

MEAGHER COUNTY
Subdivision Application
Supplements
February 2022 Version

Note that these supplements are not adopted as an official part of the Meagher County Subdivision Regulations. The supplements serve as a resource for the County Subdivision Administrator to better navigate the regulations and to assist applicants with submitting subdivision applications that comply with the Subdivision and Platting Act and the County Subdivision Regulations.

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SUPPLEMENT 1:
REQUEST FOR PREAPPLICATION MEETING

Please complete this form and attach all required materials and submit it to the subdivision administrator to schedule a pre-application meeting. The subdivision administrator will contact you and hold the meeting within 30 days.

Applicant Information:

Pre-application Date: _____ Preliminary Plat Review Fee: _____

Type of Subdivision: First Minor: _____ Subsequent Minor: _____ Major: _____ Amended Plat: _

Working Name of Subdivision: _____

Name of Landowner: _____

Phone: _____ Email Address: _____ Address: _____
City: _____ State: _____ Zip: _____

Name of Subdivider/Applicant: _____

Phone: _____ Email Address: _____
Address: _____ City: _____ State: _____ Zip: _____

Surveyor/Engineer: _____

Phone: _____ Email Address: _____
Address: _____ City: _____ State: _____ Zip: _____

Parcel Description:

Legal Description: _____ of Section _____ Township _____ N Range _____ E

Parcel Total Size: _____ Number of Lots: _____

Sanitation Review: local: _____ or DEQ _____

Road Access: _____

Existing Use: _____ Proposed Use: _____

Type of development: Single Family _____ Multi-Family _____ Condominium _____
Commercial/Industrial _____ Other, describe _____

Jurisdictional Area: _____

The following information must be submitted with this form:

Attachments

1. Existing Conditions Sketch Map;

The sketch may be a freehand sketch drawn directly on a print of a topographic map of the area proposed for division at a scale of 1 inch to 400 feet or larger that is adequate to show the property and must include the following:

- location;
- approximate tract and lot boundaries of existing tracts of record;
- description of general terrain;
- natural features on the land, including water bodies, floodplains geologic hazards, and soil types;
- existing structures and improvements;
- existing utility lines and facilities serving the area to be subdivided
- existing easements and rights of way;

2. Proposed Improvements Sketch Map;

The sketch may be a freehand sketch drawn directly on a print of a topographic map of the area proposed for division at a scale of 1 inch to 400 feet or larger that is adequate to show the property and must include the following:

- tract and proposed lot boundaries;
- proposed public and private improvements;
- location of utility lines and facilities;
- easements and rights of way;
- parks and open space and proposed conservation easements;

3. Documentation on the status of the site, including:

- ownership information, such as a deed, option to buy or buy-sell agreement, including permission to subdivide;
- water rights, including location of Agricultural Water User Facilities;
- any special improvement districts; and
- rights of first refusal for the property
- existing zoning or development regulation standards;
- existing conservation easements; and
- existing covenants or deed restrictions.

Please provide one paragraph narrative description of the development project: _____

This form services as written notice that requires the subdivider to meet with the Subdivision Administrator to review subdivision application prior to the subdivider submitting the application meets the requirements of Section 76-3-504(1)(q)(i), MCA.

This form is only a record of a pre-application meeting between the applicant and the Meagher County Subdivision Administrator. The applicant is hereby notified that this completed form, as well as anything discussed at the related meeting, does not guarantee Meagher County's approval or conditional approval in any way of the applicant's proposed subdivision.

Applicant Signature

Date:

SUPPLEMENT 2:

LIST OF POTENTIAL AGENCY CONTACTS

Pursuant to Section 76-3-504(1)(q)(iii), MCA, a subdivider shall be provided a list of *public utilities, those agencies of local, state, and federal government, and any other entities that may be contacted for comment on the subdivision application and the timeframe that the public utilities, agencies, and other entities are given to respond.*

The following is of public utilities, local, state, and federal government agencies and other entities have a substantial interest in subdivisions in Meagher County may be contacted for comment on subdivision applications:

Federal:

- ❖ United States Forest Service (USFS)
- ❖ United States Fish and Wildlife Service (USFWS)
- ❖ Bureau of Reclamation
- ❖ Geological Survey (USGS)
- ❖ Federal Emergency Management Agency (FEMA)
- ❖ Bureau of Land Management (BLM)
- ❖ Natural Resources Conservation Services (NRCS)

Montana State:

- ❖ Department of Transportation (MDT)
- ❖ Department of Fish, Wildlife, and Parks Service (MT FWPS)
- ❖ Department of Environmental Equality (MT DEQ)
- ❖ Department of Natural Resources and Conservation (MDNRC)
- ❖ Bureau of Mines and Geology
- ❖ Montana State Historic Preservation Office (MT SHPO)

Meagher County:

- ❖ Sanitarian Office
- ❖ Sheriff
- ❖ Attorney
- ❖ Weed District
- ❖ Superintendent of Schools
- ❖ Soil Conservation District
- ❖ Planner

Other:

- ❖ Postal Services
- ❖ Utilities companies
- ❖ Airport Authority
- ❖ Railway Systems
- ❖ Ambulance Services & Medical Service Providers
- ❖ Fire Departments/District
- ❖ Applicable irrigation water district or ditch companies
- ❖ Water and sewer districts
- ❖ Any subcontractor of listed entities
- ❖ Other pertinent agencies for development

This list *may not* include all departments and agencies.

SUPPLEMENT 2(b):
LIST OF POTENTIAL AGENCY CONTACTS

This serves as written notice to the Applicant that the Subdivision Administrator meets the requirements of Section 76-3-504(1)(q)(iii), MCA “requires a list to be available to the subdivider of the public utilities, those agencies of local, state, and federal government, and any other entities that may be contacted for comment on the subdivision application and the timeframe that the public utilities, agencies, and other entities are given to respond”.

The following is a list of state, and federal government agencies and other entities that have a substantial interest in subdivisions in Meagher County which may need to be contacted for comments on subdivision applications. These entities may also present comments at the public hearing.

State Resources:

<p>Dept. of Fish, Wildlife, and Parks Service River's Edge Trail Great Falls, MT 59401 (406) 454-5840</p>	<p>Department of Environmental Equality (DEQ) 1520 East Sixth Avenue P.O. Box 200901 Helena, Montana 59620 (406) 444-4400 <i>{Federal Agency is Environmental Protection Agency (EPA)}</i></p>	<p>Dept. of Natural Resources (MT DNRC) Central Land Office 8001 N. Montana Avenue Helena, MT 59602 406-458-3500</p>
<p>Montana Bureau of Mines and Geology 1300 West Park Street Butte, MT 59701-8997 (406) 496-4167 <i>(geology, ground water, water quality, well logs, topographic maps)</i></p>	<p>Montana State Historic Preservation Office (MT SHPO) 1410 Eighth Avenue Helena MT 59620 (406) 444-7715 <i>(cultural, historical, etc....)</i></p>	<p>Department of Transportation (MDT) 3751 Wynne PO Box 3068 Butte, MT 59702-3068 406-494-9600</p>

Federal Resources:

<p>Bureau of Land Management Lewistown Field Office 920 Northeast Main Lewistown, MT 59457 406-538-1900</p>	<p>Geological Survey (USGS) 3162 Bozeman Avenue Helena, MT 59601 (406) 457-5900 Fax: (406) 457-5990 <i>(geology, surface, and ground water, water quality, floodways, topographic maps)</i></p>	<p>Fish & Wildlife Service 1420 East Sixth Avenue P.O. Box 200701 Helena, MT 59620-0701 <i>(topography, surface water, soil maps, vegetation, wildlife, fire hazards, maps)</i></p>
<p>Federal Emergency Management Agency (FEMA) U.S. Department of Homeland Security 500 C Street SW Washington, D.C. 20472 (202) 646-2500</p>	<p>Natural Resources Conservation Services (NRCS) 10 East Babcock Street Federal Building, Room 443 Bozeman, MT 59715-4704 <i>(soils, surface water, flood hazards, erosion)</i></p>	<p>Bureau of Reclamation 316 North 26th Billings, MT 59101 Mailing Address: P.O. Box 36900 Billings, MT 59107-6900</p>

*****Disclaimer:** This list *may not* contain all departments of Meagher County and State and Federal agencies who may have an interest or may need to be contacted for comments. The contact information may change due: relocation of office, change in staff, and changes in the department/agency.

For a list of Engineers, Surveyors, developers, or contractors this office suggests researching the phone book or using an internet search engine as it is unethical for this office to provide the name of one firm over another.

SUPPLEMENT 3:

PRE-APPLICATION MEETING LIST

Pursuant to Section 76-3-504(1)(q)(ii), MCA, “*requires, for informational purposes only, identification of the state laws, local regulations, and growth policy provisions, if a growth policy has been adopted, that may apply to the subdivision review process*”, the following list identifies sources of the rules and regulations that may apply to the subdivision review process:

Meagher County will review the proposed subdivision for compliance with the provisions found in the following state laws, local regulations, and policies.

1. Montana’s Subdivision and Surveying Laws and Regulations – Title 76, Chapter 3
2. Montana’s Sanitation and Surveying Laws and Regulations– Title 76, Chapter 4
3. Montana’s Department of Environmental Quality Administrative Rules for the Montana Sanitation in Subdivisions Act.
4. Montana Department of Labor and Industry Administrative Rules for the Montana Subdivision and Platting Act – Uniform Standards for Survey Monumentation, Certificate of Survey and Final Subdivision Plats.
5. Meagher County Subdivision Regulations
6. Meagher County Growth Policy

This serves as written notice to the Applicant that Subdivision Administrator meets the requirements of Section 76-3-504(1)(q)(ii), MCA.

SUPPLEMENT 4:
SUBDIVISION PRELIMINARY PLAT APPLICATION FORM & ELEMENT CHECKLIST

1. Date of Pre-Application Meeting: _____ Date of Application submittal: _____
2. Name of the proposed subdivision _____
3. Type of Subdivision: First Minor: _____ Subsequent Minor: _____ Major: _____
Amended: _____
4. Total number of Lots: _____ Total number of Blocks: _____

Total Acreage: _____
5. Legal description: _____ of Section _____ Township _____ N Range _____ E
6. Property Physical Address: _____

7. Existing land use: _____
8. Type of proposed development: Single Family _____ Multi-Family _____
9. Condominium _____ Commercial/Industrial _____ Other, describe _____

10. Sanitation Review: local: _____ or DEQ _____
11. Road Access: _____
12. Variance request: _____
13. Fire Dept/District: _____ Police/Sheriff area: _____
14. Property Owner Name: _____

Address (Street or P.O. Box, City, State, Zip Code), Phone number and Email address
15. Applicant Name: _____

Address (Street or P.O. Box, City, State, Zip Code), Phone number and Email address
16. Preparer/Agent Name: _____

Address (Street or P.O. Box, City, State, Zip Code), Phone number and Email address

17. Surveyor Name: _____

Address (Street or P.O. Box, City, State, Zip Code), Phone number and Email address

18. Engineer Name: _____

Address (Street or P.O. Box, City, State, Zip Code), Phone number and Email address

19. Preliminary plat submittal must include the following elements:

For each item listed below, the Applicant places a checkmark in **Column A** to indicate if the required element is included in the submitted application. Any item considered “not applicable” and marked in **Column B** must be explained in a narrative and attached to this form. A detailed description of each element listed below can be found in Supplement 4.

Preliminary Plat Elements Checklist		Column A “Included”	Column B N/A	FOR OFFICE USE ONLY, Subdivision Administrator Verification
1	A completed and signed subdivision application form			
2	Table of Contents that follow this Checklist			
3	The required review fee			
4	A preliminary plat (and if applicable a preliminary site plan)			
5	A copy of the most current certificate of survey or subdivision plat pertaining to the subject parcel to be subdivided			
6	A vicinity sketch, as described in the Supplements, showing the location of the nearest utilities.			
7	A topographic map			
8	A stormwater drainage plan			
9	If development is planned in phases, a phasing plan meeting the requirements of Section IV-A-2			
10	Subdivision Guarantee, dated no more than 6 months prior to date of preliminary plat submittal			
11	Lienholders' acknowledgement of subdivision			
12	Documentation of legal and physical access			
13	Documentation of existing easements, including those for agricultural water user facilities			
14	Existing covenants and deed restrictions			
15	Existing water rights (for lots 5 acres or less)			
16	Existing mineral rights (for lots 5 acres or less)			
17	Names and addresses of all adjoining property owners (Two sets of adhesive labels for major applications)			
18	Proposed road plans and profiles, include the location and dimensions of the roads and if proposed alleys, sidewalks, and / or paths			
19	Approach/access/encroachment permits submitted to Montana Department of Transportation or the local jurisdiction			
20	Road Maintenance Agreement (or plan)			
21	Proposed easements, including the location of the nearest utilities			
22	Proposed disposition of water rights (for lots 5 acres or less)			
23	Proposed disposition of mineral rights (for lots 5 acres or less)			

24	Parkland dedication calculations, location of and description of proposed parkland, or cash-in-lieu (requirement for major subdivisions)			
25	Environmental assessment and/or summary of probable Impacts			
26	Transportation Impact Analysis or traffic study created by a professional engineer			
27	Noxious Weed Management Compliance Plan			
28	Existing and proposed property owners' association documents, including draft articles of incorporation, declaration and bylaws			
29	Required water and sanitation information, (if required a copy of the full DEQ application)			
30	Letter requesting a revocation of agricultural covenants			
31	Letter indicating locations of cultural or historic resources			
32	Variance request; (and required variance fee)			
33	An engineering study that identifies the Base Flood Elevation (BFE) if identified during the pre-application meeting.			
34	Letter identifying and proposing mitigation for potential Hazards or other adverse impacts not covered by any of the above required materials, (e.g. oil well site)			
35	Such additional relevant and reasonable information as identified by the subdivision administrator that is pertinent to the required elements of this section			
36	If proposing a first minor subdivision, or a subsequent minor subdivision, a copy of each instrument of transfer or tract pertaining to the subject parcel filed or recorded since July 1, 1973. The instrument of transfer includes but not limited to deed(s), certificate of survey(s) or subdivision plat(s).			

This application must be signed by both the applicant and property owner (if different) before the submittal will be accepted.

I (We) hereby certify that the above information is true and correct to the best of my (our) knowledge.

Applicant's Signature

Property Owner's Signature

Satisfactory completion of the elements checklist by the Subdivision Administrator is written confirmation to the Applicant that the application submittal contains the elements required by the Subdivision Regulations pursuant to Section 76-3-604(2)(a), MCA. Incomplete provision of the elements in the checklist by the Subdivider will result in a written notification by the Subdivision Administrator pursuant to Section II-A-3 of the Meagher County Subdivision Regulations.

The completed checklist is also notification to the Applicant that the Subdivision Administrator may send copies of the submittal, and other correspondence pertaining to the application, to any of the agencies on the attached *Reviewing Agency List* for the purpose of obtaining their assistance in determining if the submittal elements contained detailed, supporting information sufficient to allow an adequate review pursuant to Section 76-3-604(2)(c), MCA.

Subdivision Administrator Use Only	
Element Review Date:	Tentative Sufficiency Review Date:
Tentative Planning Board Public Hearing Date:	County Commission Public Meeting Date:
Subdivision Administrator Signature and Date:	

*The Element and Sufficiency Review, Planning Board Public Hearing, and the County Commissioners Public Meeting Dates are **tentative** pending completeness of the application and are not intended for application absolute timeline.*

SUPPLEMENT 5

SUBDIVISION APPLICATION AND PRELIMINARY PLAT APPLICATION SUBMITTAL REQUIREMENTS

Subdivision Application and Preliminary Plat.

The subdivider shall provide the required copies of the preliminary plat and supplement materials as identified by the Subdivision Administrator.

The required copies of the all supplemental materials shall be organized format with a cover sheet (summary of the subdivision proposal), table of contents that reflects the application check list in Supplement 4, identification tabs for each section and shall be bound in a three-ring binder (at least 2 inch) for each set and ready for distribution. The subdivider shall also provide an electronic form (PDF format).

1. Preliminary Plat Subdivision Application Form:

The subdivider shall submit a completed subdivision application form that is signed by the landowner(s) of record.

2. Preliminary Plat Review Fee:

The subdivider shall submit the required review fee as identified in the pre-application meeting, in Section I-L-3 of the Meagher County Subdivision Regulations and as identified the adopted Fee Schedule.

3. Preliminary Plat (and if applicable preliminary site plans).

The subdivider shall submit a 24 inch by 36-inch size, 18 inch by 24 inch in size and/or 11 inch by 17 inch size as specified by the subdivision administrator preliminary plat completed by a land surveyor.

a) As requested by the Subdivision Administrator the subdivider shall submit additional copies for the Planning Board and governing body. The following information must be provided on the preliminary plat:

- a. The subdivision or development name (the title must contain the words “plat” and/or “subdivision”). No duplication of subdivision name;
- b. The legal description, including Section, Township, and Range, and any underlying survey data;
- c. A north arrow;
- d. The scale used on the plat;
- e. The certification of a professional land surveyor;
- f. The certification of a professional engineer (if the preliminary plat application or data includes engineering plans or specifications);
- g. The names of all owners of record and the subdivider [if different from the owner(s)];
- h. The date the preliminary plat is completed;
- i. Proposed lot layout with approximate dimensions and sizes;
- j. Lots and blocks identified by number or letter;
- k. The use of each lot;
- l. The exterior boundaries of the parcel proposed for subdivision with bearings, distances, and curve data indicated outside of the boundary lines. When the plat is bounded by an irregular shoreline or body of water, the bearings and distances of a closing meander traverse shall be given;

- m. All existing streets, roads, highways, streets, avenues, alleys, and/or access easements within or adjacent to the subject property (all existing Petition numbers and Book and Page numbers are to be shown);
 - n. All proposed streets, roads, alleys, avenues, and easements; the width of the easement or right-of-way, grades, curvature of each;
 - i. Layout, numbers (or if acceptable, name), and widths of proposed streets or easements with proper dedications
 - o. Existing and proposed road and street numbers (or if acceptable, name);
 - p. Proposed location of intersections for any subdivision requiring access to state or local streets, roads, avenues, alleys, or highways;
 - q. The names and addresses of adjoining platted subdivisions and recording information from adjoining subdivisions, certificates of survey, or unplatted lands;
 - r. The approximate location of all section corners or legal subdivision corners of sections pertinent to the subdivision boundary;
 - s. Approximate area, location, boundaries, and dimensions of all parks, open space, common grounds, and other grounds dedicated for public use; (use of proper dedication is required). Including existing parks, open space, etc....
 - t. The total gross area of the subdivision and the total net area, exclusive of public areas and rights-of-way;
 - u. Existing and proposed infrastructure and proposed utilities including all existing Book and Page numbers are to be shown:
 - i. The approximate location, size, and depth of existing and proposed sanitary and storm sewers;
 - ii. The approximate location, size, and depth of existing and proposed water mains, lines, wells, and facilities; and
 - iii. The approximate locations of gas lines, fire hydrants or firefighting water storage facilities, electric and telephone lines, and street lights.
4. A copy of the most current certificate of survey or subdivision plat pertaining to the subject parcel to be subdivided.
 5. A vicinity sketch showing:
 - a) The approximate locations of all existing buildings, structures, and other improvements;
 - b) Ownership of lands immediately adjoining a subdivision, and existing buildings, structures, and other improvements on those lands; and
 - c) Any existing or proposed zoning classification of the tract and adjacent lands, if applicable.
 - a. including any proposed variance requests.
 6. A topographic map:
 - a) For any land area which will be subdivided or disturbed, contour intervals of 2' where the average slope is less than 10%; intervals of five feet where the average slope is greater than 10% and less than 15%; and intervals of ten feet where the average slope is 15% or greater.
 - b) Slopes greater than 25% shall be shown as no-build zones.
 7. A stormwater drainage plan that meets the standards identified in DEQ Circular 8 and the specifications as required by ARM 17.36.310.
 8. If development is planned in phases, a phasing plan meeting the requirements of Section IV-A-2.
 9. Subdivision Guarantee, dated not more than 6 months prior to the date of submittal.
 10. Lien holders' Acknowledgement of Subdivision for each lien holder identified on the Subdivision Guarantee or Title Insurance Guarantee.

11. Documentation of legal and physical access.
12. Documentation of existing easements, including those for agricultural water user facilities.
13. Existing covenants and deed restrictions.
14. Existing water rights (for lots 5 acres or less); a signed land by the landowner(s) stating they have water rights for the parcel.
15. Existing mineral rights (for lots 5 acres or less); a signed land by the landowner(s) stating they have mineral rights for the parcel.
16. Names and addresses of all adjoining property owners (Two sets of adhesive labels for major applications).
17. Proposed road plan and profile, include the location and dimensions of the roads and if proposed alleys, sidewalks, and / or paths; that includes:

Shall be drafted by a professional engineer licensed in Montana.

 - a) Street numbers (or if acceptable, name).
 - b) Right-of-way or easement widths;
 - c) Pavement widths;
 - d) Street grades;
 - e) Pavement and base thickness;
 - f) Typical cross sections for each type of road;
 - g) Road profiles and cross sections for all proposed streets and roads which have grades exceeding 5%, or cuts and fills exceeding 3’.
 - h) The type and location of sidewalks and curbs (where required);
 - i) The minimum site distances at corners;
 - j) The minimum curb radiuses at corners;
 - k) For cul-de-sac streets:
 - a. Widths of turn around radiuses;
 - b. Minimum right-of-way widths at the turnarounds;
 - c. Minimum pavement or road surface width at the turnarounds;
 - d. Total lengths of the streets. The locations and characteristics of bridges and culverts;
 - i. The locations and dimensions of adjoining lots and open spaces;
 - ii. The locations and widths of easements and dedicated land, which provide a buffer between the subdivision lots and streets;
 - iii. Typical grading and location of intersections with private driveways; and
 - iv. Description of how the roads will be maintained.
18. Approach/access/encroachment permits from Montana Department of Transportation or the local jurisdiction;
19. Road maintenance agreement (or plan);
20. Proposed easements, include the location of the nearest utility;
21. Proposed disposition of water rights (for lots 5 acres or less), as required by Section VI-O of the subdivision regulations; a signed land by the landowner(s) stating their intent whether they will keep the water rights or transfer the water rights.
22. Proposed disposition of mineral rights (for lots 5 acres or less); a signed land by the landowner(s) stating their intent whether they will keep the mineral rights or transfer the mineral rights.
23. Parkland dedication calculations, location of and description of proposed parkland, or proposal for cash-in-lieu (requirement for major subdivisions, a property valuation assessment or appraisal if cash-in-lieu of parkland is proposed as required by Section V-P of the subdivision regulations);

24. Environmental Assessment and/or Summary of Probable Impacts including:
- a) Proof that the subdivider has submitted for review copies of the subdivision application and environmental assessment, if applicable, to the public utilities and agencies of the local, state, and federal government identified during the pre-application meeting or subsequently identified as having an interest in the proposed subdivision; and
 - b) An explanation of how the subdivider has responded to the comments of the subdivision administrator at the pre-application meeting.
25. Transportation Impact Analysis or Transportation Plan;
- Shall be drafted by a professional engineer licensed in Montana.
- a) Transportation Impact Analysis or Transportation Plan: if deemed necessary by the County Planner, County Planning Board and / or by Montana Department of Transportation the Transportation Impact Analysis or Transportation Plan shall be drafted and submitted.
 - b) Transportation Analysis: the following information is required:
 - a. Describe any proposed new public or private access roads or substantial improvements of existing public or private access roads;
 - b. Discuss whether any of the individual lots or tracts have access directly to arterial or collector roads; and if so, the reason access was not provided by means of a road within the subdivision;
 - c. Explain any proposed closure or modification of existing roads;
 - d. Identify existing primary road Average Vehicle Traffic and subdivision daily vehicle traffic assigned to that primary road;
 - e. Describe provisions considered for dust control on roads;
 - f. Indicate who will pay the cost of installing and maintaining dedicated and/or private roadways;
 - g. Discuss how much daily traffic will be generated on existing local and neighborhood roads and main arterial, when the subdivision is fully developed;
 - h. Indicate the capacity of existing and proposed roads to safely handle any increased traffic.
 - i. Explain whether year round access by conventional automobile will be available over legal rights of way to the subdivision and to all lots and common facilities within the subdivision.
26. Weed Management Plan and Re-vegetation Plan; Meagher County Subdivision Noxious Weed Control Plan shall be submitted for every new subdivision. An initial inspection for noxious weeds by the Meagher County Weed District will accompany the submission of the Weed Plan, the Meagher County Weed Coordinator will sign off. This agreement shall be signed and notarized by the subdivider.
27. Existing and proposed property owners' association documents, including draft articles of incorporation, declaration, and bylaws.
28. Required water and sanitation information including; a full copy of the DEQ application will need to be submitted along with the preliminary application materials and comments from the local sanitarian office.

76-3-622. Water and sanitation information to accompany preliminary plat. (1) Except as provided in subsection (2), the subdivider shall submit to the governing body or to the agent or agency designated by the governing body the information listed in this section for proposed subdivisions that will include new water supply or wastewater facilities. The information must include:

(a) a vicinity map or plan that shows:

(i) the location, within 100 feet outside of the exterior property line of the subdivision and on the proposed lots, of:

(A) flood plains;

(B) surface water features;

(C) springs;

(D) irrigation ditches;

(E) existing, previously approved, and, for parcels less than 20 acres, proposed water wells and wastewater treatment systems;

(F) for parcels less than 20 acres, mixing zones identified as provided in subsection (1)(g); and

(G) the representative drainfield site used for the soil profile description as required under subsection (1)(d); and

(ii) the location, within 500 feet outside of the exterior property line of the subdivision, of public water and sewer facilities;

(b) a description of the proposed subdivision's water supply systems, storm water systems, solid waste disposal systems, and wastewater treatment systems, including:

(i) whether the water supply and wastewater treatment systems are individual, shared, multiple user, or public as those systems are defined in rules published by the department of environmental quality; and

(ii) if the water supply and wastewater treatment systems are shared, multiple user, or public, a statement of whether the systems will be public utilities as defined in [69-3-101](#) and subject to the jurisdiction of the public service commission or exempt from public service commission jurisdiction and, if exempt, an explanation for the exemption;

(c) a drawing of the conceptual lot layout at a scale no smaller than 1 inch equal to 200 feet that shows all information required for a lot layout document in rules adopted by the department of environmental quality pursuant to [76-4-104](#);

(d) evidence of suitability for new onsite wastewater treatment systems that, at a minimum, includes:

(i) a soil profile description from a representative drainfield site identified on the vicinity map, as provided in subsection (1)(a)(i)(G), that complies with standards published by the department of environmental quality;

(ii) demonstration that the soil profile contains a minimum of 4 feet of vertical separation distance between the bottom of the permeable surface of the proposed wastewater treatment system and a limiting layer; and

(iii) in cases in which the soil profile or other information indicates that ground water is within 7 feet of the natural ground surface, evidence that the ground water will not exceed the minimum vertical separation distance provided in subsection (1)(d)(ii);

(e) for new water supply systems, unless cisterns are proposed, evidence of adequate water availability:

(i) obtained from well logs or testing of onsite or nearby wells;

(ii) obtained from information contained in published hydrogeological reports; or

(iii) as otherwise specified by rules adopted by the department of environmental quality pursuant to [76-4-104](#);

(f) evidence of sufficient water quality in accordance with rules adopted by the department of environmental quality pursuant to [76-4-104](#);

(g) a preliminary analysis of potential impacts to ground water quality from new wastewater treatment systems, using as guidance rules adopted by the board of environmental review pursuant to [75-5-301](#) and [75-5-303](#) related to standard mixing zones for ground water, source specific mixing zones, and nonsignificant changes in water quality. The preliminary analysis may be based on currently available information and must consider the effects of overlapping mixing zones from proposed and existing wastewater treatment systems within and directly adjacent to the subdivision. Instead of performing the preliminary analysis required under this subsection (1)(g), the subdivider may perform a complete nondegradation analysis in the same manner as is required for an application that is reviewed under Title 76, chapter 4.

(2) A subdivider whose land division is excluded from review under [76-4-125](#)(2) is not required to submit the information required in this section.

(3) A governing body may not, through adoption of regulations, require water and sanitation information in addition to the information required under this section unless the governing body complies with the procedures provided in [76-3-511](#).

29. Letter requesting a revocation of agricultural covenants;
30. Letter indicating locations of cultural or historic resources;
31. Variance request or approval and the required Fee;
32. An engineering study that identifies the Base Flood Elevation (BFE)
33. Letter identifying and proposing mitigation for potential hazards or other adverse impacts not covered by any of the above required materials;
34. Such additional relevant and reasonable information as identified by the Subdivision Administrator that is pertinent to the required elements of this section.
35. If proposing a first minor subdivision, or a subsequent minor subdivision, a copy of each instrument of transfer or tract pertaining to the subject parcel filed or recorded since July 1, 1973. The instrument of transfer includes but not limited to deed(s), certificate of survey(s) or subdivision plat(s).

SUPPLEMENT 6:
DEPARTMENT OF ENVIRONMENTAL QUALITY AND SANITATION
REVIEW

Montana Department of Environmental Quality application form is available on the DEQ

website at: <http://www.deq.mt.gov/wqinfo/Sub/SubReviewForms.mcp>

Notice: The statutory time frame for each DEQ review is 60 days. Resubmittal of denied or incomplete applications restarts the time frame. The estimated time for the DEQ to act on a complete subdivision application is 10 days for subdivision reviewed by a local department of health under contract with DEQ. Local health departments review subdivisions within 50 days of receipt of a complete application. During non-peak times, a review may take 25 to 45 days. For peak times, the review may take 45 to 60 days.

For assistance with the DEQ application contact:

Montana Department of Environmental Quality
Office 1520 East Sixth Avenue
P.O. Box 200901
Helena, Montana 59620
(406) 444-4400

Meagher County Sanitation

A full copy of the DEQ application packet will also need to be submitted to the following Meagher County Departments:

Meagher County Sanitation Office

Meagher County Planner Office

SUPPLEMENT 7:

ENVIRONMENTAL ASSESSMENT

Information specified in this Part must be provided in addition to that required in Supplement 4 and 5 of this application form unless the proposed subdivision qualifies for an exemption under Chapter IX of the subdivision regulations.

Describe the following environmental features, provide responses to each of the following questions (each question must precede its response) and provide reference materials as required. All materials and reports submitted for major subdivisions must be submitted in the following order: **Environmental Assessment (Supplement 7), Summary of Probable Impacts (Supplement 8), and Community Impacts Report (Supplement 9).** Subdivisions processed as minor subdivisions according to Chapter III of these regulations must only submit a Summary of Probably Impacts (Supplement 8).

All materials and reports should be clearly typed any handwritten material or reports must be clearly legible. Responses should cite any reference materials that apply to a topic or selection. If the proposed development will not have an impact on a particular topic or selection the subdivider must provide information and a detailed analysis as to why there will be no impact.

1. Surface Water

Locate on a plat overlay or sketch map:

- a. Any natural water systems such as streams, rivers, intermittent streams, lakes, or marshes (also indicate the names and sizes of each).
- b. Any artificial water systems such as canals, ditches, aqueducts, reservoirs, and irrigation systems (also indicate the names, sizes, and present uses of each).
- c. Time when water is present (seasonally or all year).
- d. Any areas subject to flood hazard, or in delineated 100-year floodplain.
- e. Describe any existing or proposed stream bank alteration from any proposed construction or modification of lake beds or stream channels. Provide information on location, extent, type and purpose of alteration, and permits applied for.

2. Groundwater

Using available data provide the following information:

- a. The minimum depth to water table and identify dates when depths were determined. What is the location and depth of all aquifers which may be affected by the proposed subdivision? Describe the location of known aquifer recharge areas which may be affected.
- b. Describe any steps necessary to avoid depletion or degradation of groundwater recharge areas.

3. Topography, Geology and Soils

- a. Provide a map of the topography of the area to be subdivided, and an evaluation of suitability for the proposed land uses. On the map identify any areas with highly erodible soils or slopes more than 15% grade. Identify the lots or areas affected. Address conditions such as:

- i. Shallow bedrock
 - ii. Unstable slopes
 - iii. Unstable or expansive soils
 - iv. Excessive slope
- b. Locate on an overlay or sketch map:
 - i. Any known hazards affecting the development which could result in property damage or personal injury due to:
 - A. Falls, slides or slumps -- soil, rock, mud, snow.
 - B. Rock outcroppings
 - C. Seismic activity.
 - D. High water table
- c. Describe measures proposed to prevent or reduce these dangers.
- d. Describe the location and amount of any cut or fill more than three feet in depth. Indicate these cuts or fills on a plat overlay or sketch map. Where cuts or fills are necessary, describe plans to prevent erosion and to promote vegetation such as replacement of topsoil and grading.
- e. In considering any unusual conditions specifically address any problems which may be encountered in excavating for:
 - i. Basements
 - ii. Water supply trenches
 - iii. Sewer line trenches
 - iv. Septic tank and drainfields
 - v. Underground electrical and telephone lines

4. Vegetation

- a. On a plat overlay or sketch map:
 - i. Indicate the distribution of the major vegetation types, such as marsh, grassland, shrub, coniferous forest, deciduous forest, mixed forest.
 - ii. Identify the location of critical plant communities such as:
 - A. Stream bank or shoreline vegetation
 - B. Vegetation on steep, unstable slopes
 - C. Vegetation on soils highly susceptible to wind or water erosion
 - D. Type and extent of noxious weeds
- b. Describe measures to:
 - i. Preserve trees and other natural vegetation (e.g. locating roads and lot boundaries, planning construction to avoid damaging tree cover)
 - ii. Protect critical plant communities (e.g. keeping structural development away from these areas), setting areas aside for open space

- iii. Prevent and control grass, brush, or forest fires (e.g., green strips, water supply, access).
- iv. Control and prevent growth of noxious weeds

5. Wildlife

- a. Identify species of fish and wildlife use the area affected by the proposed subdivision.
- b. On a copy of the preliminary plat or overlay, identify known critical wildlife areas, such as big game winter range, calving areas, and migration routes; riparian habitat and waterfowl nesting areas; habitat for rare or endangered species and wetlands.
- c. Describe proposed measures to protect or enhance wildlife habitat or to minimize degradation (e.g., keeping buildings and roads back from shorelines; setting aside wetlands as undeveloped open space).

SUPPLEMENT 8:

SUMMARY OF PROBABLE IMPACTS

Describe in detail the probable impacts of the proposed subdivision on each topic below. Provide responses to each of the following questions (each question must precede its response) and provide reference materials as required.

All materials and reports submitted for major subdivisions must be submitted in the following order: **Environmental Assessment (Supplement 7), Summary of Probable Impacts (Supplement 8), and Community Impacts Report (Supplement 9)**. Subdivisions processed as minor subdivisions according to Chapter III of these regulations must only submit a Summary of Probable Impacts (Supplement 8).

All materials and reports should be clearly typed any handwritten material or reports must be clearly legible. Responses should cite any reference materials that apply to a topic or selection. If the proposed development will not have an impact on a particular topic or selection the subdivider must provide information and a detailed analysis as to why there will be no impact.

1. Effects on Agriculture

- a. Is the proposed subdivision or associated improvements located on or near prime farmland or farmland of statewide importance as defined by the Natural Resource Conservation Service? If so, identify each area on a copy of the preliminary plat.
- b. Describe whether the subdivision would remove from production any agricultural or timber land.
- c. Describe in detail the possible conflicts with nearby agricultural operations (e.g., residential development creating problems for moving livestock, operating farm machinery, maintaining water supplies, controlling weeds, or applying pesticides; agricultural operations suffering from vandalism, uncontrolled pets, or damaged fences).
- d. Describe in detail the possible nuisance problems which may arise from locating a subdivision near agricultural or timber lands.
- e. Describe in detail effects the subdivision would have on the value of nearby agricultural lands.
 - i. Would the market, mortgage, and taxable value of the nearby agricultural land increase?
 - ii. Would the increased market value and the condition in b, c, and d, above encourage further land division or otherwise remove land from production?
- f. Would the costs of providing additional educational and other public facilities result in higher mill levies on agricultural properties?

2. Effects on Agricultural Water User Facilities

- a. Describe conflicts the subdivision would create with agricultural water user facilities (e.g., residential development creating problems for operating and maintaining irrigation systems) and whether agricultural water user facilities would be more subject to vandalism or damage because of the subdivision.
- b. Describe possible nuisance problems which the subdivision would generate with regard to agricultural water user facilities (e.g., safety hazards to residents or water problems from irrigation ditches, head gates, siphons, sprinkler systems, or other agricultural water user facilities).

3. Effects on Local Services

- a. Indicate the proposed use and number of lots or spaces in each:
 - _____ Residential, single family
 - _____ Residential, multiple family
 - _____ Types of multiple family structures and number of each (e.g., duplex, 4-plex)
 - _____ Planned unit development (No. of units)
 - _____ Condominium (No. of units)
 - _____ Mobile Home Park
 - _____ Recreational Vehicle Park
 - _____ Commercial
 - _____ Industrial
 - _____ Other (Please describe _____)
- b. Describe the additional or expanded public services and facilities that would be demanded of local government or special districts to serve the subdivision.
 - i. Describe additional costs which would result for services such as roads, bridges, law enforcement, parks and recreation, fire protection, water, sewer and solid waste systems, schools or busing, (including additional personnel, construction, and maintenance costs).
 - ii. Who would bear these costs (e.g., all taxpayers within the jurisdiction, people within special taxing districts, or users of a service)?
 - iii. Can the service providers meet the additional costs given legal or other constraints (e.g., statutory ceilings on mill levies or bonded indebtedness)?
 - iv. Describe off-site costs or costs to other jurisdictions may be incurred (e.g., development of water sources or construction of a sewage treatment plant; costs borne by a nearby municipality).
- c. Describe how the subdivision allows existing services, through expanded use, to operate more efficiently, or makes the installation or improvement of services feasible (e.g., allow installation of a central water system, or upgrading a country road).
- d. What are the present tax revenues received from the unsubdivided land?
 - i. By the County \$ _____
 - ii. By the municipality if applicable _____
 - iii. By the school(s) \$ _____
- e. Provide the approximate revenues received by each above taxing authority if the lots are reclassified, and when the lots are all improved and built upon. Describe any other taxes that would be paid by the subdivision and into what funds (e.g. personal property taxes on mobile/manufactured homes are paid into the County general fund).
- f. Would new taxes generated from the subdivision cover additional public costs?
- g. How many special improvement districts would be created which would obligate local government fiscally or administratively? Are any bonding plans proposed which would affect the local government's bonded indebtedness?

4. Effects on the Historic or Natural Environment

- a. Describe and locate on a plat overlay or sketch map known or possible historic, paleontological, archaeological, or cultural sites, structures, or objects which may be affected by the proposed subdivision.
- b. How would the subdivision affect surface and groundwater, soils, slopes, vegetation, historical or archaeological features within the subdivision or on adjacent land? Describe plans to protect these sites.
 - i. Would any stream banks or lake shorelines be altered, streams re-channeled or any surface water contaminated from sewage treatment systems, run-off carrying sedimentation, or concentration of pesticides or fertilizers?
 - ii. Would groundwater supplies likely be contaminated or depleted as a result of the subdivision?
 - iii. Would construction of roads or building sites require cuts and fills on steep slopes or cause erosion on unstable, erodible soils? Would soils be contaminated by sewage treatment systems?
 - iv. Describe the impacts that removal of vegetation would have on soil erosion, bank, or shoreline instability.
 - v. Would the value of significant historical, visual, or open space features be reduced or eliminated?
 - vi. Describe possible natural hazards the subdivision could be subject to (e.g., natural hazards such as flooding, rock, snow or landslides, high winds, severe wildfires, or difficulties such as shallow bedrock, high water table, unstable or expansive soils, or excessive slopes).
- c. How would the subdivision affect visual features within the subdivision or on adjacent land? Describe efforts to visually blend the proposed development with the existing environment (e.g., use of appropriate building materials, colors, road design, underground utilities, and re-vegetation of earthworks).

5. Effects on Wildlife

- a. Describe in detail what impacts the subdivision or associated improvements would have on wildlife in the area.
- b. Describe in detail the effect that pets, or human activity would have on wildlife.

6. Effect on Wildlife Habitat

- a. Describe in detail what impacts the subdivision or associated improvements would have on wildlife habitat areas such as big game wintering range, migration routes, nesting areas, wetlands, or important habitat for rare or endangered species.
- b. Describe in detail the effect that pets, or human activity would have on wildlife habitat area.

7. Effects on the Public Health and Safety

- a. Describe in detail any health or safety hazards on or near the subdivision, such as: natural hazards, lack of water, drainage problems, heavy traffic, dilapidated structures, high pressure gas lines, high voltage power lines, or irrigation ditches. These conditions proposed or existing should be accurately described with their origin and location identified on a copy of the preliminary plat.

- b. Describe in detail how the subdivision would be subject to hazardous conditions due to high voltage lines, airports, highways, railroads, dilapidated structures, high pressure gas lines, irrigation ditches, and adjacent industrial or mining uses.
- c. Describe in detail land uses adjacent to the subdivision and how the subdivision will affect the adjacent land uses. Identify existing uses such as feed lots, processing plants, airports or industrial firms which could be subject to lawsuits or complaints from residents of the subdivision.
- d. Describe detail public health or safety hazards, such as dangerous traffic, fire conditions, or contamination of water supplies which would be created by the subdivision.

8. Compliance with Survey Requirements, Local Subdivision Regulations and Review Procedures.

Describe in detail compliance with survey requirements, local subdivision regulations and review procedures. Provide responses to each of the following questions and provide reference materials as required.

- a. Does the subdivision meet the requirements of the Montana Subdivision and Platting Act, the surveying requirements specified in the Uniforms Standards for Monumentation, and the Meagher County Subdivision Regulations? (Note any requirements the proposed subdivision does not comply with, and note any variance requested.)
- b. Has the subdivision review procedure been complied with?

9. Provisions of Easements for the Location and Installation of any Planned Utilities.

Describe in detail provision of easements for the location and installation of any planned utilities. Provide responses to each of the following questions and provide reference materials as required.

- a. Indicate what utilities will be supplied.
- b. Indicate the utility company or companies providing the electrical power, natural gas, or telephone services. To what extent will these utilities be placed underground? What arrangements have been made to secure these utilities?
- c. Describe proposed street lighting and who will provide it.
- d. Has the preliminary plat been submitted to affected utilities for review?
- e. Estimate the completion date of each utility installation.
- f. Does the subdivision provide easements for the location and installation of utilities as specified in these regulation?
- g. Are all easements, both proposed and existing, clearly noted and located on the face of the plat?

SUPPLEMENT 9:

COMMUNITY IMPACT REPORT

Provide a community impact report containing a statement of estimated number of people coming into the area because of the subdivision, anticipated needs of the proposed subdivision for public facilities and services, the increased capital and operating cost to each affected unit of local government. Provide responses to each of the following questions (each question must precede its response) and provide reference materials as required.

All materials and reports submitted for major subdivisions must be submitted in the following order: **Environmental Assessment (Supplement 7), Summary of Probable Impacts (Supplement 8), and Community Impacts Report (Supplement 9)**. Subdivisions processed as minor subdivisions according to Chapter III of these regulations must only submit a Summary of Probably Impacts (Supplement 8).

All materials and reports should be clearly typed any handwritten material or reports must be clearly legible. Responses should cite any reference materials that apply to a topic or selection. If the proposed development will not have an impact on a particular topic or selection the subdivider must provide information and a detailed analysis as to why there will be no impact.

1. Education and Busing

- a. Describe the available educational facilities which would serve this subdivision.
- b. Estimate the number of school children that will be added by the proposed subdivision. Provide a statement from the administrator of the affected school system indicating whether the increased enrollment can be accommodated by the present personnel and facilities and by the existing school bus system. If not, estimate the increased expenditures that would be necessary to do so.

2. Roads and Maintenance

- a. Estimate how much daily traffic the subdivision, when fully occupied will generate on existing streets and arterials.
- b. Describe the capability of existing and proposed roads to safely accommodate this increased traffic.
- c. Describe increased maintenance problems and increased cost due to this increase in volume.
- d. Describe proposed new public or private access roads including:
 - i. Measures for disposing of storm run-off from streets and roads.
 - ii. Type of road surface and provisions to be made for dust.
 - iii. Facilities for streams or drainage crossing (e.g., culverts, bridges).
 - iv. Seeding of disturbed areas.
- e. Describe the closing or modification of any existing roads.
- f. Explain why road access was not provided within the subdivision, if access to any individual lot is directly from arterial streets or roads.
- g. Is year-round access by conventional automobile over legal rights-of-way available to the subdivision and to all lots and common facilities within the subdivision? Identify the owners of any private property over which access to the subdivision will be provided.

- h. Estimate the cost and completion date of the system, and indicate who will pay the cost of installation, maintenance, and snow removal.

3. Water, Sewage, and Solid Waste Facilities

- a. Briefly describe the water supply and sewage treatment systems to be used in serving the proposed subdivision (e.g., methods, capacities, locations).
- b. Provide information on estimated cost of the system, who will bear the costs, and how the system will be financed.
- c. Where hook-up to an existing system is proposed, describe estimated impacts on the existing system, and show evidence that permission has been granted to hook up to the existing system.
- d. All water supply and sewage treatment plans and specifications will be reviewed and approved by the Department of Environmental Quality (DEQ) and should be submitted using the appropriate DEQ application form.
- e. Describe the proposed method of collecting and disposing of solid waste from the development.
- f. If use of an existing collection system or disposal facility is proposed indicate the name and location of the facility.

4. Fire and Police Protection

- a. Describe the fire and police protection services available to the residents of the proposed subdivision including number of personnel and number of vehicles or type of facilities for:
 - i. Fire protection -- Is the proposed subdivision in an existing fire district? If not, will one be formed or extended? Describe what fire protection procedures are planned?
 - ii. Law -- Enforcement protection -- Which of -- is the proposed subdivision within the jurisdiction of a County Sheriff.
- b. Can the fire and police protection service need of the proposed subdivision be met by present personnel and facilities? If not, describe the additional expenses that would be necessary to make these services adequate, and who would pay the costs?

5. Payment for extension of Capital Facilities

Indicate how the subdivider will pay for the cost of extending capital facilities resulting from expected impacts directly attributable to the subdivision.

SUPPLEMENT 10:

FIRE DEPARTMENT/DISTRICT SUBDIVISION REPORT

A summary of the proposal and a site layout plan (11”X17”) is to be submitted with this form for review.

To be completed by the Fire Marshall or Chief:

Name of proposed Subdivision or Subdivider: _____

1. Name of Fire service area or district that will be providing service to the proposed subdivision? _____

2. Is there Fire protection procedures planned for this subdivision? Yes _____ No _____
If not, will one be required for this development. Yes _____ No _____

3. What is the distance between the Fire Hall and the proposed subdivision?
Approximately _____ miles or blocks (please circle one).

4. What would the response time be? _____

5. Is there International Fire Codes addressing requirements required for this subdivision?
Yes _____ No. Please describe requirements. _____

6. Will the Fire Department or District be able to provide adequate service to the proposed subdivision?
Yes _____ No _____
If no, describe what will be needed to provide adequate services to the subdivision? Be specific, and include cost details for personnel, vehicles, equipment, training, etc.... _____

7. Additional Comments: _____

To be signed by Fire Chief

Date

Print Name of Signature: _____ Title: _____

To be completed by developer/landowner:

What is the fire risk rating analysis, if any? _____
{Risk-“means the measure of the probability and severity of adverse effect to persons or property that result from an exposure to a wildfire (direct flames, radiant heat, or firebrands).” Source: DNRC “Guidelines for Development within the Wildland-Urban Interface” September 24, 2009 issue.}

If a Fire protection procedures plan is required for this subdivision; the plans will need to be attached to this form. (As identified above in #2):

If there are additional costs for fire services who will incur the cost? (As identified above in #6)

Name of developer/landowner

Date

SUPPLEMENT 11:
FINAL PLAT APPROVAL FORM

Date Submitted: _____

1. Name of Subdivision: _____
2. Location: _____ 1/4 Section _____ Township _____ Range _____
3. Type of Subdivision: _____ Minor Subdivision _____ Major Subdivision
4. Number of Lots _____ Blocks _____
5. Amended Plats: Lot(s) _____ Block(s) _____
6. Type of development: Single Family _____ Multi-Family _____
Condominium _____ Commercial _____ Industrial _____
Other, describe _____
7. Property Physical Address: _____

8. Subdivider: Name: _____
Address: _____
City, State, Zip code: _____
Telephone Number: _____
9. Name, address, and telephone number of persons of firms providing services and information (e.g.: surveyor, engineer, designer, planning consultant, attorney):
Name: _____
Address: _____
City, State, Zip code: _____
Telephone Number: _____
10. Descriptive Data: _____
Total number of Lots or rental spaces: _____ Number of Block(s) _____
Gross area in acres: _____
11. Date of Preliminary Plat Approved: _____
12. Any Conditions? _____ (If Yes, attach list of conditions.)
13. Any Deed Restrictions or covenants? _____ (If Yes, attach a copy.)
14. All improvements installed? _____ (If No, attach a subdivision improvements agreement or guarantees.)
15. All Fee(s) paid: \$ _____
16. The following documents are submitted, as applicable according to the Subdivision Regulations Final Plat Initial Review:
— Final plat application (this form);
— Final plat review fee;

- A written statement from the applicant or their representative outlining how each conditional approval has been satisfied;
- Information such as certified engineering plans, pictures of the site, or other documents supporting how the conditions have been met as outlined in the applicant’s written statement;
- Subdivision Guarantee dated no less than 30 days old prior to date of submittal
- Acknowledgement form all Lienholders, if applicable;
- DEQ and or Local reviewing authority (County Health Department);
- All road plans and profiles, state or local encroachment permits, and traffic studies (if required);
- All engineering plans for public improvements constructed to serve more than one lot in a subdivision which will be dedicated to the public, for the use of the subdivision, or otherwise acquired by a government entity for public use. Examples of typical public improvements include parks, streets or roads, sidewalks, curbs, gutters, and street lighting, utilities, and systems for water supply, sewage disposal, drainage, or fire protection;
- Any homeowner association documents, including bylaws, covenants and/or declarations;
- Final plat certificates consistent with samples included in the Supplements;
- Subdivision Improvements Agreement and acceptable financial security guarantee;
- Final Plat one 11”x17” and one 18”x24” or larger with all appropriate certificates signed;
- Examining Land Surveyor approval;
- County’s Attorney approval; and
- List of additional documents.

- a. _____
- b. _____
- c. _____
- d. _____
- e. _____
- f. _____

I do hereby certify that all the statements and information contained in all exhibits transmitted herewith are true. I hereby apply to the County Commission of Meagher County for approval of the final plat of (Name of Subdivision).

Name of Subdivider

Signature of Subdivider

SUPPLEMENT 12:
SAMPLE OF AGRICULTURAL COVENANT REMOVAL

COME NOW Name(s), owners of the following described real property, hereinafter called Owners, and the Board of County Commissioners of Meagher County, Montana, hereinafter called Governing Body.

WHEREAS, the Owners are the record title holders of Tract ### in Certificate of Survey No. ###, filed as Document No. ### in the office of the Clerk & Recorder of Meagher County, Montana; and

WHEREAS, Tract ### in Certificate of Survey No. ### is situated in the NSEW ¼-½ of Section ###, Township ###N, Range ###E, P.M.M., Meagher County, Montana; and

WHEREAS, said Certificate of Survey contains the following covenant:

“Insert quote description from Certificate of Survey” and

WHEREAS, said certificate is signed by the Owners herein or the predecessors in interests; and

WHEREAS, the Owners and Governing Body now wish to remove the agricultural exemption covenant for the purpose of changing the use of said property.

NOW, THEREFORE, the parties herein agree that the covenant to use ### in Certificate of Survey ### exclusively for agricultural purposes is hereby revoked.

DATED this ___ day of Month _____, 20__.

NAME, Owner

NAME, Chair
BOARD OF COUNTY COMMISSIONERS
MEAGHER COUNTY, MONTANA

ATTEST:

NAME of Clerk

MEAGHER COUNTY CLERK & RECORDER Seal BY: _____

STATE OF MONTANA)
) ss.
County of Meagher)

On this ___ day of Month _____, 20_, before me, a Notary Public for the State of Montana, personally appeared *Owner(s) Name*, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(SEAL)

Printed Name: _____
Notary Public for the State of Montana.
Residing at Townsend, Montana.
My commission expires: _____

Certificate of Surveyor – Final Plat

STATE OF MONTANA)
) ss.
County of _____)

I, (Name of Surveyor), a Professional Land Surveyor, do hereby certify that I have performed the survey shown on the attached plat of (Name of Subdivision); that such survey was made on (Date of Survey); that said survey is true and complete as shown and that the monuments found and set are of the character and occupy the positions shown thereon.

Dated this _____ day of _____, 20____
(Seal)

(Signature of Surveyor)
Registration No. _____
(Address)

XX

Certificate of Dedication – Final Plat

(I) (We), the undersigned property owner(s), do hereby certify that (I) (We) have caused to be surveyed, subdivided, and platted into lots, blocks, streets, and alleys, as shown by the plat hereto annexed, the following described land in (City and County if in Unincorporated Area), to-wit:

(Exterior boundary description of area contained in plat and total acreage)

The above described tract of land is to be known and designated as (Name of Subdivision), and the lands included in all streets, avenues, alleys, and parks or public squares shown on said plat are hereby granted and donated to the use of the public forever.

(I) (We), the undersigned property owner(s), do hereby certify that all or part of the required public improvements have been installed (and/or security requirements pursuant to 76-3-507, MCA, secure the future construction of any remaining public improvements to be installed).

(I) (We), the undersigned property owner(s), do hereby certify that federal, state, and local plans, policies, regulations, and/or conditions of subdivision approval that may limit the use of the property, including the location, size, and use are shown (on the Conditions of Approval sheet) or as otherwise stated.

- The use of Lot(s) ##-## is residential
- The use of Lot(s) ##-## is commercial
- The use of Lot(s) ##-## is industrial.

(I) (We), the undersigned property owner(s), do hereby certify that (I) (We) will ensure that buyers of property will be provided with a copy of all sheets of the plat and all documents that are recorded and filed in conjunction with the plat and that buyers of property are strongly encouraged to contact the local planning department and become informed of any limitations on the use of the property prior to closing.

Dated this _____ day of _____, 20_. (Acknowledged

and notarized signatures of all record owners of platted property)

XX

Certificate of Conditions of Approval

(I) (We), the undersigned property owner(s), do hereby certify that the text and/or graphics shown on the Conditions of Approval sheet(s) represent(s) requirements by the governing body for final plat approval and that all conditions of subdivision application have been satisfied; and that the information shown is current as of the date of the certification and that changes to any land-use restrictions or encumbrances may be made by amendments to covenants, zoning regulations, easements, or other documents as allowed by law or by local regulations.

Dated this _____ day of _____, 20__.

(Acknowledged and notarized signatures of all record owners of platted property)

XX

Certificate of Consent to Dedication by Encumbrances If Any

(I) (We), the undersigned encumbrancer(s), do hereby join in and consent to the annexed plat and release (my) (our) respective liens, claims and encumbrances as to any portion of said lands shown on such plat as being dedicated to the use of the public forever.

Dated this _____ day of _____, 20__.

(Acknowledged and notarized signatures of all encumbrancers of record)

XX

Certificate of Accepting Cash in Lieu of Park Land Dedication

In as much as the dedication of park land within the platted area of (Name of Subdivision) is undesirable for park and park playground purposes, it is hereby ordered by the Board of County Commissioners, Meagher County, that the dedication for park purposes be waived and that cash-in-lieu, to the amount of _____ dollars, be accepted in accordance with the provisions of the Montana Subdivision and Platting Act, Title 76, Chapter 3, MCA, and the Meagher County Subdivision Regulations.

Dated this _____ day of _____, 20__.

(Chairman, Board of Meagher County Commissioners)

ATTEST:

(Seal of County)

(Signature of Clerk and Recorder)
Meagher County, Montana

XX

Certificate of Examining Land Surveyor – Final Plat

On behalf of the Governing Body, this document has been examined for errors and omissions in calculations or drafting pursuant to 76-3-611(2)(a), MCA.

Dated this _____ day of _____, 20__.

(Signature)

XX

Certificate of County Treasurer

I hereby certify, pursuant to Section 76-3-611(1)(b), MCA, that all real property taxes assessed and levied on the land described hereon and encompassed by the proposed (Name of Subdivision) have been paid.

Dated this _____ day of _____, 20__.

Tax Statement No. _____

(Seal) _____
(Signature of County Treasurer) Treasurer,
Meagher County, Montana

XX

Certificate of Final Plat Approval – County

The County Commission of _____ County, Montana does hereby certify that it has examined this subdivision plat and having found the same to conform to law, approves it, and hereby accepts the dedication to public use of any and all lands shown on this plat as being dedicated to such use, this _____ day of _____, 20__.

(Chairman, Board of Meagher County Commissioners)

ATTEST:

(Seal of County) _____
(Signature of Clerk and Recorder)
Meagher County, Montana

XX

Certificate of Final Plat Approval – City

The (Council) of the City (Town) of (Name of City or Town), Montana does hereby certify that it has examined this subdivision plat and, having found the same to conform to law, approves it, and hereby accepts the dedication to public use of any and all lands shown on this plat as being dedicated to such use, this _____ day of _____, 20_.

By _____
(Signature of City or Town Clerk)
Clerk

(Signature of Mayor)
Mayor

XX

Certificate of Filing by Clerk and Recorder

Two rectangle boxes shall be provided on the final plat to allow for Clerk & Recorder recording and filing labels.

- ❖ One - one inch height by 4 inches in length
- ❖ One - two inches height by 4 inches in length

SUPPLEMENT 14:
MODEL SUBDIVISION IMPROVEMENT AGREEMENT

The parties to this Subdivision Improvements Agreement (“this agreement”) are _____ (“the subdivider”) and _____ (“the County”).

WHEREAS, the subdivider desires to defer construction of improvements described in Attachment (_____); and

WHEREAS, the purpose of this Agreement is to protect the County and is not intended for the benefit of contractors, suppliers, laborers or others providing work, services, or materials to the Subdivision, or for the benefit of lot or home buyers in the Subdivision; and

WHEREAS, the mutual promises, covenants and obligations contained in this Agreement are authorized by state law and the County subdivision regulations.

NOW THEREFORE THE PARTIES HEREBY AGREE AS FOLLOWS:

1. Effective Date: The effective date of this Agreement is the date that final subdivision plat approval is granted by the County.
2. Attachments: The Attachments cited herein are hereby made a part of this Agreement.

Subdivider’s Obligations

3. Improvements: The Subdivider shall construct and install, at his own expense, those subdivision improvements listed in Attachment (_____) of this Agreement. The Subdivider’s obligation to complete the improvements arises upon approval of the final subdivision plat, is not conditioned on the commencement of construction in the development or sale of any lots or improvements within the subdivision, and is independent of any obligations of the County contained in this Agreement.
4. Security: To secure the performance of his obligations under this Agreement, the Subdivider shall deposit with the County on or before the effective date, an Irrevocable Letter of Credit (or other financial security acceptable to the local officials) in the amount of \$ _____. The letter of credit shall be issued by (lending institution), be payable at sight to the County at any time upon presentation of (1) a sight draft drawn on the issuing lending institution in the amount up to \$ _____, (2) a signed statement or affidavit executed by an authorized County official stating that the Subdivider is in default under this Agreement; and (3) the original copy of the letter of credit.
5. Standards: The Subdivider shall construct the required improvements according to the standards and specifications required by the County as specified in Attachment (_____) of this Agreement.
6. Warranty: The Subdivider warrants that each improvement shall be free from defects for a period of 1 year from the date that the County accepts the dedication of the last improvement completed by the Subdivider.
7. Commencement and Completion Periods: The Subdivider shall complete all the required improvements within (2) years from the effective date of this Agreement.
8. Compliance with Law: The Subdivider shall comply with all relevant laws, ordinances, regulations, and requirements in effect at the time of subdivision plat approval when meeting his obligations under this Agreement.

County Obligations

9. Inspection and Certification:

- a. The County shall provide for inspection of the improvements as they are completed and, where found acceptable, shall certify those improvements as complying with the standards and specifications set forth in Attachment (_____) of this Agreement. The inspection and certification shall occur within 14 days of notice by the Subdivider that the improvements are complete and that he desires County inspection and certification. Before requesting County certification of any improvement, the Subdivider shall present to the County valid lien waivers from all persons providing materials or performing work on the improvement.
- b. Certification by the County does not constitute a waiver by the County of the right to draw funds under the letter of credit in the event defects in or failure of any improvement are found following the certification.

10. Notice of Defect: The County shall provide timely notice to the Subdivider whenever inspection reveals that an improvement does not conform to the standards and specifications set forth in Attachment (_____) or is otherwise defective. The Subdivider shall have 30 days from the date the notice is issued to remedy the defect. The County may not declare a default under this Agreement during the 30-day remedy period unless the Subdivider clearly indicates he does not intend to correct the defect. The Subdivider shall have no right to correct the defect in, or failure of, any improvement found after the County accepts dedication of the improvements.

11. Reduction of Security: After the acceptance of any improvement, the amount that the County is entitled to draw on the letter of credit shall be reduced by an amount equal to 90 percent of the estimated cost of the improvement as shown in Attachment (_____). At the request of the Subdivider, the County shall execute a certificate verifying the acceptance of the improvement and waiving its right to draw on the letter of credit to the extent of the amount. Upon the certification of all of the improvements the balance that may be drawn under the credit shall be available to the County for the one-year warranty period plus an additional 90 days.

12. Use of Proceeds: The County shall use funds drawn under the letter of credit only

for the purposes of completing the improvements or correcting defects in or failure of the improvements.

Other Provisions

13. Events of Default: The following conditions, occurrences or actions constitute a default by the Subdivider during the completion period:

- a. failure to complete construction of the improvements within two years of final subdivision plat approval;
- b. failure to remedy the defective construction of any improvement within the remedy period;
- c. insolvency of the Subdivider or the filing of a petition for bankruptcy;
- d. foreclosure of the property or assignment or conveyance of the property in lieu of foreclosure.

14. Measure of Damages: The measure of damages for breach of this Agreement is the reasonable cost of completing the improvements. For purposes of this Agreement the estimated cost of the improvements as specified in Attachment (_____) is prima facie evidence of the minimum cost of completion. However, neither that amount nor the amount of the letter of credit establishes the maximum amount of the Subdivider's liability. The County may complete all unfinished improvements at the time of default regardless of the extent to which development has taken place in the Subdivision or whether development ever was commenced.

15. Local Government Rights upon Default:

- a. Upon the occurrence of any event of default, the County may draw on the letter of credit to the extent of the face amount of the credit less the estimated cost [as shown in Attachment (____)] of all improvements previously certified by the County. The County may complete improvements itself or contract with a third party for completion, or the County may assign the proceeds of the letter of credit to a subsequent subdivider who has acquired the Subdivision and who has the same rights of completion as the County if and only if the subsequent subdivider agrees in writing to complete the unfinished improvements.
- b. In addition, the County may suspend final plat approval. During this suspension, the Subdivider may not sell, transfer, or otherwise convey lots or homes within the Subdivision without the express approval of the County until the improvements are completed and certified by the County.

16. Indemnification: The Subdivider agrees to indemnify and hold the County harmless for and against all claims, costs and liability of every kind and nature, for injury or damage received or sustained by any person or entity in connection with, or on account of the performance of work under this Agreement. The Subdivider is not an employee or agent of the County.

17. Amendment or Modification: The Parties to this Agreement may amend or modify this Agreement only by written instrument executed on behalf of the County and by the Subdivider.

18. Attorney's Fees: Should either party be required to resort to litigation, arbitration, or mediation to enforce the terms of this Agreement, the prevailing party, whether plaintiff or defendant, is entitled to costs, including reasonable attorney's fees and expert witness fees, from the opposing party. If the court, arbitrator, or mediator awards relief to both parties, each shall bear its own costs in their entirety.

19. Third Party Rights: No person or entity who is not party to this Agreement has any right of action under this Agreement, except that if the County does not exercise its rights within 60 days following an event of default, a purchaser of a lot or home in the Subdivision may bring an action in mandamus to compel the County to exercise its rights.

20. Scope: The Agreement constitutes the entire agreement between the parties and no statement, promise or inducement that is not contained in this Agreement is binding on the parties.

21. Time: For the purpose of computing the commencement and completion periods, and time periods for County action, times in which war, civil disasters, acts of God or extreme weather conditions occur will not be included if the events prevent the Subdivider or the County from performing the obligations under this Agreement.

22. Assigns: The benefits of this Agreement to the Subdivider may not be assigned without the express written approval of the County. Such approval may not be withheld unreasonably, but any unapproved assignment is void. There is no prohibition on the right of the County to assign its rights under this Agreement.

The County shall release the original Subdivider's letter of credit if it accepts a new security from any subdivider or lender who obtains the property. However, no action by the County constitutes a release of the original subdivider from his liability under this Agreement.

23. Severability: If any part, term, or provision of this Agreement is held by the courts to be illegal the illegality shall not affect the validity of any other part, term or provision, and the rights of the parties shall be construed as if the part, term, or provision were never part of the Agreement.

Dated this _____ day of _____, 20_____.

SUPPLEMENT 15:

ACCEPTABLE FORMS OF IMPROVEMENTS GUARANTEES

Comment:

The following are acceptable means of guaranteeing subdivision improvements agreements, although others may also be acceptable. The irrevocable letter of credit is often the preferable guaranty because it is usually feasible for a subdivider to secure, and the local government can readily obtain funds to complete the required improvements should the subdivider fail to install the required the improvements. A suggested irrevocable letter of credit and commentary are included as part of this Appendix. The other common guarantees are also explained below.

The subdivider shall provide one or more of the following financial security guarantees in the amount of 125 percent of the estimated total cost of installing all required improvements.

1. Irrevocable Letter of Credit

Subject to governing body approval, the subdivider shall provide the governing body an irrevocable letter of credit from a bank or other reputable institution or individual certifying the following:

- a. That the creditor guarantees funds in an amount equal to 125% of the cost, as approved by the governing body, of completing all required improvements.
- b. That if the subdivider fails to complete the specified improvements within the required period, the creditor shall immediately pay to the governing body upon presentation of a sight draft without further action, an amount of cash necessary to finance the completion of those improvements, up to the limit of credit stated in the letter.
- c. That this letter of credit may not be withdrawn, or reduced in amount, until released by the governing body.

2. Escrow Account

The subdivider shall deposit cash, or collateral readily convertible to cash at face value, either with the governing body or in escrow with a bank. The use of collateral other than cash, and the selection of the bank where funds are to be deposited must be approved by the governing body.

Where an escrow account is to be used, the subdivider shall give the governing body an agreement with the bank guaranteeing the following:

- a. That the funds in the escrow account are to be held in trust until released by the governing body and may not be used or pledged by the subdivider as security for any obligation during that period.
- b. That, (should the subdivider fail to complete the required improvements), the bank shall immediately make the funds in escrow available to the governing body for completing these improvements.

3. Surety Performance Bond

The bond must be executed by a surety company authorized to do business in the State of Montana and acceptable as a surety to the governing body and countersigned by a Montana agent. The bond must be payable to the County of_____. The bond must be in effect until the completed improvements are accepted by the governing body.

Comment:

Letters of credit may be revocable, so it is important to express that the letter of credit is irrevocable. Because the letter of credit does not incorporate the subdivision improvement agreement, the issuer of the credit cannot raise objections to the demand for payment. If the letter of credit specifies that the local government need only present a signed statement or affidavit that the subdivider is in default, the local government need not present proof of default or signed statements from any other party.

Under the letter of credit, the local government is committed to use the funds for completion of the improvement.

It is important that the expiration date of the letter of credit allows the local government a reasonable amount of time after the improvements completion deadline to inspect the improvements and, if defects are found, prepare proper drafts, and present a notice of default to the lending institution.

Lending institutions may be reluctant to issue letters of credit to be in force for long periods of time. Typically, improvements can be completed in 18-24 months, and an additional 1-year warranty period is appropriate to allow the local government to monitor for defects or failures. Following the warranty period an additional 90 days is reasonable to give local officials time to submit any drafts and documentation to draw funds, if necessary.

A “sight draft” commits the payor to make payment at the time the draft is presented, or on sight. Other types of drafts allow a waiting period or approval before the payor must make the payment.

SUPPLEMENT 16:
IRREVOCABLE LETTER OF CREDIT

Letter of Credit No. _____

Name of Local Government: _____

Date: _____

Address: _____

Gentlemen:

We hereby establish in your favor our Irrevocable Letter of Credit # _____ for the account of _____ (Subdivider) _____, available by your drafts at sight up to an aggregate amount of \$ _____. Should _____ (Subdivider) default or fail to complete the improvements under the terms specified in the attached subdivision improvements agreement for _____ (name of subdivision) _____ we shall pay on demand your sight draft or drafts for such funds, to the limit of credit set forth herein, as are required to complete said improvements.

All drafts must be presented prior to _____ expiration date _____ and this Letter of Credit must accompany the final draft for payment. Drafts drawn hereunder must be by sight draft marked:

“Drawn under _____ (lending institution) _____, Letter of Credit # _____ dated _____ (date of Letter of Credit) _____,” and the amount drawn endorsed on the reverse hereof by the lending institution.

Unless otherwise stated, this Letter of Credit is subject to the Uniform Customs and Practices for Commercial Documentary Credits (1983 Revision) International Chamber of Commerce. We hereby agree with the drawers, endorsers and bona fide holders of the drafts drawn under and in compliance with the terms of this Credit that these drafts shall be duly honored upon presentation to the drawee.

This letter of credit may not be withdrawn or reduced in any amount prior to its expiration date except by your draft or written release.

(Lending Institution)

(Signature and Title of Official)

SUPPLEMENT 18:

FINAL SITE PLAN REQUIREMENTS

Section VI-A-1(d) of the Meagher County Subdivision Regulations requires a final site plan for subdivisions creating multiple spaces for rent or lease for mobile homes and recreational vehicles (RV). This supplement lists the minimum requirements the site plan must contain.

The final site plan must contain the following:

1. The final plan must be legibly drawn with permanent black ink or printed or reproduced by a process guaranteeing a permanent record and must be 18 inches by 24 inches or 24 inches by 36 inches. Margins must be a minimum 1/2-inch on all sides, or as required by the filing office.
2. If more than one sheet must be used to adequately depict the mobile home or RV park, each sheet must show the number of that sheet and the total number of sheets included.
3. A title or title block in the following format: “The final site plan for the [Name of mobile home or RV park] located within the [name of the subdivision].”
4. A north arrow.
5. A scale bar. The scale of the site plan must be sufficient to legibly represent the required information and data on the plan.
6. The boundaries and total area of the mobile home or RV park.
7. The layout and dimension of the following information as required:
 - a. Spaces;
 - b. Pads;
 - c. Storage areas;
 - d. Parking areas;
 - e. Common areas and facilities;
 - f. Location of water sources for fire protection;
 - g. Location of street lighting;
 - h. Parks and recreation areas; and
 - i. Other information as required by conditions.
8. Numbering on each pad
9. The location and dimension of roads including arrow indicating the flow of traffic if one way.
10. Any additional information deemed necessary by the governing body to meet conditions of preliminary approval.

SUPPLEMENT 19:
SUBDIVISION EXEMPTION CLAIM APPLICATION

SEE THE FOLLOWING DOCUMENT



MEAGHER COUNTY Subdivision Exemption Form

Jerry Grebenc, Contract County Subdivision Administrator
2501 Belt View Drive / PO Box 4817
Helena, MT 59604
(406) 495-6153
jgrebenc@greatwesteng.com

1. Petitioner(s)-Property Owner(s)

- a. Name(s) _____
- b. Address _____
- c. Phone _____ Email _____

2. Surveyor/Representative

- 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 Geo-Code: 47- _____
- 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 and provide documentation showing the purpose for the relocation:

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

Describe and 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.

___ **Other Exemptions: i.e. utility sites, rights of way, life estates etc.**

Reason/justification:

5. Examining Land Surveyor’s Comments

The examining land surveyor’s notes regarding corrections needed on the certificate of surveying prior to the filing of the survey (*i.e., bearings, closure, reference points*):

6. Required Materials for The Review of All Exemptions:

- a. COS Hardcopy: One (1) paper copy of draft certificate of survey (COS) mailed to the Examining Land Surveyor (ELS).
- b. COS Electronic Copy: Digital copy of the draft certificate of survey (Adobe PDF) emailed to County Contract Planner and Examining Land Surveyor (ELS).
- c. Deeds: Digital copies of all existing recorded deeds documenting the present ownership for all affected parcels emailed to the County Planner.
- d. Location Map: Digital copy of aerial photograph or topographic map showing property location emailed to the County Contract Planner.

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.

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 petitioners and 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 _____