

**APPLICATION, PACKET, & CHECKLIST
FOR CONSOLIDATION,
BOUNDARY LINE ADJUSTMENT,
EASEMENT & RIGHT OF WAY DEDICATION
PLATS**



**Spotsylvania County
Planning Department
9019 Old Battlefield Blvd., Suite 320
Spotsylvania, VA 22553**

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Approval Procedures for Parcel Consolidations, Line Adjustments, Easements, & Right-of-Way Dedications

("Exempt Subdivisions" under Section 20-2.1.3 of the County Code)

1. Determinations

- **Zoning** – Contact the Zoning Department (540-507-7222) for a determination of your zoning district, Chesapeake Bay Preservation Ordinance and floodplain status.
- **Subdivision** – Contact the Planning Department (540-507-7434) for determination of subdivision type and questions regarding the subdivision ordinance and what processes you need to follow. **The Planning Department requires 4 to 6 weeks to review your application after submission and will contact you with comments. If you need to schedule a closing date, please plan accordingly.**
- **Land Use Program:** Please be aware that the altering of a lot enrolled in the land use taxation program (administered by the Commissioner of Revenue) may disqualify the property owner from the program. Once the property changes, the owner is responsible for paying the County a roll back tax based on the amount of taxes that were deferred. The deferred tax is the difference between the land use value and the assessed value. Virginia Code Sec. 58.1-3237 requires the landowner to report a change in use, zoning, or property configuration to the Commissioner of Revenue within sixty days of the action. The Commissioner of the Revenue can be contacted at 540-507-7053.

2. Location of Septic Drainfields

- All lots must contain a 100% reserve drainfield.
- Please show the location of all existing drainfields to ensure the drainfield will be at least 5 feet from the adjusted property line.
- **Property Line Adjustments** - If a parcel is adjusted you must show that the parcel retains the reserve drainfield capacity it had prior to the adjustment, up to 100% reserve. A private soil consultant can make this determination.

3. Plat Preparation – After the drainfield locations are determined, a licensed surveyor or engineer must prepare a plat. Please give the Exempt Plat Checklist included in this package (page 5) to your surveyor. Your surveyor and soil consultant may need to work together to ensure that proposed property lines are properly related to drainfield areas, easements, structures, wells, and other features on the site.

An Owner's Consent must appear on the plat. This needs to be completed and signed by all of the owner(s). If an owner is married, the spouse should sign also. If the owner is a corporation or partnership, the person signing should state his or her title. All signatures must be notarized with title and company name. Keep in mind that **a plat is a legal document**. Once recorded, a plat legally establishes the boundaries of the parcels involved. To avoid future problems, please take care that all the persons holding title to the land have signed. If you are unsure who should sign, check the relevant deeds and wills, or consult an attorney.

Also be aware that **a plat does not transfer title**. If you are conveying title of any portion of an adjusted parcel, you will need to have an attorney prepare a deed to legally transfer the property. The Planning Department does not need to review deeds, except in the case of ROW Dedication and public easements.

4. Deed of Dedication and/or Easement - A deed of dedication and/or easement must be completed and submitted with the plat application. Right-Of-Way Dedication is required for all applications that show prescriptive easements and any easement granted for public use. A title report or Attorney opinion letter needs to accompany the deed of dedication. It needs to be updated within 30 days of legal review (for right-of-way dedication only).

Packet Submission To Obtain County Approval - Submit the following items to the Code Compliance Intake Counter on the 3rd floor of 9019 Old Battlefield Blvd, Spotsylvania, VA 22553, Merchants Square Office Building:

5. Completed Spotsylvania County Plat Application (included in this package).
 - a. If applicable, copies of soil reports, septic permits, or certification letters (see step3).
 - b. Plats sealed, signed and notarized. (May be unsigned/notarized for the initial submission.)
 - c. Deed of dedication and/or Deed of easement, legal document checklist (initialed by applicant or deed preparer) if applicable.
 - d. All applicable fees.

The plat application will be reviewed for compliance with all county ordinances.

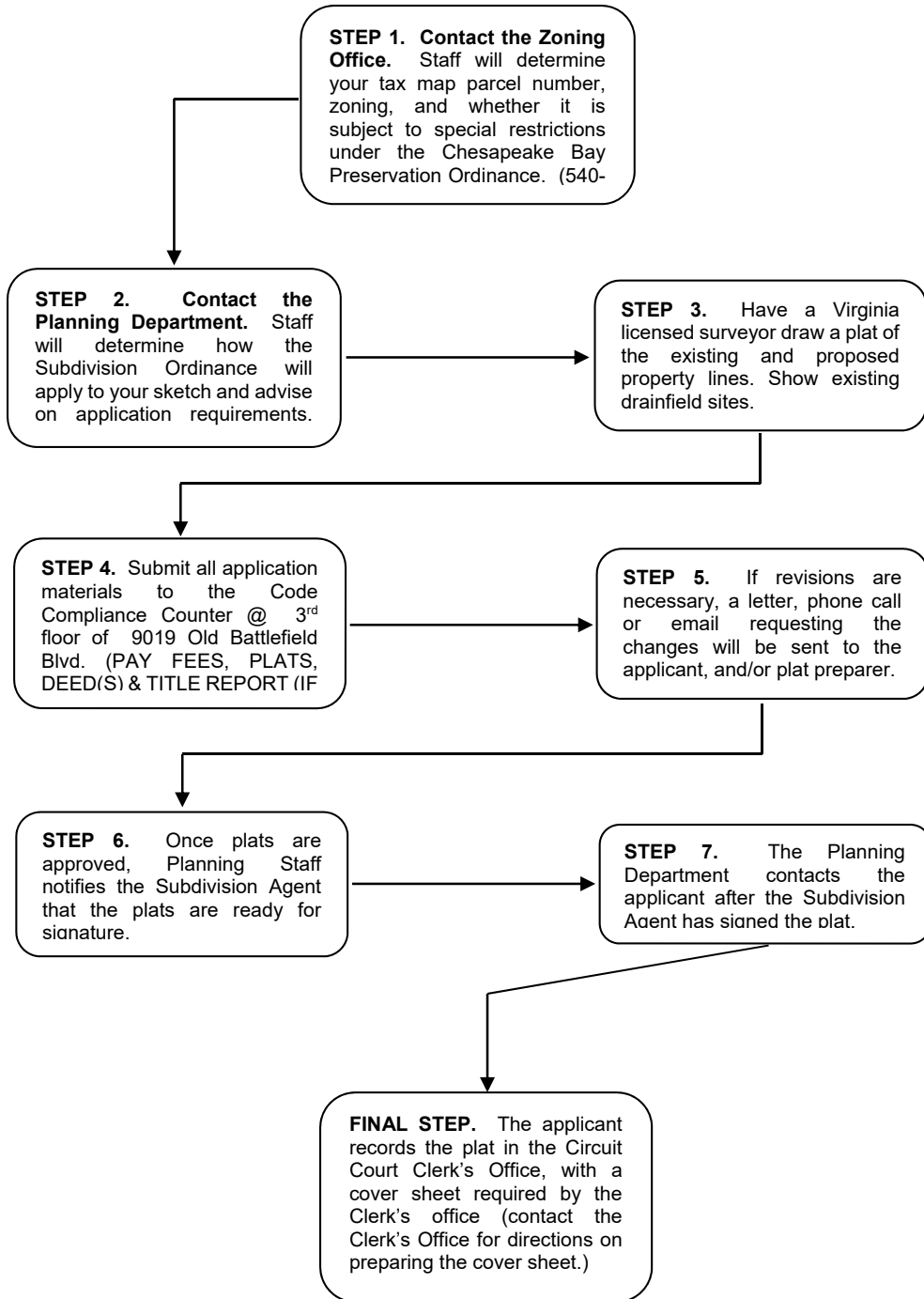
Resubmission and Second Review: Subsequent resubmissions of the plat and/or legal documents are required until a complete package meeting the requirements of the Subdivision Ordinance is met. ***Please note that for every plat review beginning with the 3rd review, there will be additional fees involved (see Fee Schedule: Planning Development Review Fees).***

- If the revisions and/or additional reviews are solely the result of a County Request then a fee **will not** be assessed if the request was not made in previous comment letters.
- Minor revisions that result from comments by non-Spotsylvania County Government agencies that were not requested in previous reviews and are not the result of revisions to some portion of the plat **will not** generate additional fees.
- Minor changes such as incorrect parcel numbers, errors or omissions in notes, typos, etc., that are not material to the plat and do not require significant review time **will not** generate additional fees.
- If the revisions and/or additional reviews are necessitated by an oversight by the surveyor for not making revisions required by staff in previous reviews or for changes to the plat by the surveyor/applicant result in additional revisions then additional fees **will** be required.

If no changes are necessary, the Subdivision Agent will sign the plats to authorize recordation. Upon approval, the Planning Department will contact the applicant. The applicant may then record the plat/legal documents in the Circuit Court Clerk's Office (in the Judicial Center). The Clerk of Court will require a cover sheet. For more information on this procedure, contact the Clerk's office at: 540-507-7600. You will need two (2) approved plats with original signatures, the cover sheet and recording fees.

Parcel Consolidation/Property Line Adjustment Flow Chart

If you have any questions about this process, call the Planning Department at 540-507-7434.



Plat Checklist
Spotsylvania County Planning Department

Consolidations, Easements, Right-of-Way Dedications and Adjustments

Give this checklist to your plat preparer & check for most recent updated form.

I. Application

File #: _____
Name: _____
Date sent to GIS: _____
Date sent for final review: _____

Staff use:

- ___ 1. 8 (eight) sealed plat copies provided (**minimum of 4 original signatures**).
- ___ 2. Organizational documents showing the name of the person and their title authorized to execute legal documents required for this application on behalf of a Limited Liability Company (LLC), Trust or Corporation.
- ___ 3. Plat copies are signed, dated, and notarized exactly as written in owner's consent (not required for initial submission). **The notary must provide a registration number. There seal must be a permanent and photographically reproducible seal.**
- ___ 4. Copy of power of attorney submitted (**applicable when owner does not sign**).
- ___ 5. Deed of Right of Way dedication and/or Utility easement. (**See model forms**)
- ___ 6. Original title report or attorney opinion letter prepared within 30 days of submission to county.
- ___ 7. Court Order for Trustees of Churches for any of the purposes mentioned in subsection 57-15.
- ___ 8. Date sent to VDOT for right of way dedication, drainage easements (conveying roadway water) & sight distance easements: _____
- ___ 9. Division or adjustment is exempt from regulation under subdivision ordinance. 20-2.1.3, definition of subdivide. (Different procedures needed if included in a subdivision; follow state code 15.2-2272).
- ___ 10. Parcel being adjusted is/is not in the Land Use Program. **If the parcel is in the Land Use Program, please consult with the Commissioner of Revenue to determine the effect of the proposed division/adjustment may have on the Land Use status.**
- ___ 11. Application information complete.

Calculate fees using the current fee schedule

II. Plat

- ___ 1. Owner's Consent form correct and complete. (See model forms)
- ___ 2. Owner's Consent form signed by all parties. If a party is no longer able to sign, the applicant must provide proof as to why they cannot sign. (If the party is deceased, provide copy of death certificate or reference in the Owner's Consent.)
- ___ 3. The Notary form is correct and includes a list of all signing parties (exactly as shown in the Owner's Consent). The Notary is required to sign and print their name, & affixed their seal. Both the printed name & seal must be sharp, legible, permanent & photographically reproducible when copied. The Notary's Registration Number and Commission expiration date are shown as well.
- ___ 4. Surveyor's seal correct and complete with either "LIC or Cert No". Please ensure the seal is signed and dated (Please note if revisions were made the seal should contain the date of the last revision). (See model forms table) The surveyor's certificate cannot be signed/dated instead of the seal.
- ___ 5. **Must sign and seal all plat sheets with original signature and in blue ink.**
- ___ 6. County review form correct. (see model forms table)
- ___ 7. Title Block includes the type of plat, tax map number(s), surveyor's contact information to include name address, phone number, etc. Please include the plat revision dates in this area too.

- ___ 8. Minimum lot area/lot width/road frontage: **AS REQUIRED BY THE ZONING DISTRICT (SEE ZONING ORDINANCE, CHAPTER 23 ARTICLE 6)**
- ___ 9. If lot is minimum acreage, owner's consent or plat **does not say "more or less"**.
- ___ 10. Is the property in the **Reservoir Overlay Protection District**? If so, the following apply:
- ___ a. 5 acres if on **private** septic and adjacent to existing/proposed reservoir. 23-7.5.4(1)a.
- ___ b. 2 acres if on **public** sewer and adjacent to existing/proposed reservoir. 23-7.5.4(1)b.
- ___ c. Parcel has 200' width along mean high water line or County acquisition line of existing/proposed reservoir. 23-7.5.4(2)
- ___ d. 150' buffer along mean high water line or County acquisition line of existing/proposed reservoir. 23-7.5.4(3)a
- ___ e. 75' buffer adjacent to any river and/or perennial stream. 23-7.5.4(3)b.
- ___ f. 250' septic setback from mean high water line or County acquisition line of existing/proposed reservoir. 23-7.5.4(4)b.
- ___ g. 100' septic setback from flood easement (Ni Reservoir only). 22-232
- ___ h. 200' septic setback if under 1.25 acres (Ni Reservoir only). 22-232
- ___ i. **Add note that property lies within Reservoir Protection Overlay District.**
- ___ 11. Is the property in the River Overlay Protection District? If so, the following apply
- ___ a. Lot minimums conform to **River Protection Overlay District** standards.
- ___ b. 5 acres if septic system. 23-7.4.4
- ___ c. **add note that property lies within River Protection Overlay District**
- ___ 12. Is the property located within the Highway Corridor Overlay District? If so, please add a note stating that **the parcel lies within the Highway Corridor Overlay District (Either Primary or Rural)**. Refer to 23-7.6.8.
- ___ 13. Is the property located within the Airport Protection Overlay District? If so, please add a note stating **the parcel lies within the Airport Protection Overlay District**. Refer to 23-7.7.1
- ___ 14. Is the property located within the Historic Overlay District? If so, please add a note stating **the parcel lies within the Historic Overlay District**.
- ___ 15. No septic drainfields in 100-year floodplain. 23-7.4.7(1)
- ___ 16. Floodplain boundary shown on plat if zone "A" touches parcel, or note stating parcel is not in zone "A" per FEMA maps. (See model forms.)
- ___ 17. Show existing primary and reserve drainfields on all plats. Individually delineated and labeled on the plat.
- ___ 18. Septic systems set back **5'** from property line and **10'** from ALL utility easements: VDH Regulations.
- ___ 19. No structures or septic systems within RPA unless buffer reduction is approved per 6A-10(c). Water wells permissible.
- ___ 20. RPA shown on plat with note: **CHESAPEAKE BAY PRESERVATION ACT** "CBPA is an overlay district for the entire Spotsylvania County and the parcel described within this plan lies within the RMA features and (does/does not) contain RPA features within the Chesapeake Bay Preservation Area Overlay District."
- ___ 21. **If RPA is not field delineated, add note on plats:** "RPA Shown per County Maps." **If the RPA is field delineated**, please add a note stating "RPA field delineated by _____."
- ___ 22. **Note on any plat that has RPA:** "The Resource Protection Area (RPA) is a 100 foot wide buffer area that shall remain undisturbed and vegetated in accordance with Spotsylvania County Code Chapter 6A- Chesapeake Bay Preservation."
- ___ 23. Parcels provide desirable building site, with at least 10,000 sq. ft. of buildable area, exclusive of steep slopes >15%, floodplains, wetlands, drainfields, reservoir/river protection overlay district buffers, and RPA. 20-5.1.9.
- ___ 24. Apparent entrance hazard. Note on Plat required: "VDOT approval required prior to access to all public roads."
- ___ 25. Parcels share access points on the existing secondary road to the maximum extent possible. 20-2.1.3, definition of Subdivide.
- ___ 26. Direct access restriction in existing subdivisions: 20-5.2.1

- ___27. Adequate road frontage or minimum of 20' wide private access easement shown. 20-14.1.1, definition of subdivide for Exempt Divisions.
- ___28. No peculiarly shaped parcels. 20-5.1.9. **NO LOT LENGTH IS 5 TIMES GREATER THAN ITS WIDTH, (5:1 RULE) & NO PECULIAR ELONGATIONS.**
- ___29. **No pipe stem lots** except in RR or PDH or by Board of Supervisors approval. 20-5.1.9. definition of lots.
- ___30. Property line does not extend into water body. 20-5.1.9, lots.
- ___31. All existing structures are shown with no apparent building setback encroachments.
- ___32. Inset sketch/Vicinity map at a scale of 1:2000' to include a north arrow for parcel location.
- ___33. Show a north arrow on the plat.
- ___34. Property lines to be eliminated labeled "hereby vacated" or "hereby extinguished".
- ___35. Note required on all plats EXCEPT consolidation plats, **"NOTICE: THIS PLAT SHALL BECOME NULL AND VOID AND BE OF NO FURTHER FORCE AND EFFECT IF THE PLAT IS NOT RECORDED IN ACCORDANCE WITH THE SUBDIVISION ORDINANCE OF SPOTSYLVANIA COUNTY WITHIN SIX (6) MONTHS OF THE DATE OF APPROVAL."**
- ___36. Note required on all plats, in bold that states, **"NOTICE: APPROVAL AND/OR RECORDING OF THIS PLAT DOES NOT CONSTITUTE ASSURANCE THAT PUBLIC SEWER OR PUBLIC WATER SERVICE WILL BE AVAILABLE TO SERVE THE LAND DESCRIBED ON THIS PLAT AT ANY PARTICULAR TIME."**
- ___37. Note required when drainage easements are required by VDOT: **"Property owners are responsible for preserving drainage easements on/across their property. Such easements serving roadways maintained by VDOT will be maintained by VDOT only as required to protect the roadway from damage or flooding."**
- ___38. Vacated or relocated utility/drainage easements: plat labeled as "replat" in both the Owner's Consent and Title Block, or complies with 15.2-2272 of state code. (See Model Form)
- ___39. Label all adjoining owners of record with deed book references or subdivision designations. 18 VAC 18-20-370, Subsection D 2(c).
- ___40. Label all recording information for existing easements.
- ___41. Label public easement as "hereby granted" and state size of easement to be granted for public use.
- ___42. Label right-of-way as "hereby dedicated" and state size of right-of-way being dedicated. Please show on the plat that the right-of-way is being dedicated to public street purposes, as well as in the Owner's Consent.
- ___43. Label all right-of-way being dedicated along **primary roads** (State routes 1-599) as "Dedicated to the Commonwealth of Virginia acting by and through the Virginia Department of Transportation". **A Deed of Dedication for primary roads must be coordinated directly with VDOT.** Right-of-way along **secondary roads** (State routes 600 & higher) should be dedicated to Spotsylvania County for public street purposes. (If Primary Road dedication only, no county deed of dedication or title report is needed. If the plat contains both primary and secondary road dedication, the secondary road right of way dedication will require a deed of dedication and title report.)
- ___44. Label all private easements (not being dedicated to the County) as "private" and "hereby reserved".
- ___45. When both public and private easements are being conveyed on a plat, please specify in the Owner's Consent that "all non-private easements are hereby dedicated to public use."
- ___46. If granting a Stormwater Management Easement, please ensure that a Stormwater Management Access Easement is granted and show that access is available from the public roadway to the stormwater management facility. The SWM Access Easement must be a minimum of 12 feet in width.
- ___47. **For all revisions, please supply a comment/response letter, explaining how comments were or were not addressed.**

*****Please note that proof of recording for all required easements and/or right-of-way dedication must be provided prior to issuing a Certificate of Occupancy.**

Required Plat Notes

FLOODPLAIN NOTE

The following is the preferred wording to be shown on record plats, site plans, plan of developments, etc. as related to FEMA Floodplain designations:

No portion of the land hereon is located in the F.I.R.M. 100-year special flood area zone "A", as indicated on FEMA map # xxx dated February 18, 1998. However, this land is located in zone "X" (areas outside of the 500-year floodplain).

Or

Portions of the land heron are located in the F.I.R.M. 100-year special flood area zone "A" as indicated on FEMA map # xxx dated February 18, 1998 and is so designated hereon.

(Engineer/surveyor is responsible for replacing "xxx" with the correct FEMA map #.)

NOTE ON ANY PLAT THAT HAS RPA:

"The Resource Protection Area (RPA) is a 100 foot wide buffer area that shall remain undisturbed and vegetated in accordance with Spotsylvania County Code Chapter 6A- Chesapeake Bay Preservation."

NOTE ON ALL PLATS:

"CBPA is an overlay district for the entire Spotsylvania County and the parcel described within this plan lies within the RMA features and (does/does not) contain RPA features within the Chesapeake Bay Preservation Area Overlay District."

If RPA IS NOT FIELD DELINEATED, ADD NOTE ON ALL PLATS:

"RPA Shown per County Maps."

NOTE ON ALL PLATS:--Must be in bold

(Required on all plats EXCEPT Consolidation Plats) NOTICE: THIS PLAT SHALL BECOME NULL AND VOID AND BE OF NO FURTHER FORCE AND EFFECT IF THE PLAT IS NOT RECORDED IN ACCORDANCE WITH THE SUBDIVISION ORDINANCE OF SPOTSYLVANIA COUNTY WITHIN SIX (6) MONTHS OF THE DATE OF APPROVAL.

(All Plats)

NOTICE: APPROVAL AND/OR RECORDING OF THIS PLAT DOES NOT CONSTITUTE ASSURANCE THAT PUBLIC SEWER OR PUBLIC WATER SERVICE WILL BE AVAILABLE TO SERVE THE LAND DESCRIBED ON THIS PLAT AT ANY PARTICULAR TIME.

VDOT NOTE:

For drainage easements: "Property owners are responsible for preserving drainage easements on/across their property. Such easements serving roadways maintained by VDOT will be maintained by VDOT only as required to protect the roadway from damage or flooding."

If the parcel/lot is located in a RESERVOIR PROTECTION OVERLAY DISTRICT, RIVER PROTECTION OVERLAY DISTRICT, HISTORIC OVERLAY DISTRICT, AIRPORT PROTECTION OVERLAY DISTRICT or THE HIGHWAY CORRIDOR OVERLAY DISTRICT (Primary/Rural) include the following note:

"This/These parcel(s) is/are located in the Reservoir Protection Overlay District, River Protection Overlay District, Historic Overlay District, Airport Protection Overlay District or the Highway Corridor Overlay District (Primary/Rural)."

Spotsylvania County Plats Model Forms

Plat Type Form	Surveyor's Certificate -Not Required	Owners Consent	Compliance	County Review block	Other Notes
Property Line Adjustment OR Consolidation	Seal only	3A	N/A	2	*Ches. Bay *RPA/Overlays
Easements or Right of Way Dedication	Seal only	3B	N/A	2	*VDOT *Ches. Bay *RPA/Overlays

Owner's Consent Lot Line Adjustment/Consolidation #3A:

Owner's Consent and Dedication

The parcel/lot line adjustment/consolidation shown on this replat for (tax map #) in (subdivision name) subdivision, situated in _____ Magisterial district, in the County of Spotsylvania, Virginia, is with the free consent and in accordance with the desires of the undersigned owners thereof; the former parcel/lot line is hereby extinguished and the land consolidated into the parcels/lots shown hereon; any and all easements are dedicated to public use. The undersigned owners certify that the lot line adjustment shown hereon is necessary for the reasonable development and use of the property.

The said (tax map #) adjusted hereby having been conveyed to (names of owners) by _____, by deed dated ____, 20__, and recorded in the Clerk's Office of the Circuit Court of Spotsylvania County, Virginia in Deed Book ____ page ____ or Instrument # _____.

The said lot (tax map #) adjusted hereby having been conveyed to (names of owners) by _____, by deed dated ____, 20__, and recorded in the Clerk's Office of the Circuit Court of Spotsylvania County, Virginia in Deed Book ____ Page ____ or Instrument # _____.

Given under our hands this _____ day of _____, 20__.

_____(Seal)

_____(Seal)

STATE/Commonwealth of _____
CITY/COUNTY OF _____, to wit:

The foregoing instrument was acknowledged before me by _____ this _____ day of _____, 20__.

My commission expires:

Notary Public

Registration Number

Review Form #2:

Based on the representations contained in the Owner's Consent, the lot line adjustment/consolidation/right of way dedication/easement shown hereon is approved as a necessary change and the County accepts all dedications.

County Administrator Date
Or Agent of the County Board of Supervisors

For ROW Dedication, sight distance, and/or VDOT drainage easement-

Highway Official Date

Owner's Consent Easement/Right of Way Dedication #3B:

Owner's Consent and Dedication

The easement/right of way dedication shown on this plat for (tax map #) in (subdivision name) subdivision, situated in _____ Magisterial district, in the County of Spotsylvania, Virginia, is with the free consent and in accordance with the desires of the undersigned owners thereof; all right of way dedicated to public street purposes and easements shown on said plat are hereby dedicated to the public use. The undersigned owners certify that the easement/right of way dedication shown hereon is necessary for the reasonable development and use of the property.

The said (tax map #) hereby having been conveyed to (names of owners) by _____, by deed dated ____, 20__, and recorded in the Clerk's Office of the Circuit Court of Spotsylvania County, Virginia in Deed Book ____ page ____ or Instrument # _____.

The said (tax map #) hereby having been conveyed to (names of owners) by _____, by deed dated ____, 20__, and recorded in the Clerk's Office of the Circuit Court of Spotsylvania County, Virginia in Deed Book ____ Page ____ or Instrument # _____.

Given under our hands this _____ day of _____, 20__.

_____(Seal)

_____(Seal)

STATE/Commonwealth of _____
CITY/COUNTY OF _____, to wit:

The foregoing instrument was acknowledged before me by _____ this _____ day of _____, 20__.

My commission expires:

Notary Public

Registration Number

If dedication of primary road right of way, alter the owner's consent to state that the right of way dedication shown along the primary road(s) is dedicated to the Commonwealth of Virginia, Department of Transportation for public street purposes.

Deed of Dedication and Easement Checklist
(Acknowledge that you have checked the following by initialing)

Project: _____

Applicant Initial: _____
Planner Initial: _____

_____ First page of the document bears an entry showing the name of either the entity or person who drafted the instrument,

Prepared by: _____
Address: _____
City, State, Zip: _____

_____ The Tax Map No. is listed at the top of the document.

_____ The Tax Map No. must be the same on plat.

_____ Owners name on documents must match name on plat and match the name as shown on the recorded deed where the owner acquired title.

_____ Label of land dedicated to the County must match the label shown on the plat.

_____ Signature block must match the owner:

_____ Individual Owner
_____ Corporation/Partnership/LLC
_____ Title of authorized person signing for the Corporation/Partnership/LLC

_____ If the person is signing for a Corporation – the person signing must be an officer (Pres, V-Pres, Secretary or Treasurer) of the corporation.

_____ If the person is signing for a LLC – the person signing must be a Member, Manager or a Managing Member. If signing otherwise, must provide copy of document that authorizes that person to sign.

_____ If the person is signing for a Partnership, the person signing must be a partner or General Partner.

_____ If the property is held in trust, the trustee or trustees must sign as a trustee.

_____ The signatures must be notarized in the capacity in which the person signed the deed. The title in the signature block must match the title listed in the notary clause.

_____ The Notary must list his/her commission expiration date.

_____ The Notary must list his/her registration number.

_____ If sealed, whether by hand-held or stamp, the notary seal must be able to be reproduced by photocopy.

_____ The Notary should print his/her name under his/her signature and/or the signature should be legible.

Deed of Dedication and Easement Checklist

(continued)

Project: _____

Applicant Initial:	Planner Initial:	
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- | | | |
|-------|-------|--|
| _____ | _____ | Documents must have a signature block for the County Attorney to approve as to form. |
| _____ | _____ | Acceptance paragraph for the County to accept the conveyance must be included in the document:

"The County of Spotsylvania, Virginia, acting by and through its County Administrator, he being hereto duly authorized by Resolution No. 91-32, adopted by the Spotsylvania County Board of Supervisors on the 23rd day of April, 1991, does hereby accept the conveyance of the interest in real estate made by this deed." |
| _____ | _____ | Make sure all applicable paragraphs shown on the County's form are included in the submitted document. |
| _____ | _____ | Title report can be accepted in the form of:

<ol style="list-style-type: none">1. Attorney's opinion letter dated within thirty (30) days, or2. Title Company report (commitment binder) dated within thirty (30) days, or3. Title Company Policy dated within thirty (30) days. |
| _____ | _____ | If there is dedication language in the deed, the plat must show dedication of the property for public street purposes. |
| _____ | _____ | If someone other than the owner is signing on behalf of the owner he/she must provide a copy of a document authorizing a power of attorney to sign for any party to the document. |
| _____ | _____ | Is there a BMP Agreement for the site? If yes, use deed with SWM language. |
| _____ | _____ | The County will not accept drainage easements for on-site storm water. |
| _____ | _____ | If there is a Deed of Trust, the Deed of Trust must be subordinated or released as to the easements and released as to the right-of-way dedication. There must be a copy of such written release. |
| _____ | _____ | The title of the plat in the deed must match the title of the plat. |
| _____ | _____ | RPA is shown on the plat if present on the parcel with an explanatory note. |

For additional deed formats see our website: <http://www.spotsylvania.va.us/content/20925/20991/default.aspx>

Deed of Deed of Dedication & Easement Form Language (Model Only)

Prepared by: _____
Address: _____
City, State, Zip: _____

EXEMPT FROM TAXES PURSUANT TO VIRGINIA CODE 58.1-811(3).
Tax Map No. _____

THIS DEED OF DEDICATION AND EASEMENT, made this ____ day of _____ 20____, by and between _____, hereinafter referred to as "Landowner", Grantor, and the COUNTY OF SPOTSYLVANIA, Virginia, hereinafter referred to as "County", Grantee.

THIS DEED WITNESSETH THAT for and in consideration of Ten Dollars (\$10.00) cash in hand paid to the Landowner by the County and other good and valuable consideration, the receipt of which is hereby acknowledged, the Landowner does hereby dedicate to public street purposes and convey unto the County and its successors and assigns in fee simple, with General Warranty of title, all of that certain property identified as [quote plat label w/dedication area], as shown on the plat dated _____, and last revised on _____, entitled _____,

(hereinafter the "Plat"), which is recorded simultaneously herewith and which is incorporated herein by this reference.

THIS DEED FURTHER WITNESSETH THAT for and in consideration of Ten Dollars (\$10.00) cash in hand paid to the Landowner by the County and other good and valuable consideration, the receipt of which is hereby acknowledged, the Landowner does hereby grant and convey unto the County permanent drainage and utility easements (the singular term "easement" when used hereinafter to include the plural if applicable) for the installation, maintenance, operation, and repair of drainage and utility lines, pipes, and facilities which easements are beneath, upon, and over strips of land which are shown and designated as drainage and utility easements on the Plat. Such easement(s) are subject to the following:

1. All facilities, public works, and appurtenances which are installed in or on said property now or in the future by or for the County shall be and remain the property of the County and no charge shall at any time be made by the Landowner for the use of the property occupied by the County or for the privilege of constructing, maintaining and operating said facilities and the necessary or appropriate appurtenances. The County accepts no responsibility for the construction, maintenance or repair of the storm water access and storm water management easements but reserves unto itself the right of access for inspection and emergency maintenance or repair. Nothing contained herein shall be deemed to supersede the Agreement for Maintenance of _____ and Best Management Practice Facility dated _____ by and between _____ and the County (hereinafter referred to as "the SWM Agreement"), and recorded on _____ in the Clerk's Office of the Circuit Court of Spotsylvania County, Virginia as Instrument No. _____, and in the event of any conflict between the SWM

Agreement and this Deed and the accompanying Plat, the terms of the SWM Agreement shall control.

2. The County and its agents and employees for the purpose of inspecting, maintaining or operating its facilities shall have the right and easement of ingress and egress over any lands of the Landowner adjacent to the described easement between any public or private roads and the described easement in such manner as shall occasion the least practicable damage and inconvenience to Landowner.

3. The County shall have the right to inspect, rebuild, repair, change, alter and install such additional or substitute lines or facilities within the easement herein granted as the County may from time to time deem advisable or expedient, and shall have such rights and privileges as may be reasonably necessary for the full enjoyment or use for any of the aforesaid purposes of the easement and rights herein granted.

4. The County shall have the right to trim, cut, and remove all trees, limbs, undergrowth, shrubbery, landscape plantings of any kind, fences, buildings, structures, paving, or other obstructions or facilities within said easement which it deems in any way to interfere with the proper and efficient construction, operation, and maintenance of the facilities in or on said easement.

5. The County shall repair or replace only ground cover now on the said easement which may be disturbed, damaged, or removed as a result of the construction of any of the County's facilities, shall remove all trash and other debris of construction or repair from the easement, and shall restore the surface thereof to its original condition as nearly as reasonably possible, all subject, however, to this exception, to-wit: that the County shall not be so obligated when it would be inconsistent with the proper operation, maintenance or use of its facilities.

6. Landowner reserves the right to make use of the land subject to the rights herein granted, which use shall not be inconsistent with the rights herein conveyed or interfere with the use of the said easement by the County for the purposes aforesaid; provided, however, that all such use shall be at Landowner's risk unless prior written approval of County is obtained and provided further that this paragraph shall not apply to property conveyed in fee simple.

7. Whether or not the easement herein conveyed is exclusive, no other party shall be granted the right to use or shall use any part of the area within such easement for any purpose or in any manner until after a review and a finding by the County in writing that such use will not be in conflict with, or inconvenient to, the County's use thereof or the purpose for which such easement was granted.

8. Nothing herein shall be deemed to prohibit the placement of structures including fences within the easement by property owners of the underlying fee without prior approval of the County; provided that any such improvements shall be placed at the risk of the property owner and the County shall have the right to remove any such improvements should they interfere with the rights granted the County herein; without any

additional compensation to the owner of the underlying fee, and further provided that any such improvements shall be in conformance with all other County ordinances.

9. Landowner has seen and carefully examined a copy of the hereinabove-described plat, is entirely familiar with the quantity of the land covered by this conveyance, and fully understands the effect that it will or might have on the value of the remaining property.

10. Any easement or right granted the County hereunder is intended to be and shall be usable by and for the benefit of the County as such and also any sanitary district, authority, or any other County agency or entity operated solely or partially for the benefit of the citizens of Spotsylvania County or any portion thereof, which such other agency or entity shall enjoy all of the privileges herein granted to the County as such.

11. The County may from time to time grant the right to others to locate facilities serving the public within the easement hereby conveyed, including but not limited to electric, telephone or gas utility facilities.

12. That this instrument covers all the agreements between the parties and no representations or statements, verbal or written, have been made which are inconsistent with the terms of this deed.

The County of Spotsylvania, Virginia, acting by and through its County Administrator, he being hereto duly authorized by Resolution No. 91-32, adopted by the Spotsylvania County Board of Supervisors on the 23rd day of April, 1991, does hereby accept the conveyance of the interest in real estate made by this deed.

(Delete above paragraph if you are only vacating easements)

The County of Spotsylvania, Virginia, acting by and through its County Administrator, he being duly authorized by Resolution 91 –33, adopted by the Spotsylvania Board of Supervisors on the 23rd day of April, 1991, and/or, by Resolutions 2013–102 and/or 2013–103, adopted by the Spotsylvania Board of Supervisors on the 13th day of August, 2013, does hereby consent to/authorize the vacation of interest in real estate made by this deed.

(Delete above paragraph if you are only granting easements)

WITNESS the following signatures and seals:

(type) Name of Corporation/Partnership/LLC

By: _____
Signature of the Authorized Person to Sign for
the Corporation/Partnership/LLC

Its: _____
Title of the Authorized Person to Sign for the
Corporation/Partnership/LLC

STATE/Commonwealth of _____
CITY/COUNTY OF _____, to-wit:

The foregoing document was acknowledged before me this ____ day of _____, 20____, by
_____ who is the _____ of the
Corporation/Partnership/LLC (if applicable.) (Title)

Notary Public

Printed Name

My Commission Expires: _____

Registration number: _____

(Sign Individual Owner)

(Sign Individual Owner)

STATE/Commonwealth of _____
CITY/COUNTY OF _____, to-wit:

The foregoing document was acknowledged before me this ____ day of _____, 20____, by

(Individual Owner(s))

Notary Public

Printed Name

My Commission Expires: _____

Registration number: _____

COUNTY OF SPOTSYLVANIA, VIRGINIA

By: _____
Ed Petrovitch, County Administrator

STATE/COMMONWEALTH OF VIRGINIA

COUNTY OF SPOTSYLVANIA, to-wit:

The foregoing document was acknowledged before me this ____ day of _____, 20__, by Ed Petrovitch, who is the County Administrator of Spotsylvania County.

Notary Public

Printed Name

My Commission Expires: _____

Registration number: _____

APPROVED AS TO FORM:

COUNTY ATTORNEY

Appendix A:
Plat Application



SPOTSYLVANIA COUNTY PLAT APPLICATION
 Submit the completed application with the required plats, all supplemental documents and information, and fees to Code Compliance Permit Intake
 9019 Old Battlefield Blvd, Suite 320
 Spotsylvania, Virginia 22553

Planning Department
 9019 Old Battlefield Blvd., Suite 320
 Spotsylvania, Virginia 22553
 (540) 507-7434 (voice)
 www.spotsylvania.va.us

FEES		
July 1, 2019 Fee Schedule		
Planning:	110-0000-316-16-03 (39)	\$
Zoning:	260-0000-313-03-45 (017)	\$
Processing Fee:	260-0000-318-99-14 (017)	\$ 65.00
GIS:	110-0000-316-16-10 (334)	\$
TOTAL FEE PAID:		\$

Type: (Check One) NOTE: All plats must be folded prior to submission

- Preliminary Plat:** 12 plats - Planning fee: (50 lots or less) \$1,840; (51 lots or more) \$3,020 + \$15 per each 5 lots or portion > 55; GIS fee: \$280 + \$5 per lot > 10 lots; Zoning fee: \$50;
- Record Plat/Final Plat:** 10 plats - (Planning fee: Minor (3 lots or less) \$1,755; Major (4 or more lots) \$3,200 + \$15 per lot > 10 lots; GIS fee: \$815 + \$10 per lot > 3 lots; Zoning fee: \$50;
- Non-Residential/Article13 Plat:** 12 plats- (Planning fee: \$1,500 + \$15 per lot > 10 lots; GIS fee: \$815 + \$10 per lot > 3 lots); Zoning fee: \$50;
- Family Exempt Division:** 7 plats (Planning fee: \$1,255; GIS fee: \$580; Zoning \$50)
- Annual Exempt Division:** 7 plats (Planning fee: \$1,145; GIS fee: \$580; Zoning \$50)
- Consolidation or Adjustment:** 7 plats (Planning fee: \$1,145; GIS fee: \$580; Zoning \$50)
- Easement /Right of Way Plat:** 8 plats (Planning fee: \$1,480; GIS fee: \$580; Zoning \$50)
- Easement Exhibit** 7 exhibit plats (Planning fee: w/legal docs. \$865.00; w/out legal docs \$480.00; GIS \$460; Zoning \$50)

Subdivision Name or Owner's Name: _____

Section #: _____ # of lots: _____ Nearest State Route #: _____ Zoning District: _____

Voting District: _____ **Magisterial District:** _____ **Public Water:** Y N **Public Sewer:** Y N **Public Streets:** Y N

Tax Map #: _____ **Parcel Acreage:** _____ **In Land Use Program:** Y N

Developer (Owner if no developer)

Engineer/Surveyor

Address

Address

City, State, Zip

City, State, Zip

Phone Number

Contact Person

Phone Number

Contact Person

E-mail:

E-mail:

E-mail will only be used to send comments as a result of the project's review.

Signature(s): All owners must sign the application or submit an agent authorization letter. Signature(s) of owner(s) or authorized agent:

Date: _____

I hereby certify by my signature above that I am the owner of record of the named property or that I am authorized to act on behalf of all the owners of record of the named property to execute this application. I further certify that all information I have provided thereon is complete and accurate. I agree on behalf of myself and all owners to conform to the Zoning Ordinance, Subdivision Ordinance, Virginia Uniform Statewide Building Code, Erosion Ordinance, Chesapeake Bay Preservation Ordinance, the Water and Sewer Construction Specifications of Spotsylvania County, and all other applicable laws and regulations of this jurisdiction.

****Refunds (Planning) – All refunds must be requested in writing to the Planning Director. Refunds will be issued in the following circumstances: 95% of Planning fees if application is withdrawn within two (2) business days of submission; 80% of Planning fees if application is withdrawn during the initial review period (time varies depending on application type); 40% of Planning fees if application is withdrawn within ten (10) business days after initial review comments are issued. ****

FOR OFFICE USE ONLY

Application received by

Date

Application Number