

FINAL PLAT CERTIFICATE REQUIREMENTS

The following certificates are required for final plats for City of Delta Subdivisions. Certificates should be organized on the plat in the same order as listed below. Some changes may be necessary for specific situations.

Certificate of Dedication and Ownership (for typical subdivision):

KNOW ALL PERSONS BY THESE PRESENTS that the undersigned, being the owner(s) of certain lands in the City of Delta, Colorado, to wit:

(insert property description prior to dedications)

Has (Have) by these presents laid out, platted and subdivided the same into lots, as shown on this plat, under the name of _____ Subdivision, and does (do) hereby dedicate, grant and convey to the City of Delta, State of Colorado, in fee for the use of the public, the property shown hereon for use as public right of way. Also the following easements are dedicated, granted and conveyed to the City of Delta, Colorado as shown:

Utility easements for City utilities (including storm drainage) and public utilities; and

(match language for easements used on plat map, list other easements as applicable (i.e. trails, etc.)

Private easements are reserved or conveyed for purposes as indicated on the plat.

The following tract/outlots are hereby dedicated, granted and conveyed to the _____ Homeowners Association:

(list all tracts/outlots to be conveyed)

Executed this _____ day of _____, A.D. 20__.

(type in) Owner Name(s)

STATE OF COLORADO)
) ss.
COUNTY OF DELTA)

The foregoing Certificate of Ownership and Dedication was acknowledged before me this _____ day of _____, A.D. 20__, by **(type in owners' names)**.

Witness my hand and official seal.

My Commission expires _____

Notary Public

(SEAL)

Certificate of Dedication and Ownership (for Boundary Adjustment):

KNOW ALL PERSONS BY THESE PRESENTS that the undersigned, being the owner(s) of certain lands in the City of Delta, Colorado, to wit:

(insert property description prior to dedications)

Has (Have) by these presents submitted to the Boundary Adjustment, as shown on this plat, under the name of _____ Boundary Adjustment, and does (do) hereby dedicate, grant and convey to the City of Delta, State of Colorado, in fee for the use of the public, the property shown hereon for use as public right of way. Also the following easements are dedicated, granted and conveyed to the City of Delta, Colorado as shown:

Utility easements for City utilities (including storm drainage) and public utilities;

Storm drainage easements for City storm drainage features and facilities; and

(match language for easements used on plat map, list other easements as applicable (i.e. trails, etc.)

Private easements are reserved or conveyed for purposes as indicated on the plat.

Executed this ____ day of _____, A.D. 20__.

Property Owner 1 Name(s)

Property Owner 2 Name(s)

(insert notary statement as listed above)

Lienholder's Certificate

_____ (the "Lienholder") is the beneficiary of a deed of trust (the "Deed of Trust") recorded on _____, 20__, at Reception No. _____, in the records of the Delta County, Colorado, Clerk and Recorder, which constitutes a lien upon the real estate described on this Plat (the "Property"). Lienholder hereby consents to the recording of this Plat and further agrees to subordinate its interests in the Property as evidenced by the Deed of Trust to the Plat, the dedications therein, if any, and the notes thereon and agrees that, in the event of foreclosure of the Lienholder's interests, the Plat will remain in full force and effect. Nothing herein waives or subordinates the priority of Lienholder's interest in the Property with respect to any other liens or encumbrances by other persons or lenders other than the City of Delta, Colorado. The Property shall continue to be encumbered by the Deed of Trust unless released in accordance with the applicable loan.

DATED this ___ day of _____, 20__.

LIENHOLDER: [*lienholder name*]

By: _____

Name: _____

Title: _____

COUNTY OF)
)
STATE OF COLORADO)

This instrument was acknowledged before me on this ___ day of _____, 20__ by _____ [*name*] acting as _____ [*title*] on behalf of _____ [*lienholder*].

Witness my hand and official seal:
My commission expires:

Notary Public

(SEAL)

Attorney or Title Insurance Company Certificate:

I, _____ an attorney duly licensed to practice before the courts of record of Colorado (or an officer of a title insurance company), do hereby certify that I have examined the title of all lands herein platted and that said title is in the name of those parties executing the dedication, and that any property dedicated to the City will be free and clear of all liens and encumbrances except as follows:

(state record name of lienholder, nature of lien and recording data. This information must be included in the draft plat submitted with your application.)

[If the property is subject to any deed of trust, mortgage, or other lien providing any potential right of foreclosure, a certificate or separate document executed by the lienholder agreeing to subordinate such interest to the plat shall be required.]

Dated this _____ day of _____, A.D., 20__.

Attorney at Law or Title Insurance Company Officer

Surveyor's Certificate:

I _____, hereby certify that this plat accurately represents a survey, performed either by me or under my supervision and based on my knowledge, information and belief, and that it conforms with the current "standards for land surveys" of the Colorado AES Board of Registration, as well as with related survey requirements of current versions of the Colorado revised statutes and City of Delta regulations. This certificate is not intended to be an express or implied warranty or guarantee of any matters except those stated in the preceding sentence.

Signature _____ Date _____

License No _____

Engineer's Certificate

I, _____, a Registered Engineer in the State of Colorado, do certify that the streets, curb gutter & sidewalk, sanitary sewer system and the water distribution system and the storm drainage system for this subdivision are properly designed, meet the City of Delta specifications, are adequate to serve the Subdivision shown hereon and are adequate both in size and established depth to serve the drainage area whose sewerage would normally be carried through this Subdivision.

Date _____ Engineer _____

Registration Number _____

Certificate of Improvements Completion:

I, _____, Manager of Community Development for the City of Delta, do certify that all improvements and utilities required by the current Subdivision Regulations of the City of Delta have been installed in this Subdivision in accordance with the specifications of the City except for the following:

Date _____
_____ Community Development Manager

Certificate of Receipt of Security:

I, _____, City Clerk for the City of Delta, Colorado, do certify that security has been provided to the City, providing for and securing the construction and installation of the following utilities and improvements:

Date _____ City Clerk _____

Planning Commission:

Approved by the Delta City Planning Commission this _____ day of _____, A.D. 20____, by _____, Chairman.

City Council:

Approved by the Delta City Council this _____ day of _____, A.D. 20____, by _____, Mayor.

City Attorney's Certificate:

Approved for recording this _____ day of _____, 20____.

City Attorney

City Manager's Certificate:

Approved for recording this _____ day of _____, 20____.

City Manager

Recorder's Certificate:

I hereby certify that this plat was filed for record in the office of the Clerk and Recorder of Delta County, Colorado at Reception No. _____.

Delta County Clerk & Recorder

SAMPLE PLAT NOTES

Plat notes are specific to the needs of the individual subdivision. Some plat note may not be applicable. The plat notes listed below are typical notes required by the City if applicable.

SID PLAT NOTES - sample note

Lot(s) _____ as shown hereon may be assessed by the City of Delta for the cost of curb, gutter and sidewalk along insert street name(s) and for improvements of abutting insert street name(s). Lots _____ may also be assessed for storm drainage facilities and piping of irrigation ditches upon the property platted herein or within the platted boundaries of insert street name(s) abutting Lots _____, as well as the cost of maintenance of said ditches and/or irrigation pipelines. These obligations shall run with the land and be binding upon all successors in interests to the said lots.

EXAMPLE PLAT NOTES (not all notes may be used):

1. The owners of Lots ___ through ___ within this subdivision shall be jointly and severally liable for the following:
 - A. Operation and maintenance of the irrigation system, ditches, and pipelines located on said lots.
 - B. Operation and maintenance of the storm water system and the detention pond(s) shown as tract/outlot(s) _____.

C. Maintenance of all landscaping, park equipment & structures, perimeter fencing, and weed control on tract/outlot(s) _____.

In the event that said maintenance is not properly performed, the City of Delta may cause the work to be done, assess the cost to the said owners, may certify such charges as delinquent charges to the County Treasurer to be collected similarly to taxes, may record a lien on said lots which may be foreclosed in any lawful manner, or may pursue any other remedy available in order to collect such charges.

2. Driveways (residential):

A. Each lot shall be limited to one access point.

B. Driveways shall be from 10' to 25' in width.

C. Corner lot driveways shall be no closer than 50' from the flow line of the corner intersection and located on the lower-order street.

D. No lot shall have direct access to _____.

3. No structures or improvements shall be placed within any easement, tract, or outlot which impedes the use or prevents reasonable ingress/egress across such easement, tract, or outlot.

4. Fences on corner lots within front building setbacks shall be reduced in height, open, and/or set back, so as not to restrict traffic sight distances.

5. Obligations set forth in all plat notes shall run with title to the land and be binding upon all successors in interest to the said lot(s).

6. (add additional notes if necessary)

NON-SEWERED SUBDIVISION - sample note:

At such time as City sewer service is available, owners of Lots _____ - ____ shall, upon the request of the City, connect all buildings - which require plumbing to City sanitary sewer service. Lot(s) _____ - _____ as shown hereon may be assessed by the City of Delta for the cost of sewer system improvement and other applicable fees as well as an equitable share of the cost of extension of City sewer mains to said lots. The City of Delta may assess such costs to the said owners, and may certify such charges as delinquent charges to the County Treasurer to be collected similarly to taxes, or may pursue any other remedy available in order to collect such charges. These obligations shall run with the land and be binding upon all successors in interest to the said lot(s).

STATE HWY IMPROVEMENTS - sample note:

Lots _____ - _____ as shown hereon may be assessed by the City of Delta for an equitable share of future improvements to the (fill in street names) intersections with Highway mandated by CDOT. These obligations shall run with the land and be binding upon all successors in interest to the said Lot(s).