



ALTERING OR EXTINGUISHING AN EASEMENT SUBMITTAL REQUIREMENTS

The purpose of the following is to specify requirements for consideration of an application for altering or extinguishing an easement in the City of Black Diamond per Revised Code of Washington (RCW) 58.17.215. Easements established by a dedication are property rights that cannot be extinguished or altered without the approval of the easement owner or owners, unless the plat or other document creating the dedicated easement provides for an alternative method or methods to extinguish or alter the easement (RCW 64.04.175).

<p>1. One copy of a completed City of Black Diamond Master Planning Permit Application form.</p>
<p>2. Four copies of a written narrative describing the project.</p>
<p>3. An agreement signed by all easement owners providing that the parties agree to extinguish or alter the relevant easements to accomplish the purpose of the alteration of the subdivision or portion thereof.</p>
<p>4. Four copies of proposed plat alteration survey drawings to a minimum paper size of 18" x 24". The following information must appear in standard format on the short subdivision plat map and final mylar (<i>final mylar shall be submitted only after approval of the proposal</i>) that will be recorded if approved:</p> <p>†Preferred Scale is 1" = 40' but in no case shall be smaller than 1"=100' Show scale on drawing and north arrow.</p> <p>The map and legal descriptions included in the application shall be prepared and certified by a professional land surveyor or engineer in a format acceptable to the City and as required by the Survey Recording Act, Chapter 50, Washington Laws of 1973, or as amended and shall be monumented as stated in BDMC Chapter 17.32.</p> <p>A title block in the lower right corner of the drawings showing:</p> <ul style="list-style-type: none">a. name of the platb. date of the drawingc. name and address of the engineer, surveyor, or the individual responsible for laying out the short plat. <p>Drawings shall include the name and address of the owner(s) of record of the affected lots.</p> <p>A vicinity map drawn to a scale of 4" = 1 mile of sufficient detail to orient the location of the original tract.</p> <p>The drawing shall show the boundary and dimensions of the "Original Plat" including its bearings and length of all boundary lines, Assessor's parcel numbers, Section, Township and Range, all adjoining public or private roads and identifying names of such.</p> <p>Location and width of access to all platted lots.</p> <p>Space on a second sheet shall be reserved for comments and appropriate signatures.</p> <p>Accurate location and dimensions of all existing structures.</p> <p>Location of all public and/or private utility service lines including but not limited to water, sewer, stormwater, underground/overhead phone/power, natural gas and TV cable.</p>

Distance to the nearest fire hydrant, as measured from the furthest proposed lot corner a butting a roadway, easement, or joint use driveway, etc. All environmentally sensitive areas and their buffers. Topography showing existing and proposed contours at five-foot (5) contour intervals.
5. Title Report no older than 30 days and lot closure report
6. Fee and Deposit

Notice of Application

Once the application has been determined to be complete, city staff will issue a formal notice of application to property owners within 300’ of the property. A fourteen-day public comment period will follow.

Review Process

The complete application is forwarded to the Planning, Natural Resources, Fire, and Public Works departments for review of requested alterations.

Hearing Examiner

Upon completion of staff review, the Community Development Department shall schedule a public hearing before the Hearing Examiner. Notice of the Public Hearing shall be posted at least 14 days prior to hearing. No later than fourteen days following the close of the public hearing, the Hearing Examiner shall issue a written decision.

Appeals

The Hearing Examiner’s decision on a preliminary plat application shall be final city action, unless within fourteen days of the date of the decision an appeal is filed with the Superior Court.

Questions:

Please call the Community Development Department at 360-886-5700 if you have any questions regarding the application form or submittal requirements