

County of Montgomery
Affidavit for Family Exempt Subdivisions

I, _____, whose current address is _____
 _____ do hereby certify that the subdivision of property under my ownership identified as Tax Map Number _____ and Parcel ID Number _____ in the _____ Magisterial District is a Family Subdivision as defined by Section 8-112(b) of the Montgomery County Code and Section 15.2-2244 of the Code of Virginia for the purpose of exemption from the Montgomery County Subdivision Ordinance and must be recorded in the name of a member of the immediate family to qualify (natural or legally defined as offspring, stepchild, spouse, sibling, grandchild, grandparent, or parent). Those family members identified to receive the lots subdivided in this manner are:

	Immediate Family Member (grantee)	Relation to Owner
Lot 1:		
Lot 2:		
Lot 3:		
Lot 4:		
Lot 5:		

I, _____ (Grantor/Owner) after being duly sworn, deposed and said the following, hereby certify these items to be true:

1. That the Grantor/Owner is the true and rightful owner of that certain real estate situate in the County of Montgomery, Virginia as noted above; and
2. That a plat has been submitted by the Affiant for a proposed subdivision of said real estate and that the parcel(s) platted by the above referenced plat will only be transferred to an immediate family member as defined by Section 8-112(b) of the Montgomery County Code. This subdivision is commonly known as "Family Exempt Subdivision"; and
3. That the proposed Grantee is a qualifying legal family member as stated above; and
4. That I have not previously given this family member another parcel within the County of Montgomery using the Family Exempt Subdivision provisions; and
5. That this transfer of property is for the purpose of keeping family estates within the immediate family, and passing real property from one generation to another, not for the purpose of circumventing the subdivision requirements for short term investment; and
6. That lots created under Section 8-112(b) shall be titled in the name(s) of the immediate family member for whom the subdivision is made and shall not be transferred for a period of no less than three years unless such lots are subject to an involuntary transfer as defined per the Montgomery County Code.
7. That I, as the subdivider, shall place a restrictive covenant on the lots created by the Family Exempt Subdivision prohibiting the transfer of lots so created to a person who is not a member of the immediate family for a three (3) year retention period. In the case of an involuntary transfer as defined in Section 8-112(b) during the three year retention period, it shall be recombined with the parent lot within six (6) months and no building permits shall be issued until the lots are recombined.

Grantor (Owner)

State of Virginia, County of Montgomery

To Wit:

I, _____, a Notary Public in the City and State aforesaid do hereby certify that the person(s) whose name(s) signed to the above writing bearing date on the _____ day of 20__ has acknowledged before me in my City and State Aforesaid.

Given under my hand this _____ day of _____, 20_____

My commission expires: _____

Notary Public

I, _____ (Grantee) hereby certify that I have read the above items and agree to the terms of the family subdivision:

Grantee (Recipient)

State of Virginia, County of Montgomery

To Wit:

I, _____, a Notary Public in the City and State aforesaid do hereby certify that the person(s) whose name(s) signed to the above writing bearing date on the _____ day of 20__ has acknowledged before me in my City and State Aforesaid.

Given under my hand this _____ day of _____, 20_____

My commission expires: _____

Notary Public