



Chris Griswold, P.C.

News From the Firm

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Message From Chris....

With all the current activity in the marketplace, lots of people are selling and/or acquiring land, in particular, highly desirable, relatively smaller, unplatted parcels of land which lie within the city limits of larger cities. Due to that activity (and the phone calls I've received due to such activity), I wanted to take this opportunity to share a few ideas with everyone. This is good stuff for everybody to know... (don't forget to click on my Facebook or YouTube links below to also see my short video on this material).

Dividing Up Smaller, Unplatted Tracts of Land Within Larger Cities

In Oklahoma (and please know that this Oklahoma law has "close cousins" in neighboring States), ***if the tract proposed to be carved out and sold off to a proposed buyer: i)*** is unplatted (which means it has a "metes and bounds" legal description which identifies it), ***ii)*** lies within the city limits of an incorporated city having a population of greater than 200,000 people, and ***iii)*** has an aggregate size of ***five (5) acres or less, then the respective city's zoning and planning commission must first approve the proposed deed before the proposed sale can occur*** (which means the deed must actually bear the written approval of the city's zoning and planning commission before the deed is recorded in the relevant land records of the county clerk).

For example, if you own twenty (20) acres of property (which is a mix of both platted and unplatted property) which lies within a larger city and seek to sell off only three (3) acres of unplatted property to your best friend, you first have to get your city's zoning and planning commission to first approve of the transfer (and you have to get their signature on the deed you will use to convey the property to your best friend). Obviously, you want to get started on obtaining the approval of the city's zoning and planning commission prior to actually closing upon the property, not after you've already taken your friend's money and recorded the deed.... **So, you'll definitely want to run those traps prior to closing.**

However, what if you don't get the zoning and planning commission's written approval on your deed before taking the money and recording the new deed to your best friend? If you don't get it, you're still okay if you, as grantor, ***i)*** previously acquired those same three (3) unplatted acres ***all at one time and in a single conveyance*** and, ***ii)*** that deed to you was filed of record for ***at least five (5) years*** prior to selling the property to your best friend and recording that new deed to your best friend.

What My Clients Are Saying

“I have been extremely pleased with the legal services provided by Chris. He is an expert on real estate issues; devotes immediate attention to our needs and follows through with all required action. I look forward to a continuing relationship with Chris.”

Harrison Levy / President / Grubb & Ellis I Levy Beffort / Oklahoma City, Oklahoma

Chris Griswold, P.C.

Contact Information:

7301 Broadway Ext., Suite 200

Oklahoma City, OK 73116

405.229.7595 (cell)

405.840.1019 (office)

405.843.9190 (fax)

chris@chrisgriswoldpc.com

www.chrisgriswoldpc.com