

## Claim of Exemption Instructions:

### #13 - Lot Split:

1. Have a surveyor prepare a preliminary Lot Split Division survey plat that shows the acreage of the subject property and the size and location of the proposed parcels to be split off.
2. Submit that preliminary survey and a copy of your current warranty deed to me for preliminary approval.
3. I will approve, deny or approve with conditions the survey. At that point, assuming I approve or approve with conditions, you can instruct the surveyor to prepare the final survey plat.
4. The surveyor would then prepare a final survey with his stamp and signature. You'll need 4 copies of that final survey.
5. You will also need to have two new deeds prepared, reflecting the legal descriptions created with the new survey.
6. Please submit documentation that shows that the property taxes are paid and up-to-date.
7. You'll submit the 4 survey copies, 2 deeds, and the Claim of Exemption form signed and notarized on page 4.
8. If you've met all the requirements, I will ask you to pay the \$150 fee for the Claim of Exemption.
9. I'll then sign your surveys, and direct you to record all 4 surveys and the 2 deeds in the Clerk's Office. The Clerk's Office retains 2 copies of the survey. You'll return one copy of the survey to me, and you'll remain with one copy. I'll also ask you for a copy of the deeds with the recording information.

### #9 - Family Transfer:

1. Have a surveyor prepare a preliminary family transfer survey plat that shows the acreage of the subject property and the size and location of the proposed parcels to be split off and transferred to family members, along with family member's names and relationships to grantor.
2. Submit that preliminary survey and a copy of your current warranty deed to me for preliminary approval.
3. I will approved, deny or approve with conditions the survey. At that point, assuming I approve or approve with conditions, you can instruct the surveyor to prepare the final survey plat.
4. Submit a minimum of four final survey plats to me upon its completion along with the following items:
  - a. New deeds that the conveyance and legal descriptions of the new properties created by transfer. If any person or persons receiving properties are minors, that needs to be reflected in the deed through the Uniform Minors Transfer Act (an attorney can help you prepare these deeds).
  - b. Birth certificates, adoption certificates, or other documents demonstrating the family relationship of the individuals who are receiving the transferred parcels.
  - c. Fair evidence of market value ... this is a document prepared by a real estate agent that states the value of each newly created parcel if it were to be placed on the current market.

- d. Proof of property taxes paid and up-to-date, can be verified with a receipt from the County Treasurer's Office. And if applicable, a receipt showing that your Solid Waste bill is paid.
5. I will sign the Final Survey plats after reviewing and accepting all the above documentation and you can have the Surveys and new deeds recorded at the County Clerk's Office.
6. I will also provide you with an invoice so you can pay your \$150 Claim of Exemption application fee at the Taos County Treasurer's Office.
7. Upon finalizing the surveys, I'll direct you to record all 4 surveys and the 2 deeds in the Clerk's Office. The Clerk's Office retains 2 copies of the survey. You'll return one copy of the survey to me, and you'll remain with one copy. I'll also ask you for a copy of the deeds with the recording information.

#### # 7 - Lot Line Adjustment Exemption:

1. You would instruct a New Mexico licensed surveyor to create a survey for a Lot Line Adjustment to vacate any current lot lines you will be moving and create any new lot lines. You or the surveyor would then submit the preliminary survey to me or Chief Planner Rudy Perea for preliminary approval. I would also need to see the current deeds for each of the properties involved in the adjustment.
2. I will either approve, deny or approve with conditions the preliminary survey. Assuming that I approve or approve with conditions, you would then direct the surveyor to create a final survey plat.
3. Once the final survey plat is complete, with surveyor's signature and stamp, you would bring a minimum of four large copies to the Planning Department for final approval, along with deeds of conveyance that reflect any acreage amount that has been conveyed from one owner to the other, and two new deeds that reflect the new legal descriptions of the two new properties created through the lot line adjustment. You will also need to provide a receipt from the County Treasurer's Office showing that your property taxes on all subject properties are paid and up to date, and a receipt from the Taos County Solid Waste Department reflecting that your account is paid and up-to-date with that office.
4. Once I have the final surveys, deeds and tax receipt, I will approve and sign the survey plats that you can take to the County Clerk's Office to be recorded. The County Clerk's Office will keep 4 copies, and our office will keep one copy and you will keep one copy. If you would like more than one copy, then have the surveyor create more and I will sign however many you bring.
5. I will also give you an invoice on the day you bring the final documents that you can take to the County Treasurer's Office so that you can pay for your applications.

#### #6 – Burial Exemption:

1. We need either a certified survey, new or existing, or another acceptable site plan, that indicates the size and location of the parcel, and the size and location of the burial plot to be considered as an easement.
2. Fill out the Claim of Exemption application, verifying Burial Plot Exemption No. 6, and signing and notarizing on page 4.
3. Submit along with a certified copy of the deed of the property, a copy of the most recent Tax County tax receipt, and any other materials the Planning Department might request.

4. Once submitted, we will review the materials and either approve, deny or approve with conditions.
5. Assuming we approve or approve with conditions, we will sign and date the Claim of Exemption form and provide you with an invoice to pay the \$150 application fee.
6. If approved, you will take the Claim of Exemption form to the County Clerk's Office to be recorded along with the supporting documents.

# 5 – Court Ordered:

1. A certified survey that shows all parcels and parcel boundaries, indicating size and location of parcels, and indicates ownership of said parcels. In order to meet the requirement that no more than one parcel per party is being created, I would recommend the consolidation of Parcels A and B in the name of Sisneros.
2. Attached certified copy of court order.
3. Documents of conveyance, i.e., the new warranty deeds reflecting the new legal descriptions and ownership of aforementioned parcels.
4. Claim of Exemption application form (attached), signed and notarized by all parties on page 4. I recommend printing out extra copies of page 4 for each signatory.
5. Proof that the property taxes are paid and up-to-date on the entire property, in the form of a tax receipt from the Taos County Treasurer's Office, as well as any receipts from any associated Solid Waste bills due to the County Solid Waste Department.