



## Land Use Authority

76 North Main Street

Kanab, Utah 84741

Phone (435) 644-4966

[planning@kane.utah.gov](mailto:planning@kane.utah.gov)

### Procedures for a Lot Joinder within a Subdivision Plat Utah State Code 17-27a-608(1-2)

The following requirements shall be met in order to secure a Lot Joinder from the Kane County Land Use Authority:

1. Applicant must be the title owner of said property or have **power of attorney** to act on behalf of the owner. Applicant or authorized agent must be present for the Public Meeting in which the Lot Joinder is an agenda item. Electronic appearance is acceptable if prior arrangements are made.
2. Fee: \$700 (includes mailer to surrounding property owners) for plat review.
3. **Adhesive address labels** for the notification letter for property owners within 500 ft. of proposed Lot Joinder must be typed and ready to place on envelopes. The letter will be prepared by Land Use Authority.
4. Submit reason, in writing, for requested Lot Joinder.
5. Provide legal description of lots to be joined.
  - a.) Auto CAD.DWG file or GIS SHAPE file, submitted by surveyor;
  - b.) File to contain all parcel lines and reference monuments;
  - c.) Data file to be GEO referenced to Utah State Plane South Grid Coordinate System or ground Coordinate System including ground scale factor. (Kane County Land Use Ordinance 9-21E-9).
6. Submit a Lot Joinder **amended plat** - (2) 24x36 and (3) 11x17
7. Provide paid **tax statement** for current year.
8. Please check with your local HOA or CC&R's for any subdivision restrictions.
9. Submit a signed **Lien Holder Statement** and a signed **Lender's Consent** and Dedication.
10. **Title Report** and Deeds need to be provided.
11. If any easement is being vacated provide a **Termination of Easement Letter** from the appropriate entity (Garkane Power, Kane County Water Conservancy District and South Central Communications).
12. **Application must be received in office 21 days prior to the scheduled Land Use Authority Meeting.**

**Please Note: Once lots are joined they may not be subdivided again.**

**\*An incomplete application will be returned.**

**\*\*Taxes will not be affected until the following year from the project (plat) being recorded.**



**Kane County  
Land Use Authority**

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**Lot Joinder within a Subdivision Plat  
Application Fee \$700.00**

**\*In the event additional engineering costs are accrued by the County related to a specific project, the project applicant will be responsible for all additional engineering fees.  
(KCLUO 9-1-14)**

Property Owner's Name: \_\_\_\_\_

Date: \_\_\_\_\_ Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Parcel #s: \_\_\_\_\_

Reason for Lot Joinder Request: \_\_\_\_\_

I (We) certify that the proposed subdivision plat will conform to the Kane County Subdivision Ordinance and that no changes will be made without prior approval.

\_\_\_\_\_  
Signature of Owner / Trustee

\_\_\_\_\_  
Signature of Owner / Trustee

**Once lots are joined they may not be subdivided again.**

**Taxes will not be affected until the year following the project (plat) being recorded.**

**\*Fee is non-refundable after engineer's review**

**Land Use Authority Action:**

Approve

Deny

\_\_\_\_\_  
Planning Commission Chairman

\_\_\_\_\_  
Date

Commission Approval Date: \_\_\_\_\_

## LIEN HOLDER STATEMENT

Property Owner's Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Parcel #: \_\_\_\_\_

Check one:

- The above parcel is owned free and clear.**
- The above stated parcel is financed or a lien exists.** \*Please complete the information below AND complete Lender's Consent and Dedication form.

LIEN HOLDER/LENDER: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

I hereby declare that the information given above is true to the best of my knowledge.

\_\_\_\_\_  
Signature of Owner/Trustee

\_\_\_\_\_  
Signature of Owner/Trustee

## LENDER'S CONSENT AND DEDICATION

### LENDER'S ACKNOWLEDGMENT

\_\_\_\_\_, hereby consents to the recordation of the subdivision plat of \_\_\_\_\_, Parcel #: \_\_\_\_\_.

The property described on said subdivision plat of \_\_\_\_\_ & affected by this Consent to record & Dedication is situated in Kane County, Utah, described as follows:

\_\_\_\_\_  
Lender's Signature

### NOTARY STATEMENT

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, personally appeared before me, (Name) \_\_\_\_\_, the signer of the within instrument, who duly acknowledged before me that he/she is the (Title) \_\_\_\_\_ of (Financial Institution) \_\_\_\_\_, the corporation that executed the above instrument & was signed in behalf of said corporation by authority of its by-laws, and acknowledged to me that said corporation executed the same.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_  
Notary Public residing at City: \_\_\_\_\_ State: \_\_\_\_\_ County: \_\_\_\_\_

## **LOT JOINDER – DRAWING REQUIREMENTS**

1. Boundary bearing and distances data outside boundary
2. New lot number.
3. Curve data: radius, angle, long chord, bearings and distance, length
4. All streets to be named
5. Bearing and distances of all streets
6. Adjacent streets shown and dimensioned
7. All easements to be labeled and dimensioned-including new & abandoned
8. All land with boundaries to be accounted for
9. All dimensions to be to 0.01' and 0'000'00
10. Name of subdivision
11. North arrow
12. Basis of bearing
13. Name and address of owners of record
14. Total acreage of new lot
15. Legal description of new lot
16. Township, range, section and quarter section
17. Graphic scale
18. Required monuments
19. County Surveyor's signature block
20. County Attorney's signature block
21. Land Use Authority's signature block
22. Signature(s) of owner(s) (notarized) block
23. County Recorder's recording block
24. Lender's signature block or lien holder's consent form
25. Surveyor's Certificate

Utah State Code:

**17-27a-609. Land use authority approval of vacation or amendment of plat -- Recording the amended plat.**

- (1) The land use authority may approve the vacation or amendment of a plat by signing an amended plat showing the vacation or amendment if the land use authority finds that:
  - (a) there is good cause for the vacation or amendment; and
  - (b) no public street, right-of-way, or easement has been vacated or amended.
- (2)
  - (a) The land use authority shall ensure that the amended plat showing the vacation or amendment is recorded in the office of the county recorder in which the land is located.
  - (b) If the amended plat is approved and recorded in accordance with this section, the recorded plat shall vacate, supersede, and replace any contrary provision in a previously recorded plat of the same land.
- (3)
  - (a) A legislative body may vacate a subdivision or a portion of a subdivision by recording in the county recorder's office an ordinance describing the subdivision or the portion being vacated.
  - (b) The recorded vacating ordinance shall replace a previously recorded plat described in the vacating ordinance.
- (4) An amended plat may not be submitted to the county recorder for recording unless it is:
  - (a) signed by the land use authority; and
  - (b) signed, acknowledged, and dedicated by each owner of record of the portion of the plat that is amended.
- (5) A management committee may sign and dedicate an amended plat as provided in [Title 57, Chapter 8, Condominium Ownership Act](#).
- (6) A plat may be corrected as provided in Section [57-3-106](#).

Amended by Chapter [136](#), 2014 General Session

**17-27a-609.5. Vacating a street, right-of-way, or easement.**

- (1) A petition to vacate some or all of a public street, right-of-way, or easement shall include:
  - (a) the name and address of each owner of record of land that is:
    - (i) adjacent to the public street, right-of-way, or easement; or
    - (ii) accessed exclusively by or within 300 feet of the public street, right-of-way, or easement; and
  - (b) the signature of each owner under Subsection [\(1\)\(a\)](#) who consents to the vacation.

- (2) If a petition is submitted containing a request to vacate some or all of a street, right-of-way, or easement, the legislative body shall hold a public hearing in accordance with Section [17-27a-208](#) and determine whether:
  - (a) good cause exists for the vacation; and
  - (b) the public interest or any person will be materially injured by the proposed vacation.
- (3) The legislative body may adopt an ordinance granting a petition to vacate some or all of a public street, right-of-way, or easement if the legislative body finds that:
  - (a) good cause exists for the vacation; and
  - (b) neither the public interest nor any person will be materially injured by the vacation.
- (4) If the legislative body adopts an ordinance vacating some or all of a public street, right-of-way, or easement, the legislative body shall ensure that one or both of the following is recorded in the office of the recorder of the county in which the land is located:
  - (a) a plat reflecting the vacation; or
  - (b) an ordinance described in Subsection [\(3\)](#).
- (5) The action of the legislative body vacating some or all of a street, right-of-way, or easement that has been dedicated to public use:
  - (a) operates to the extent to which it is vacated, upon the effective date of the recorded plat, as a revocation of the acceptance of and the relinquishment of the county's fee in the vacated street, right-of-way, or easement; and
  - (b) may not be construed to impair:
    - (i) any right-of-way or easement of any lot owner; or
    - (ii) the franchise rights of any public utility.

Amended by Chapter [381](#), 2010 General Session

