## Utah Council of Land Surveyors Final Subdivision Plat Guidance Document/Model Standard

(Adopted by the Standards and Ethics Committee of the Utah Council of Land Surveyors October 21, 2014) (Adopted by the Executive Board of the Utah Council of Land Surveyors November 15, 2014)

#### 1. Intent

The intent of this document is to provide guidelines and a model standard for Professional Land Surveyors and other land use professionals regarding the laws, ordinances and requirements for the preparation and recording of subdivision plats in the State of Utah.

#### 2. The purposes of a subdivision plat

A final subdivision plat is used to create legal divisions of land in compliance with state law and local ordinances. Lots are created simultaneously, resulting in no junior or senior rights between lots contained within the boundaries of the plat. The final plat can formally dedicate to the public new roads and easements, and to dedicate or convey any other interests as may be required. Lettered parcels may also be created for specific purposes, which do not possess the same rights as lots in the subdivision. The approved final subdivision plat recorded in the office of the county recorder is the culmination of the review and approval process by the applicable governing entity (city or county).

#### 3. State Code

Lands to be subdivided which are located within the boundaries of city or towns incorporated under Utah Code–Title 10–Chapter 2 are governed in accordance with Utah Code 10-9a - Municipal Land Use, Development, and Management Act.

# Per Utah Code 10-9a-603. Plat required when land is subdivided - Approval of plat - Recording plat.

(1) Unless exempt under Section <u>10-9a-605</u> or excluded from the definition of subdivision under Section <u>10-9a-103</u>, whenever any land is laid out and platted, the owner of the land shall provide an accurate plat ...

Lands to be subdivided which are located in un-incorporated areas of the county are governed in accordance with Utah Code 17-27a - County Land Use, Development, and Management Act.

# Per Utah Code 17-27a-603. Plat required when land is subdivided -- Approval of plat -- Recording plat.

(1) Unless exempt under Section 17-27a-605 or excluded from the definition of subdivision under Section 17-27a-103, whenever any land is laid out and platted, the owner of the land shall provide an accurate plat...

#### 4. Local Ordinances

The subdivision and platting requirements as outlined in Utah Code 10-9a - Municipal Land Use, Development, and Management Act and in Utah Code 17-27a - County Land Use, Development, and Management Act are minimum requirements. Municipalities (cities) and counties may and typically do impose stricter requirements or higher standards. The authority of cities and counties to impose stricter requirements and higher standards is identified in Utah Code 10-9a-104. Stricter requirements.

(1) Except as provided in Subsection (2), a municipality [County] may enact an ordinance imposing stricter requirements or higher standards than are required by this chapter.

It is essential to become familiar with the specific subdivision and platting requirements of the particular municipality or county in which the proposed subdivision is located. Prior to final approval from the governing body, the approval of various other governmental entities, officers, boards or commissions may also be required. These requirements will vary from city to city and from county to county.

#### 5. Map of Boundary Survey (Record of Survey)

The early determination of the exterior boundaries of the proposed final subdivision plat and the parcel(s) to be subdivided is essential to the subdivision and plat approval process. Utah Code 10-9a-603(4)(b)(i-ii) and Utah Code 17-27a-603(4)(b)(i-ii) require that a survey of the property described on the subdivision plat be performed in accordance with Section 17-23-17. The Record of Survey (ROS) will identify any boundary issues which may require the participation of an adjoining land owner or title/legal issues which need to be resolved prior to final plat approval. Additionally, the ROS in conjunction with a final subdivision plat should identify the following:

- Existing easements of record
- Observable evidence of potential unrecorded easements
- Connecting or abutting public or private streets, right-of-ways, public and private easements.
- Appurtenant easements that serve the subject property
- New easements outside the boundaries of the subject property which may be needed to serve the proposed subdivision.

An ALTA/ACSM Survey of the subject property may also meet the foregoing Record of Survey requirements and recommendations.

#### 6. Plat Naming Convention

The name used to identify the final subdivision plat is an important element, yet one that is often given minimal consideration by the surveyor and/or the client. Utah Code 10-9a-603(1)(a) and Utah Code 17-27a-603(1)(a) require simply, "a subdivision name that is distinct from any subdivision name on a plat recorded in the county recorder's office."

The surveyor should check with the County Recorder to ensure that the proposed subdivision name has not already been used.

In order to avoid confusion, the use of names which are overly similar to existing subdivision names should be avoided. Multiple phases with the same subdivision name should be identified as "Phase 1, Phase 2 or No. 1, No. 2" and so forth. Lots within different phases should also be distinctly numbered as 101, 102, 103, 201, 202, 203, 301, 302, 303 etc.

Include Quarter Section, Section, Township and Range, Salt Lake Base & Meridian (or Uintah Special Meridian, if applicable), and name of the governing agency along with the subdivision name.

#### 7. Surveyor's Certificate

As with other types of surveys, a Professional Land Surveyor preparing a final subdivision is required to certify his or her work.

Professional Land Surveyor is defined in Utah Code 58-22 - Professional Engineers and Professional Land Surveyors Licensing Act as follows:

**<u>58-22-102(12)</u>** "Professional land surveyor" means an individual licensed under this chapter as a professional land surveyor.

The terms, "Registered Land Surveyor, Licensed Land Surveyor, or Land Surveyor do not appear as legal terms under Utah State Code, and therefore should not be used.

The requirement for a surveyor's certificate is outlined in Utah Code 10-9a-603 and 17-27a-603.

(4)(a) A plat may not be submitted to a county recorder for recording unless, [subject to Subsection 17-27a-604(2)]:

(b) The surveyor making the plat shall certify that the surveyor:

(i) holds a license in accordance with Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act;

(ii) has completed a survey of the property described on the plat in accordance with Section 17-23-17 and has verified all measurements; and

(iii) has placed monuments as represented on the plat.

An example of a Surveyor's Certificate for a final subdivision plat is shown below:

#### SURVEYOR'S CERTIFICATE

I, <u>NAME OF PROFESSIONAL LAND SURVEYOR</u>, do hereby certify that I am a Professional Land Surveyor, and that I hold License No. \_\_\_\_\_\_\_, as prescribed under the laws of the State of Utah. I further certify that by authority of the owners, I have made a survey of the tract of land shown on this plat and described hereon, and have subdivided said tract of land into lots and streets, together with easements, hereafter to be known as <u>NAME OF</u> <u>SUBDIVISION AND PHASE NUMBER IF APPLICABLE</u> and that the same has been correctly surveyed and monumented on the ground as shown on this plat.

The Surveyor's Certificate will state the intent of the subdivision plat such as, "and have subdivided said tract of land into lots and streets, together with easements, hereafter to be known as." It is important to revise the Surveyor's Certificate as may be applicable; when subdivision does not include streets, includes public and private streets, includes lettered parcels etc.

Reference to the record of survey upon which the boundaries of the proposed subdivision were based, as filed in the office of the County Surveyor, along with file number should be noted on the plat or included as part of the Surveyor's Certificate.

It is important to note that although there is often additional information required to be shown on the subdivision plat by various approving entities, such as locations of fire hydrants and streetlights, information contained in seismic studies or geotechnical reports or other non-survey related information, the Professional Land Surveyor is not certifying as to the accuracy of these items. These items should be noted on the subdivision plat for information only.

#### 8. Owner's Dedication and Consent to Record

The owner's dedication on a recorded subdivision plat serves, "as a dedication of all streets and other public places, and vests the fee of those parcels of land in the municipality (or county) for the public for the uses named or intended on the plat" [see (10-9A-607(1) and 17-27a-607(1)].

The requirement for the Owner's Dedication is outlined in Utah Code 10-9a-603 and 17-27a-603.

(4)(a) A plat may not be submitted to a county recorder for recording unless, [subject to Subsection 17-27a-604(2)]:

(i) prior to recordation, each owner of record of land described on the plat has signed the owner's dedication as shown on the plat; and

(ii) the signature of each owner described in Subsection (4)(a)(i) is acknowledged as provided by law.

Historically, owner's dedications used by Professional Land Surveyors in the State of Utah, are rather vague and do not specifically address other types of dedications, conveyances, or easements often included and created as a result of the recorded subdivision plat. Additional language is needed in the owner's dedication to help clarify the vagaries contained in previous versions. The following owner's dedication is a preferred example:

#### **OWNER'S DEDICATION AND CONSENT TO RECORD**

Know all men by these presents that the undersigned are the owners of the above described tract of land, and hereby cause the same to be divided into lots, parcels and streets, together with easements as set forth to be hereafter known as

(Name of Subdivision/Plat)

and do hereby dedicate for the perpetual use of the public all roads and other areas shown on this plat as intended for public use. The undersigned owners also hereby convey to any and all public utility companies a perpetual, nonexclusive easement over the public utility easements shown on this plat, the same to be used for the installation, maintenance and operation of utility lines and facilities. The undersigned owners also hereby convey any other easements as shown on this plat to the parties indicated and for the purposes shown hereon.

Any other easements shown on the plat should specify to whom the easement is being conveyed, and for what purpose i.e. "20 foot Storm Drain Easement hereby conveyed to (NAME OF CITY or COUNTY). Alternatively the owner's dedication needs to specifically address each easement shown on the face of the plat. The words "hereby conveyed" or "hereby dedicated" should be used in lieu of "to be conveyed" or "to be dedicated" to avoid confusion.

The Owner's Dedication is to be signed by all owners of record. Some jurisdictions may also require any person or entity having an ownership interest, such as lenders, to sign the Owner's Dedication or a separate Consent to Record document. The signature line for each owner shall include the name of the owner, title or representative capacity, if any. For example, John Doe may

sign as an individual, John Doe as President of XYZ, Incorporated, John Doe as Managing Member of Doe Head, LLC, John Doe as Trustee of the John and Jane Doe Trust, and so forth.

#### 9. Acknowledgements

The signature of each owner shown on the plat or on a separate Consent to Record must be acknowledged by a Notary Public. The acknowledgement may be in the long form with specific language relating to each type of ownership such as an Individual, Corporation, Trust, Limited Liability Company, or Partnership. Alternatively, a more generic acknowledgement known as "Statutory Short Form of Acknowledgment" may be used as shown in **Utah Code** <u>57-2a-7</u>. Form of acknowledgment.

**Utah Code** <u>46-1-16</u> outlines the requirements of Notary Publics as it pertains to the official signature, official seal and seal impression. Each document to be submitted for recordation must be signed by the Notary Public, and typically must be sealed with the Official seal of the Notary Public. It is recommended that the Notary's official seal be excluded from annexation, subdivision, or other maps or plats to avoid smearing and smudging the ink from the Notary's seal. The Notary's official seal may be eliminated, subject to the following to the requirements contained in 46-1-16(6).

(6) A notary acknowledgment on an annexation, subdivision, or other map or plat

is considered complete without the imprint of the notary's official seal if:

(a) the notary signs the acknowledgment in permanent ink; and

(b) the following appear below or immediately adjacent to the notary's signature:

(i) the notary's full name and commission number appears exactly as indicated on the notary's commission;

(ii) the words "A notary public commissioned in Utah"; and

(iii) the expiration date of the notary's commission.

An example of the "Statutory Short Form of Acknowledgment" combined with **Utah Code 46-1-16** is shown below.

State of \_\_\_\_\_) : ss County of \_\_\_\_\_)

The foregoing instrument was acknowledged before me this (date) by (person acknowledging, title or representative capacity, if any).

(Signature of Person Taking Acknowledgment)

Notary Public Full Name: \_\_\_\_\_

Commission Number: \_\_\_\_\_

My commission expires: \_\_\_\_\_

A Notary Public Commissioned In Utah

#### **10. Approval Blocks**

Prior to recordation of a final subdivision plat, final approval will be required from the governing body along with the approval of various other officers, entities, boards, commissions, utility companies, culinary water and sanitary sewer districts, or other special service districts. These will vary by district, city and county. Approval blocks with signatures for some, or all of those officers and entities may be required to be shown on the plat.

The approval blocks and signatures required on the plat are designated by the municipality, as stated in Utah Code 10-9a-604(1) or as designated by the County, as stated in Utah Code 17-27a-604(1).

(b) the plat has been approved by:

(i) the land use authority of the municipality [county] in which the land described in the plat is located; and

(ii) other officers that the municipality [county] designates in its ordinance; and (c) all approvals described in Subsection (1)(b) are entered in writing on the plat by

the designated officers.

While many municipalities within the same county may have similar requirements when it comes to approval blocks, there are differences nonetheless. It is important to contact the specific municipality or county for the specific requirements of that entity. Do not assume that the approval blocks required in one municipality or county will be the same in a neighboring municipality or county. The Professional Land Surveyor should make certain that the approval and signature blocks included are the appropriate blocks required by the particular municipality or county in accordance with current ordinances and requirements. It is important to contact the specific city or county for the specific requirements of that entity.

# 10-9a-603 and 17-27a-603. Plat required when land is subdivided -- Approval of plat -- Owner acknowledgment, surveyor certification, and underground utility facilities owner approval of plat -- Recording plat.

(2)(a) Subject to Subsections (3), (4), and (5), if the plat conforms to the municipality's ordinances and this part and has been approved by the culinary water authority and the sanitary sewer authority, the municipality [County] shall approve the plat.

(b) Municipalities [counties] are encouraged to receive a recommendation from the fire authority before approving a plat.

(3) The municipality [county] may withhold an otherwise valid plat approval until the owner of the land provides the legislative body with a tax clearance indicating that all taxes, interest, and penalties owing on the land have been paid. (4)(a) A plat may not be submitted to a county recorder for recording unless:

(c) (i) As applicable, the owner or operator of the underground and utility facilities shall approve the:

(A) boundary, course, dimensions, and intended use of the right-of-way and easement grants of record;

(B) location of existing underground and utility facilities; and

(C) conditions or restrictions governing the location of the facilities within the right-of-way, and easement grants of records, and utility facilities within the subdivision.

(ii) The approval of an owner or operator under Subsection (4)(c)(i): (A) indicates only that the plat approximates the location of the existing underground and utility facilities but does not warrant or verify their precise location; and

(B) does not affect a right that the owner or operator has under:

(I) Title 54, Chapter 8a, Damage to Underground Utility Facilities;

(II) a recorded easement or right-of-way;

(III) the law applicable to prescriptive rights; or

(IV) any other provision of law.

(5)(a) After the plat has been acknowledged, certified, and approved, the owner of the land shall, within the time period designated by ordinance, record the plat in the county recorder's office in the county in which the lands platted and laid out are situated.

#### 10-9a-604. Subdivision plat approval procedure -- Effect of not complying.

(1) A person may not submit a subdivision plat to the county recorder's office for recording unless:

(a) the person has complied with the requirements of Subsection <u>10-9a-603</u>(4)(a);
(b) the plat has been approved by:

(i) the land use authority of the municipality in which the land described in the plat is located; and

(ii) other officers that the municipality designates in its ordinance; and (c) all approvals described in Subsection (1)(b) are entered in writing on the plat by the designated officers.

(2) A subdivision plat recorded without the signatures required under this section is void.

(3) A transfer of land pursuant to a void plat is voidable.

#### **17-27a-604.** Subdivision plat approval procedure -- Effect of not complying.

(1) A person may not submit a subdivision plat to the county recorder's office for recording unless:

- (a) the person has complied with the requirements of Subsection <u>17-27a-603(4)(a);</u>
- (b) the plat has been approved by:
- (i) the land use authority of the county in whose unincorporated area the land described in the plat is located; and
- (ii) other officers that the county designates in its ordinance; and
- (c) all approvals described in Subsection (1)(b) are entered in writing on the plat by designated officers.
- (2) An owner of a platted lot is the owner of record sufficient to re-subdivide the
- lot if the owner's platted lot is not part of a community association subject to Title
- 57, Chapter 8a, Community Association Act.
- (3) A plat recorded without the signatures required under this section is void.
- (4) A transfer of land pursuant to a void plat is voidable.

#### 11. Easements

Existing easements of record within the boundaries or appurtenant to the subdivision are to be shown on the plat along with the recording information.

<u>Public Utility Easements conveyed by plat.</u> Public Utility Easements are best conveyed by a subdivision plat and may be shown graphically with or without their own specific legal description. The plat should include language in the owner's dedication that conveys a perpetual, non-exclusive easement over the public utility easements shown on this plat, the same to be used for the installation, maintenance and operation of utility lines and facilities (see example under "Owner's Dedication and Consent to Record" on page 4 of this document).

<u>Other Easements conveyed by plat.</u> Other easements may be created by the plat, in which case the owner's dedication must be amended either: (a) to include general language such as, "The undersigned owners also hereby convey any other easements as shown on this plat to the parties indicated and for the purposes shown hereon." This language allows other easements to be conveyed by the plat, while at the same time eliminating an excessively long owner's dedication (see example under "Owner's Dedication and Consent to Record" on page 4 of this document), or (b) to specifically address each easement being created by the owners when they sign the plat as part of the owner's dedication. The dedication must specifically address the grantee(s) of each easement being conveyed and for what purposes the easement can be used.

Any other easements shown on the plat should specify to whom the easement is being conveyed, and for what purpose, i.e., "20 foot wide Storm Drain Easement hereby conveyed to (NAME OF CITY or COUNTY).

Easements may be conveyed by separate document. Some easements such as those for access, drainage, and other rights or easements associated with commercial subdivisions such as access, parking, and/or drainage may be better conveyed by a separate document that is fully executed and recorded prior to or concurrent with recordation of the subdivision plat. These easements should be referenced by recording information on the final plat. These separately recorded easements can be released or modified without plat amendment and maintenance, access, and other pertinent clauses can be more appropriately included on the easement document rather than on a subdivision plat.

Easements may be conveyed after recordation of the subdivision plat. In some instances, conveyance of certain easements may not be able to be recorded prior to recordation of the subdivision plat. In these situations, the subdivision plat should note those easements which are intended to be conveyed by separate documents after recordation of the final subdivision plat. However this practice is discouraged and should be avoided, whenever possible.

### **12. Planned Unit Developments (P.U.D.) Plats**

A Planned Unit Development (PUD) provides an alternative to the traditional approach to subdividing property. It allows the property owner the option to vary the jurisdiction's subdivision requirements in exchange for open space, recreational amenities and a better overall design. It allows for the use of innovative methods and concepts not readily available under traditional subdivision and zoning methods. Typical examples may include reduced private street widths, reduced building setbacks, and reduced lot sizes in exchange for additional open space and other amenities.

A Planned Unit Development may be residential, commercial, office, industrial, or a combination thereof. Flexibility to suspend requirements imposed elsewhere is not conferred upon the PUD applicant as a matter of right, but is in all cases subject to a finding by the jurisdiction that the objectives of subdivision requirements are served.

The PUD is a mechanism used to subdivide lots or parcels for the purpose of separate ownership. In most jurisdictions, PUD's are processed following the same platting procedures and requirements as a standard subdivision plat. When preparing a plat for a PUD it is important to revise the language of the surveyor's certificate and owner's dedication to reflect the intent of the Planned Unit Development.

Planned Unit Developments (PUDs) may include attached housing units/lot along with common ownership areas, Although PUDs are not specifically addressed in State Code, common or community area parcels are addressed in Utah Code **10-9a-606 and 17-27a-606**.

#### <u>10-9a-606</u> and <u>17-27a-606</u>. Common or community area parcels on a plat --No separate ownership -- Ownership interest equally divided among other parcels on plat and included in description of other parcels.

(1) (a) A parcel designated as a common or community area on a plat recorded in compliance with this part may not be separately owned or conveyed independent of the other lots, units, or parcels created by the plat unless:

(i) the parcel is being acquired by a municipality for a governmental purpose; and (ii) the conveyance is approved by the owners of at least 75% of the lots, units, or parcels on the plat, after the municipality gives its approval.

(b) A notice of the owner approval described in Subsection (1)(a)(ii) shall be:

(i) attached as an exhibit to the document of conveyance; or

(ii) recorded concurrently with the conveyance as a separate document.

(2) The ownership interest in a parcel described in Subsection (1) shall:

(a) for purposes of assessment, be divided equally among all parcels created by

the plat, unless a different division of interest for assessment purposes is indicated on the plat or an accompanying recorded document; and

(b) be considered to be included in the description of each instrument describing a parcel on the plat by its identifying plat number, even if the common or community area interest is not explicitly stated in the instrument.

## 13. Vacating, altering, or amending a subdivision plat.

The requirements for vacating, altering, or amending a subdivision plat are outlined in **Utah Code** <u>10-9a-608</u> and <u>17-27a-608</u>.

A fee owner of land, in a subdivision that has been laid out and platted may file a written petition with the land use authority to have some or all of the plat vacated or amended. A vacation and/or amendment to a recorded subdivision plat may be requested in order to join two or more of the petitioner fee owner's contiguous lots; subdivide one or more of the petitioner fee owner's lots, if the subdivision will not result in a violation of a land use ordinance or a development condition; adjust the lot lines of adjoining lots or parcels if the fee owners of each of the adjoining lots or parcels join in the petition, regardless of whether the lots or parcels are located in the same subdivision; on a lot owned by the petitioning fee owner, adjust an internal lot restriction imposed by the local political subdivision; or alter the plat in a manner that does not change existing boundaries or other attributes of lots within the subdivision that are not owned by the petitioner; or designated as a common area; and notice has been given to adjacent property owners in accordance with any applicable local ordinance. Vacations and amendments to recorded plats may include public streets, easements, and other public dedications and conveyances.

An amended plat contains the same elements as a regular subdivision plat such as a surveyor's certificate and owner's dedication. When preparing an amended plat the language of the surveyor's certificate and owner's dedication will be revised to reflect the intent of the plat amendment.

<u>Amended plat naming convention</u>: Amended plats should avoid the use of overly inclusive naming conventions. For example when amending lots 105 and 106 in Happy Valley Subdivision Phase 1 (a 20 lot subdivision), the name "Happy Valley Subdivision Phase 1 Amended" would be overly inclusive, whereas "Happy Valley Subdivision Phase 1, Lots 105 and 106 Amended" would specifically define the amendment. This convention also allows further amendments within the same plat while avoiding the use of names such as "Happy Valley Subdivision Phase 1 Amended, 2<sup>nd</sup> Amended, 3<sup>rd</sup> Amended, etc." Alternatively, an amended plat may be given an entirely different name which includes reference to the portions of the plat to be amended, for example, "Sad Mountain Subdivision (Amending Lots 116 -120 of Happy Valley Subdivision)."

**Public Vacations** are the governing agency's formal vote to abandon a public's interest or ownership in real property. Public dedications typically have a reversionary interest. When land dedicated for parks, open space or other public spaces are vacated the interest or fee title reverts to the original owner or their successors. Dedicated public streets will typically revert to the owner of the abutting property to which it was attached when the dedication was executed.

# <u>72-5-105</u>. Highways, streets, or roads once established continue until abandoned -- Temporary closure.

(1) All public highways, streets, or roads once established shall continue to be highways, streets, or roads until formally abandoned or vacated by written order, resolution, or ordinance resolution of a highway authority having jurisdiction or by court decree, and the written order, resolution, ordinance, or court decree has been duly recorded in the office of the recorder of the county or counties where the highway, street, or road is located.

(2) (a) For purposes of assessment, upon the recordation of an order executed by the proper authority with the county recorder's office, title to the vacated or abandoned highway, street, or road shall vest to the adjoining record owners, with one-half of the width of the highway, street, or road assessed to each of the adjoining owners.

(b) Provided, however, that should a description of an owner of record extend into the vacated or abandoned highway, street, or road that portion of the vacated or abandoned highway, street, or road shall vest in the record owner, with the remainder of the highway, street, or road vested as otherwise provided in this Subsection (2).

The requirements for vacating streets, rights-of-way, or easements are outlined in **Utah Code** <u>10-9a-609.5</u> and <u>17-27a-609.5</u>. Streets, rights-of-way, or easements may be vacated by passage of an ordinance when it is determined that the vacation is for good cause and that the public interest will not be materially injured. A copy of the vacating ordinance or a plat reflecting the vacation is recorded in the title record. The vacating action of the legislative body operates as a revocation of the acceptance and the relinquishment of the municipality's fee in the vacated portion of the street, right-of-way or easement. The vacation does not impair any right-of-way or easement of any lot owner or the franchise rights of any public utility.

Authorized signature(s) by the public agency vacating the public dedication are required and the owner's dedication should be revised accordingly.

**Plat Corrections:** When an existing recorded plat is discovered to contain errors which fail to conform with the owner's intended purpose due to surveying or scrivener's errors, the plat may be corrected as provided in Section 10-9a-609(6) or 17-27a-609(6) and in conformance with Section 57-3-106. Minor typographical or clerical errors may be corrected by recording an affidavit or other appropriate instrument typically in the form of a Surveyor's Affidavit or an Owner's Affidavit. The affidavit should explain the nature of the error and its correction in a manner that clearly indicates the extent of the correction. Graphical exhibits depicting the correction are encouraged.

More extensive corrections may require the preparation of a Corrected Plat which should be reexecuted and re-recorded by all parties who executed the original document. Corrections are limited to assure conformance with the original intent of the parties and may not be used to alter, amend or change the recorded plat from the original intent. The purpose of the correction is to relate back to the original document, to reform the language of that document, and to bring the document into conformance with the original intention of the parties. All documents which refer to the original document are construed as incorporating the corrected document.

14. Checklist

#### **15. Sample Plats**

## Utah Council of Land Surveyors Final Plat Requirements Checklist

- Plat name shall include approved [Name (Phase No.) (Minor) (Sub/PUD/Condo) (Prior Plat Lot(s)/Unit(s) Amended)].
  - Along with the official plat name include the following plat(s), street(s), lot(s), and/or unit(s) being vacated and/or amended), 1/4 Section, Section, Township and Range, and the name of the governing agency. Subdivision name is to be distinct from any name on a plat recorded in the county recorder's office [10-9a-603(1)(a), 17-27a-603(1)(a)].
- □ Plat to be signed, sealed, and certified by a Professional Land Surveyor (PLS).
  - Plat plotted on a 24"x 36" sheet(s) with a north arrow, and both written & graphic scales.
  - Legend required for all symbols and line types depicted.
- Exterior boundary to agree with existing or proposed division lines as depicted on filed or approved Record of Survey ROS Map(s) (<u>17-23-17</u>).
  - Exterior boundary clearly defined (heavy line) with POB, lines, and curves labeled.
  - Boundary tied spatially to at least two existing (found) clearly described (with date stampings) PLSS monuments or other monuments of record. Basis of bearings (B of B) identified between two PLSS monuments or other found monuments of record.
  - o Written legal description to agree with exterior boundary labels, ties to monuments, and Basis of Bearing.
  - Show recording information for adjoining plats of record and to vesting documents for adjoining parcels.
  - Plat boundary checked spatially for harmony with legal descriptions for adjoining parcels and plats.
  - Review narrative on filed and/or approved ROS Map(s) for an explanation of found evidence or deed elements used to reestablish or retrace each existing division line (not free lines) on the exterior boundary.
  - Exterior boundary angle points on existing division lines shall be recovered or set.
- Connecting or abutting streets to agree with streets as depicted on recorded subdivision or road dedication plats.
  - Centerlines and widths of all existing streets (within 200 feet of exterior boundary) clearly defined with line, curve, and offset labels, also identify and show dimensions to any existing (found) street monuments.
  - Review narrative on ROS Map(s) for an explanation of retracement of existing street rights-of-way.
  - o Proposed changes to existing street rights-of-way shown per governing agency's written approval.
- Existing easements of record, evidence of possible prescriptive easements, and proposed easements to be shown on plat.
  - Review title report for any reference to existing easements.
  - Existing easements are to be depicted graphically on the plat along with references to their instrument(s) of record or to ROS map(s) asserting any observed evidence of possible unrecorded, statutory, or prescriptive easements, said easements are to be clearly defined with line and curve labels, centerline offsets, and dimensions to future ownership interest lines (with some exception).
  - Public utility easements to be shown along with any other easements as may be required.
- $\Box$  Owner's dedication and consent to record to include operative language per governing agency.
  - Owners dedication to include specific conveyance language (who it is in favor of) and declared purpose for each particular easement type created by the plat.
  - Interior streets, lots, and easements to be adequately labeled with necessary line, curve, and offset dimensions.
    - Boundary, street, lot or unit figures to close mathematically.
    - Check that the total area of the exterior boundary is equal to the sum of the interior streets and lots/units areas.
    - Lot or unit reference, block or building reference, street or site address, street name and coordinate address, acreage or square footage for all parcels, units, or lots, and length and width of the blocks and lots intended for sale [10-9a-603(1)(c), 17-27a-603(1)(c)]. Names required for non-linear streets (may not duplicate existing street names within the County).
- □ Street monuments (to be set) depicted at street centerline intersections and at radius points of cul-de-sacs, and intervisibly along street rights-of-way corridors on curve PIs (if within asphalt), PCs, PTs, or Midpoints.
- Consecutive monument connecting lines defined with monument to monument bearings and distances.
- □ Plat Notes to include:
  - 5/8" x 24" rebar with survey cap to be placed at all lot corners. Cap shall include the business name or "P.L.S." followed by the license number of the surveyor in charge. Off-set pins to be placed in the back of the curb where applicable, in lieu of rebar and cap at front corners.
  - Other notes as deemed necessary by surveyor, or as required governing agency.
- $\Box$  Approval blocks and miscellaneous requirements per governing agency (<u>10-9a-604</u>, <u>17-27a-604</u>).