

PROCEDURE FOR MERGING LOTS

ORDINANCE NO. 612

AN ORDINANCE SIMPLIFYING THE PROCEDURE WHICH PERMITS A PROPERTY OWNER TO MERGE SEVERAL PLATTED LOTS INTO ONE LOT.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, COLORADO:

Section 1.

WHEREAS the Board of Trustees has determined that it is necessary to simplify the procedure which permits a property owner to merge several platted lots into one lot.

NOW, THEREFORE, be it ordained that the Procedural Booklet adopted by the Town of Berthoud is hereby supplemented with the addition of the following sections to page 13:

Section 2. Proof of Ownership:

All owners of the property shall provide evidence satisfactory to the town superintendent that they are the holders of equitable title to the property. Evidence of ownership required by the Town may include, but not be limited to, the recorded deed, the title policy to the property and a copy of the billing by Larimer County for real property taxes. It shall not be necessary to have the holders of the legal title to the property included as petitioners with those persons holding equitable title to the property.

The holders of legal title to the property shall generally constitute persons such as mortgagees or beneficiaries named in a Deed of Trust. The owners of equitable title shall forward a copy of the petition for merger of lot lines to all the holders of legal title.

Section 3. Petition for Merger:

All owners of equitable title shall execute before a Notary Public a petition stating that they are the owners of equitable title to the property and that they wish to merge two or more adjoining lots into one lot. The petition shall also contain such additional information that the Town may deem appropriate.

Section 4. Procedure for Merger:

- a. Upon compliance with the above requirements, the town superintendent or her duly designated representative is authorized to execute the document merging several lots into one lot. The

petition for merger shall specify the subdivision and block numbers (where applicable) and the number of the lot created as a result of this merger.

- b. The petition for merger shall be recorded with the Clerk and Recorder of Larimer County and the appropriate adjustment shall be made to the master plat to the Town of Berthoud.

Section 5. Emergency Clause:

The Board of Trustees has determined that the existing minor subdivision approval system creates unnecessary financial and fiscal hardship on not only the property owner, but on the community as well since it deters people from building in the community and therefore determines that an emergency exists.

The Board of Trustees hereby finds, determines and designates that this Ordinance shall take effect and be in force upon adoption.

9-8-87

ATTEST:

TOWN OF BERTHOUD:

Orabelle Patterson
Town Clerk

Tommy D. Lefever
Mayor

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