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[www.frederickco.gov](http://www.frederickco.gov)

## Applicant's Mineral Rights Certification of Compliance with Article 65.5 of Title 24, Colorado Revised Statutes

### Note to Applicant & Planning Department:

This form must be completed for any application for development under the Town of Frederick Land Use Code that is (1) required by Appendix A of the Code, and (2) requires a public hearing before the Planning Commission or Board of Trustees. ("a Subject Application").

- I. The Applicant must complete the following certification as a prerequisite to the Planning Department accepting as complete any Subject Application that is tendered for processing to the Planning Department:

I, \_\_\_\_\_, Applicant for the following named development under the Town of Frederick Land Use Code \_\_\_\_\_ ("the proposed Development"), hereby certify that I or my agent have examined the records in the Office of the Weld County Clerk and Recorder to determine if any owners or lessees of any severed mineral estate in the property that is the subject of the Proposed Development ("the Subject Property") (i.e., owners or lessees of mineral rights constituting less than full fee title in the Subject Property) can be identified, as required by Article 65.5 of Title 24, Colorado Revised Statutes ("the Act"). Further, based on this examination, I have determined that (check applicable entry):

- No such mineral estate owners or lessees exist in the Subject Property.
- Mineral estate owners or lessees exist in the Subject Property to whom notice of the Town's initial public hearing on my application will need to be sent as required by the Act.

### Certification:

I certify that the information and exhibits I have submitted are true and correct to the best of my knowledge.

<b>Applicant Signature:</b>	<b>Applicant Name:</b>	<b>Date:</b>
<b>Applicant Signature:</b>	<b>Applicant Name:</b>	<b>Date:</b>

**Note:** The same person(s) signing the development/ docket application form on behalf of the Applicant must also sign the foregoing certification.

**II. If the Applicant has certified above that mineral estate owners or lessees exist in the Subject Property to whom notice of the Town’s initial public hearing on the Subject Application will need to be sent as required by Article 65.5 of Title 24, Colorado Revised Statutes, then the Applicant must complete the following additional certification as a prerequisite to the Planning Department proceeding with the initial public hearing on the Subject Application:**

I, \_\_\_\_\_, Applicant for the following named development under the Town of Frederick Land Use Code \_\_\_\_\_ (“the Proposed Development”), hereby certify that I or my agent has sent a notice, by first-class mail, not less than thirty days before the date scheduled for the initial public hearing on the Subject Application/Proposed Development, to: (1) all mineral estate owners or lessees in the Subject Property, containing the time and place of the initial public hearing, the nature of the hearing, the location of the Subject Property, and the name of the Applicant, and (2) the Town, containing the name and address of all mineral estate owners or lessees in the Subject Property, all as required by the Act. I further acknowledge and agree that while the Town has no obligation whatsoever to check or independently determine my compliance with the Act, to the extent information becomes known to the Town indicating that I have failed to comply with the public hearing notice requirement of the Act, the Town may, in its discretion, refuse to set, continue, reschedule, or vacate any public hearing on the Subject Application to enable proper notice to mineral estate owners or lessees under the Act, and may take such other action regarding any approval of the Subject Application as authorized by the Act. I further acknowledge and agree that to the extent any other state statute or provision of the Town’s Land Use Code purport to entitle me to action or a decision on the Subject Application within a designated period of time, this certification and agreement constitute a written waiver of any such entitlement to the extent necessary for me to comply with the public hearing notice requirements of the Act.

**Certification:**

I certify that the information and exhibits I have submitted are true and correct to the best of my knowledge.

<b>Applicant Signature:</b>	<b>Applicant Name:</b>	<b>Date:</b>
<b>Applicant Signature:</b>	<b>Applicant Name:</b>	<b>Date:</b>

**Note:** The same person(s) signing the development/ docket application form on behalf of the Applicant must also sign the foregoing certification.