

CHAPTER X: FAMILY DIVISION

Section 1. Family Division Defined. A Family Division is a division of land made outside of platted subdivisions for the purpose of a single gift or sale to a member of the landowner's immediate family, subject to the following requirements:

- a. IMMEDIATE FAMILY MEMBER: A member of the immediate family is limited to any person who is a natural or adopted child, stepchild, spouse, sibling, grandchild, grandparent, or parent of the landowner.
- b. PURPOSE: The purpose of the division is to provide for the housing, business, or agricultural needs of the grantee;
- c. TITLE: The land shall have been titled in the name of the grantor for a period of not less than **ten (10)** years prior to the division and parcels created under this paragraph shall be titled in the name of the immediate family member for whom the division is made for a period of not less than **five (5)** years unless such parcels are subject to involuntary transfer including, but not limited to, foreclosure, death, judicial sale, condemnation or bankruptcy;
- d. ACREAGE FOR REDIVISION: No parcel smaller than 5 acres created under this Chapter shall be further divided unless the owner obtains a subdivision permit pursuant to this Resolution.
- e. Ownership by Corporation: Where the landowner is a corporation and eighty percent (80%) of the shares are held by individuals related by blood or marriage, the sale or gift may be made subject to the provisions of this section to an immediate family member of any shareholder who has owned at least five percent (5%) of the outstanding shares for at least five (5) years continuously before the date of the sale or gift.
- f. The boundary lines for parcels created as family division(s) shall ~~not~~ **only** be amended or adjusted **by full compliance with Chapter XII, Subchapter IV, Sec. 4, of the Zoning Development Regulations**.

A Family Division that meets the administration requirements set out below shall be exempt from the subdivision permit requirement of this Resolution.

Section 2. Administration

- (a) FAMILY DIVISION APPLICATION: The owners or agents of a property owner, seeking to record deeds, records of survey, contracts for deeds, or other types of instruments that divide land pursuant to a Family Division, shall present to the Planning Department a Family Division Application (application form available from the Planning Department), Map of Survey, a copy of the most recently recorded deed to the property as proof of Grantor's ownership of the property and its legal description and a copy of the proposed deed of transfer to the proposed grantee(s) of each parcel/lot. Planning Staff shall complete a review of the proposed family division and upon approval of the Family Division Application by the Planning Department, the deed(s) and map of Survey may be recorded.
- (b) MAP OF SURVEY REQUIRED: A Map of Survey shall be recorded with, or if already recorded referenced, all conveyances of parcels of property conveyed as a Family Division parcel.
- (c) SPECIFICATIONS FOR MAP OF SURVEY:

- (1). Maps of survey shall be legibly drawn, printed, or reproduced with permanent ink, and shall meet the following requirements ~~of W.S. § 33-29-139(a)~~;
- (2). The Map of Survey shall show or contain on its face, or on separate sheets referenced on its face, the following information:
 - (a) A title block including the township, range, principal meridian, County, and state of the surveyed land. A Map of Survey shall not bear the title "plat", "subdivision", or any title other than "Map of Survey."
 - (b) Space shall be provided on the Map of Survey for the clerk and recorder's filing information;
 - (c) Date Survey was completed;
 - (d) North arrow and scale or scale bar;
 - (e) All monuments found, set, reset, replaced, or removed describing their kind, size, location and giving other data related thereto;
 - (f) The location of any corners of sections or divisions of sections pertinent to the survey;
 - (g) The bearings, distances, and curve data of all perimeter boundary lines shall be indicated;
 - (h) Data on all curves sufficient to enable the re-establishment of the curves on the ground;
 - (i) Lengths of all lines shown to at least one-hundredth (1/100) of a foot, and all angles and bearings shown to at least the nearest second;
 - (j) All parcels created by the survey and dimensions and area of each parcel;
 - (k) A Certificate of Surveyor signed by a land surveyor ~~registered~~ licensed under the laws of the State of Wyoming;
 - (l) A Certificate of Owner by the owner of record, fee simple, or contract for deed. The certificate shall conform to the requirements of W.S. § 34-12-103;
 - (m) Acknowledgment of Certificate of Surveyor and Certificate of Owner;
 - (n) The means of legal access to the parcel which shall not be less than thirty (30) feet in width along with recordation information of such easement or access;
 - (o) Standard sheet size shall be 24"x36", 11"x17", Legal 11"x14", or Letter 8 ½"x11".
 - (p) Section 3. County Surveyor Review and Recordation.

Upon receipt of an application for Family Division the Planning and Zoning Administrator shall obtain a review of the Map of Survey by the County Surveyor. Upon approval of the application for Family Division and Map of Survey, the applicant shall file the original tracing of the Map of Survey within thirty (30) days with the Sublette County Clerk and pay all review and filing fees.