shall be submitted to the Planning Department.
  5. The vicinity map and the notification shall be reviewed and approved by the Planning department prior to mailing.

**4.10.4 Notifications:**

Staff shall review the ILC to verify no encroachment of improvements into proposed property lines and associated setbacks. Upon review by the Planning Department for compliance with such conditions listed above, the request shall be placed on the agenda for the next available meeting of the Board of County Commissioners, in the form of a Resolution, for signature and final approval.

**4.10.5 By subdivision:**

Any lot consolidation which included a change in property boundary lines from the original platted lots, or which does not comply with the conditions set forth in Section 4.9.7.1 (a), (b), and (c) above, shall be required to comply with the requirements for a subdivision as set forth in these Regulations. In the event that utility easements, as dedicated on the original recorded plat, have been vacated, easements as required under the current Regulations at the time of application must be granted and conveyed to each utility company which previously vacated such easement. For reversals done by resolution, this shall be accomplished through a grant of easement by deed or other legal instrument recorded in the office of the Archuleta County Clerk and Recorder at the expense of the applicant. For subdivisions, the plat shall dedicate such easements as required.

Applicants shall be aware they will be liable for all back fees to property owners' associations, water and sanitation districts, and metropolitan districts that may apply once the lots are re-subdivided. In addition, the return of such consolidated lots to their original platted configuration may result in an increase in property taxes for any lot remaining vacant.

**Costs:** All of the costs of consolidating lots and throughout the review process, including, but not be limited to, Mortgage Guarantee report, Owner and Encumbrance report, notification and recording shall be paid by the applicant.

**UTILITY COMPANIES**

**NOTICES MUST BE MAILED TO ALL UTILITY COMPANIES EVEN IF YOU THINK THEY WILL NEVER SERVICE YOU.**

**LA PLATA ELECTRIC**

c/o Engineering Clerk  
P.O. Box 305  
Pagosa Springs, CO 81147

**PAGOSA AREA WATER & SANITATION DISTRICT**

c/o Christine Velarde  
PO Drawer 4610  
Pagosa Springs, CO 81147

**PAGOSA SPRINGS SANITATION DISTRICT**

PO Box 1859  
Pagosa Springs, CO 81147

**BLACK HILLS ENERGY**

PO Box 505  
Pagosa Springs, CO 81147

**CENTURYLINK OF COLORADO, INC.**

Attn: ROW/NIS  
1025 Eldorado Blvd.  
Broomfield, CO 80021

**ZITO MEDIA**

Attn: Tony Luna  
102 S. Main St.  
Coudersport, PA 16915

**METRO DISTRICTS**

***MAIL only to the Metro District or Property Owner Assn that pertains to your subdivision***

**PIEDRA PARK METRO DISTRICT (Water)**

Mailing Address: Betsy Powell, District Clerk (970) 883-2505  
PO Box 1609, Arboles, CO 81121

**SAN JUAN RIVER RESORT (VILLAGE) METRO DISTRICT**

(Water, wastewater, roads) (970)264-4218  
Mailing Address: Manager  
P O Box 5551, Pagosa Springs, CO 81147

**ASPEN SPRINGS METRO DISTRICT (Driveways, Roads)**

Mailing Address: PO Box 488, Pagosa Springs, CO 81147 (970)731-5656  
FAX 731-6656

**ALPHA-ROCKRIDGE METRO DISTRICT (Driveways, Roads)**

Mailing Address: c/o Gary Landsdale, Chairman Board of Directors (505) 486-1437  
1 Alpha Drive, Pagosa Springs, CO 81147

**LOMA LINDA METROPOLITAN DISTRICT (Roads, Parks, Rec.)**

Mailing Address: PO Box 3932, Pagosa Springs, CO 81147

**PARTIAL LIST OF PROPERTY OWNERS ASSOCIATIONS**

***Send only to the Metro District or Property Owner Assn that pertains to your subdivision***

ALPHA POA

c/o Jackie Cucinotta

P O Box 3811, Pagosa Springs, CO 81147

ALPINE LAKES, ALRPOA

P O Box 3792, Pagosa Springs, CO 81147

COLORADO TIMBER RIDGE, POA,

Mr. Bob Milford

P O Box 5436, Pagosa Springs, CO 81147

PAGOSA HILLS, POA

Bruce Alley

(970)903-8994

PO BOX 1172, Pagosa Springs, Co 81147

PAGOSA LAKES PROPERTY OWNERS ASSOCIATION

(970)731-5635

230 Port Ave

Pagosa Springs, CO 81147

PARK MEADOWS HOA

PO Box 356

Pagosa Springs, CO 81147

LOMA LINDA PROPERTY OWNERS ASSOCIATION

(970)264-0430

Bill Trimarco, PO Box 1139

Pagosa Springs, CO 81147

SAN JUAN RIVER RESORT (VILLAGE) POA

(970)264-1719

P O Box 5551

Pagosa Springs, CO 81147

RIO BLANCO VALLEY POA

PO Box 763, Pagosa Springs, CO 81147

CROWLEY RANCH RESERVE POA

PO Box 237, Chromo, CO 81128

HOLIDAY ACRES POA

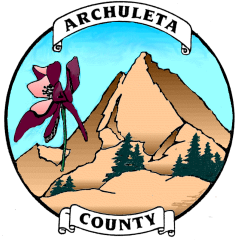
PO Box 2705, Pagosa Springs, CO 81147

THE RESERVE AT PAGOSA PEAK HOA

197 A Santino Pl., Pagosa Springs, CO 81147







Development Services Building & Planning Department  
 1122 Hwy 84  
 P. O. Box 1507  
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 970-264.1390 Fax 970-264-3338

**LOT CONSOLIDATION/UNCONSOLIDATION  
 APPLICATION**

Note: All utility easements shall remain on the subject property unless the utility companies agree in writing to abandon said utility easements and to legally convey their interest back to the property owner. Removal of utility easements is not a part of the lot consolidation process and may be completed after the lots have been consolidated.

**APPLICANT/OWNER:**

**APPLICANT CO OWNER(S):**

NAME: \_\_\_\_\_

STREET \_\_\_\_\_

CITY STATE ZIP \_\_\_\_\_

PRIMARY PHONE: \_\_\_\_\_

ALTERNATE PHONE: \_\_\_\_\_

FAX: \_\_\_\_\_

E-MAIL: \_\_\_\_\_

**LOCATION OF PROPERTY**

Subdivision Name \_\_\_\_\_

Unit Block Lot Numbers \_\_\_\_\_

Street Addresses, if assigned \_\_\_\_\_

**HISTORY OF LOTS TO BE CONSOLIDATED**

A. Number of lots to be consolidated \_\_\_\_\_.

B. Total Acreage of all lots combined \_\_\_\_\_.

C. Have any of these lots been a part of a previous lot consolidation?

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, give resolution number, date of recording and reception numbers:

Res. # \_\_\_\_\_ Date of recording \_\_\_\_\_ Reception # \_\_\_\_\_.

(This can be obtained from the County Clerk and Recorder's Office.)

**HISTORY OF LOTS TO BE UNCONSOLIDATED**

A. Total acreage of lots to be unconsolidated \_\_\_\_\_

B. Lot Consolidation information:

Lot Number \_\_\_\_\_ Resolution # \_\_\_\_\_

Date of Recording \_\_\_\_\_ Reception # \_\_\_\_\_

(This can be obtained from the County Clerk and Recorder's Office.)

**REVIEW OF SUBDIVISION REGULATIONS**

I understand that the above application has excerpts from the Land Use Regulations. It is my responsibility to fully review the Land Use Regulations to be certain that I have addressed all issues of the Regulations.

**RIGHT OF INGRESS**

I hereby grant authorized County personnel the right of ingress and egress from said lands for any and all inspection purposes necessary to the exercises of this permit.

I certify, to the best of my knowledge, that the aforementioned information and material is true and correct. It is understood that if any information provided by or on behalf of the landowner, upon which approval of this request is determined is found to be false or inaccurate, the Board of County Commissioners may withdraw said approval and deny the lot consolidation.

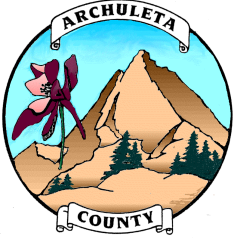
**THE PERSON(S) WHO HOLDS THE RECORDED WARRANTY DEED GIVE THEIR CONSENT TO THIS LOT CONSOLIDATION:**

_____ Signature	_____ Printed Name	_____ Date
STATE OF	)	
	) ss	
COUNTY OF	)	
<b>The foregoing instrument was acknowledged before me this</b>		
_____ day of _____, 20____, by		
_____ <b>Notary Public</b> My Commission Expires _____		

_____ Signature	_____ Printed Name	_____ Date
STATE OF	)	
	) ss	
COUNTY OF	)	
<b>The foregoing instrument was acknowledged before me this</b>		
_____ day of _____, 20____, by		
_____ <b>Notary Public</b> My Commission Expires _____		

*'If there is more than two owners on the properties to be consolidated, one CONSENT form must be completed for each additional owner. Make copies or contact the Planning department for additional forms.'*

**For Office Use Only:** Reception Number: \_\_\_\_\_ Resolution No. \_\_\_\_\_ Date Recorded \_\_\_\_\_



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**LIEN HOLDER CONSENT TO CONSOLIDATE LOTS**

*This is a request by the Property Owner's to the Lien Holder(s) of record for consent to consolidate properties.*

\_\_\_\_\_  
Name Owner Signature \_\_\_\_\_ Owner

\_\_\_\_\_  
Property Address Archuleta County, Colorado

**As owner(s) or equitable interest, I (we) indicate my (our) intent to Consolidate**

\_\_\_\_\_ to become \_\_\_\_\_, \_\_\_\_\_, in  
(Lot Numbers) (Lot(s)) (Block, if applicable)

\_\_\_\_\_, in Archuleta County, Colorado.  
(Subdivision Name, Unit # if applicable)

**Bank/Mortgage Company:** \_\_\_\_\_  
(Please fill in Name of institution above)

I, the undersigned certify that as a representative of the Bank or other Financial Institution holding a lien against one or more of these properties and that I am authorized to grant consent to consolidate the lots as specified on this application .

Signature \_\_\_\_\_ Date \_\_\_\_\_  
(sign in presence of notary public)

\_\_\_\_\_  
(Name typed or printed) Title \_\_\_\_\_

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) ss

The foregoing instrument was acknowledged before me this  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by  
\_\_\_\_\_ and \_\_\_\_\_

Notary Public  
My Commission Expires \_\_\_\_\_

***If there is more than one lien holder on the properties to be consolidated, one CONSENT form must be completed for each lien holder. Make copies or contact the Planning department for additional forms.***