



City of St. Maries

"On the Shadowy St. Joe"

602 College Avenue, St. Maries, Idaho 83861

Phone 208-245-2577

Fax 245-6579

For City Use Only

Date Received: _____

Fee: \$ _____

Fee Received by: _____

Receipt No. _____

APPLICATION FOR VOLUNTARY LOT MERGER

(Please type or print plainly with blue ink)

OWNER INFORMATION:

Name: _____ Phone: _____ Fax: _____

Street Address: _____ E-Mail: _____

City: _____ State: _____ Zip: _____

Property Address: _____

SITE INFORMATION: The undersigned certify that I/we are owners of real property located in the City of St. Maries, Benewah County, State of Idaho that is legally described as: _____

STATEMENT OF PROJECT INTENT FOR MAKING APPLICATION:

Now, therefore, I/we hereby request that said lots be merged in accordance with City of St. Maries Municipal Code Title 9, Chapter 5, and agree and covenant with the City of St. Maries that upon approval of this voluntary lot merger application, the legally described real property will be held as one parcel and that no portion will be sold separately. This covenant and agreement will run with all of the above described land and will be binding upon ourselves and our successors, heirs, or assignees and will continue to be in effect unless released by the City Council for the City of St. Maries after compliance with the city's subdivision regulations.

ATTACH TO THIS APPLICATION:

- (A) A current title report (within 60 days) showing the true legal description for the property, proof of ownership, any other persons with an ownership or property interest in the lots to be merged, and any easements of record, including dedicated easements for roads, ingress and egress, utilities or for any other purpose of record.
- (B) A copy of the original and any amended plat map showing the parcels to be merged.

Note: The City has the authority to require any additional information necessary to render a fair decision on this request.

CHAPTER 5
LOT MERGERS

SECTION:

- 9-5-1: Intent And Purpose
 9-5-2: Applicability
 9-5-3: Application; Fees; Approval

9-5-1: **INTENT AND PURPOSE:** The purpose of this section and the following sections relating to the voluntary merger of adjoining city lots is to provide a procedure by which two (2) or more contiguous lots or units of land located in the city of St. Maries and owned by the same property owner may be merged into one parcel without replatting. (Ord. 653, 12-11-2006)

9-5-2: **APPLICABILITY:**

- A. The provisions set forth in this section for the voluntary merger of lots shall be applicable to two (2) or more adjoining lots of land owned by the same owner under the following circumstances:
1. The owner of two (2) or more of the adjoining lots voluntarily elects to merge the lots into one parcel; and
 2. The owner has complied with the filing requirements set forth below; and
 3. The city council for the city of St. Maries has determined it is in the best interest of the city to approve the voluntary lot merger and good cause is found to support the decision; and
 4. The lots which are proposed to be voluntarily merged do not contain dedicated easements for roads, ingress and egress, utilities or for any other purpose.

- B. Nothing in the provisions relating to merger of lots shall be construed or interpreted to prohibit the sale, lease or financing of such adjoining lots of land, or any of them, where the same have not been merged pursuant to the procedure set forth in this chapter. (Ord. 653, 12-11-2006)

9-5-3: **APPLICATION; FEES; APPROVAL:**

- A. The owner of any two (2) or more adjoining lots or units or parcels of land located in the city of St. Maries which are owned by the same owner, subject to the voluntary lot merger provisions set forth in section 9-5-2 of this chapter, may be merged upon the filing of an application and supporting documents as set forth below:
1. The applicant shall file with the city clerk an application for voluntary lot merger. The form of the application shall be approved by resolution of the city council and shall include all of the requirements necessary for the issuance of the voluntary merger.
 2. The land owner shall attach to the application all documents required in the application form, which may include a current title report showing proof of ownership, any other persons with an ownership or property interest in the lots to be merged, and easements of records.
- B. The applicant shall pay an application and processing fee to the city clerk at the time the application is filed, in accordance with a fee schedule to be set by resolution of the city council, and which may be modified from time to time by resolution.
- C. The city council will either approve or deny a completed voluntary lot merger application if the city has determined that it is in the best interest of the city and the lots proposed to be merged do not contain dedicated easements for road, ingress and egress, utilities or for any other purpose. If the application is denied for any of these reasons, the owner will be required to follow the replatting process. (Ord. 653, 12-11-2006)