

TORRANCE COUNTY  
CLAIM OF EXEMPTION APPLICATION

**Date Received** \_\_\_\_/\_\_\_\_/\_\_\_\_

To claim an exemption from the requirements of the Torrance County Subdivision Ordinance, you must complete this form, sign it before a notary public, and submit it together with (8) legible copies of all required documents to the County Planning and Zoning Coordinator. Planning and Zoning Commission meetings are normally scheduled for the first Tuesday of each month. Be sure to check the appropriate exemption being claimed and attach legible copies of all supporting documents.

If the applicant cannot be present and will be represented by an agent, please notify the Zoning Coordinator. If you cannot be present, the County Zoning Coordinator will notify you in writing within (45) days, or after the next scheduled meeting, as to whether your claim of exemption has been granted. If you do not hear from the County Zoning Coordinator within this period, you may proceed with the land division you proposed without needing to comply with the requirements of the Torrance County Subdivision Regulations. If your claim of exemption is denied, you may either seek subdivision approval or you can appeal the denial as provided in the Torrance County Subdivision Regulations.

**This form must be accompanied by an administrative filing fee of \$200.00, payable to: Torrance County Treasurer.**

I, \_\_\_\_\_, claim an exemption from the requirements of the New Mexico Subdivision Act and the Torrance County Subdivision Regulations. I understand this application must comply with all zoning regulations and certify that this transaction involves:

- \_\_\_\_\_ 1. The sale, lease or other conveyance of a single parcel provided that no tract is smaller than thirty-five acres in size within any twelve (12) month period, provided that the tract has been used primarily and continuously for agricultural purposes, in accordance with Section 7-36-20- NMSA 1987, for the preceding three (3) years.

**ATTACH COPIES OF DEED, NOTICE OF VALUATION FROM THE ASSESSOR'S OFFICE, PREVIOUS SURVEY, CERTIFIED SURVEY SHOWING THE SIZE AND LOCATION OF PARCEL.**

**THE SURVEY NEEDS TO SHOW THE FOLLOWING NOTES:**

- 1. NO FURTHER EXEMPT LAND DIVISION MAY OCCUR ON THESE TRACTS FOR TWELVE MONTHS AFTER RECORDATION.**
- 2. TRACT \_\_\_\_\_ CANNOT BE DIVIDED BELOW THIRTY-FIVE (35) ACRES BY MEANS OF A CLAIM OF EXEMPTION, EXCEPT BY COURT ORDER, TO SECURE A MORTGAGE OR TO DONATE A PARCEL OF LAND.**

\_\_\_\_ 2. The sale or lease of apartments, offices, stores, or similar space within a building.

**ATTACH COPIES OF DEED, PREVIOUS SURVEY, SKETCH PLAN AND ALL PROPOSED SALE OR LEASE DOCUMENTS.**

\_\_\_\_ 3. The division of land within the boundaries of a municipality.

**ATTACH COPIES OF DEED, PREVIOUS SURVEY, CERTIFIED SURVEY SHOWING THE SIZE AND LOCATION OF THE PROPOSED DIVISION.**

\_\_\_\_ 4. The division of land in which only gas, oil, mineral or water rights are severed from the surface ownership of the land.

**ATTACH COPIES OF DEED, PREVIOUS SURVEY, CERTIFIED SURVEY SHOWING THE SIZE AND LOCATION OF THE PROPOSED CONVEYING DOCUMENTS.**

\_\_\_\_ 5. The division of land created by court order where the order creates no more than one (1) parcel per party.

**ATTACH COPIES OF DEED, CERTIFIED COPY OF COURT ORDER, PREVIOUS SURVEY AND A CERTIFIED SURVEY OF THE DIVISION AND CONVEYING DOCUMENTS.**

**THE SURVEY NEEDS TO SHOW THE FOLLOWING NOTE**

**1. THESE LOTS WERE CREATED BY (name of court ordering division), COURT ORDER NO. \_\_\_\_\_, DATED \_\_\_\_\_**

\_\_\_\_ 6. The division of land for grazing or farming activities provided that the land continues to be used for grazing or farming activities and meets the minimum lot size standards.

**ATTACH COPIES OF THE DEED, ALL PROPOSED CONVEYING DOCUMENTS AND DOCUMENTS RESTRICTING FUTURE USE TO GRAZING OR FARMING ACTIVITIES. NO DWELLING UNITS, COMMERCIAL, OR INDUSTRIAL USES SHALL BE ALLOWED ON THE LOTS CREATED IN PERPETUITY. SUCH DOCUMENTS MUST CONTAIN A COVENANT RUNNING WITH THE LAND, AND REVOCABLE ONLY BY MUTUAL CONSENT OF THE PLANNING COMMISSION AND THE PROPERTY OWNER, THAT THE DIVIDED LAND WILL BE USED EXCLUSIVELY FOR GRAZING OR FARMING ACTIVITIES.**

**THE SURVEY NEEDS TO SHOW THE FOLLOWING NOTES:**

- 1. TRACT \_\_\_\_ WAS CREATED FOR GRAZING AND FARMING ACTIVITIES ONLY; NO DWELLINGS OR COMMERCIAL USES ARE PERMITTED.**
- 2. NO FURTHER EXEMPT LAND DIVISION MAY OCCUR UNLESS THE COVENANTS ARE REVOKED BY MUTUAL CONSENT BETWEEN THE PROPERTY OWNER AND THE PLANNING COMMISSION.**

