

O.C.G.A. § 15-6-67

GEORGIA CODE
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*** Current Through the 2016 Regular Session ***

TITLE 15. COURTS
CHAPTER 6. SUPERIOR COURTS
ARTICLE 2. CLERKS OF SUPERIOR COURTS

O.C.G.A. § 15-6-67 (2016)

THIS SECTION HAS MORE THAN ONE DOCUMENT WITH VARYING EFFECTIVE DATES.

§ 15-6-67. (For effective date, see note.) Recordation of maps and plats; specifications

(a) The clerk of superior court shall file and record maps, plats, and subdivision plats, and condominium plats, condominium site plans, condominium plot plans, and condominium floor plans presented in accordance with Code Section 44-3-83 relating to real estate in the county when submitted for filing as provided in this Code section and accompanied with any required filing fees or costs.

(b) Each map, plat, or plan referred to in subsection (a) of this Code section to be filed and recorded in the office of clerk of superior court shall be in conformance with the following requirements:

(1) *Caption.* Each map, plat, or plan page image shall have a caption which shall provide the following information:

(A) The county where the property lies;

(B) Any city, town, municipality, or village wherein the property lies;

(C) The names of all owners of the property;

(D) If such plat is a subdivision plat, condominium plat, condominium site plan, condominium plot plan, or condominium floor plan;

(E) The name of any subdivision if for a named subdivision clearly identified as such;

(F) The name of any condominium if for a condominium plat, condominium site plan, condominium plot plan, or condominium floor plan;

(G) The applicable units, pods, blocks, lots, or other subdesignations of any named subdivision or condominium;

(H) The name or names of the developer or developers of any named subdivision or condominium;

(I) All applicable land districts and land lots reflected on such map, plat, or plan;

(J) The date of preparation or revision date;

(K) The name, address, telephone number, and license or registration number of the land surveyor; and

(L) If the map, plat, or plan has multiple pages, the page number for each applicable page;

(2) *Surveyor certification box.* Each map, plat, or plan shall provide a box which contains the following language and the applicable certifications of the registered land surveyor required pursuant to subsection (c) of this Code section:

SURVEYOR CERTIFICATIONS

As required by subsection (c) of O.C.G.A. Section 15-6-67, the Registered Land Surveyor hereby certifies that this map, plat, or plan has been approved for filing in writing by any and all applicable municipal, county, or municipal-county planning commissions or municipal or county governing authorities or that such governmental bodies have affirmed in writing that approval is not required.

The following governmental bodies have approved this map, plat, or plan for filing:

Name and date (mm/dd/yyyy)

Name and date (mm/dd/yyyy)

The following governmental bodies have affirmed that approval is not required:

Name and date (mm/dd/yyyy)

Name and date (mm/dd/yyyy)

Such approvals or affirmations should be confirmed with the appropriate governmental bodies by any purchaser as to intended use of any parcel.

The Registered Land Surveyor further certifies that this map, plat, or plan complies with the minimum standards and specifications of the State Board of Registration for Professional Engineers and Land Surveyors and the Georgia Superior Court Clerks' Cooperative Authority.

Facsimile Signature

(3) *Filing information box.* Each image of a map, plat, or plan shall provide a box of not less than three inches square, if at full size, in the upper left-hand corner which shall be reserved for the clerk to append filing information; and

(4) *Format.* All images of maps, plats, or plans submitted for filing shall:

(A) Comply with the minimum standards and specifications adopted in the rules and regulations of the State Board of Registration for Professional Engineers and Land Surveyors; and

(B) Be an electronic image of a single page certified and presented to the clerk electronically in conformance with all specifications set forth in any rules and regulations promulgated by the Georgia Superior Court Clerks' Cooperative Authority.

(c) (1) Whenever the municipal planning commission, the county planning commission, the municipal-county planning commission, or, if no such planning commission exists, the appropriate municipal or county governing authority prepares and adopts subdivision regulations, and upon receiving approval thereon by the appropriate governing authority, then no map, plat, or plan of subdivision of land within the municipality or the county shall be filed or recorded in the office of clerk of superior court of a county:

(A) Without the approval of the municipal planning commission, county planning commission, municipal-county planning commission, or appropriate municipal or county governing authority; and

(B) Unless the registered land surveyor who prepares any such map, plat, or plan for filing certifies thereon that such map, plat, or plan has been approved for filing by all applicable governmental bodies. Such certification shall specifically state by name the governmental bodies that approved the filings and the dates such actions were taken.

(2) Notwithstanding any other provision of this subsection to the contrary, no approval of the

municipal planning commission, county planning commission, municipal-county planning commission, or, if no such planning commission exists, the appropriate municipal or county governing authority shall be required if no new streets or roads are created or no new utility improvements are required or no new sanitary sewer or approval of a septic tank is required. Any map, plat, or plan of survey containing thereon a certification from a registered land surveyor that the municipal, county, or municipal-county planning commission or appropriate municipal or county governing authority has affirmed in writing that approval is not required shall entitle said map, plat, or plan to be recorded, provided that such certification includes the name of the governmental bodies that affirmed that such approval is not necessary and the dates of such actions.

(d) Any land surveyor who fraudulently makes any certification required under this Code section shall, upon conviction thereof, be guilty of a misdemeanor.

(e) The clerk of superior court shall make available a public computer terminal which provides a filer access to the Georgia Superior Court Clerks' Cooperative Authority's electronic filing portal.

(f) The Georgia Superior Court Clerks' Cooperative Authority shall have the power and authority to promulgate such rules and regulations deemed necessary or convenient for implementation of the provisions of this Code section.

(g) The clerk of superior court shall be held harmless for the filing of any map, plat, or plan that fails to meet any requirement of this Code section.

HISTORY: Ga. L. 1933, p. 193, § 1; Code 1933, § 24-2716; Ga. L. 1961, p. 105, § 1; Ga. L. 1962, p. 632, § 1; Ga. L. 1978, p. 1616, § 1; Ga. L. 1980, p. 826, § 1; Ga. L. 1985, p. 149, § 15; Ga. L. 1990, p. 8, § 15; Ga. L. 1990, p. 1505, § 1; Ga. L. 1994, p. 1096, § 1; Ga. L. 1996, p. 1502, § 1; Ga. L. 2012, p. 173, § 1-13/HB 665; Ga. L. 2016, p. 193, § 1/HB 1004.