



Lincoln County Planning Department

418 Mineral Ave. | Libby, MT. 59923

Website: <http://www.lincolncountymt.us/planning-home>

Planning Department | : (406) 283-2444

NOTIFICATION AND SOLICITATION OF COMMENTS FROM GOVERNING BODY FOR DIVISIONS OF LAND FOR MORTGAGE EXEMPTIONS [MCA 76-3-201(1)(b)]

This application is used only for proposals involving Divisions of Land Proposed for Mortgage Exemption [76-3-207(1)(b), MCA and the Lincoln County Subdivision Regulations, specifically as follows:

- Divisions made to provide security for mortgages, liens, or trust indentures for the purpose of construction, improvements to the land being divided, or refinancing purposes; The exemption applies to a division of land(s) of any size;

The following are required with the submittal of a Agricultural Exemption to Planning:

- Sanitation Exclusion Checklist
- \$100 processing fee for the Planning Department

Property Owner(s): (If more than 2, please attach additional sheet)

Name: _____ Occupation: _____

Address: _____ Phone: _____

City/State/Zip: _____ Email: _____

Name: _____ Occupation: _____

Address: _____ Phone: _____

City/State/Zip: _____ Email: _____

Surveyor/Representative:

Name: _____ Firm: _____

Address: _____ Phone: _____

City/State/Zip: _____ Email: _____

Parcel Description(s) of Existing Tract(s): (If more than 2, please attach additional sheet)

Physical Address: _____

Tax ID No: _____ GeoCode: _____

Section: _____ Township: _____ Range: _____

How & When was parcel Created? (example: Occasional Sale COS 999, 10/2/2020)

Physical Address: _____

Tax ID No: _____ GeoCode: _____

Section: _____ Township: _____ Range: _____

How & When was parcel Created? (example: Occasional Sale COS 999, 10/2/2020)

Reasons/Justifications for Use of this Exemption

Intentions for uses of the property (List or discuss the property owners' intentions for the use of each resulting parcel. For example, will the parcel(s) be used for agriculture, commercial, residences, cemetery lots, a right-of-way, etc.):

Intentions for disposition (For example, is the intent to prepare tracts for sale, secure a construction loan, settle an estate or divorce, etc.):

Acknowledgement:

- I/We are aware by placing this exemption on the above stated parcel(s), we are attesting that nothing is planned for development and the use of this property will be for agricultural purposes.
- I/We, the undersigned landowner(s) and exemption claimant(s) understand that the State of Montana provides that certain divisions of land, which would otherwise constitute subdivisions, are exempt from local subdivision review and approval, unless the transactions are an attempt to evade the Montana Subdivision and Platting Act or local subdivision regulations.
- I/We affirm that this exemption claim is not an attempt to evade the Montana Subdivision and Platting Act or the Lincoln County Subdivision Regulations
- I/We recognize that I/We may be subject to penalties if my actions are deemed to be an effort to evade subdivision review, as set forth in Montana law(s) (76-3-301(3) & 45-7-203(1) MCA
- I/We also recognize that making false statements on this form could subject me to criminal prosecution for False Swearing (per MCA 45-7-202) and Perjury (per MCA 45-7-201).

Signatures:

I/We, as Claimant(s), has/have read the foregoing Exemption Claim Application, and affirm that my/our statements and information are true and correct to the best of my/our knowledge.

Property Owner Signature & Date

Property Owner Signature & Date

Required Attachments

- A statement of how many interests within the original tract will be created by use of the Exemption;
- The deed, trust indenture or mortgage for the exempted interest which states that the interest is being created only to secure a construction mortgage, lien or trust indenture and that the original tract reverts to its former status upon satisfaction of the mortgage;
- A statement explaining who will have title to and possession of the balance of the original parcel if title to the exempted interest is conveyed upon foreclosure;
- A signed, notarized statement from a licensed financial institution that the creation of the parcel is necessary to secure a loan and they will not finance the entirety of the existing tract;
- Copies of all deeds, contracts, restrictions, and covenants related to this property recorded or entered into within the past year;
- Copies of recorded deeds documenting present ownership in affected parcels;
- Site plan (or draft certificate of survey) showing the approximate gross and net lot sizes (in acreage or square feet), proposed property lines, and all existing and proposed structures. Show existing and proposed wells, sewer systems, and similar infrastructures;
- A completed Sanitation Exclusion Checklist and all documentation in support of the sanitation exemption(s), if applicable; and
- Copies of any existing permits for the development on the property

Reviewed By: COUNTY REVIEW & SIGNATURES ONLY

- Approved Denied

Conditions of Approval / Reason for Denial:

Lincoln County Commissioner, Chairperson

Date

Planning Department

Date

Sanitarian

Date

Clerk & Recorder

Date

Address Tech

Date