A Tradition of Stewardship
A Commitment to Service

Expedited Certificate of Compliance Application

Surveying Services Division
1195 Third Street, Suite 101
Napa, CA 94559-3082
(707) 253-4351

Applicant Information:

Name (First and Last and/or Company Name)

Relationship to Property Owner

Mailing Address

Phone Number

City

State

Zip

E-mail Address

Situs Address of Subject Parcel(s) *(if any)*

Property Owner(s) Information with MAILING ADDRESS (if different from applicant):

Name (First and Last and/or Company Name)

Mailing Address

Phone Number

City

State

Zip

E-mail Address

Additional Information:

Napa County Assessor Parcel Number(s)

If the application parcel comprises a portion of a single assessed parcel or covers several contiguous assessed parcels, please state N.C.A. P.'s affected.

Application Fee Received $463.40
Application Fee if processed concurrent with a Lot Line Adjustment: $325.40 (no recording)

Check Number:

DPW Receipt/Application File Number:

I certify that all the information contained in this application is complete and accurate to the best of my knowledge. I hereby authorize such investigations including access to County Assessor Records as are deemed necessary by the Department of Public Works for preparation of reports related to this application, including the right of access to the property involved.

Signature of Property Owner:

Signature of Applicant:

Date:

EXPEDITED CERTIFICATE OF COMPLIANCE GENERAL APPLICATION REQUIREMENTS

* Application fee of $463.40 (325.40 if processed concurrent with a Lot Line Adjustment application)

A. If the Expedited Certificate is sought to recognize a parcel for which a ***permit to construct a residence or other primary structure*** has been issued by the Planning Building and Environmental Services Department, or its predecessor, or a parcel that has been improved with a residence or other primary structure, but, at the time of improvement, a building permit or other grant of approval was not required prior to constructing the improvement , the following must be submitted:

1. A guarantee issued to the owner and naming the County of Napa as an additional insured/assured, in an amount no less than $25,000 and executed by an authorized signatory of a title company licensed to do business in the State of California, identifying the parcel by way of the current Napa County Assessor parcel number (APN), providing the legal description of the parcel, and guaranteeing the date the parcel was created of record, the manner of creation of record (deed, map, record of survey, tax sale, court order, etc.), and verifying that in the official records of the County Recorder the parcel has maintained the same configuration from the date of such creation through the date of issuance of the guarantee document;

   This guarantee must show that the present description of the parcel is the same as the description appearing in the recorded deed which existed either: (a) at the time the permit to construct the residence or other primary structure was issued or (b) since the time the improvement not requiring a building permit or other grant of approval was constructed.

2. An affidavit signed by the owner of record declaring, under penalty of perjury, that the parcel has not been conveyed since the date of issuance of the guarantee document described above.

3. A certified copy of the permit to build the residence or other primary structure on the parcel or, if the development predated the permit process, the appropriate Assessor's records showing the approximate date of construction of the structure or residence.

4. A certified copy of the current vesting deed or instrument.

5. A certified copy of that deed which last transferred ownership of the property prior to the issuance of the building permit or the deed that transferred ownership of the property immediately prior to the building of the residence or structure, if the residence or structure was built prior to that time that a building permit was necessary.

6. An indemnification agreement signed by the applicant and owner.

OR:

B. If the Expedited Certificate is sought to recognize a parcel of real property for which a ***Certificate of Legal Non-Conformity*** recognizing the legal non-conforming status of a residence or other primary structure has been issued by the Planning Building and Environmental Services Department, or its predecessor, the following must be submitted:

1. A guarantee issued to the owner and naming the County of Napa as an additional insured/assured, in an amount no less than $25,000 and executed by an authorized signatory of a title company licensed to do business in the State of California, identifying the parcel by way of the current Napa County Assessor parcel number (APN), providing the legal description of the parcel, and guaranteeing the date the parcel was created of record, the manner of creation of record (deed, map, record of survey, tax sale, court order, etc.), and verifying that in the official records of the County Recorder the parcel has maintained the same configuration from the date of such creation through the date of issuance of the guarantee document;

This guarantee must show that the present description or configuration of the parcel is the same as the description appearing in the recorded deed which existed at the time the Certificate of Legal Non-Conformity was issued.

2. An affidavit signed by the owner of record declaring, under penalty of perjury, that the parcel has not been conveyed since the date of issuance of the guarantee document described above.

3. A Certified copy of the Certificate of Legal Nonconformity issued under Chapter 18.132 recognizing the legal nonconforming status of a residence or other primary structure on the parcel.

4. A certified copy of the current vesting deed or instrument.

5. A certified copy of that deed which last transferred ownership of the property prior to issuance of the Certificate of Legal Nonconformity.

6. An indemnification agreement signed by the applicant and owner.

OR:

C. If the date of creation of the parcel for which an Expedited Certificate is sought ***predates the date the Subdivision Map Act, any predecessor statutes, or any ordinance of the county adopted pursuant thereto,*** requiring approval and recordation of a parcel map, final map, or a record of survey approved by the Planning Commission, for the creation of the type and size of the parcel involved, the following must be submitted:

1. A guarantee issued to the owner and naming the County of Napa as an additional insured/assured, in an amount no less than $25,000 and executed by an authorized signatory of a title company licensed to do business in the State of California, identifying the parcel by way of the current Napa County Assessor parcel number (APN), providing the legal description of the parcel, and guaranteeing the date the parcel was created of record, the manner of creation of record (deed, map, record of survey, tax sale, court order, etc.), and verifying that in the official records of the County Recorder the parcel has maintained the same configuration from the date of such creation through the date of such creation through the date of issuance of the guarantee document;

2. An affidavit signed by the owner of record declaring, under penalty of perjury, that the parcel has not been conveyed since the date of issuance of the guarantee document described above.

3. A certified copy of the current vesting deed or instrument.

4. A certified copy of that deed claimed by the applicant to have first separated the parcel from all contiguous property.

5. An indemnification agreement signed by the applicant and owner.

INDEMNIFICATION AGREEMENT

Pursuant to Chapter 1.30 of the Napa County Code and state law, as part of the application for a discretionary or ministerial land use approval for the application identified below, Applicant agrees to defend, indemnify, release and hold harmless Napa County, its agents, officers, attorneys, employees, departments, boards and commissions (hereafter collectively "County") from any claim, action or proceeding (hereafter collectively "proceeding") brought against County, the purpose of which is to attack, set aside, void or annul the application approval of the County, or an action relating to this application required by any such proceeding to be taken to comply with the California Environmental Quality Act by County, or both. This indemnification shall include, but not be limited to damages awarded against the County, if any, and cost of suit, attorneys' fees, and other liabilities and expenses incurred in connection with such proceeding that relate to the application approval or an action related to this project taken to comply with CEQA whether incurred by the Applicant, the County, and/ or the parties initiating or bringing such proceeding. Applicant further agrees to indemnify the County for all of County's costs, attorneys' fees, and damages, which the County incurs in enforcing this indemnification agreement.

Applicant further agrees, as a condition of application approval, to defend, indemnify and hold harmless the County for all costs incurred in additional investigation of or study of, or for supplementing, redrafting, revising, or amending any document (such as an EIR, negative declaration, specific plan, or general plan amendment) if made necessary by said proceeding and if the Applicant desires to pursue securing approvals which are conditioned on the approval of such documents.

In the event any such proceeding is brought, County shall promptly notify the Applicant of the proceeding, and County shall cooperate fully in the defense. If County fails to promptly notify the Applicant of the proceeding, or if County fails to cooperate fully in the defense, the Applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the County. The County shall retain the right to participate in the defense of the proceeding if it bears its own attorneys' fees and costs, and defends the action in good faith. The Applicant shall not be required to pay or perform any settlement unless the settlement is approved by the Applicant.

Applicant

Property Owner (if other than Applicant)

Date

Application Identification (to be filled in by Public Works)

AFFIDAVIT OF OWNER

I, _____, declare as follows:

1. I am the owner of record title to that certain property commonly known as _____, identified by the Napa County Assessor as Assessor's Parcel Number _____, and more particularly described in the attached Exhibit "A" ("the Property").

2. The deed conveying title to the Property from _____ to me was recorded _____ , as _____.

3. The Date of Guarantee for Guarantee No. _____, issued by _____ pursuant to my application for an Expedited Certificate of Compliance, is _____.

4. The Property has not been conveyed since the Date of Guarantee.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this _____ day of _____, 20__ in _____, _____.

_____

Signature of Owner

Print Form