

CHELAN COUNTY
CERTIFICATE OF EXEMPTION
REQUIREMENTS AND PROCEDURES FOR ADJUSTING BOUNDARY LINES

PURPOSE:

The purpose of a Boundary Line Adjustment is to provide a process and standards for boundary line adjustments consistent with RCW 58.17.040(6). Boundary line adjustments are exempt from Washington State and Chelan County's subdivision requirements under certain specific conditions. This procedure is intended to provide an efficient, low-cost procedure to affirm changes to existing property lines. Chelan County shall issue a certificate of exemption for boundary line adjustments in conformance with the requirements and/or provisions of this title or to aggregate existing lots. The issuance of a certificate of exemption for a boundary line adjustment is a memorialization that a particular boundary line adjustment is recognized by the county as a legal lot of record that is not in a condition of noncompliance with the requirements of Title 11 CCC. The procedures and requirements of this chapter are intended, among other things, to quiet concerns about a lot's legal status as a legal lot of record. Issuance of a certificate of exemption for a boundary line adjustment is not a guarantee that the resulting property configuration or parcel is a buildable lot; it does represent that Chelan County considers the lot to be a legal lot of record. However, the county makes no representation of warranty, expressed or implied, or any guaranty of warranty, expressed or implied, as to the condition of the title to the land or fitness or suitability for any uses, permits, development or buildability whatsoever.

Chelan County does not warrant or guarantee:

(A) Legal or physical access to parcels for which a certificate of exemption has been issued;

(B) Suitability of parcels for which a certificate of exemption has been issued for on-site sewage disposal;

(C) Water availability for domestic or irrigation purposes to parcels for which a certificate of exemption has been issued; and/or

(D) The issuance of building/development permits for lots, tracts or parcels, divisions or sites for which a certificate of exemption has been issued.

Boundary line adjustments are limited to legally established contiguous lots, tracts, parcels, sites or divisions, parcels or tracts. This process may not be used to accomplish the purposes for which platting, replatting, plat alterations, or plat vacations were intended and required. Using a combination of twenty-acre exempt parcel segregations and boundary adjustments that result in multiple exempt parcels less than twenty acres in size is specifically prohibited; provided, that adjustment of one parcel to less than twenty acres in size (provided that such adjustment does not result in a lot size less than allowed by zoning) by adjusting twenty-acre exempt parcels is permissible.

Any questions regarding this process should be directed to the Chelan County Community Development Department, (509) 667-6225. Our office hours are 8 a.m. to 12 p.m. and 1 p.m. to 5 p.m. Monday through Friday except holidays.

BOUNDARY LINE ADJUSTMENTS, LIMITATIONS:

All boundary line adjustment certificates of exemption requests shall be subject to the following criteria:

(1) A boundary line adjustment shall not result in the creation of any additional lots, sites, tracts, or parcels.

(2) A boundary line adjustment shall not create any lot, tract, parcel, site or division which contains insufficient area and dimension to meet minimum requirements for width and area for a building site as established herein, nor shall such adjustment or adjustments create a building setback violation.

(3) A boundary line adjustment shall not result in the entire relocation of lots, sites, tracts, or parcels. Lots may be reoriented within the perimeter of the contiguous lots.

(4) A boundary line adjustment shall not violate or be inconsistent with any conditions for approval of a previously filed plat, short plat, or binding site plan.

(5) Only legal lots of record shall qualify for a boundary line adjustment certificate of exemption.

(6) No lot, as a result of the boundary line adjustment, shall be smaller than the minimum lot size required by Title 11, Zoning, in effect at the time the application is accepted. Whenever any one or more lots involved in the proposed change is smaller than the minimum lot size requirement of the current zoning designation, the change may be approved so long as no resulting lot becomes more nonconforming than the smallest lot prior to the boundary line adjustment, except as follows:

(a) Whenever deviations from the lot size requirement of Title 11, Zoning, are required to accommodate natural features related to topography and/or terrain that establish natural physical barriers or boundaries.

(b) Whenever deviations from the lot size requirements of Title 11, Zoning, are required to accommodate structures such as buildings, roads, driveways, fences, utilities, drain fields, ditches or similar structures in existence prior to June 20, 2006.

(c) Whenever deviations from the lot size requirements of Title 11, Zoning, are required to accommodate developed open space such as orchards, parks or similar improved, cultivated or developed open space areas.

(7) The applicant(s) shall record conveying documents with the Chelan County auditor.

(8) The property owner(s), on forms provided by Chelan County, shall agree to indemnify, release and hold Chelan County harmless for any losses or claims which may result from the inability of Chelan County to issue building/development permits for lots, tracts or parcels for which a certificate of exemption has been issued including but not limited to the following: lack of legal or physical access; water availability for domestic and/or irrigation purposes; and suitability of parcels for on-site sewage disposal.

Upon the submittal and acceptance of a technically complete boundary line adjustment application, and the Administrator determines that it contains sufficient information to furnish as a basis for its approval or disapproval, a file number will be assigned and the application date stamped for processing.

ALL LAND USE APPLICATIONS REQUIRE PROOF PROPERTY IS A LEGAL LOT OF RECORD.

HOW TO DETERMINE WHETHER YOUR PROPERTY IS A LEGAL LOT OF RECORD

1. A lot created by a recorded subdivision or short subdivision, or
2. A lot greater twenty acres in size meeting the requirements for an exempt parcel as defined in Chelan County Subdivision Code, Section 12.32.050 (3), or
3. An approved certificate of exemption, or boundary adjustment, or
4. A lot created prior to October 17, 2000 *

Please note: A legal description that describes a portion of a lot, or a meets and bounds description, may not constitute a legal lot.

*You must prove the lot existed prior to this date by providing a copy of the deed that shows the recorded date. Contact a title company or the Auditor's Office for assistance with this research.

If none of the above applies, then you must legalize the lot through a short plat, major subdivision, certificate of exemption, or increase the lot size to greater than 20 acres.

A recorded survey does not create a legal lot of record unless the lots are greater than 20 acres.

For questions, contact:
Chelan County Community Development
316 Washington Street, Suite 301
Wenatchee, WA 98801
Phone (509) 667-6225, Fax (509) 667-6475

APPLICATION REQUIRED ELEMENTS

Any person desiring approval of a boundary line adjustment, shall file application forms provided by the Administrator along with such other data that when read together discloses the following information:

- A **plat certificate/certificate of title** from a title insurance company authorized to do business in the State of Washington, confirming that the title to the lands as described and shown on said proposed Boundary Line Adjustment are vested in the owner(s) whose signature(s) appear on the application. The plat certificate shall have been issued in the preceding one hundred and twenty (120) days.
- Existing legal descriptions** for each lot being adjusted (i.e., existing Lot A and existing Lot B). You may obtain those documents from a title company or the assessor's office, which will also convey whether your lot is a legal lot of record.
- Proposed legal descriptions** for each lot being adjusted (i.e., proposed Lot A, and proposed Lot B). The department strongly recommends a licensed surveyor by the State of Washington draw up those descriptions as it provides an accurate description and property boundaries.
- Documentation all lots are Legal Lots of Record (i.e., short plat, major subdivision, CE, recorded prior to October 17, 2000 – see attached sheet)
- Property owner Lot A and property owner Lot B.
- Current zoning designation.
- Current Assessor's Parcel Numbers for properties A & B.
- A scaled drawing (example 1" = 200') of the existing lot with present lot lines being shown as solid lines and the proposed lot being shown as dashed lines. Label them new lines and old lines. Indicate according to property owners - Lot A and Lot B in the appropriate properties.
- All lot measurements must be shown in feet.
- Show existing improvements such as buildings, wells, septic systems, roads and easements and their widths, an arrow-indicating north, and any other pertinent features.
- Signed, dated and notarized signatures for all persons having interest in the property. Signature page must be an original.
- Any documents attached as separate pages or exhibits must maintain 1" margins around the entire page (for recording purposes).
- Provide a brief narrative of the proposed boundary line adjustment.
- An application fee made payable to Chelan County Community Development Department. Please call for current fees.

REQUIRED PRIOR TO RECORDING

- ◆ **All Taxes and Assessments for the year must be paid** pursuant to RCW 84.56.345 any division, alteration, or adjustment of real property boundary lines, except as provided for in RCW 58.04.007 (1) and 84.40.042(1)(c), shall present a certificate of payment from Treasurer's. All taxes current and delinquent must be paid for. Taxes not yet levied and certified shall be collected as an advance tax under RCW 58.08.040.
- ◆ If properties are to be conveyed between two (2) separate property owners, **Excise Tax Affidavit** forms (check with the Chelan County Treasurer if excise tax is required or only filing fee) and **Quit Claim Deeds** will need to be prepared. The department strongly recommends an attorney, or a licensed surveyor draw up the deeds for that portion of the property being transferred.
- ◆ A **recording fee** made payable to the Chelan County Auditor.

Return Address:

Chelan County Community Development Department
316 Washington Street, Suite 301
Wenatchee, WA 98801

For Official Use Only:

CHELAN COUNTY
CERTIFICATE OF EXEMPTION
BOUNDARY LINE ADJUSTMENT APPLICATION

BLA _____

RECEIPT # _____

PROPERTY OWNER A:
AND ADDRESS

PROPERTY OWNER B:
AND ADDRESS

Additional names on page _____

Additional names on page _____

Phone: _____

Phone: _____

Present lot size _____

Present lot size _____

Proposed lot size _____

Proposed lot size _____

Abbreviated legal description:
(i.e. lot, block, subdivision, or section,
township, and range):

Abbreviated legal description:
(i.e. lot, block, subdivision, or section,
township, and range):

Additional legal on page _____

Additional legal on page _____

Assessor's parcel #:

Assessor's parcel #:

Property Address:

Property Address:

Zoning District: _____

Zoning District: _____

Page _____

Present legal description: must demonstrate that lots are legal lots of record.

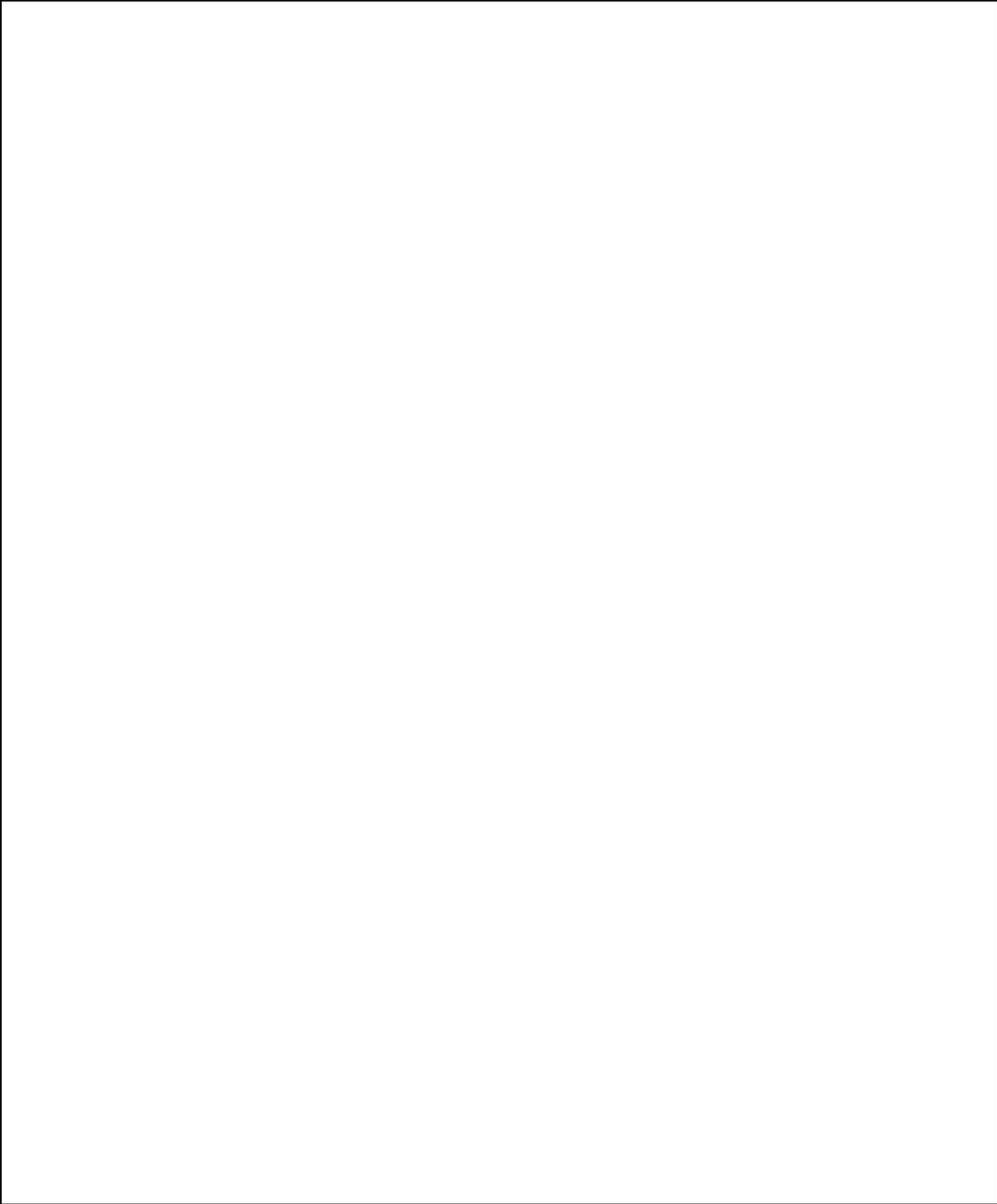
Proposed legal description: must demonstrate the resulting boundaries of the adjustment.

Please stay within the borders

A large, empty rectangular box with a thin black border, occupying most of the page. It is intended for a drawing or diagram showing lot boundaries and adjustments.

Provide a graphic, drawn to scale, demonstrating present (solid line) and proposed (dashed line) boundaries. All lot-line measurements (in feet) must be depicted on this graphic. Show & label existing improvements such as buildings, orchards, wells, septic tanks/drainfields, roads, and easements, and any other pertinent features.

Please stay within the borders



STAFF ONLY

THIS BOUNDARY LINE ADJUSTMENT BLA 200__ - ____, IS

"APPROVED"

"DENIED"

IT IS BASED ON THE FOLLOWING SECTION OF THE CHELAN COUNTY SUBDIVISION AND/OR ZONING RESOLUTIONS:

Chapter 12.36, Chelan County Subdivision Resolution
Title 11, Chelan County Zoning Resolution



THIS BOUNDARY LINE ADJUSTMENT SHALL BE SUBJECT TO THE FOLLOWING FINDINGS OF FACT:

- 1. The applicant shall comply with all requirements and regulations of CHELAN COUNTY TITLE 12 (SUBDIVISION) & TITLE 11 (ZONING) RESOLUTIONS.
- 2. The applicant shall comply with all requirements of the Chelan-Douglas Health District and/or appropriate utility purveyor and/or County Public Works regarding wastewater disposal, on-site water or public water systems, access and roads, respectively.
- 3. The Chelan-Douglas County Health District has not reviewed the legal availability of water to the site.

THIS BOUNDARY LINE ADJUSTMENT IS FOR AND SHALL RUN WITH THE LAND, AND SHALL BE APPLICABLE TO THE APPLICANT, OWNER, HEIRS, SUCCESSORS OR ASSIGNS.

APPROVED / DENIED THIS _____ DAY OF _____, 20 _____



ADMINISTRATOR, CHELAN COUNTY COMMUNITY DEVELOPMENT DEPARTMENT
THIS BOUNDARY LINE ADJUSTMENT IS ISSUED BY
CHELAN COUNTY COMMUNITY DEVELOPMENT DEPARTMENT
316 WASHINGTON ST., SUITE 301 WENATCHEE, WA 98801, 509-667-6225

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