



**STANISLAUS COUNTY
DEPARTMENT OF PUBLIC WORKS**

1716 Morgan Road
Modesto, CA 95358
Phone: (209) 525-4125
or

(209) 525-4135

<http://www.stancounty.com/publicworks/>

CERTIFICATE OF COMPLIANCE

What Is A Certificate Of Compliance?

It's a certificate from the County Public Works Director stating that a particular piece of real property complies with the County Subdivision Code and the State Subdivision Map Act and is a lawfully created parcel. The Certificate is recorded with the Stanislaus County Recorder and serves as an official record on the legal status of the property.

The term "legal parcel" relates to how the parcel was created and not to title or ownership status. In addition, all parcels deemed legal by the County are not necessarily developable and permits may not be approved for reasons other than parcel legality.

Why Is One Needed?

A Certificate of Compliance is needed for circumstances where the legality of a parcel must be determined, such as for financing or securing various types of development permits. Before permission can be granted by the County for development in the unincorporated area, and owner of property must be able to show that he (she) has a legal parcel. What is a legal parcel? To be considered legal, a parcel of land should have been created (subdivided) in accordance with applicable State and County laws. A parcel created by a Final Map or a Parcel Map, approved by the County and recorded with the County Recorder is considered to have been legally created and the recorded map will constitute a Certificate of Compliance. A parcel that falls into one of the following categories will need a Certificate of Compliance prior to receiving a discretionary permit for development of the parcel (this does not apply to building permits):

1. The parcel was created prior to October 31, 1968, as a result of a land division by deed or other similar instrument in which fewer than five parcels were created; or,
2. The parcel was created under section 66428(2) or 66499.34 of the Subdivision Map Act, which provides for exceptions and recognition of developed property respectively.

How Do I Get Started?

The property owner or authorized representative must fill out and sign the attached application and submit it to the Department of Public Works along with copies of deeds and other information that confirms the legal creation of the subject parcel.

Within thirty (30) days after receipt of this form and appropriate documents and fees by the County Public Works Department, the Public Works Director must make a determination whether or not the property complies with State and County Subdivision Public Works Codes and notify the application in writing.



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How Do I Get Started? cont.

If the property is found to be in compliance with applicable codes, the Director shall issue a Certificate of Compliance that must be recorded with the Stanislaus County Recorder. The Certificate of Compliance must identify the property and state that the division complies with the applicable State and County Codes.

If the Director determines that such real property is not in compliance, the Director may issue a Conditional Certificate of Compliance, which imposes conditions that must be satisfied before the property can be considered legally established. For more information, ask the Department of Public Works or refer to the Stanislaus County Subdivision Code.



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S _____	T _____	R _____
ZONE _____		
RECEIVED _____		
APPLICATION NO. _____		
RECEIPT NO. _____		

CERTIFICATE OF COMPLIANCE APPLICATION

Date: _____ Certificate of Compliance No. _____

Property Owner of Record: _____

Address: _____

Phone: _____

Assessor's Parcel Number(s): _____

Recorded Maps: Type: _____ Vol. _____ Pg. _____

Other Attached Documents – In order of preference, provide either a grant deed or joint tenancy dated prior to October 31, 1968, which describes the parcel separate and apart from all others; or, the Recorded Map or Parcel Map, Volume and Page Number.

INDEMNIFICATION:

In consideration of the County's processing and consideration of this application for approval of the land use project being applied for (the "Project"), and the related California Environmental Quality Act (CEQA) consideration by the County, the Owner and Applicant, jointly and severally, agree to indemnify the County of Stanislaus ("County") from liability or loss connected with the Project approvals all follows:

1. The Owner and Applicant shall defend, indemnify and hold harmless the County and its agents, officers and employees from any claim, action, or proceeding against the County or its agents, officers or employees to attack, set aside, void, or annul the Project or any prior or subsequent development approvals regarding the Project or Project condition imposed by the County or any of its agencies, departments, commissions, agents, officers or employees concerning the said

Project, or to impose personal liability against such agents, officers or employees resulting from their involvement in the Project, including any claim for private attorney general fees claimed by or awarded to any party from County.

The obligations of the Owner and Applicant under this Indemnification shall apply regardless of whether any permits or entitlements are issued.

- 2. The County will promptly notify Owner and Applicant of any such claim, action, or proceeding that is or may be subject to this Indemnification and, will cooperate fully in the defense.**
- 3. The County may, within its unlimited discretion, participate in the defense of any such claim, action, or proceeding if the County defends the claim, actions, or proceeding in good faith. To the extent that County uses any of its resources responding to such claim, action, or proceeding. Owner and Applicant will reimburse County upon demand. Such resources include, but are not limited to, staff time, court costs, County Counsel's time at their regular rate for external or non-County agencies, and any other direct or indirect cost associated with responding to the claim, action, or proceedings.**
- 4. The Owner and Applicant shall not be required to pay or perform any settlement by the County of such claim, action or proceeding unless the settlement is approved in writing by Owner and Applicant, which approval shall not be unreasonably withheld.**
- 5. The Owner and Applicant shall pay all court ordered costs and attorney fees.**
- 6. This Indemnification represents the complete understanding between the Owner and Applicant and the County with respect to matters set forth herein.**

IN WITNESS WHEREOF, by their signature on the Certificate of Compliance, the Owner and Applicant hereby acknowledge that they have read, understand and agree to perform their obligations under this Indemnification.

Statement of Ownership:

The undersigned, (print name) _____, hereby certify that I am/we are the owners, or authorized representatives of the herein described property and hereby request this Certificate of Compliance.

Property Owner(s), or authorized representative(s) Signature(s)

Receipt No. _____ Fee \$ _____
(see current fee schedule)