

CITY OF LOMPOC
Engineering Division
Lot Line Adjustment Requirements



November 2007

What is a Lot Line Adjustment?

A Lot Line Adjustment is a process by which land is taken from one parcel of land and added to an adjacent parcel, whereby a greater number of parcels than originally existed is not created.

The Adjustment Process

Application for a Lot Line Adjustment begins with an application to the Planning Division. Approval of the Lot Line Adjustment by the Planning Commission is required before the City of Lompoc Engineering Division can accept the documents effectuating the Lot Line Adjustment for technical review. The following pages will provide a checklist, procedural explanation, and sample forms of the required material to be submitted to the Engineering Division for review and approval. Should you have any questions regarding the preparation of the documents, please call 875-8280 for assistance.

Lot Line Adjustment Checklist

Items For Engineering Division Technical Review & Approval
(Submit After Planning Commission's Approval of Lot Line Adjustment)

- ___ Deed
 - a) Civil Code 1093 clause on face of Deed
 - b) Acknowledgement (Notary Statement)
 - c) Exhibit A (Legal description of property being conveyed)
 - d) Exhibit B (Sketch of legal description in Exhibit A)

- ___ Partial Reconveyance

- ___ Modified of Trust

- ___ Owner's Certificate and Certificate of Holder's of Record Title Interest
 - a) Acknowledgement (Notary Statement)

- ___ Notice Document (if applicable)

- ___ Processing Deposit (refundable deposit of \$1000.00 collected with application)

- ___ Title Report (current within 90 days of the application)

- ___ Recordation Fees (check made payable to County Recorder, \$7.00 for first page, \$3.00 for each additional page – verify current fees)

- ___ Written verification from the County Clerk of the Board that property taxes have been paid or a bond has been posted

Lot Line Adjustment

Deeds

As defined by Section 66412(d) of the State Government Code (Subdivision Map Act), a Lot Line Adjustment shall be reflected in a deed. Therefore, a deed is the vehicle by which land is transferred from one parcel of land to an adjacent parcel. Pursuant to the direction of Santa Barbara County Counsel, a statement reflecting the purpose of the deed with respect to Civil Code 1093 will be placed on the face of the deed. The applicable statements are as follows:

When the legal description accompanying the deed is describing only that portion of real property to be conveyed, then place the following language on the face of the deed:

“This deed arises from Lot Line Adjustment (Case number such as 05-LLA00000-000XX) and is not intended to create a single legal parcel within the meaning of Civil Code 1093. The property conveyed in this deed shall merge into a single legal parcel with that property previously conveyed to the Grantee recorded _____ as Instrument No. _____ Official Records.”

When the legal description accompanying the deed is describing the combined parcels in their new configuration, then place the following language on the face of the deed:

“This deed arises from Lot Line Adjustment (Case number such as 05-LLA00000-000XX) and is intended to create a single legal parcel within the meaning of Civil Code 1093.”

Pursuant to Section 313 of the California Corporations Code two signatures, one from each of the two signatory groups, are required by any corporation holding record title ownership or interest in the property being adjusted. The following is a list of the two signatory groups:

Group One

Chairman of the board
President
Vice President

Group Two

Secretary
Assistant Secretary
Chief Financial Officer
Assistant Treasurer

Legal Description (Exhibit A of Deed)

When a new legal description is composed, it shall be authored by a Licensed Land Surveyor in accordance with Section 8726 and signed and sealed in accordance with Section 8761, both of the Business and Professions Code. Mathematical data used to describe the portion of real property being described shall be recited from record data only, the exception being the newly adjusted line, which shall be calculated from record data. Field measured data should not be used. The possibility of the creation of gaps or overlaps will be greatly limited by using previously recorded boundary data versus field-measured data.

Partial Reconveyance

A Partial Reconveyance document is required when a release of a portion of the land described in an existing Deed of Trust is required as a result of the Lot Line Adjustment. Contact your Title Officer or Mortgage Officer for the appropriate forms.

Pursuant to Section 313 of the California Corporations Code two signatures, one from each of the two signatory groups, are required by any corporation holding record title ownership or interest in the property being adjusted. The following is a list of the two signatory groups:

Group One

- Chairman of the board
- President
- Vice President

Group Two

- Secretary
- Assistant Secretary
- Chief Financial Officer
- Assistant Treasurer

Modified Deed of Trust

A Modified Deed of Trust is required when the Lot Line Adjustment modifies the description of the land contained within an existing Deed of Trust. The description attached to the Modified Deed of Trust shall be the same as the description used to described the adjusted parcel as included within the Certificate of Conformity document.

Pursuant to Section 313 of the California Corporations Code two signatures, one from each of the two signatory groups, are required by any corporation holding record title ownership or interest in the property being adjusted. The following is a list of the two signatory groups:

Group One

- Chairman of the board
- President
- Vice President

Group Two

- Secretary
- Assistant Secretary
- Chief Financial Officer
- Assistant Treasurer

Owner’s Certificate and Certificate of Holders of Record Title Interest

A certificate consenting to the preparation and recordation of the Lot Line Adjustment shall be signed by all the record title owners and all holders of record title interest, and acknowledged. Record title interest shall include but not be limited to the trustee or beneficiary.

Pursuant to Section 313 of the California Corporations Code two signatures, one from each of the two signatory groups, are required by any corporation holding record title ownership or interest in the property being adjusted. The following is a list of the two signatory groups:

Group One

Chairman of the board
President
Vice President

Group Two

Secretary
Assistant Secretary
Chief Financial Officer
Assistant Treasurer

Notice

When conditions of approval are required as part of the Planning Commission approval of the Lot Line Adjustment, a "Notice" document may be required to be included as part of the Lot Line Adjustment document package. If required, the Notice document shall consist of a coversheet followed by a copy of the Planning Commission Resolution and Conditions of Approval. All pages shall be numbered XX of XX pages.

Record Owners

Title to the estate or interest in the land at the date hereof is vested in (*owner's names, trusts, etc., including recording information*) (required by Recorder's Office).

(Exhibit A) Legal Description

A legal description for each of the reconfigured parcels is required. This description shall be authored by a Licensed Land Surveyor in accordance with Section 8726 and signed and sealed in accordance with Section 8761, both of the Business and Professions Code. Mathematical data used to describe the new parcel shall be recited from record data only, the exception being the newly adjusted line, which shall be calculated from record data. Field measured data should not be used. The possibility of the creation of gaps or overlaps will be greatly limited by using previously recorded boundary data versus field measured data. When errors exist in the record deed descriptions, and the use of calculated bearings and distances is desired, be sure that the corrected course calls are accompanied by controlling calls to adjoiners or monuments.

Exhibit B (Exhibit Sketch)

A sketch shall be included reflecting the shape of the reconfigured parcels. The following items are required to be shown on the sketch:

- 1) Lot Line Adjustment Number
- 2) Assessor's Parcel Numbers
- 3) North Arrow
- 4) Scale and Graphic Scale
- 5) Heavy lines will denote the new boundaries
- 6) Light dashed lines will denote the line being adjusted and labeled as such
- 7) The point of beginning shall be labeled when bearing and distance are recited
- 8) If the sketch is prepared by a Licensed Land Surveyor, it shall be signed and sealed in accordance with Section 8761 of the PLS Act

Processing Fees

The Lompoc City Council has established by resolution fees required for the review and processing of a proposal for a Lot Line Adjustment. Applicant's cost for Engineering Division's technical review and approval of items outlined on the Lot Line Adjustment Checklist (Page 2 of 14) include a refundable deposit of \$1000.00 plus actual costs per the City of Lompoc current Master Fee Schedule. Services provided by the Planning Division are billed separately.

Title Report

A Preliminary Title Report, current within 90 days of the date of submittal of the application, shall be required.

Examples

The following examples of statements and certificates were written in the generic form. The forms should be modified to use the correct person, with the exception of the Notary Statement. For example:

When the form shows the options (He)(She)(We), modify the form to reflect the appropriate person and delete the other options from the statement.

For the following examples Owners A and B own their property free and clear. Owner B is conveying ten (10) feet of his property to Owner A. A Record of Survey is not being submitted concurrently.

EXHIBIT “A”

Legal Description

(Example: Party B to Party A)

That portion of Lot 13 of Block 37 according to the map of “The Town of Wherever” recorded in Map Book 1000, Pages 300, in the Office of the County Recorder, County of Santa Barbara, State of California, more particularly described as follows:

The northerly 10.00 feet of said Lot 13, as measured parallel to the northerly line of said Lot 13.

End of Description

Prepared By: Professional Surveyor
PLS No. XXXX
License Expiration Date MM/DD/YYYY

Seal

**RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:**

City Clerk, City of Lompoc
P.O. Box 8001
Lompoc, CA 93436

APN XXX-XXX-XXX
Lot Line Adjustment No. LOMXXX

NOTICE

Notice is hereby given that the information attached is given relative to Lot Line Adjustment No. LOMXXX filed _____ date _____, as Instrument No. _____ -
_____ Official Records of Santa Barbara County, California.

This notice is not intended to affect record title interest. The information is derived from public records or reports, and the preparer of this document does not imply the correctness or sufficiency of these records or reports. Title to the estate or interest in the land shown on Lot Line Adjustment No. LOMXXX at the date hereof is vested in **Party A and Party B**. The additional information required in connection with said Lot Line Adjustment No. LOMXXX is attached hereto and incorporated herein by reference.

Document prepared by: _____

EXAMPLE OF LEGAL DESCRIPTION FOR DEED

PARCEL A

Legal Description
APN XXX-XXX-XXX

All of Lot 2 of Block 37, together with the northerly 10.00 feet of Lot 13, as measured parallel to the northerly line of said Lot 13, both lots according to the map of "The Town of Carpinteria" recorded in Map Book 1000, Pages 300, in the Office of the County Recorder, County of Santa Barbara, State of California.

End of Description

Prepared By: Professional Surveyor
PLS No. XXXX
License Expiration Date MM/DD/YYYY

Seal

EXAMPLE OF LEGAL DESCRIPTION FOR DEED

PARCEL B

Legal Description
APN XXX-XXX-XXX

Lot 13 according to the map of "The Town of Carpinteria" recorded in Map Book 1000, Pages 300, in the Office of the County Recorder, County of Santa Barbara, State of California,

EXCEPT the northerly 10.00 feet of said Lot 13, as measured parallel to the northerly line of said Lot 13.

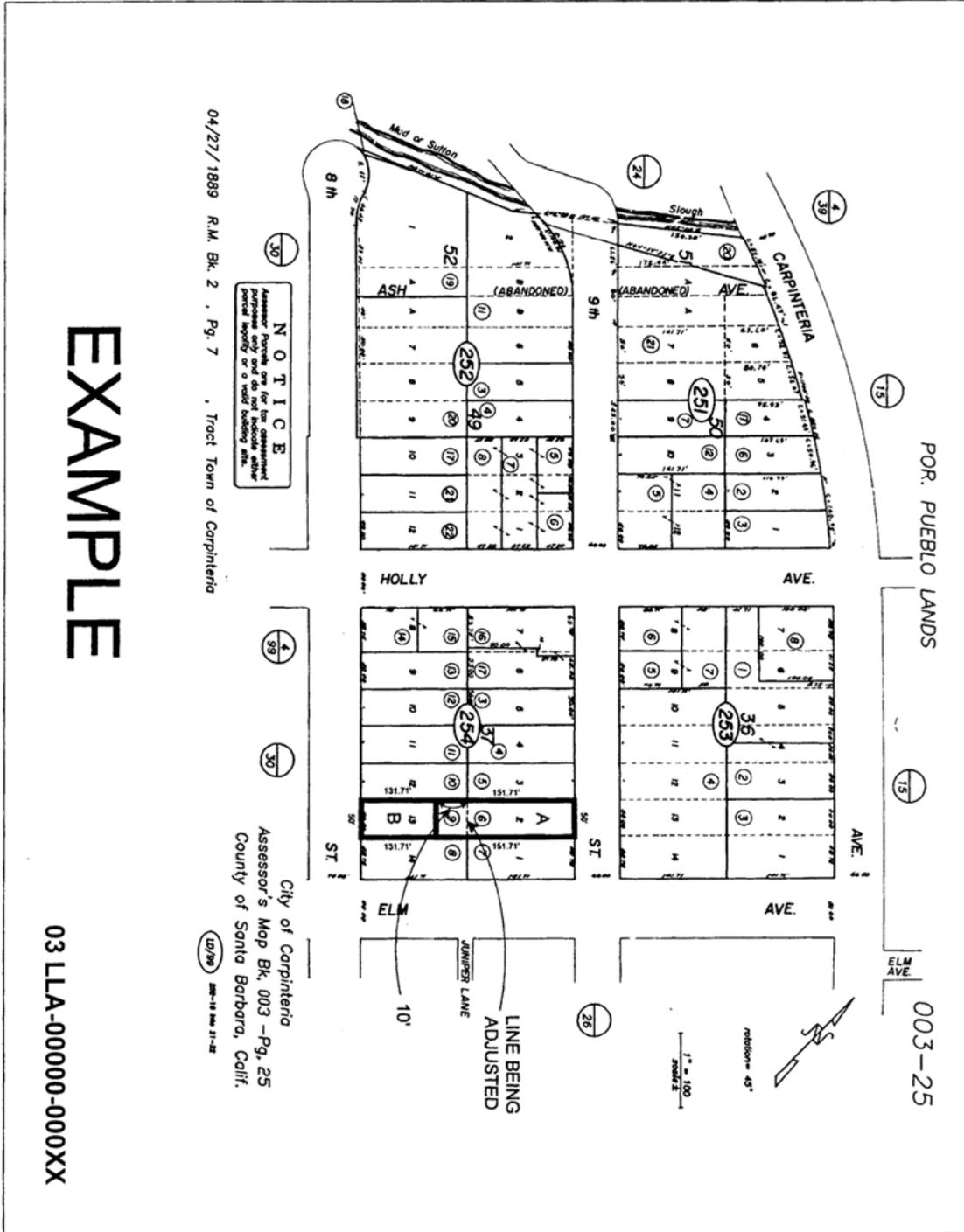
End of Description

Prepared By: Professional Surveyor
PLS No. XXXX
License Expiration Date MM/DD/YYYY

SEAL

EXAMPLE OF EXHIBIT SKETCH FOR DEED

EXHIBIT SKETCH



04/27/1889 R.M. Bk. 2 . Pg. 7 . Tract Town of Carpinteria

NOTICE
 Assessor's Notice of the Government
 Parcel Number of a Sold Building etc.

EXAMPLE

City of Carpinteria
 Assessor's Map Bk. 003 -Pg. 25
 County of Santa Barbara, Calif.

(12/89) 200-11 Rev. 11-82

03 LLA-00000-000XX

POR. PUEBLO LANDS

003-25