

# LANDOWNER STATEMENT

A completed Landowner Statement is required to be submitted with all certificates of survey and plats citing an exemption under § 76-3-201 MCA and/or § 76-3-207 MCA. Incomplete and/or incorrect submissions may require resubmission and associated fees may apply.

## **REQUIRED INFORMATION FOR ALL SUBMITTALS:**

**LANDOWNER NAME(S):** \_\_\_\_\_

**SURVEYOR:** \_\_\_\_\_

**EXEMPTION:** \_\_\_\_\_  
*(Exemption/Purpose of Survey)*

**ZONING DESIGNATION:** \_\_\_\_\_

### **20 YEAR HISTORY OF PARCEL(S):**

*(History should include information of parent parcel(s) if existing parcel(s) did not exist 20 years ago.)*

Please state the number of exemptions previously used on the original parcel regardless of ownership: \_\_\_\_\_

### **Please list each COS # or plat name, exemption claimed and whom it was claimed by:**

COS/PLAT \_\_\_\_\_ Exemption: \_\_\_\_\_ Claimed by: \_\_\_\_\_

COS/PLAT \_\_\_\_\_ Exemption: \_\_\_\_\_ Claimed by: \_\_\_\_\_

COS/PLAT \_\_\_\_\_ Exemption: \_\_\_\_\_ Claimed by: \_\_\_\_\_

COS/PLAT \_\_\_\_\_ Exemption: \_\_\_\_\_ Claimed by: \_\_\_\_\_

COS/PLAT \_\_\_\_\_ Exemption: \_\_\_\_\_ Claimed by: \_\_\_\_\_

COS/PLAT \_\_\_\_\_ Exemption: \_\_\_\_\_ Claimed by: \_\_\_\_\_

Has this parcel been subject to or part of an application for subdivision plat approval within the last 5 years? \_\_\_\_\_

**REQUIRED INFORMATION FOR FAMILY TRANSFER EXEMPTION:**

Is this gift or sale to a member or members of your immediate family? \_\_\_\_\_

Is this the first transfer that you (the landowner/applicant) will be making to this/these family member(s)? \_\_\_\_\_

Is this gift or sale for the benefit of the intended grantee? \_\_\_\_\_

**Please provide the following information for parcels proposed for transfer:**

*(Additional sheets may be added for additional names.)*

\*Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

Minor Child? \_\_\_\_\_ If Minor, Name of Custodian: \_\_\_\_\_

\*Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

Minor Child? \_\_\_\_\_ If Minor, Name of Custodian: \_\_\_\_\_

\*Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

Minor Child? \_\_\_\_\_ If Minor, Name of Custodian: \_\_\_\_\_

\*Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

Minor Child? \_\_\_\_\_ If Minor, Name of Custodian: \_\_\_\_\_

**Has the landowner divided property in Flathead County using the Family Transfer exemption? \_\_\_\_\_**

If YES, list the COS number, grantee, relationship, and date: \_\_\_\_\_

**Has the landowner received land in Flathead County using the Family Transfer exemption? \_\_\_\_\_**

If YES, list the COS number, grantor, relationship, and date: \_\_\_\_\_

**Has the intended grantee divided property in Flathead County using the Family Transfer exemption? \_\_\_\_\_**

If YES, list the COS number, grantee, relationship, and date: \_\_\_\_\_

**Has the intended grantee received land in Flathead County using the Family Transfer exemption? \_\_\_\_\_**

If YES, list the COS number, grantor, relationship, and date: \_\_\_\_\_

**REQUIRED INFORMATION FOR BOUNDARY RELOCATION AND/OR LOT AGGREGATION:**

Number of parcels affected: \_\_\_\_\_

Number of parcels remaining: \_\_\_\_\_

Purpose of Boundary Line Adjustment/Aggregation: \_\_\_\_\_

Does this Boundary Line Adjustment alter line(s) of a parcel or parcels created by agriculture covenant/exemption, right of way or utility site? \_\_\_\_\_

Does this Boundary Line Adjustment create a parcel of less than 160 acres, which, prior to relocation consisted of more than 160 acres? \_\_\_\_\_

**REQUIRED INFORMATION FOR SECURITY FOR CONSTRUCTION PARCEL:**

Will the division, upon foreclosure, create more than one new parcel? \_\_\_\_\_

Will the landowner retain possession of the remainder? \_\_\_\_\_

Will the mortgagee retain possession of the exempted parcel? \_\_\_\_\_

Does any prior agreement exist to default or to purchase only a portion of the original tract? \_\_\_\_\_

**REQUIRED INFORMATION FOR UTILITY OR R/W EXEMPTION:**

Please describe purpose of creation of Right-of-Way parcel and/or Utility Site parcel: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**REQUIRED INFORMATION FOR COURT ORDERED EXEMPTION:**

Please attach a certified copy of the Court Order issued by the judge.

*(§76-3-201(3) MCA - Before a court of record orders a division of land under subsection (1)(a), the court shall notify the governing body of the pending division and allow the governing body to present written comment on the division.)*

**REQUIRED LANDOWNER/SURVEYOR ACKNOWLEDGEMENT FOR ALL SUBMITTALS:**

It is understood that this Statement seeks approval of the use of an exemption to subdivision review to divide property. It is also understood that approval of the use of the exemption is not approval under zoning, health, floodplain, or other applicable regulations.

I/We certify that the use of the claimed exemption is not for the purpose of evading subdivision review of the Montana Subdivision and Platting Act and that it meets the Flathead County criteria for determination of evasion of the Act.

Under penalties of perjury, I/we declare that I/we have examined this form, including the accompanying Certificate of Survey, and to the best of my/our knowledge and belief, it is true, correct, and complete and is in compliance with all Montana State laws and Flathead County resolutions and the transfer of property will occur as represented.

**Divisions of land may not be pursued under Sections 76-3-201 and 207, MCA, for the purpose of evading the review set forth in Chapter 3 of Title 76 (the Montana Subdivision and Platting Act). In addition to being subject to civil penalties, a person who violates a provision of Chapter 3 or any local regulations adopted pursuant thereto (see Resolution 509F) is guilty of a misdemeanor, punishable by a fine of not less than \$100 or more than \$500 and by imprisonment in a county jail for up to 3 months. Section 76-3-105, MCA.**

\_\_\_\_\_  
Landowner Signature

\_\_\_\_\_  
Landowner – Print name

\_\_\_\_\_  
Landowner Signature

\_\_\_\_\_  
Landowner – Print name

STATE OF \_\_\_\_\_ )  
                                       : ss.  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, a Notary Public for the State of \_\_\_\_\_, personally appeared \_\_\_\_\_, known to me (or proved to me on oath) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

(SEAL)

\_\_\_\_\_  
Notary Public for the State of

\_\_\_\_\_  
Print Name

Residing at \_\_\_\_\_

My commission expires \_\_\_\_\_

\_\_\_\_\_  
Surveyor Signature

\_\_\_\_\_  
Surveyor – Print name