## 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.**