

Lot Line Adjustment

Updated April 30, 2012

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 the Planning and Development Department. Prior approval of the Lot Line Adjustment by the Zoning Administrator or Planning Commission is required before the Surveyor's Office 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. Should you have any questions regarding the preparation of the documents, please call our office at 568-3020 and someone will be happy to assist you.

Lot Line Adjustment Check-List

- ___ Deed
 - a) Civil Code 1093 clause on face of Deed
 - b) Acknowledgement (Notary Statement)
 - c) Exhibit A (Legal description of property being conveyed)
- ___ Partial Reconveyance
- ___ Modified Deed of Trust
- ___ Owner's Certificate and Certificate of Holder's of Record Title Interest
 - a) Acknowledgement (Notary Statement)
- ___ Notice Document (if applicable)
- ___ Certificate of Conformity
 - a) include Certificate of Conformity
 - b) Clerk of the Board's Statement
 - c) Notes
 - 1) Deed cross-reference
 - 2) Partial Reconveyance cross reference
 - 3) Modified Deed of Trust cross reference
 - 4) Owner's Certificate cross-reference
 - 5) Notice document cross-reference (if applicable)
 - 6) Miscellaneous Deed cross-reference (if applicable)
 - 7) Record of Survey cross-reference (if applicable)
 - 8) Legal description incorporation by reference
 - d) Record Owners
 - e) Exhibit A (Legal description of new parcels)
 - f) Exhibit B (Exhibit Sketch)
- ___ Approved tentative Lot Line Adjustment map and action letter
- ___ Processing Fee (See Current Fee Schedule)
- ___ Current Title Report (within 60 days)
- ___ Agent Authorization form
- *****Surveyor's Office Use*****
- ___ Recordation fees (payable to County Recorder, including conformed copy fee)
- ___ Conformed Copy
- ___ Planning and Development Clearance
- ___ Departmental/Utility Clearance letters (if required)
- ___ Payment of Taxes
- ___ Date-down (Surveyor's Office to request prior to recordation)

Lot Line Adjustment

Signature Requirements (Corporations)

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

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 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. Signature requirements for corporations are as stated above. 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-LLA-00000-000XX) 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-LLA-00000-000XX) and is intended to create a single legal parcel within the meaning of Civil Code 1093.”

Legal Description (Exhibit A of Deed)

When a new legal description is written, 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. Signature requirements for corporations are as stated above.

Modified Deed of Trust

A Modified Deed of Trust is required when the description of the land contained within an existing Deed of Trust is modified by the Lot Line Adjustment. The description attached to the Modified Deed of Trust shall be the same as the description used to describe the adjusted parcel as included within the Certificate of Conformity document. Signature requirements for corporations are as stated above.

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. Signature requirements for corporations are as stated above.

Notice

When conditions are required as part of the 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 or Zoning Administrator's approval letter. All pages shall be numbered XX of XX pages.

Certificate of Conformity

Pursuant to Section 21-92 of Chapter 21, once the County Surveyor is satisfied that the documents to be recorded to complete the Lot Line Adjustment are technically correct, conform to the approval by the decision-maker, comply with all applicable laws and regulations, and that all agreements and securities have been provided, the County Surveyor shall note and execute the County Surveyor’s Statement on the face of the appropriate documents, to indicate that the documents appear to be in conformity with the provisions of Chapter 21 and shall transmit the same to the County Clerk-Recorder for filing. This certificate approves the reconfiguration of the parcels for recordation.

The language contained within this certificate may change depending on whether a Notice document is required as part of the Lot Line Adjustment document package. Choose from the appropriate certificate language when preparing the forms:

When a “Notice” is included

Certificate of Conformity

I hereby certify that Lot Line Adjustment No. (Case number such as 05-LLA-00000-000XX), described in the concurrent documents together with the conditions attached appear to be in conformity with the provisions of Article III of Chapter 21 (Section 21-90 et seq.) of the County Code of Santa Barbara County and the approval required therein.

Aleksandar Jevremovic
County Surveyor
PLS 8378

Date: _____

When a “Notice” is *not* included

Certificate of Conformity

I hereby certify that Lot Line Adjustment No. (Case number such as 05-LLA-00000-000XX), described in the concurrent documents appears to be in conformity with the provisions of Article III of Chapter 21 (Section 21-90 et seq.) of the County Code of Santa Barbara County and the approval required therein.

Aleksandar Jevremovic
County Surveyor
PLS 8378

Date: _____

Clerk of the Board’s Statement

Pursuant to Section 66412(d) of the State Government Code (Subdivision Map Act), a statement shall be signed by the Local Agency stating that real property taxes have been paid.

Notes

Use the following “Notes” to cross-referencing all related Lot Line Adjustment documents. The generic form was used to prepare these examples. Modify the language to reflect the proper person.

Deed(s) is/are recorded concurrently as Instrument No. _____ -
_____ Official Records

Partial Reconveyance is recorded concurrently as Instrument No. _____ -
_____ Official Records

Modified Deed of Trust is recorded concurrently as Instrument No. _____ -
_____ Official Records

Owners Certificate(s) and Certificate(s) of Holders of Record Title Interest is/are recorded concurrently as Instrument No. _____ - _____
Official Records

This document is subject to certain conditions and information included in a “NOTICE” and recorded concurrently as Instrument No. _____ -
_____ Official Records

A Grant of Easement Deed** is recorded concurrently as Instrument No. _____ - _____
Official Records

*** Substitute any misc. deeds or agreements being recorded concurrently as a requirement of the LLA*

A Record of Survey reflecting the boundary of the parcels reconfigured by this Lot Line Adjustment is recorded concurrently in Book _____ of Records of Survey, at Page _____

Legal descriptions reflecting the parcels reconfigured by this Lot Line Adjustment are described as Parcel A, Parcel B, etc., attached hereto and by reference incorporated herein

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)

Legal Descriptions

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 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.

Record of Survey

If the owner requests that a Record of Survey be submitted concurrently with the Lot Line Adjustment, or a Record of Survey is required by Section 8762 of the PLS Act (note a separate fee is required for checking of the Record of Survey), place the following "Note" on the face of the Record of Survey:

Certificate of Conformity is recorded concurrently as Instrument No.
_____ - _____ Official Records

Record references cited on the Record of Survey for the new line shall be the Instrument No. of the Certificate of Conformity page of the Lot Line Adjustment. Leave a blank line in the Legend for the Instrument No. The Recorder will fill in the appropriate information.

Example:

R-1 = 05-LLA-00000-000XX Instrument No. _____ - _____.

Processing Fees

The Board of Supervisors establishes fees as may be required for the review and processing of a proposal for a Lot Line Adjustment. The current fee required for a Lot Line Adjustment and/or Record of Survey is listed on the County Surveyor website.

Recordation Order

Following is the recordation order for the Lot Line Adjustment package as defined by the County Recorder's Office:

- 1) Deed and attached legal description for the portion of real property being transferred
- 2) Partial Reconveyance (if applicable)
- 3) Modified Deed of Trust (if applicable)
- 4) Owner's Certificate and Certificate of Holders of Record Title Interest
- 5) Notice (if applicable)
- 6) Easement Agreements/Additional Deeds (if applicable)
- 7) Certificate of Conformity
Clerk of the Board's Statement
Notes
Record Owners
Legal Descriptions and Exhibit sketch

Items 1 through 7 listed above shall receive their own respective Instrument Number.

The person/entity that will be paying the recordation fees shall be listed as the person/entity requesting the recordation (Recording Requested By:). The person/entity desiring the recorded copy shall be listed as "When Recorded Return To:"

Title Report

A current Preliminary Title Report, current within 60 days of the date of submittal of the petition, 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.

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

Payer of recording fees
Street Address
City, State Postal Code

APN's: _____
(Case number such as 05-LLA-00000-000XX)

Grant or Quitclaim Deed

Title Company to prepare

The real property in the County of Santa Barbara, State of California, described in Exhibit "A", attached hereto and by reference made part hereof.

"This deed arises from Lot Line Adjustment (Case number such as 05-LLA-00000-000XX) 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."

OR

"This deed arises from Lot Line Adjustment (Case number such as 05-LLA-00000-000XX) and is intended to create a single legal parcel within the meaning of Civil Code 1093."

Printed Name
Printed Title

Printed Name (If necessary)
Printed Title (If necessary)

Notary

State of California

County of _____

On (insert date), before me, (here insert name and title of the officer), personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity (ies), and that by his/her/their signature(s) on the instrument, the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and Official seal.

Signature: _____ (Seal)

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 Date
PLS No. XXXX

SEAL

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

Payer of recording fees
Street Address
City, State Postal Code

APN XXX-XXX-XXX

Lot Line Adjustment No. (Case number such as 05-LLA-00000-000XX)

**OWNER’S CERTIFICATE AND CERTIFICATE OF HOLDERS OF RECORD TITLE
INTEREST**

The undersigned individual or representative covenant that they are the owner or authorized agent of the individual, partnership, firm or corporation holding a record title interest in the real property, adjusted, shown on an instrument entitled **Lot Line Adjustment No. (Case number such as 05-LLA-00000-000XX)**, as filed in the Office of the Santa Barbara County Recorder, Santa Barbara County, California, as Instrument No. _____ - _____ Official Records in the Office of the Recorder of said County, and consent to the preparation and recording of the Lot Line Adjustment instrument.

(Party A)
Printed Name
Printed Title

(Party A)
Printed Name (If necessary)
Printed Title (If necessary)

Notary *(One for each signature)*

State of California
County of _____

On (insert date), before me, (here insert name and title of the officer), personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity (ies), and that by his/her/their signature(s) on the instrument, the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and Official seal.

Signature: _____ (Seal)

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

Payer of recording fees
Street Address
City, State Postal Code

APN XXX-XXX-XXX

Lot Line Adjustment No. (Case number such as 05-LLA-00000-000XX)

**OWNER'S CERTIFICATE AND CERTIFICATE OF HOLDERS OF RECORD TITLE
INTEREST**

The undersigned individual or representative covenant that they are the owner or authorized agent of the individual, partnership, firm or corporation holding a record title interest in the real property, adjusted, shown on an instrument entitled **Lot Line Adjustment No. (Case number such as 05-LLA-00000-000XX)**, as filed in the Office of the Santa Barbara County Recorder, Santa Barbara County, California, as Instrument No. _____ - _____ Official Records in the Office of the Recorder of said County, and consent to the preparation and recording of the Lot Line Adjustment instrument.

(Party B)
Printed Name
Title

(Party B)
Printed Name (If necessary)
Title (If necessary)

Notary *(One for each signature)*

State of California
County of _____

On (insert date), before me, (here insert name and title of the officer), personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity (ies), and that by his/her/their signature(s) on the instrument, the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and Official seal.

Signature: _____ (Seal)

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

Payer of recording fees
Street Address
City, State Postal Code

APN XXX-XXX-XXX

Lot Line Adjustment No. (Case number such as 05-LLA-00000-000XX)

NOTICE

Notice is hereby given that the information attached is given relative to Lot Line Adjustment No. (Case number such as 05-LLA-00000-000XX) filed June 25th, 1998, 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. (Case number such as 05-LLA-00000-000XX) at the date hereof is vested in **Party A and Party B**. The additional information required in connection with said Lot Line Adjustment No. **(Case number such as 05-LLA-00000-000XX)** is attached hereto and incorporated herein by reference.

Document prepared by: _____
Name Printed

This document is subject to certain conditions and information included in a
“NOTICE” and recorded concurrently as Instrument No. _____ -
_____ Official Records

Legal descriptions reflecting the parcels reconfigured by this Lot Line Adjustment
are described as Parcel A and Parcel B, attached hereto and by reference
incorporated herein

Record Owners

Title to the estate or interest in the land at the date hereof is vested in:

Party A, by Grant Deed recorded _____ Date _____ as Instrument No. _____ -
_____ of Official Records.

Party B, by Grant Deed recorded _____ Date _____ as Instrument No. _____ -
_____ of Official Records.

APN's XXX-XXX-XXX and XXX-XXX-XXX

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

SEAL

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,

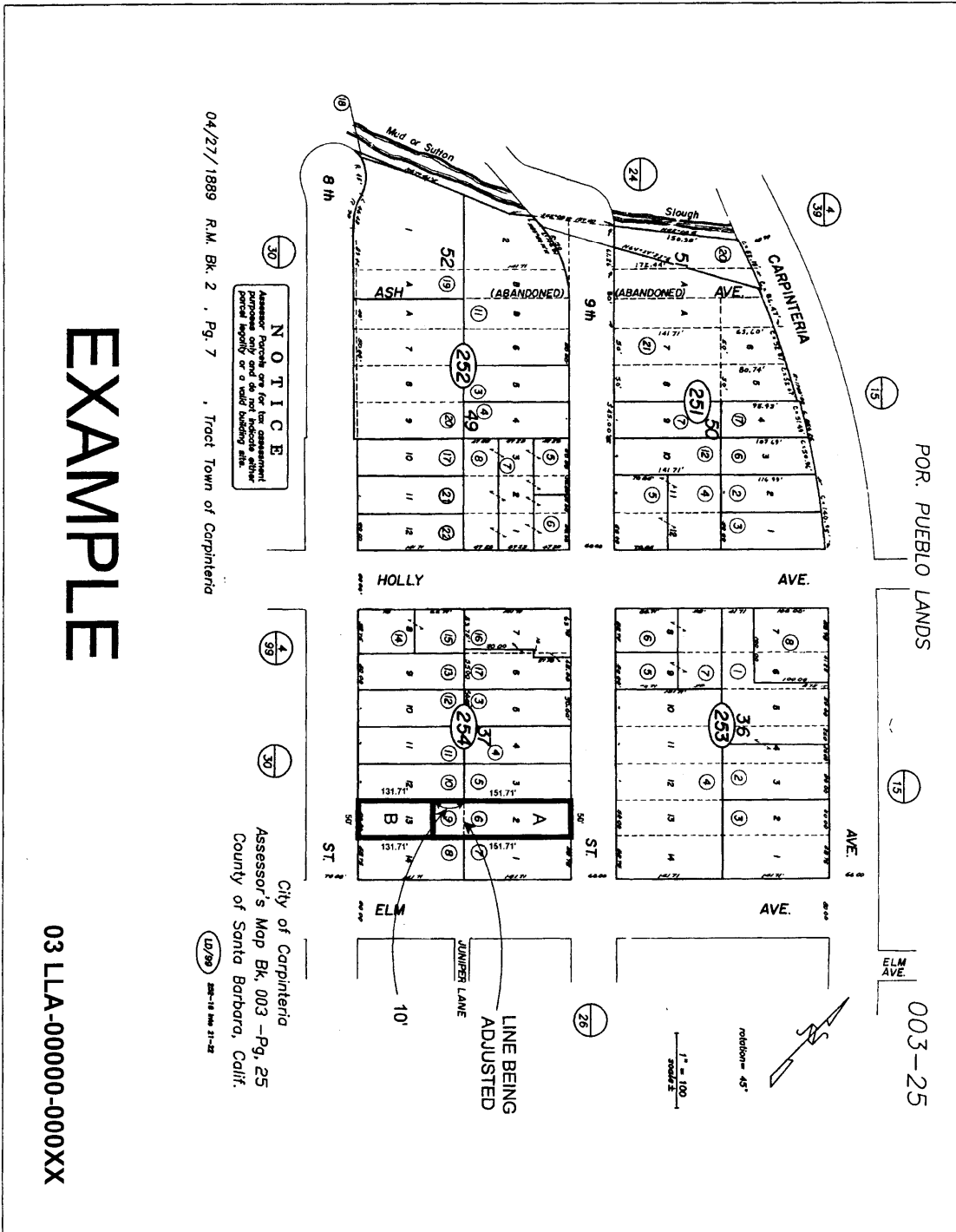
EXCEPT the northerly 10.00 feet of said Lot 13, as measured parallel to the northerly line of said Lot 13.

End of Description

Prepared By: _____
Professional Surveyor
PLS No. XXXX

SEAL

EXHIBIT SKETCH



EXAMPLE

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

NOTICE
 Assessor Purchsers are for tax assessment purposes only and do not indicate either partial liability or a valid bidding site.

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

03 LLA-00000-0000XX