

Bill No. CS for SB 2548

Amendment No. \_\_\_\_ Barcode 023136

CHAMBER ACTION

Senate

House

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Senator Bennett moved the following amendment:

**Senate Amendment**

On page 25, lines 4-31, delete those lines

and insert:

1. The plat of the subdivision was recorded as provided by law, or approved pursuant to law but not recorded, not less than 25 years before the date of such action; and

2. In the subdivision or a portion of the subdivision, not more than 20 percent of the total subdivision area has been built into the uses of the subdivision's zoned or land use purposes.

(b) The governing body of a local government may not order the assembly or adjustment of all or part of a subdivision if 30 percent or more of the lands are in single ownership and that owner does not consent to such assembly or adjustment

(c) Any persons or entities, other than the local governing body, pursuing reassembly of a parcel pursuant to this section must demonstrate that the persons or entities

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1 making application for such vacation own the fee simple title  
2 to at least 60 percent of the subdivision or portion of the  
3 tract covered by the plat sought to be vacated and must  
4 demonstrate that the vacation will not affect the ownership or  
5 right of convenient access of persons owning other parts of  
6 the subdivision.

7       (d) Such action shall be based on a finding by the  
8 governing body that the proposed assembly or adjustment, or  
9 vacation and reversion to acreage of subdivided land, conforms  
10 to the comprehensive plan of the area and that the public  
11 health, safety, economy, comfort, order, convenience, and  
12 welfare will be promoted.

13       (e) A county governing authority shall establish  
14 provisions for the fair and just compensation of any fee  
15 simple owner of platted lands within the tract covered by the  
16 application for vacation and reversion to acreage who, for  
17 whatever reason, has refused to participate in the  
18 application.

19       (f) Notwithstanding any provision of this section,  
20 this section does not apply to those subdivisions that are  
21 approved or recorded again no later than 6 months from the  
22 effective date of this act.

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