

§ 15-6-67. Recordation of plats and condominium plans; specifications

- (a) As used in this Code section, the term:
 - (1) "Condominium plan" means a drawing that is required to be recorded prior to the first conveyance of a condominium unit pursuant to subsection (b) of Code Section 44-3-83, including, but not limited to, a condominium floor plan, condominium plot plan, or condominium site plan.
 - (2) "Plat" means a drawing prepared by a land surveyor that describes and depicts real property boundaries, including, but not limited to, a map, condominium plat, subdivision plat, as-built survey, easement survey, or retracement survey.
- (b) All plats and condominium plans submitted for filing with the clerk of superior court shall be submitted electronically. The clerk of superior court shall file and record plats and condominium plans 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.
- (c) Each plat and condominium plan to be filed and recorded in the office of the clerk of superior court shall be in conformance with the following requirements:
 - (1) **Format for plats and condominium plans.** All images of a plat or condominium plan submitted for filing shall be at full size of the drawing scale stated thereon and shall:
 - (A) Be an electronic image of a plat or condominium plan 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; and
 - (B) 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;
 - (2) **Required data for plats.** Each plat shall 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 provide the following information:
 - (A) The county where the property lies;
 - (B) Any municipality wherein the property lies;
 - (C) The name of the property owner or owners of the subject property as stated on the most current or applicable title instrument;
 - (D) The type of plat;
 - (E) The name of any subdivision if the property lies within a named subdivision or if the plat is creating a new subdivision;
 - (F) The name of any condominium if the property is within a condominium development;
 - (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 new subdivision or condominium;
 - (I) All applicable land lots, land districts, sections, reserves, or militia districts wherein the platted property lies;
 - (J) The date of initial preparation and issuance, and any revision dates, including a brief explanation of each revision;
 - (K) The name, address, and telephone number of the land surveyor who prepared and sealed the plat and, if working for or through a firm, corporation, partnership, association, limited liability company, or other entity, then also the certificate of authorization number of that entity, in which case the address and telephone number of such entity are acceptable in lieu of the individual surveyor's address and telephone number;
 - (L) The registration number of the land surveyor or a statement that he or she is the county surveyor and is not required by law to be a registered surveyor;
 - (M) The seal of the land surveyor who has prepared the plat and is signing the surveyor certification, which shall be placed within or next to the surveyor certification box;
 - (N) If the plat has multiple pages, the page number for each applicable page and the total number of sheets in the set shall be placed on each sheet in the same or similar location. The information required by this paragraph may be placed on all sheets or on different sheets within the set submitted for filing; and
 - (O) The scale of the plat stated and shown graphically; and
 - (3) **Land surveyor certifications required for plats.**
 - (A) **Surveyor certification box for plats.** Each plat shall have depicted thereon a box which contains one of the following applicable certifications of the land surveyor:
 - (i) As required by subsection (d) of O.C.G.A. Section 15-6-67, this plat has been prepared by a land surveyor and approved by all applicable local jurisdictions for recording as evidenced by approval certificates, signatures, stamps, or statements hereon. Such approvals or affirmations should be confirmed with the appropriate governmental bodies by any purchaser or user of this plat as to intended use of any parcel. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.
 - (ii) As required by subsection (d) of O.C.G.A. Section 15-6-67, this plat has been prepared by a land surveyor. This plat has been approved by all applicable local jurisdictions that require prior approval for recording this type of plat or one or more of the applicable local jurisdictions do not require approval of this type of plat. For any applicable local jurisdiction that requires approval of this type of plat, the names of the individuals signing or approving this plat, the agency or office of that individual, and the date of approval are listed in the approval table shown hereon. For any applicable local jurisdiction that does not require approval of this type of plat, the name of such local jurisdiction and the number of the applicable ordinance or resolution providing that no such approval is required are listed in the approval table shown hereon. Such approvals, affirmations, or ordinance or resolution numbers should be confirmed with the appropriate governmental bodies by any purchaser or user of this plat as to intended use of any parcel. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

- (iii) This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.
- (iv) The property hereon lies completely within a jurisdiction which does not review or approve any plats or this type of plat prior to recording. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.
- **(B) Other certification information required for plats.**
 - (i) The land surveyor shall sign on a line immediately beneath the certification on the plat. At the discretion of the land surveyor and in conformity with local regulations, the surveyor may electronically sign the certification using a facsimile signature. The facsimile signature may be a reproduction of an original signature or an electronically created signature. If the land surveyor elects to use a facsimile signature, the surveyor must maintain full control over the application and use of such signature.
 - (ii) Additional dates, certifications, and signatures, which may be electronically created signatures, may be placed on plats. Such certifications may include, but are not limited to, those that may be required by local jurisdictions or agencies, the United States Small Business Administration, the United States Department of Housing and Urban Development, and the American Land Title Association.
 - (iii) The approval table required by division (c)(3)(A)(ii) of this Code section shall be data in a tabular format which shall include the name of each governmental body or agency that has approved the plat, the name of each individual who issued such approval, and the date that each approval was granted.
 - (iv) Plats that meet the requirements of a municipal or county governing authority ordinance or resolution specifying that no approval of such plat is necessary prior to recording may be recorded using the certification set forth in division (c)(3)(A)(ii) or (c)(3)(A)(iv) of this Code section, as applicable.
 - (v) In the case of a plat that is a retracement survey, the land surveyor shall state clearly the recording information of any document, map, plat, or other instrument which created any of the parcels depicted. The depiction of gores, overlaps, or other parcel delineation as may be necessary to remedy or address title issues or deficiencies shall be allowed as part of the retracement function. Plats that depict existing or proposed easements for utilities or for conservation purposes may be recorded using the certification set forth in division (c)(3)(A)(iii) of this Code section, provided that there are no changes to any real property boundaries.
 - (vi) Plats bearing the certification provided for in division (c)(3)(A)(iii) of this Code section shall be entitled to recordation without further review or local approval.
- (d) 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 or land use regulations, or both, then no plat of a subdivision of land within the municipality or the county shall be presented for filing with the office of the clerk of superior court of a county without the approval of the municipal planning commission, county planning commission, municipal-county planning commission, or appropriate municipal or county governing authority.
- (e) Any land surveyor who fraudulently makes any certification required under this Code section shall, upon conviction thereof, be guilty of a misdemeanor.
- (f) 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.
- (g) 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.
- (h) The clerk of superior court shall be held harmless for the filing of any plat or condominium plan that fails to meet any requirement of this Code section.
- (i) Any plats or condominium plans prepared prior to May 8, 2017, in compliance with previous statutory requirements may be recorded pursuant to this Code section so long as such documents are submitted as electronic images and presented to the clerk of superior court electronically.

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; Ga. L. 2017, p. 484, § 2/HB 76.