

Maricopa County Assessor's Office Internal Policy and Procedures

Title: Minor Land Divisions Acceptance Policy

Number: GISM-0911070207

Policy Category: Property Splits and Mapping

Date: Sept. 11, 2007

Initiating Division: GIS – Splits - Mapping

Revision:

Reviewed by: Russ Heisinger, GIS Manager **Approved by:** Tim Boncoskey, Chief Deputy

Revision Date:

Purpose: To establish a standardized method for accepting and processing recorded Minor Land Divisions (MLD's) plats for dividing (splitting) property in accordance with both State Statutes and Cities' property splitting ordinances.

History: Staff have in the past had not accepted MLD's for splitting property, but waited until recorded deeds referencing the recorded MLD before transferring title and splitting the property. Recently, many of the cities have enacted ordinances that provide for the creation of minor land divisions platting and approval, giving approval authority to their duly appointed city representative (Planning Director, Manager, Engineer, etc.). Their purpose is to more quickly and efficiently respond to the development community's need to processes MLD's for the issuance of building permits and assurances of appropriate land use.

Policy and Process: From hence forth, property may be divided or split based on a properly recorded plat of a Minor Land Division that meet statutory requirements for recordation of subdivision plats found in the Arizona Revised Statutes, Titles 9 and 11, and the criteria below. Any recorded survey entitled with Minor Land Division that does not meet the following criteria shall not be considered for process as a MLD.

- Minor Land Divisions contain a clear and accurate:
 - Name of the Minor Land Division to include a descriptive title of the project (e.g. Minor Land Division of ABC Subdivision-Lot 2and 3, ABC Subdivision Minor Land Division of Lots 2and 3, Minor Land Division of Parcels 6-1 and 6-2 of ABC Subdivision, etc.)
 - Identification of the land division by name or location, and legal description.
 - Identification of persons or corporations involved in the plat preparation.
 - Identification and acknowledgment all persons and corporations holding ownership and interest in the properties identified on the plat . *(See Figure 2 for an Acknowledgment sample)*
- Ratification by lien-holders:
 - If any property is encumbered by a deed of trust, a mortgage, and/or an agreement, the lender must ratify (confirm/consent to and approve) the plat. The ratification must reference the date the lien was recorded and the docket and page in which the instrument was recorded by the Maricopa County Recorder's Office A Notary Public or other authorized officer, as set forth in Arizona Revised Statutes, must acknowledge the signature of the lien-holder. *(See Figure 1 for a Ratification Sample)*
 - Identification and Legal descriptions of all new lots, tracts, and other land division within the boundaries.
 - Identification of lots, with the location and description of cardinal monument points to which all dimensions, angles, bearings, and similar data on the plat is referenced.
 - Date of plat preparation.
 - North point and scale.
 - A Dedication Statement - *(See Figure 3 for Dedication sample)*
- Dedication Statement should include the following:
 - Locations by section, township, range, and county
 - Statement, which declares the purpose and calls out the items included within the limits, i.e., lots, lots, tracks, streets, alleys, drainage ways, and other easements for public use by the person holding the title.
 - Acknowledgement of owner's signature by certified notary public.

- Certifications or Approvals from parties as described below:
 - Unincorporated County –
 - County Engineer (Public Works / DOT)
 - Certification (statement) by land surveyor preparing the plat that it is correct and accurate and , to include - registration number and seal of registered professional engineer or registered land surveyor who prepared the plat.
(See Figure 4 for a Surveyor Statement sample)
 - Incorporated Cities –
 - Approvals by City Engineer, Chief Development Officer, or duly appointed city official.
 - Certification (statement) by land surveyor preparing the plat that it is correct and accurate and, to include - registration number and seal of registered professional engineer or registered land surveyor who prepared the plat.
(See Figure 4 for a Surveyor Statement sample)
- Official Stamp of the Maricopa County Recorder.

Figure: 1

RATIFICATION STATEMENT	
<p>As beneficiary under that certain deed of trust recorded in the County Recorder’s Office, Maricopa County, Arizona, in Recorder’s Number (MCR#) _____, the undersigned here by ratifies, approves and confirmation is given to said dedications as stated in this plat as to the interest of the undersigned. The person signing for Beneficiary warrants and represents they have power and authority to do so.</p>	
<p>By: _____ Title or Position</p>	<p>By: _____ Individual, Partnership, or Financial Institution, as beneficiary</p>
<p>Date _____</p>	<p>Date _____</p>
ACKNOWLEDGEMENT	
<p>STATE OF ARIZONA } } S.S. COUNTY OF ARIZONA }</p> <p>The foregoing instrument was acknowledged before me this the _____ day of _____, 200_</p> <p style="text-align: right; margin-right: 200px;">Notary Public My commission expires:</p>	

Figure: 2

The following is an example of an acknowledgement:

State of Arizona }
 County of Arizona }

Before me thisday of....., 200.,personally appeared before me, the undersigned notary public, who acknowledged himself to beof, the legal owner of the property platted hereon and acknowledged thatas, executed this instrument for the purpose herein contained.

In witness whereof, I hereunto set my hand and official seal.

_____ Notary Public

Figure: 3

DEDICATION STATEMENT
<p>KNOWN ALL MEN BY THESE PRESENTS: That (Subdivider name, whether individual, Partnership, or an Arizona Corporation), as owners have subdivided under the name of "(Subdivision Name)" i.e. "Logan Heights", a portion of Section 34, Township 5 North, Range 5 East, of the Gila and Salt River Base and Meridian, City of "City", County of Maricopa, Sate of Arizona, as shown platted hereon and hereby publishes this plat as and for the plat said (i.e.) "Logan Heights" and hereby declares that said plat sets forth the location and gives the dimensions of lots, streets, tracts and easements constituting same and that each lot, tract, and street shall be known by the number, letter or name given to each, respectively, on said plat. Easements are dedicated to the city for the purpose shown.</p> <p>114th street is hereby dedicated to the City for public roadway purpose.</p> <p>Ingress & Egress of the property owners of Logan Heights, their guest and invitees.</p> <p>Non-exclusive easements over Tract 'A' is dedicated to the city for emergency service and refuse collection vehicle access, drainage, public utilities and landscaping purpose.</p> <p>A Public Utility Easement (P.U.E) for the purpose of installation, operation, maintenance, repair, removal, relocation and accuses is hereby dedicated to the city as indicated on the plat to provide public utilities.</p> <p>A sewer line easement is hereby dedicated to city over Tracts 'B' & 'B'</p> <p>A Waterline easement is hereby dedicated to city over Tracts 'C' & 'D'</p> <p>Landscape easements are hereby dedicated to city over the areas shown.</p> <p>Drainage easements are hereby dedicated to the city over the areas shown.</p> <p>Owner warrants and represent to the city of Scottsdale to be the sole owner of the property covered hereby and that any homeowners association, lender, easement holder or other person or entity having any interest in said property has consented to and adjoined in this plat, as evidenced by instruments recorded with the Maricopa County Recorder's office or which or which the plat is recorded.</p> <p>In witness where of: _____, as owner, has hereunto Caused its corporation name to be signed by the undersigned officer hereby duly authorized this the _____ day of _____ 20_____.</p> <p>By:</p>

Individual, Partnership, or an Arizona Corporation	Title or Position
ACKNOWLEDGEMENT	
STATE OF ARIZONA)) S.S. COUNTY OF MARICOPA)	
The foregoing instrument was acknowledged before me this the _____ day _____ of 20_____.	
_____ Notary Public My Commission expires: _____	

Figure: 4


LAND SURVEYOR'S CERTIFICATION
THIS IS TO CERTIFY that the Survey and Subdivision of the premises described and platted hereon were made under my direction during the month of 200___; that the survey is true and complete as shown; that monuments shown actually exist or will be set as shown; that their positions are correctly shown; and that said monuments are sufficient to enable the survey to be retraced.

Name Registered Land Surveyor #

Figure: 5

UNINCORPORATED SUBDIVISIONS	
FOR NEW SUBDIVISIONS	
For new subdivisions: "Satisfactory assurance in the form of _____ form _____ in the amount has been provided to guarantee pavement, drainage, water and sewer services in this subdivision. Electric service has been assured by _____"	
For County Engineer	Date

FOR EXISTING DEVELOPMENTS	
Paving, Drainage, water, sewer and electric services in this subdivision are existing and approved.	
_____	_____
For County Engineer	Date
FOR SUBDIVISIONS THAT HAVE BEEN APPROVED FOR AN ALTERNATIVE FORM OF ASSURANCE	
Satisfactory assurances to guarantee pavement, drainage, water and sewer services in this subdivision is provided by withholding Final utility clearance, thus withholding occupancy to any dwelling until completion of off-site improvements "Electric service has been assured by _____.	
_____	_____
Director, Planning and Development Department	Date

Figure 6:

CERTIFICATION OF COUNTY ASSESSOR	
I, the undersigned as a Deputy County Assessor, Maricopa County, Arizona, do hereby certify that as of this date, the records of this office reflect that _____ as designated on the plat is owner of the property as shown on the plat and more particularly described as Assessor's Parcel Number(s) _____.	
_____	_____
Deputy County Assessor	Date

Figure 7:

CERTIFICATION OF COUNTY TREASURE	
I, the undersigned as a Deputy County Treasure, Maricopa County, Arizona, do hereby certify that as of this date, the records of this office reflect that there are no tax liens on any of the parcels comprising the plat as listed in the Assessor's Certification, with the following exceptions: _____ _____	
_____	_____
Deputy County Treasure	Date

Figure 8:

BOARD OF SUPERVISORS

APPROVED BY THE BOARD OF SUPERVISORS OF MARICOPA COUNTY, ARIZONA ON THIS 17th DAY OF Feb., 2005.

M. J. ...
CHAIRMAN OF THE BOARD

ATTESTED BY: *John ...*
CLERK OF THE BOARD 02.16.05

RECOMMEND APPROVAL:

John ...
COUNTY ENGINEER

2-14-05
DATE

