

APPENDIX 17: AFFIDAVIT OF EXEMPTION FOR SALE OR TRANSFER OF REAL ESTATE

STATE OF WYOMING)

) §

COUNTY OF CAMPBELL)

The undersigned seller or transferor of real property hereby swears upon oath that the following facts are true and correct:

1. I have personal knowledge of the facts contained herein and have the authority to execute this document either as the seller or transferor of real property at issue or as an agent on behalf of the seller or transferor.
2. This affidavit concerns an interest in real property located in Campbell County, Wyoming and more particularly described as follows:
3. Attached hereto is a true and correct copy of the instrument conveying title to the seller or transferor of the above referenced real property.
4. This subdivision of land or sale of land is exempt from the subdivision laws of the State of Wyoming and Campbell County Subdivision Regulations as it meets one or more of the following exemptions (check all that apply):

- ☐ The subdivision of land was made outside of a platted subdivision for the purpose of a single gift or sale to a member of the landowner's immediate family, subject to the following requirements:
- A. A member of the immediate family is limited to any person who is a natural or adopted child, stepchild, spouse, sibling, grandchild, grandparent or parent of the landowner; and
 - B. The purpose of the division is to provide for the housing, business or agricultural needs of the grantee; and
 - C. The land shall have been titled in the name of the grantor, or in the name of a trust controlled by the grantor, for a combined period prior to the division of not less than five (5) years for land titled before February 27, 2019, or ten (10) years for land titled on or after February 27, 2019. Parcels created under this paragraph shall be titled in the name of the immediate family member for whom the division is made for a period of not less than five (5) years, or for not less than one (1) year if the parcel was created before February 27, 2019, unless the parcels are subject to involuntary transfer including, but not limited to, foreclosure, death, judicial sale, condemnation or bankruptcy.
 - D. No parcel smaller than 5 acres created under this exemption shall be further divided unless the owner obtains a proper subdivision permit pursuant to W.S. § 18-5-304.
 - E. If the landowner is a corporation, the undersigned certifies that at least 80% of the shares are held by individuals related by blood or marriage and the transfer is being made to an immediate family member of a shareholder as

defined above who has owned at least 5% of the outstanding shares for at least 5 years continuously before the date of sale.

F. This gift or sale is being made to _____, as Grantee, whose relationship to the seller or transferor is _____.

- ☐ The division of land was or may be created by any court in the State of Wyoming pursuant to the law of eminent domain, by operation of law or by order of any court in this State.
 - ☐ Is created by a lien, mortgage, deed of trust or any other security instrument, easements and rights-of-way.
 - ☐ Concerns lands located within incorporated cities or towns.
 - ☐ Is created by the sale or other disposition of land to the State of Wyoming or any political subdivision thereof and the political subdivision is _____.
 - ☐ The division of land affects railroad rights-of-way.
 - ☐ The division of land is a sale or other disposition of land solely for agricultural purposes or affects the alignment of property lines for agricultural purposes.
 - ☐ The division of land was created by boundary line adjustments where the parcel subject of the sale or other disposition is adjacent to and merged with other land owned by the grantee.
 - ☐ The division of land which creates cemetery lots.
 - ☐ The division of land is created by the acquisition of an interest in land in the name of the husband and wife or other persons in joint tenancy or as tenants in common, and the interest shall be deemed for purposes of this section as only one (1) interest.
 - ☐ The division of land is created by a parcel 5 acres or less for the purpose of establishing unmanned communication facilities, compressor stations, metering stations, fiber optic booster stations or similar unmanned facilities.
 - ☐ The division of land was created where the parcel involved was 35 acres or larger, does not lie within the Joint Development Review Area Agreement between Campbell County and the City of Gillette, and meets the following requirements:
 - A. Ingress and egress and utility easements are provided to the parcel by binding and recordable easements of not less than 40 feet nor more than 60feet in width to a public road; or
 - B. The Buyer, Grantee or Transferee, in a binding and recordable document, specifically waives the above.
5. The undersigned has read and understands that if the division of land does not meet one or more of the above exemptions, they are required to apply for a subdivision permit from Campbell County in accordance with the Campbell County Subdivision Regulations before the land is subdivided, advertised for sale or commence the physical layout or construction of the subdivision.
6. The undersigned has read and understands that Wyoming Statute §18-5-314 provides:

“Any person who willfully violates any provision of this article or any rule or order issued under this article and any person who as an agent for a subdivider, developer or owner of subdivided land offers for sale any subdivided land or subdivisions without first complying with the provisions of this article shall upon conviction be fined not more than \$500.00 or imprisoned in a county jail for not more than 30 days or both. Each day of violation constitutes a new offense.”

Dated this _____ day of _____, 20____.

UNDER PENALTY OF PERJURY, THE UNDERSIGNED EXECUTES THIS AFFIDAVIT.

Signature: _____ Signature: _____

Printed Name: _____ Printed Name: _____

ACKNOWLEDGMENT

Subscribed and sworn to before me on this _____ day of _____, 20____,
by _____.

Witness my hand and official seal.

Notary Public

My commission expires: