



• FAMILY DIVISION AFFIDAVIT •

DEPARTMENT OF DEVELOPMENT • WWW.CULPEPERCOUNTY.GOV • (540) 727-3404 • (540)727-3461 Fax

General Information All subdivision plats must be prepared by a licensed surveyor. The family division plat and deed must meet the requirements of Sections 600 and 613 of the Culpeper County Subdivision Ordinance (Appendix B of the Code of the County of Culpeper, Virginia) (the “Ordinance”). The plat and the deed of conveyance must contain a notice which states:

This plat and the family division which it represents are pursuant to Section 613 of the Culpeper County Subdivision Ordinance (Appendix B of the Code of the County of Culpeper, Virginia) (the “Ordinance”). Further transfer and division of the lots or parcels shown on the plat is limited in accordance with the provisions of Section 613.6.5 of the Ordinance. Building permits and/or certificates of occupancy may not be granted if the division is found by the Zoning Administrator to be in circumvention of the Ordinance’s requirements.

The Family Division Affidavit and deed of conveyance must be completed and sworn by both the grantor(s) and grantee(s) before a Notary Public for the Commonwealth of Virginia. The proposed deed of conveyance must be submitted and approved as to form by the Culpeper County Attorney prior to the Zoning Administrator’s approval of this Family Division.

Application Type

Minor Subdivision (Application Fee: \$800.00+ \$150.00 per lot); plus \$300.00 per road sign and pole set as required.

The following information is required to determine qualifying status in subdivision requests to be exempted from standard procedure, as outlined in Sections 600 and 613 of the Subdivision Ordinance, which are attached hereto and incorporated by reference. A separate form is to be completed for each lot proposed. Any materially false statements may result in denial of building permits and/or certificates of occupancy and may result in such other penalties as provided by law.

Applicant Contact Information

Grantor(s) as shown on current deed

First name(s)

Last name(s)

Street address

Street address line 2

City

State

Zip code

Phone number

Tax Map and Parcel Number
(current) ONLINE GIS

Containing (Total sq. ft. or acres) of land

Lot being created (Total sq. ft. or acres) of land

Grantee(s) to be shown on deed of conveyance

First name(s)

Last name(s)

Relationship

The **Grantee (receiving new lot)** is the _____ of the **Grantor**

What is the purpose of this proposed family subdivision?

Has either the **GRANTOR** or the **GRANTEE** ever transferred property to anyone, utilizing the family division (formerly family partition) exception?

Yes No

If the answer is YES, please detail each instance

Has the GRANTEE ever received property from anyone, utilizing the family division (formerly family partition) exception?

Yes No

If the answer is YES, please detail each instance

By signing this affidavit, GRANTOR and GRANTEE hereby certify that the proposed division is not for the purpose of circumvention of the requirements of the Subdivision Ordinance. Is this understood by the GRANTOR and GRANTEE?

GRANTOR GRANTEE

Does the GRANTEE understand and agree that this property is subject to the requirements of section 613.6.5, which prohibits further transfer or subdivision of the property for five (5) years? Initial below

The following language shall be included in the original deed of conveyance for review by the Culpeper County Attorney's office:

This conveyance is pursuant to section 613 of the County of Culpeper Subdivision Ordinance (Appendix B to the Culpeper County Code) (the "Ordinance"). Use for any other purpose may result in denial of building permits and/or certificate of occupancy and other penalties as provided by law. Among other requirements, the lot herein conveyed is subject to the restrictions imposed by Section 613.6.5 which prohibits further transfer or subdivision for five years.

Both Grantor(s) and Grantee(s) must execute the deed. It would be appropriate to place the word, "Accepted", followed by the Grantee(s)' name(s) and signatures. Both Grantor(s) and Grantee(s) signatures must be notarized by law.

TO BE WITNESSED BY A NOTARY- DO NOT SIGN IN ADVANCE

Statement of Intent and Signatures

I swear that the foregoing information and certifications are true and correct to the best of my knowledge, information and belief.

GRANTOR

GRANTOR

State of Virginia, County of Culpeper,
To-wit: Subscribed and sworn before me this _____ day of _____, 20____
by _____ (Grantor)

NOTARY:

My Commission Expires:

Registration No:

State of Virginia, County of Culpeper,
To-wit: Subscribed and sworn before me this _____ day of _____, 20____
by _____ (Grantor)

NOTARY:

My Commission Expires:

Registration No:

I swear that the foregoing information and certifications are true and correct to the best of my knowledge, information and belief.

GRANTEE

GRANTEE

State of Virginia, County of Culpeper,
To-wit: Subscribed and sworn before me this _____ day of _____, 20____
by _____ (Grantee)

NOTARY:

My Commission Expires:

Registration No:

State of Virginia, County of Culpeper,
To-wit: Subscribed and sworn before me this _____ day of _____, 20____
by _____ (Grantee)

NOTARY:

My Commission Expires:

Registration No:

FOR PLANNING STAFF USE ONLY

Approved as to form this _____ day of _____, 20____

Pursuant to Section 613.8 of the County of Culpeper Subdivision Ordinance (Appendix B of the Culpeper Code.)

Culpeper County Attorney:_____

NOTICE

Culpeper County does not discriminate - against religions or on the basis of sex, age, race, national origin, or a disability - in its planning and land use processes. If you believe that you have been discriminated against or that the Religious Land Use & Institutionalized Persons Act (“RLUIPA”) has been violated, please ask for a complaint form.

Under the laws of the United States and the Commonwealth of Virginia, no government may discriminate against religions or on the basis of sex, age, race, national origin, or a disability - in its planning and land use processes.

Under RLUIPA, no government may apply its zoning or land use laws, or its policies and procedures in a manner that unjustifiably imposes a substantial burden on the religious exercise of a person, including a religious assembly or institution.

RLUIPA also provides that no government may apply its zoning or land use laws in a manner that treats a religious assembly or institution on less than equal terms that a non-religious institution or assembly.

Finally, RLUIPA provides that no government may impose or implement a land use regulation in a manner that discriminates against a religious assembly or institution.

Culpeper County does not discriminate against religions in its planning and land use processes. If you believe that you have been discriminated against or that the Religious Land Use & Institutionalized Persons Act (“RLUIPA”) has been violated, please ask for a complaint form.