



CHICAGO TITLE®

# What to Know If Your Title Transaction Involves the Subdivision Map Act

When your Title transaction involves the Subdivision Map Act here are some important details you will need to know. Our Chicago Title Professionals are always here to guide you along the way.

The Subdivision Map Act is the law that governs the legal process of subdividing two or more real property lots, units or parcels in California.

Parcels created before March 4, 1972 are presumed to have been lawfully created if fewer than 5 parcels were created and no local ordinance regulated the creation of fewer than 5 parcels.



The Subdivision Map Act sets forth the conditions for approval of a subdivision map and requires enactment of subdivision ordinances by which local governments have direct control over the types of subdivision projects to be undertaken and the physical improvements to be installed. This act has two major objectives:

1. To coordinate a subdivision's design (lots, street patterns, rights-of-way for drainage and sewers, etc.) with the community plan; and
2. To insure that the subdivider will properly complete the areas dedicated for public purposes, so that they will not become an undue burden upon the taxpayers of the community.

The subdivision process is the mechanism by which new interests in real property are created. The law establishes the procedures by which marketable title can be created. Before real property can be transferred between private parties such as between a developer and a homebuyer, the property must be legally subdivided. Government Code Section 66499.30, subdivisions (a), (b), and (c) enforces the requirement of map approval by prohibiting the sale, lease, or financing of property until compliance with the Map Act has been obtained, typically by the recordation of an official map for the subject property with the County Recorder. A recorded map legal description is the end result of compliance with the Subdivision Map Act.

Our Chicago Title Professionals can explain the specific conditions that affect your current transaction.



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