



City of Elephant Butte – Land Use Department  
PO Box 1080  
Elephant Butte, NM 87935  
575.744.4892

Date: \_\_\_\_\_

Rec. By: \_\_\_\_\_

## REQUEST FOR VACATION OF LOT LINE (S)

Note: This process is appropriate **ONLY** when there is no easement of record along the lot line(s) to be vacated. It will only vacate the Lot Line **NOT** the easement along the lot line and you will not be able to build where the lot line was located or the easement still remaining. If you would like to vacate both then you will need the Alternate Summary Re-Plat Procedure.

1. **DOCUMENTS** - Property owner submits to the Land Use Department:
  - a. Completed Request for Vacation of Lot Line
  - b. Completed General Land Use Application
  - c. Copy of Subdivision Plat
  - d. Survey signed by licensed NM Surveyor – *This must be a new survey showing the proposed lots together as one lot. City Approval signatures on the survey should be "City Manager" and "Land Use Administrator".*
  - e. Proof of Ownership of all lots involved.
2. **REVIEW** - The Land Use Department reviews submittal. Applications that are incomplete or irregular will be sent back to the applicant for further information. Denials by the Land Use Department may be appealed to the City of Elephant Butte Zoning Commission.
3. **APPROVAL** – The Land Use Administrator will supply the applicant with a signed affidavit which is to be recorded with the Sierra County Clerk's Office for official record along with the new survey. A copy of the recording is to be submitted back to the Land Use Department for proof of recording/completion. Vacation of Lot Line Requests are an Administrative Approval and do not require a hearing unless it is appealed.
4. **DISCLOSURE STATEMENT**
  - a. A Vacation of Lot Line Request is irreversible. Once the lots are legally merged into one legal property they cannot be split in the future.
  - b. Any legal easements within the Vacation of Lot Line are **NOT** vacated with this request.
  - c. If any or all lots involved are mortgaged, a letter of approval must be obtained prior to the approval of the Vacation of Lot Line Request.
  - d. The applicant is responsible for the recording and filing fees with the Sierra County Clerk's Office. Each document is subject to the recording fees of the Sierra County Clerk's Office.

Applicant has read and understands the disclosures described to them above:

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Property Owner / Applicant

Date Signed



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Case \_\_\_\_\_

Assigned By: \_\_\_\_\_

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Property Owner's Name(s): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Subdivision: \_\_\_\_\_ Unit: \_\_\_\_\_ Block: \_\_\_\_\_ Lots: \_\_\_\_\_

Physical Address (Street Address): \_\_\_\_\_

- \_\_\_\_ Completed General Land Use Application
- \_\_\_\_ Attached is a Subdivision Plat Map with the lots involved highlighted.
- \_\_\_\_ Attached is a Survey signed by a licensed NM Surveyor.
- \_\_\_\_ Attached Proof of Ownership — Warranty Deed will serve as proof of ownership.

*\*\*\*Request for tax release shall be obtained from the Land Use Administrator upon preliminary approval of the Request for Vacation of Lot Line.*

\_\_\_\_ Take Tax Release Request to the Sierra County Treasurer for tax payment in full on all lots involved in the Vacation of Lot Line Request. Tax release shall be returned to the Land Use Administrator after the taxes are paid and the Sierra County Assessor signs off on it. Please provide a copy of the tax receipt as well.

I (we) the undersigned owners of the property described below request that the common lot line(s) be vacated that the adjacent lots become combined into one lot. There are no easements of record along the lot lines(s) that we are requesting to be vacated. I have read and understand the disclosures the City provided.

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

\_\_\_\_\_  
Signature of Co-Owner

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
Date Signed



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*Applicant(s),*

*The City of Elephant Butte Land Use Department thanks you for your submission of this Vacation of Lot Line Request. A member of the Land Use Department will be in contact with you within two business days.*

*Thank you,  
Land Use Department Staff*

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**Land Use Department to Complete**

City Staff Recommendation of Case \_\_\_\_\_:

\_\_\_\_ Approved  
\_\_\_\_ Approved with Conditions \_\_\_\_\_  
\_\_\_\_ Denied \_\_\_\_\_

\_\_\_\_\_  
Land Use Administrator

\_\_\_\_\_  
City Manager