

*City of Colton*  
*Public Services Department – Engineering Division*

## **OPTIONAL LOT MERGER APPLICATION FORM**

***Processing fee: \$500.00 (Resolution #R-129-94)***

Documents to be completed by a Registered Land Surveyor or a Registered Civil Engineer duly authorized to practice Land Surveying in the State of California.

**Exhibit A shall include:**

- The name, address, and telephone number of the applicant and the person preparing this document.
- The official file number of the City of Colton.
- The legal description of the property before and after the Lot Merger. If the descriptions do not fit in the space allotted they can be attached as additional exhibits.
- The signature and seal of the preparer.

**Exhibit B shall include:**

- An ownership statement including the signatures of any of the property owners affected by this lot Merger.
- A notary acknowledgment witnessing those signatures.
- A certificate indicating review and approval by the City Engineer.

**Exhibit C shall be a scaled drawing of the affected property which shall show:**

- The existing lot lines.
- The proposed lot lines of the new lot configuration created by this merger.
- Existing structures, driveways, utility service lines (Water, sewer, gas, electric, telephone, cable, etc.) and their relationship to the adjoining properties.

RECORDING REQUESTED BY:

When Recorded Mail To:

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## OPTIONAL LOT MERGER

### EXHIBIT A

Applicant  
Address  
City/State/Zip  
Telephone

Engineer/Surveyor  
Address  
City/State/Zip  
Telephone

Assessor's Parcel Number (s) \_\_\_\_\_

Legal Description prior to Lot Merger

Legal Description after Lot Merger

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Name and R.C.E./L.S.  
12/08/03 DST

Expiration Date

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Date Signed

# OPTIONAL LOT MERGER

## EXHIBIT B

### CITY ENGINEER'S CERTIFICATE

I hereby determine that the above-described real properties comply with the applicable provisions of the Subdivision Map Act and the City of Colton Municipal Code as it relates to lot sizes and setback requirements.

\_\_\_\_\_  
Amer Jakher, P.E. 50932 Exp. 9/30/05  
Public Services Director/ City Engineer,  
City of Colton

\_\_\_\_\_  
Date

\_\_\_\_\_  
David Zamora,  
Community Development Director,  
City of Colton

\_\_\_\_\_  
Date

### OWNER'S CERTIFICATE

We hereby certify that we are the only owners of the property as described in Exhibit A (attached) and we hereby consent to preparation and recordation of the Lot Merger Document as shown on these exhibits.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name

\_\_\_\_\_  
Date

### NOTARY ACKNOWLEDGMENT

State of California        )  
                                      ) SS  
County of San Bernardino )

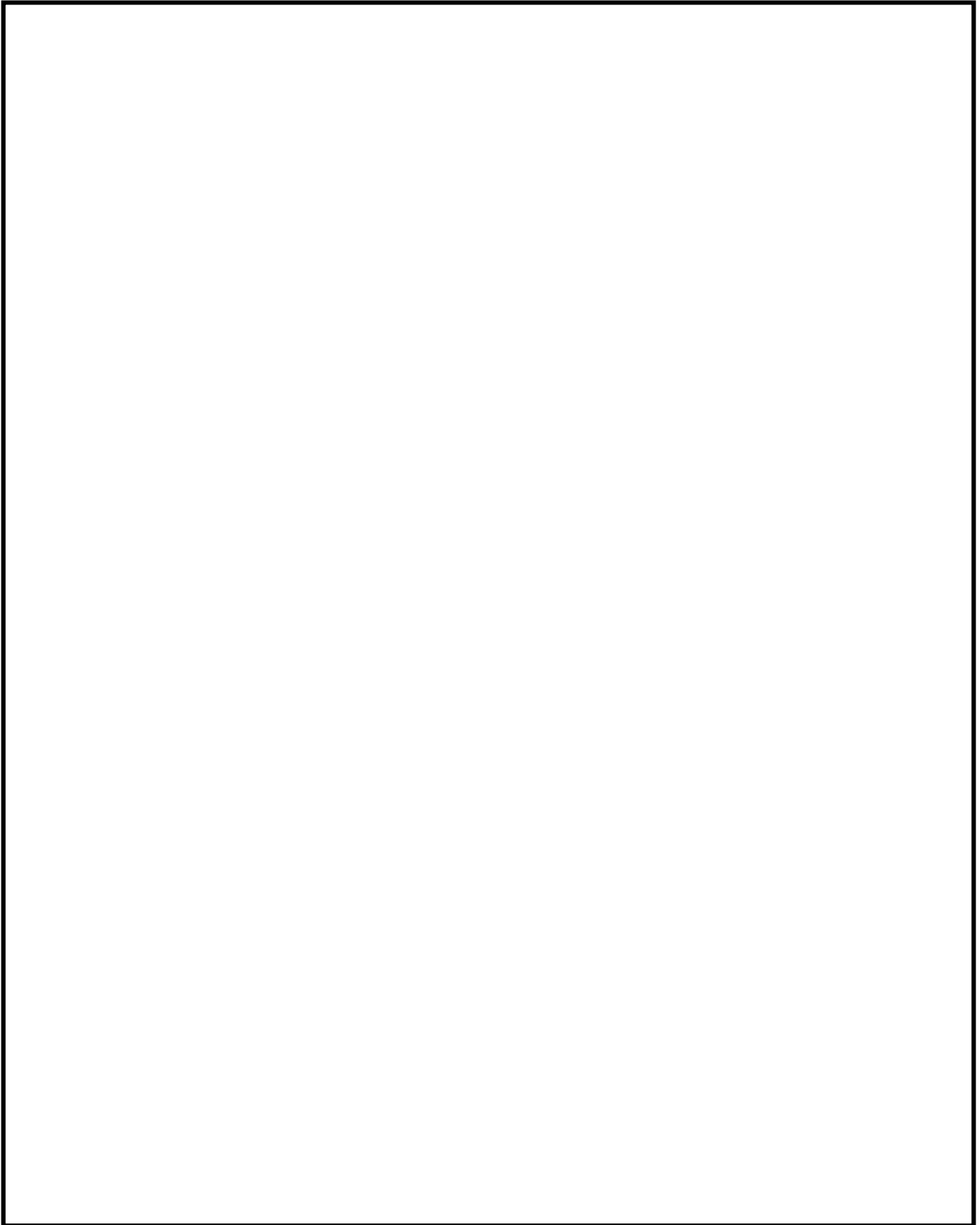
On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me \_\_\_\_\_, a notary for the State of California, personally appeared \_\_\_\_\_  personally known to me **OR**  proved to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person (s) or entity upon behalf of which the person(s) acted, executed the instrument.

SEAL

\_\_\_\_\_  
Witness my hand and official seal

# OPTIONAL LOT MERGER

## EXHIBIT C



# EXCERPT FROM THE SUBDIVISION MAP ACT

## SECTION 66436

### 66436. Record title interest signatures required; exceptions; notary seal not required

(a) A statement, signed and acknowledged by all parties having any record title interest in the subdivided real property, consenting to the preparation and recordation of the final map is required, except in the following circumstances:

(1) A lien for state, county, municipal, or local taxes or special assessments, a trust interest under bond indentures, or mechanics' liens do not constitute a record title interest in land for the purpose of this chapter or any local ordinance.

(2) The signature of either the holder of beneficial interests under trust deeds or the trustee under the trust deeds, but not both, may be omitted. The signature of either shall constitute a full and complete subordination of the lien of the deed of trust to the map and any interest created by the map.

(3) Signatures of parties owning the following types of interests may be omitted if their names and the nature of their respective interests are stated on the final map:

(A) (i) Rights-of-way, easements or other interests which cannot ripen into a fee, except those owned by a public entity, public utility or subsidiary of a public utility for conveyance to the public utility for rights-of-way. If, however, the legislative body or advisory agency determines that division and development of the property in the manner set forth on the approved or conditionally approved tentative map will not unreasonably interfere with the free and complete exercise of the public entity or public utility may be omitted. Where that determination is made, the subdivider shall send, by certified mail, a sketch of the proposed final map, together with a copy of this section, to any public entity or public utility which has previously acquired a right-of-way or easement.

(ii) If the public entity or utility objects to either recording the final map without its signature or the determination of the legislative body or advisory agency that the division and development of the property will not unreasonably interfere with the full and complete exercise of its right-of-way or easement, it shall notify the subdivider and the legislative body or advisory agency within 30 days after receipt of the materials from the subdivider.

(iii) If the public entity or utility objects to recording the final map without its signature, the public entity or utility so objecting may affix its signature to the final map within 30 days of filing its objection with the legislative body or advisory agency.

(iv) If the public entity or utility either does not file an objection with the legislative body or advisory agency or fails to affix its signature within 30 days of filing its objection to recording the map without its signature, the local agency may record the final map without the signature.

(v) If the public entity or utility files an objection to the determination of the legislative body or advisory agency finds, following the hearing, that the development and division will in fact unreasonably interfere with the free and complete exercise of the objector's right-of-way or easement, it shall set forth those conditions whereby the unreasonable interference will be eliminated and upon compliance with those conditions by the subdivider, the final map may be recorded with or without the signature of the objector. If the legislative body or advisory agency finds that the development and division will in fact not unreasonably