

FAMILY DIVISION APPLICATION

Sublette County Planning and Zoning Department
P.O. Box 506
21 S. Tyler Avenue
Pinedale, Wyoming 82941
Telephone: (307) 367-4375 FAX: (307) 367-6813

Pursuant to Chapter IX of the Sublette County Subdivision Resolution, Landowners/Grantors must initial each required page and sign this application. The completed application must be approved by the Planning Department before the Map of Survey will be accepted for recording by the County Clerk.

Application: Any person seeking to subdivide land using the exemption described in Wyo. Stat. §18-5-303(a) shall submit a written application therefor to the Planning Department using a form provided by the Planning Department. The written application shall:

- 1) identify the owner(s) of the land;
- 2) describe the land that the owner(s) intend to subdivide;
- 3) identify the proposed grantee(s) of the subdivision;
- 4) state whether the purpose of the division is to provide for the housing, business or agricultural needs of the grantee(s) and
- 5) include a map of survey prepared by a surveyor licensed by the State of Wyoming showing the proposed exempted subdivision.

The proposed grantee(s) shall be a member of the landowner's immediate family, as defined in Wyo. Stat. §18-5-303(a).

Note: All information required herein must be provided with this Application. Incomplete applications will not be accepted.

APPLICANT/LAND OWNER/GRANTOR(S)

Applicant:

Mailing Address:

Zip Code:

Phone:

Landowner(s)/Grantors(s):

Mailing Address:

Zip Code:

Phone:

Property Legal Description or attached deed:

List separately each parcel/lot granted as a result of the proposed division by legal description, and include current information regarding the Grantee for each parcel. Add copies of the Grantee page to the application, if necessary, numbered 2A, 2B, et.al.

Initials of Landowner(s)/Grantor(s): _____

GRANTEE(S)

Parcel/Lot No.

Grantee Name:

Grantee must be a member of the landowner's immediate family as defined by Wyoming Statute §18-5-303(a)(i)(A), "A member of the immediate family is limited to any person who is a natural or adopted child, stepchild, spouse, sibling, grandchild, grandparent or parent of the landowner."

Relationship to Grantor(s):

Grantee's Current Mailing Address:

Zip Code:

Phone:

Identify Purpose of Conveyance to Grantee:

Conveyance must be for the purpose of providing for the housing, business or agricultural needs of the grantee in accordance with Wyo. Stat. §18-5-303(a).

Previous Conveyance of Land

Has Grantor used this State Statute Exemption previously to subdivide and convey property to this Grantee?

Yes/No (Circle One).

If yes, provide conveyance date and address for each previous conveyance:

Date:

Address:

Has this Grantee received a previous subdivision of land under this Exemption?

Yes/No (Circle One).

If yes, provide name of Grantor, conveyance date, address and Parcel Identification Number for each.

Grantor:

Date:

Address:

Initials of Landowner(s)/Grantor(s): _____

REQUIRED ATTACHMENTS

Deeds:

- 1) A copy of the most recently recorded Deed to the property as proof of Grantor's ownership of the property and its legal description.
- 2) A copy of the proposed Deed of transfer to the proposed grantee(s) of each parcel/lot. Wyo. Stat. § 18-5-303(a).(i) limits use of this Exemption to a single gift or sale to a member of the landowner's immediate family.

Map of Survey: A complete and accurate Map of Survey prepared by a surveyor licensed by the State of Wyoming showing the proposed exempted subdivision. In addition to any other requirements under Wyoming Statutes governing preparation of Maps of Survey by licensed surveyors, the following information is specifically required and hereby stated by the Applicant to be contained on the submitted Map of Survey:

- 1) Certificate of Surveyor. The Map of Survey includes a properly executed Certificate that it was prepared by a Surveyor licensed by the State of Wyoming.
- 2) Certificate of Owner. The Map of Survey includes a properly executed Certificate acknowledged by all owners of record stating that the division is exempted from review as a subdivision under Wyo. Stat. § 18-5-303(a).

LANDOWNER/GRANTOR(S) CERTIFICATION

I/We hereby certify that this proposed Family Division is in full compliance with the requirements of Wyoming Statute § 18-5-303(a), and that all information provided on this Application Form and attached submittals is, to my/our personal knowledge, true and correct.

Print or Type Landowner/Grantor Name(s):

Signature(s):

Date:

SUBLETTE COUNTY STAFF REVIEW (STAFF ONLY)

This Family Division Application has been reviewed only for compliance with the requirements of Sublette County Subdivision Resolution Chapter 5. Family Division. The parcel/lot(s) resulting from the proposed Family Division has not been reviewed for compliance with nor determined to meet any other land use or development provisions of the Sublette County Zoning and Development Regulations, Resolutions, Codes or those of any other agencies that may have jurisdiction over the use and/or development of this property.

Approved / Disapproved (Authorized Reviewer Circle One) Date:

By: Name:

Title:

Signature:

WYOMING STATUTES-COUNTIES-SUBDIVISION EXEMPTIONS

Statutory authority for creation of a Family Subdivision is contained within the provisions of Wyoming Statutes § 18-5-303(a)(i), which exempts this type of land division from other provisions contained within the Statutes governing Subdivision of Lands.

18-5-303(a). Exemptions from provisions.

(a) Unless the method of sale or other disposition is adopted for the purpose of evading the provisions of this article, this article shall not apply to the following subdivisions of land however, the following subdivisions are subject to requirements which may be adopted by the board of county commissioners regarding documentation of the proper use and implementation of the following exemptions:

(i) A division of land made outside of platted subdivisions for the purpose of a single gift or sale to a member of the landowner's immediate family, subject to the following requirements:

(A) A member of the immediate family is limited to any person who is a natural or adopted child, stepchild, spouse, sibling, grandchild, grandparent or parent of the landowner;

(B) The purpose of the division is to provide for the housing, business or agricultural needs of the grantee;

(C) The land shall have been titled in the name of the grantor, or in the name of a trust controlled by the grantor, for a combined period of not less than ten (10) years prior to the division and parcels created under this paragraph shall be titled in the name of the immediate family member for whom the division is made for a period of not less than five (5) years unless such parcels are subject to involuntary transfer including, but not limited to, foreclosure, death, judicial sale, condemnation or bankruptcy;

(D) No parcel smaller than five (5) acres created under this paragraph shall be further divided unless the owner obtains a subdivision permit pursuant to W.S. 18-5-304;

(E) Where the landowner is a business entity and eighty percent (80%) of the ownership interest or shares in the business entity are held by, or in the name of a trust controlled by, individuals related by blood or marriage, the sale or gift may be made subject to the provisions of this section to an immediate family member of any shareholder who has owned at least five percent (5%) of the outstanding shares for at least five (5) years continuously before the date of the sale or gift.

(ii) A division which may be created by any court of this state pursuant to the law of eminent domain, by operation of law or by order of any court in this state, except that this paragraph shall not exempt a partition of real property pursuant to W.S. 1-32-101 through 1-32-122 from compliance with this article if the division would otherwise be subject to the provisions of this article;

(iii) A division which is created by a lien, mortgage, deed of trust or any other security instrument, easements and rights-of-way;

(iv) Lands located within incorporated cities or towns;

(v) A division which is created by the sale or other disposition of land to the state of Wyoming or any political subdivision thereof;

(vi) A division which affects railroad rights-of-way;

- (vii) A division which is a sale or other disposition of land for agricultural purposes or affects the alignment of property lines for agricultural purposes;
 - (viii) A division which is created by boundary line adjustments where the parcel subject of the sale or other disposition is adjacent to and merged with other land owned by the grantee;
 - (ix) A division which creates cemetery lots;
 - (x) A division which is created by the acquisition of an interest in land in the name of the husband and wife or other persons in joint tenancy or as tenants in common, and the interest shall be deemed for purposes of this subsection as only one (1) interest;
 - (xi) A division of land creating a parcel five (5) acres or less for the purpose of establishing unmanned communication facilities, compressor stations, metering stations, fiber optic booster stations or similar unmanned facilities;
 - (xii) A division which creates a cluster development pursuant to and in accordance with article 4 of this chapter;
 - (xiii) The sale or disposition of separate parcels of land that were separate when lawfully created or conveyed and which have not been combined by a recorded instrument of conveyance signed by all of the owners.
- (b) Except as provided in W.S. 18-5-316, this article shall not apply to the sale or other disposition of land where the parcels involved are thirty-five (35) acres or larger, subject to the requirement that ingress and egress and utility easements shall be provided to each parcel by binding and recordable easements of not less than forty (40) feet in width to a public road unless specifically waived by the grantee or transferee in a binding and recordable document.