



City of Wheat Ridge Municipal Building 7500 W. 29th Ave. Wheat Ridge, CO 80033-8001 P: 303.235.2846 F: 303.235.2857

NOTICE TO MINERAL ESTATE OWNERS

APPLICANTS: You must submit this completed form to the Community Development Department no later than **ten (10) days before** the public hearing on your application. Failure to complete and submit this Certification of Notice shall constitute sufficient grounds to reschedule your public hearing.

I, _____, as _____ of/with _____
(Print name) (Position/Job Title) (Entity applying for permit/approval)

(hereinafter, referred to as the "Applicant"), do hereby certify that notice of the application for

_____, set for public hearing on _____,
(Describe type of application)

_____, 20__, has been sent to all mineral estate owners at least thirty (30) days

before the public hearing, as required by § 24-65.5-103(1), C.R.S., or, in the alternative, that the records

of the Jefferson County Clerk and Recorder do not identify any mineral estate owners of any portion

of the property subject to the above referenced application.

—OR—

Check here if there are no mineral estate owners of any portion of the subject property.

I hereby further certify that I am authorized by the Applicant to make representations contained herein and act as the Applicant's agent for purposes of this Certificate of Notice and bind the Applicant to these representations by my signature below.

Dated this _____ day of _____, 20__,

By: _____



Memorandum

TO: Potential Land Use Applicants

FROM: Ken Johnstone, Community Development Director

DATE: October 16, 2012

SUBJECT: Notification of Surface Development (C.R.S. §31-23-215 and §24-65.5)

In 2001, the Colorado Revised Statutes were amended to include an Article which addresses mineral rights in respect to land use applications. This Article states that any application for development must be accompanied by a completed notification to mineral estate owners. For the purposes of this requirement, an application for development includes any application which requires non-administrative approval from Planning Commission or City Council, including:

- A Final Subdivision Plat
- A Rezoning (including Planned Developments)
- A Special Use Permit (if City Council approval is required)

Building Permit applications are not considered an application for development, therefore mineral estate owners do not need to be noticed.

A Certificate of Notice is attached, and must be completed and returned to the Community Development Department no later than ten (10) days prior to each public hearing. Both Planning Commission and City Council hearings must be noticed. It is the responsibility of the applicant, not the City, to notify any mineral estate owners prior to public hearing. Failure to notice will constitute sufficient grounds to reschedule the public hearing.

If there are no mineral estate owners, the appropriate box on the certification can be checked and the certification can be submitted with the development application.