

TITLE REQUIREMENTS FOR DEVELOPER PROJECTS*

PURPOSE:

The County must ensure that all legal documents transferring fee simple land and/or easement rights to the County are executed by the legal owners of the property.

DEVELOPER RESPONSIBILITY:

- To request a title company to prepare a title report for each property affected by the proposed subdivision and/or site development.
- To provide the completed title report and/or reports to the Real Estate Services Division to initiate the preparation of the legal documents.

TITLE COMPANY RESPONSIBILITY: The title report must include the following information:

- 60 year title search
- An opinion letter and/or title report signed by an attorney that includes:
 - Run through date of report
 - Detail regarding current and prior ownerships
 - Detail regarding all encumbrances
 - Detail regarding all exceptions.
 - Detail regarding anything affecting title to the property in question.
 - The status of taxes shall be noted.
 - The following statement shall also appear in the title opinion:
 - **Fee simple title is good and marketable as vested of record in _____, as acquired from _____, by type of legal instrument dated _____ and recorded on _____ among the Land Records of Howard County, Maryland, in Liber ____ Folio _____.”**
- **FULL copies** of all title deeds, encumbrances, easements, exceptions, etc. noted in the title report must be provided.

***Any deviation from the above requirements may result in a delay in the preparation of your developer’s agreements.**