CHAPTER 33.636
TRACTS AND EASEMENTS

(Added by: Ord. Nos. 175965 and 176333, effective 7/1/02. Amended by: Ord. No. 178657, effective 9/3/04.)

Sections:

33.636.100 Requirements for Tracts and Easements

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A. Ownership of tracts. Tracts must be owned as follows unless otherwise specified in this Title or the land use decision:

1. The owners of property served by the tract, or by any other individual or group of people. When the tract is owned by more than one person it must be held in common with an undivided interest;

2. The Homeowners' Association for the area served by the tract;

3. A public or private non-profit organization; or

4. The City or other jurisdiction.

B. Maintenance agreement. The applicant must record with the County Recorder a maintenance agreement that commits the owners or owners' designee to maintain all elements of the tract or easement; however, facilities within the tract or easement that will be maintained by a specified City agency may be recorded in a separate maintenance agreement. The maintenance agreement must be approved by BDS and the City Attorney in advance of Final Plat approval and must be submitted to the County Recorder to be recorded with the Final Plat. For a Planned Development not done in conjunction with a land division, the maintenance agreement must be submitted to the County Recorder to be recorded prior to issuance of the first building permit related to the development.