

## **GUIDELINES AND APPLICATION FOR CERTIFICATE OF COMPLIANCE**

**PURPOSE:** In the City of Mt. Shasta, Assessor's Parcel Numbers (APN's) do not necessarily represent separate legal parcels. It is possible that a property owner may own several parcels of land which are represented by one APN or own several APN's which are not separate legal parcels (APN's are created for tax purposes only).

Certificates of Compliance (CC) are issued by the City to properties that have been proven to be separate legal parcels. The CC only gives the owner the right to sell, lease or finance the parcel separately from other contiguous parcels held by the same owner. Certificate of Compliance **does not** involve review of or guarantee the buildability of a parcel, nor does it exempt a parcel from the requirements of any deed restriction, Federal, State, County, or local agency rules regulating the development or use of real property.

**PROCEDURE:** Upon receipt of a complete application for a CC, staff reviews the history of a parcel of land, including all subdivision maps and grant deeds which might have had an effect on the parcel's creation. If a review of the parcel's history reveals that the parcel was created legally and that nothing has occurred in the intervening years to cause the parcel to have been merged with adjoining land, then a CC will be issued.

This determination is made under the provisions of the State Subdivision Map Act (California Govt. Code Sections 66412.6, 66412.7, 66424, 66499.30, and 66499.35), which define subdivisions, legal parcels and the Certificate of Compliance process.

In order for the Planning Department to issue a CC or Conditional Certificate of Compliance, the following findings must be made:

- 1) The parcel was:
  - a) Created in compliance with the Subdivision Map Act and local ordinances enacted to implement the map act in the City; or
  - b) Legally created in compliance with prior laws regulating the design and improvements of subdivisions; or
  - c) Was specifically exempted from such prior laws, and
  
- 2) Nothing has happened since the parcel was created that would have caused or required the parcel to be merged with adjoining parcels (such as through a lot line

adjustment, subdivision, voluntary merger, or the construction of a substantial building over the parcel boundary, etc.)

It is the *applicant's responsibility* to do the research and prepare an application which describes the parcel's history and demonstrates that the findings listed above can be made. A list of the minimum required materials to be submitted follows below.

Background information can be gathered by reviewing recorded documents at the Siskiyou County Recorder's Office and past Planning Department approvals. Applications must be submitted by qualified deed research service companies or licensed land survey offices.

**APPLICATION FOR CERTIFICATE OF COMPLIANCE**  
**CITY OF MT. SHASTA**

I. Owners Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_

Owners Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_

II. Name of Agent/Representative: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_

III. **LOCATION:**

A. **Township** \_\_\_\_, **Range** \_\_\_\_, **Section** \_\_\_\_

B. **Zoning** : \_\_\_\_\_

**Deed Reference** : \_\_\_\_\_

C. **Date Property Purchased:** \_\_\_\_\_

D. **Total Acreage:** \_\_\_\_\_

E. List of Assessor's Parcel Numbers of Properties to which this application applies.

APN(s):	Owner	Address
_____	_____	_____

III. **ACCESS TO THE PROPERTY IS BY:**

\_\_\_\_\_ Frontage on City Street: \_\_\_\_\_

\_\_\_\_\_ Frontage on State Highway (normal minimum 60')

\_\_\_\_\_ USFS Road No. \_\_\_\_\_

\_\_\_\_\_ Private Road \_\_\_\_\_

If access is by Private Road Easement:

a. Give distance to nearest public road: \_\_\_\_\_

b. Name of nearest public road: \_\_\_\_\_

c. Attach documentation of recorded access from the public road to your property or list official record numbers below. \_\_\_\_\_

IV. Have any building permits or septic system permits been issued for the property?  
\_\_\_\_ Yes \_\_\_\_ No. If yes, please list type of permit, type of structure, and date permit was issued.

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

V. PROPERTY OWNERS ASSOCIATION/HOMEOWNERS ASSOCIATION (List name, address, Phone Number and Contact Person of Property Owners Association [if applicable]):

\_\_\_\_\_  
Name of Property Owners Association or Homeowners Association Phone number

\_\_\_\_\_  
Address

\_\_\_\_\_  
Contact

VI., SIGNATURE REQUIREMENTS

I declare under penalty of perjury that the information contained in and attached to this application is true and correct. If any information is not true and correct, I agree to pay to the City of Mt. Shasta all the cost incurred to correct the records concerning the Certificate of Compliance along with a reasonable attorney's fee which may be incurred in this matter.

By signing this application, I (We) hereby authorize City, County, State and Federal agencies requested to review this application to enter my property for the purpose of reviewing and commenting on this application. The authorization is valid from the date of filing this application until the City finally acts to approve or disapprove this project.

Owner(s) Signature(s) Must be Notarized

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PLACE NOTARY CERTIFICATE HERE

A complete application shall include all of the following (please initial each item on list as provided. Incomplete applications will not be accepted ):

- \_\_\_\_\_ 1) An application form signed by all legal owners
- \_\_\_\_\_ 2) Preliminary Title Report, no older than 12 months
- \_\_\_\_\_ 3) A proposal statement describing the number and location of requested certificates and the basis for the belief that they are separate legal parcels (i.e., grant deeds or a subdivision map).
  
- \_\_\_\_\_ 4) A current Assessor's parcel map (highlight the subject property).
  
- \_\_\_\_\_ 5) A site plan drawn to scale which shows all buildings, structures, wells, leach fields, designated leach field expansion areas, septic tanks, driveways, access easements, property lines, parking areas and parcel sizes.
  
- \_\_\_\_\_ 6) A map which shows all surrounding properties with property owner's names indicated for each parcel.
  
- \_\_\_\_\_ 7) A chain of title guarantee: This is a chronological listing of the recorded property transactions prepared by a title company, survey firm, or the applicant who must certify under penalty of perjury that it is complete. The chain of title lists all boundary adjustments affecting the subject property, beginning prior to the date of creation of the subject property's boundaries and continuing to the date of application. Each notation must include a recorded document number, a recording date, a grantor and grantee, and a brief description of all the parcels affected. Typed and in chronological order
  
- \_\_\_\_\_ 8) A copy of each document listed in the chain of title.
  
- \_\_\_\_\_ 9) A map or set of maps depicting the configuration of the parcel at each transaction or adjustment listed in the chain of title. The map should show all the subject and surrounding properties and outline the boundaries described in each deed.
  
- \_\_\_\_\_ 10) For each parcel for which certification is requested provide, either:
  - a) a subdivision map reviewed by the County and recorded after 1893 which depicts the parcel, or;
  - b) a deed recorded prior to March 1, 1967 in which the subject parcel was transferred and described separately. Note: A deed which enumerates several lots or parcels is not

sufficient to establish the legal lot status of one parcel unless the other areas described are either easements or exceptions.

\_\_\_\_ 11) On a separate page labeled as “Exhibit A,” a typed legal description, accurately describing each parcel to be certified. It must be suitable for reproduction and inclusion in the Certificate of Compliance document. New legal descriptions must be prepared by a licensed surveyor.

CITY OF MT. SHASTA CERTIFICATE OF COMPLIANCE

AGENT'S AUTHORIZATION

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

I, \_\_\_\_\_  
(Name of Property Owner - Please Print)

\_\_\_\_\_  
(Address of Property Owner)

\_\_\_\_\_

authorize \_\_\_\_\_  
(Name of Agent/Representative - Please Print)

\_\_\_\_\_  
(Address of Agent/Representative)

\_\_\_\_\_, to act as my agent to:  
(Phone Number)

File an application on my behalf and represent me at the hearing on my application.

I do this knowing that this does not relieve me of any obligations to comply with those requirements placed upon this application as conditions of approval.

(Signed) \_\_\_\_\_  
(Must be Notarized)

NOTE: If the owner is a corporation, this authorization must be signed by an officer of the corporation as designated in its articles of incorporation.