

**APPLICATION FOR BOUNDARY LINE CORRECTION (Section 10.4.4) OR PARCEL
COMBINATION (Section 10.4.5)**

File # _____

Date Filed: _____

PID's: _____

1. Property Owner(s) Transferring Property: _____

Address: _____
(street no. and name)

(City) _____ (State) _____ (Zip) _____ Phone: _____

PID of property to be transferred: _____

2. Property Owner(s) Acquiring Property: _____

Address: _____
(street no. and name)

(City) _____ (State) _____ (Zip) _____ Phone: _____

PID of property to receive acquisition: _____

3. Description of Request: _____

10.4.4 Boundary Line Correction

The conveyance is, in the opinion of the Zoning Administrator, solely for the purpose of correcting a boundary line due to encroachments, to eliminate boundary line disputes or correct an occupation line, or to resolve conflict or inconsistencies in legal descriptions. Applications shall include documentation from a land surveyor, title company, attorney, or court of competent jurisdiction detailing the facts of why the boundary line correction is warranted. The correction of more than one boundary line may require the boundaries lines to be corrected through the platting process.

10.4.5 Parcel Combination

(A) The combination of 2 or more parcels that are described separately by metes and bounds shall require the recording of a deed that describes all parcels as one with a new legal description. There is no application necessary to combine parcels. Deeds of attachment are not sufficient. Deeds shall be recorded as described in subsection 10.4.6(G) & (I). This process shall not apply to platted lots.

(B) The addition or subtraction of land to/from abutting parcels may be permitted under the condition that each parcel remains a minimum of 10 acres. If a parcel is reduced to less than 10 acres, it shall be subject to the simple plat process.

I, _____ and _____
hereby acknowledge that all of the above information and the statements contained in the papers submitted herewith are true.

(Signature of Landowner Transferring)

(Signature of Landowner Transferring)

(Signature of Landowner Acquiring)

(Signature of Landowner Acquiring)

This Parcel Adjustment approved pursuant to Section _____ and 10.4.4 or 10.4.5 of the Benton County Development Code.

Zoning Administrator

Date

Boundary Line Correction / Parcel Combination Checklist

The Benton County Zoning Administrator may approve a Boundary Line Correction or Parcel Combination application administratively if the following items of information are submitted. The application will not be considered complete until all items are submitted.

1. _____ Completed Boundary Line Correction / Parcel Combination Application
2. _____ Evidence of Ownership (Legal from Abstract, Deed, Tax Statement)
3. _____ Survey depicting the existing improvements with distances to the property lines and the proposed lots size. The boundary line correction or parcel combination can not create a non-conforming lot. (Boundary Line Corrections and/or Parcel Combinations between platted lots, refer to the Simple Plat process in Section 10.5)
4. _____ A digital copy of a certificate of survey of the entire parcels affected (noting the quarter-quarter lines if less than one quarter-quarter section) and meeting the requirements of Section 10.4.6 of the Development Code.
5. _____ Fee - \$150.00 plus a \$46.00 Recording Fee.

The above items (1-5) approve the Boundary Line Adjustment from a zoning perspective.

Applicant

Date

Applicant

Date

The following is required to complete the process:

Auditor/Treasurer's Office:

Current year & delinquent taxes must be paid in full before new deeds can be recorded. Contact the Auditor/Treasurer's Office to arrange payment.

Recorder's Office:

A quit claim deed or warranty deed must be recorded containing the description of the new parcel before the split will be made. Legal description on the survey and deed must match. **Do not send property deeds to the Planning & Zoning office with this application. Property deeds must be turned into the Recorders Office with the appropriate fees.** *

10.4 Administrative Land Splits

10.4.1 The conveyance of certain parcels of land may be split administratively in any zoning district if the requirements of this section are met. The Department of Development Director shall have the authority to approve administrative land splits. An administrative land split for subsection 10.4.2 through 10.4.5 shall only be approved if the conveyance does not require creation or altering of any public road right-of-way and any parcel created by the land split is in compliance with the minimum standards and residential density of the district in which it is located. The land split shall not result in a lot, parcel, site, division or building which does not meet the minimum requirements of the Development Code for setbacks, size requirements and/or access. An administrative corrective action shall be approved in accordance with subsection 10.4.3 if it had an existing dwelling constructed prior to August 1, 1978. Subdivisions deemed too complicated by the Department of Development Director may be required to be platted.

Sections 10.4.2 and 10.4.3 relate to the subdivision of land and are processed through a separate application.

10.4.4 Boundary Line Correction.

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10.4.5 Parcel Combination.

(A) The combination of 2 or more parcels that are described separately by metes and bounds shall require the recording of a deed that describes all parcels as one with a new legal description. There is no application necessary to combine parcels. Deeds of attachment are not sufficient. Deeds shall be recorded as described in subsection 10.4.6(G) & (I). This process shall not apply to platted lots.

(B) The addition or subtraction of land to/from abutting parcels may be permitted under the condition that each parcel remains a minimum of 10

acres. If a parcel is reduced to less than 10 acres, it shall be subject to the simple plat process

10.4.6 Requirements. An administrative subdivision shall be considered by the following procedure:

- (A) The application shall be accompanied with a certificate of survey in a PDF format, prepared by a Licensed Land Surveyor. The survey shall include the following information:
 - (1) Legal description of each parcel;
 - (2) Parcel area;
 - (3) Site improvements, including structures, and
 - (4) Distances from structures to property lines.
- (B) The Department of Development Director shall review the proposed subdivision for compliance with all applicable ordinances.
- (C) The Department of Development Director shall notify the applicant whether the subdivision is approved or denied. If denied, the Department of Development Director shall provide written reasons for the decision.
- (D) Any deed restrictions required herein shall be recorded in the Office of the County Recorder and/or Registrar of Titles.
- (E) Incomplete applications for an Administration Subdivision are valid for 6 months. Administrative Subdivisions shall be considered null and void 1 year after approval if it has not been recorded, unless otherwise approved by the Department of Development Director.
- (F) Written approval from the road authority is required to be recorded with the subdivision documents for subdivisions that are being reviewed pursuant to Section 10.4.3.
- (G) New legal descriptions shall be created for each new parcel or adjusted parcel. Deeds with the new legal descriptions shall be exchanged between the parties and provided to the Department of Development Director. The certified survey must be attached to each deed for recording. The deeds must be recorded within 1 year. Failure to record the deeds will result in nullification of the administrative subdivision.
- (H) The lots or parcels to be divided and/or combined must be in the same school district or taxing jurisdiction.

- (I) In the event that a parcel cannot be described in whole, the following statement shall be added to the deed:

The property described herein shall be considered one contiguous parcel or tract of land in respect to all matters related to land use and zoning as they may apply. This contiguous parcel or tract of land shall not be combined with other parcels or tracts of land, or subdivided further unless allowed by the applicable County Ordinances.