

## WHAT IS A VOLUNTARY MERGER?

A voluntary merger is combining two or more parcels of land into one single parcel

## WHEN IS IT NECESSARY TO MERGE PARCELS?

Occasionally an individual desires to build a structure or place a mobilehome across a lot line which separates two or more lots from one another. Because most zoning districts require a building setback from the property line, it becomes necessary whenever development on one lot is dependent upon the other lot for a septic system, required parking, a garage, etc.

## WHAT IF THE PROPERTY ALREADY HAS JUST ONE ASSESSOR'S PARCEL NUMBER?

The combining of parcels through the Assessor's Office is for the convenience of the property owner who only wants one tax bill. At any time, the parcels could be sold separately. The Voluntary Merger process will give the property a new legal description on file with the Office of the County Recorder, and will result in the properties being one legal lot of record.

## CAN MERGED PARCELS BE DIVIDED?

It may be possible to redivide merged lots, but not always. Such a division would be treated as any other land division, and would

have to meet the density and minimum lot size required by the General Plan and zoning district. If these requirements are met, a tentative parcel map would be required to be approved by the Planning Commission in order to redivide the lot. The purpose of merging properties is often because the lots are too small to a good chance that the proposed parcel size on a redivision would not meet the minimum size required by the General Plan.

## HOW IS A MERGER APPLIED FOR?

In applying for a Voluntary Merger, the following information is needed:

1. Completed application form.
2. Adequate evidence of ownership of the subject property. This requirement can be satisfied by providing a PIRT, a lot book report or a preliminary title report. The document must be current (prepared within the last 30 days) and can be secured through a title company.
3. A copy of the property deed(s).
4. A legal description of the resulting parcel, prepared by a licensed surveyor or civil engineer, may be required if the property was not created by a parcel map or subdivision.
5. A completed Waiver of Notice and Consent to Preparation and Recordation of Notice of Merger form:

This document must be completed by all parties having a record interest in the property, as listed in the title company document (see #2 above). This includes lenders, partners, beneficiaries, etc. The form must be completed with the legal description included on or attached to the form, not an address or Assessor's Parcel Number. All signatures on these forms must be signed exactly as shown on the title documents and notarized.

6. The application fee.
7. The recording fee.
8. If there is an outstanding sewer bond on the property, a fee will be charged by Special Districts to defray costs of amending Assessment Diagram Maps. This fee must be paid before recordation.
9. The Tax Collector requires that current property taxes and future estimated taxes be paid prior to recordation of the merger. You will not be paying any extra taxes on your property, but you may be paying your future property taxes earlier than normal.

## WHAT IS THE PROCEDURE?

Upon submittal of the application and all necessary supporting documents and payment of required fees, the Planning Division will prepare a Notice of Merger. This document will identify the properties

being merged and will contain a new legal description. Planning staff will then record this document in the Office of the County Recorder. Once this is completed, the properties are merged and development permits may be issued. A copy of the recorded Notice of Merger is mailed to the applicant.

#### WHEN CAN'T PROPERTIES BE MERGED?

If any of the recorded owners do not wish to have the property merged, the process will stop. This situation sometimes results when the different lots were obtained at different times with different financing. Lenders often do not want to have an interest in property which may not be able to be redivided if necessary. Refinancing the property will normally take care of this situation.

Title must be held identically on all parcels involved in the merger. In the situation where there is a loan on one lot but not the other, or where loans on the lots are through different lenders, the deed(s) of trust will need to be modified so that any and all loans cover all lots involved.

**Do you have two or more lots that you would like to put together to make a larger lot?**

**You may wish to do a**

# **VOLUNTARY MERGER**



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