



# Planning Department

Powell County Planning Department | 409 Missouri Ave | Suite 101 | Deer Lodge, Montana 59722  
406.846.9729 | www.powellcountymt.gov

## APPLICATION FOR EXEMPTION FROM SUBDIVISION REVIEW AGRICULTURAL EXEMPTION

### Property Owner

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

### Surveyor / Agent

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Property Address: \_\_\_\_\_

Property Location: \_\_\_\_\_ S \_\_\_\_\_, T \_\_\_\_\_ N, R \_\_\_\_\_ W

Assessor Code(s): \_\_\_\_\_ Geocode(s): \_\_\_\_\_

Existing Use of Property: \_\_\_\_\_

Proposed Use or Improvement: \_\_\_\_\_

Applicable statute cited: \_\_\_\_\_ Survey Date: \_\_\_\_\_

**A pre-application meeting is required before an Application can be accepted. A completed application consists of the COS Review Fee, Certificate of Survey and documents listed on this Application.**

**Signature acknowledges that all information on this application and any supporting materials is true and correct; that the permitted activity will be conducted in full compliance with all regulations of Powell County, and the activity will be in full compliance with any and all attached conditions.**

Property Owner / Authorized Agent Signature: \_\_\_\_\_

Date: \_\_\_\_\_

### Formal submission includes the following:

1. Completed Application
2. Submit two 18 by 24-inch or larger paper copies of the COS to the Examining Land Surveyor  
Robert Everly PE & PLS  
P.O. Box 603  
Butte, MT 59703
3. Submit one 18 by 24-inch or larger paper copy of the COS to the Planning Department  
409 Missouri Ave., Suite 101  
Deer Lodge, MT 59722
4. Send a PDF copy of the COS to the Planning Department
5. Copy of Vested Deeds
6. Draft copies of deeds of transfer or deeds for created lots (all deeds must have a Realty Transfer Certificate)
7. Copies of easements (existing or being created through this COS)
8. **The Recording Set must consist of two Mylars and three paper copies.**
9. The applicant is responsible for the ELS fee as the COS cannot be recorder until paid.



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Original Lot(s) Size(s): \_\_\_\_\_ Proposed Lot(s) Size(s): \_\_\_\_\_

Are There Any Structures: \_\_\_\_\_ If Yes, How Many: \_\_\_\_\_

Access Provided By: \_\_\_\_\_

Does the Road or Easement Serve Other Lots: \_\_\_\_\_ If Yes, How Many: \_\_\_\_\_

Is There An Agricultural Covenant: \_\_\_\_\_ If Yes, Provide Supporting Documentation

Is The Exempt Lot Large Enough: \_\_\_\_\_ If Yes, Provide Supporting Documentation

Describe The Intended Agricultural Use: \_\_\_\_\_

Is The Lot Adjacent To Other Land The Grantee Owns: \_\_\_\_\_ If Yes, Provide Supporting Documentation

Does The Lot Provide Access To Non-Farmland: \_\_\_\_\_ If Yes, Provide Supporting Documentation

Landowner's Occupation: \_\_\_\_\_

Justification: [The Intent of The Agricultural Exemption] \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

### Parcel/Tract History

Did the original tract exist on or before July 1, 1973? \_\_\_\_ Yes \_\_\_\_ No | Please provide supporting documentation

Was the original tract subject to a previous exemption? \_\_\_\_ Yes \_\_\_\_ No | If yes, provide all surveys/deeds since 1973

Is the tract part of a subdivision? \_\_\_\_ Yes \_\_\_\_ No | If yes, provide the history of land divisions with supporting Plats

**NOTE - The petitioner is responsible for Examining Land Surveyor's Fees. The Planning Department will invoice the petitioner for the Fee. The petitioner will not be able to file the survey until reimbursement.**

**Signature acknowledges that all information on this application and any supporting materials is true and correct; that the permitted activity will be conducted in full compliance with all regulations of Powell County, and the activity will be in full compliance with any and all attached conditions.**

**Property Owner / Authorized Agent Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_



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## APPLICATION FOR EXEMPTION FOR SUBDIVISION REVIEW CERTIFICATE OF SURVEY (COS) CERTIFICATIONS | Powell County Standards

### Certificate of Exemption

I (We) certify that the purpose of this survey is to create Tract # \_\_\_\_\_, as shown on this Certificate of Survey, for gift or sale, which is to be used for agricultural purposes only, and that this exemption complies with all conditions imposed on its use. Therefore, this survey is exempt from review as a subdivision pursuant to Section 76-3-207(1)(c), MCA.

I also hereby enter a covenant running with the land, that Tract # \_\_\_\_\_, as shown hereon, will be used exclusively for agricultural purposes only. No building or structure requiring water or sewer facilities shall be utilized on Tract # \_\_\_\_\_. This covenant evocable only by mutual consent of the Commission and the property owner, that the land will be used exclusively for agricultural purposes.

### Certificate of Surveyor

\_\_\_\_\_  
Date of Survey

\_\_\_\_\_  
Surveyor Signature

\_\_\_\_\_  
Date

(Seal)

\_\_\_\_\_  
Montana License #

\_\_\_\_\_  
Address

### Certificate of Examining Land Surveyor

Reviewed pursuant to 76-3-611(2)(a), MCA

\_\_\_\_\_  
Robert F. Everly

\_\_\_\_\_  
Date

Montana License #9754ES

### Certificate of Sanitarian (required in Powell County)

This amended plat has been reviewed to determine compliance with the Sanitation in Subdivision Act.

\_\_\_\_\_  
Tri-County Sanitarian Signature

\_\_\_\_\_  
Date

### Certificate of Planning Director

This survey is exempt from local review as a subdivision under the Montana Subdivision and Platting Act, the Powell County Subdivision Regulations, and the Powell County Zoning & Development Regulations.

\_\_\_\_\_  
Planning Director Signature

\_\_\_\_\_  
Date

### Certificate of Clerk and Recorder

STATE OF MONTANA )

: ss

County of POWELL )

Filed for record this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock.

Instrument No. \_\_\_\_\_ COS/Plat No. \_\_\_\_\_ File No. \_\_\_\_\_

\_\_\_\_\_  
County Clerk & Recorder Signature

\_\_\_\_\_  
Date

(Seal of County)