



## GRAHAM COUNTY PLANNING & ZONING/COMMUNITY DEVELOPMENT

921 Thatcher Boulevard, Safford, AZ 85546

Phone: (928) 428-0410

Fax: (928) 428-8825

### **Graham County Minor Land Division Affidavit Process**

Items **required** for Minor Land Division review:

- Verification by Planning & Zoning of appropriate zoning or an application for rezoning.
- A **completed** and notarized Minor Land Division Affidavit sheet.
- A signed Acting in Concert statement sheet.
- The original deed showing the legal description of the existing parcel.
- A new deed(s) showing a legal description of each proposed parcel, along with any access or utility easements.
- A recorded survey from a licensed surveyor or engineer with dimensions showing existing and future parcel lines, structures, utilities (including septic system, if applicable), fence lines, and all easements.
- Treasurer's Office staff initials on the Minor Land Division Affidavit, verifying that the taxes are currently paid up.

Graham County Planning and Zoning has **10 business days** to review the packet. A comprehensive review of the packet cannot be properly completed at the time of receipt. Any incomplete packets will not be accepted.

### **Definition and Regulations of a Minor Land Division Affidavit**

When a parcel of land is split (into a maximum of 5 splits) the final product, or any part thereof, being under 36 acres, a Graham County Minor Land Division Affidavit must be applied for and reviewed by the Planning and Zoning Department. With the approval of the Planning and Zoning Department, all information received then will need to be recorded with the Graham County Recorder's Office at the applicant's expense.

The Graham County Planning and Zoning Regulations are found in the Planning and Zoning Ordinance in Article 5.13, page 130-132, which can be found on the Graham County website: [www.graham.az.gov](http://www.graham.az.gov) or by contacting the Planning and Zoning department at (928) 428-0410. For reference of the law that pertains to the Minor Land Division process see the Arizona Revised Statutes, A.R.S. 11-831. You may review these items to familiarize yourself with the process. If you feel we are in error and would like to speak to the state concerning questions you have, you can contact Arizona Department of Real Estate at (602) 468-1414 ext. 500.

### **Definition of Acting in Concert Statement Sheet**

It shall be unlawful for a person or group of persons, acting in concert, to attempt to avoid the provisions of the subdivision laws of this state by dividing a parcel of land into 6 or more lots or sell or lease 6 lots by using a series of owners or conveyances. This prohibition may be enforced by any county where the division occurred or by the Arizona State Real Estate Department pursuant to Title 32, Chapter 20. According to the Arizona State Real Estate Department, a person or group of persons may include friends, relatives, in-laws, business partners, etc.



# GRAHAM COUNTY MINOR LAND DIVISION AFFIDAVIT



You are required by the Graham County Zoning Ordinance to complete this affidavit when you split a parcel of land into two (2) to five (5) new parcels. This affidavit applies only to parcels in the unincorporated areas of Graham County. You must fill out an affidavit identifying the new parcels being created; then return this form to the Planning Department for review. **THIS COMPLETED FORM MUST BE RECORDED WITH THE NEW DEED AND THE MAP AT THE GRAHAM COUNTY RECORDER'S OFFICE.**

**ORIGINAL PARCEL BEING SPLIT:**

Assessors Parcel Number (APN) \_\_\_\_\_. What zone is the ORIGINAL PARCEL? \_\_\_\_\_.

Size of ORIGINAL PARCEL (sq. ft. or acreage) \_\_\_\_\_. Total number of new PARCELS created \_\_\_\_\_.  
(5 maximum parcels can be created, including the original parcel)

*Survey must show any existing structures, utilities such as any wells, septic systems, service lines and their relationship to the proposed parcels being created.*

**PROPERTY TAXES MUST BE PAID IN FULL BEFORE A PARCEL CAN BE SPLIT.**

Are property taxes paid in full on this parcel? Yes  No  **Treasurer's Staff Initials** \_\_\_\_\_

**LEGAL ACCESS TO NEW PARCEL:**

Each NEW PARCEL must have Legal Access, OR the Lack of Legal Access must be noted on the Deed.

Does this NEW PARCEL have Legal Access? Yes  No

If yes, is the Legal Access a: Public Dedication (street, roadways)  Public Easement  Private Easement

If no, has the Legal Access been shown on the deed? Yes  No

**ZONING FOR NEW PARCEL:**

Each NEW PARCEL must meet *minimum county zoning requirements such as size, use of property, etc.*, with any deficiencies being noted on the Deed. For zoning questions, contact P & Z staff at (928) 428-0410.

Do NEW PARCELS meet minimum size requirements of County Zoning regulations? Yes  No

If no, has deficiency of zoning size requirement been shown on Deed? Yes  No

**Review by Planning Office: Approved** \_\_\_\_ **Denied** \_\_\_\_ **Date:** \_\_\_\_\_ **Staff Initials:** \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name and address of contact: \_\_\_\_\_  
\_\_\_\_\_

City, State, Zip \_\_\_\_\_ Phone Number: \_\_\_\_\_

**VERIFICATION AND ACKNOWLEDGEMENT:**

We, the owner(s) of the parcel being split as described above, hereby certify under oath that the information set forth above is true and correct. We (I) assume all liability for accuracy of property lines.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature of Owner

**State of Arizona**  
**County of Graham**

\_\_\_\_\_  
Signature of Owner

Acknowledged by: \_\_\_\_\_ before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

My Commission will expire: \_\_\_\_\_

\_\_\_\_\_  
Notary Public



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Will Wright

COMMUNITY DEVELOPMENT DIRECTOR

MINOR LAND DIVISION  
“ACTING IN CONCERT” STATEMENT

I, \_\_\_\_\_ acknowledge by signing this statement that I am not “**Acting in Concert**” with any person or group of persons to attempt to avoid the provisions of the subdivision laws of the State of Arizona to divided a parcel of land or sell illegal subdivision lots by using a series of owners or conveyances or by any other method which ultimately results in the division of the lands into an illegal subdivision or the sale of an illegal subdivision or the sale of illegally subdivided lots.

“**Acting in Concert**” means evidence of collaborating to pursue a concerted plan.

Persons “**Acting in Concert**” include but are not limited to, business partners, relatives, etc.

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Signature

Date

Penalty is \$1000 per infraction from the Arizona Department of Real Estate – State of Arizona Revised Statute 32-2185.09.