

**AMENDMENT TO TOWN OF MOUNT PLEASANT
LAND DIVISION AND SUBDIVISION CODE
REGARDING TRANSFER OF LAND DIVISIONS**

1. **Section 1-8-1(b)** of the Town of Mount Pleasant Land Division and Subdivision Code (the “Code”) is amended by adding thereto the following Section 1-8-1(b)(6), as follows:

- (6) If one or more parcels of land are conveyed within the Town of Mount Pleasant, and owner of such land has Land Divisions associated with such parcel or parcels under this Chapter in the data base kept by the Town Clerk, then such Land Divisions shall be transferred or retained by the conveying landowner as follows:
 - (i) If the recorded document at the Green County Register of Deeds office according to which such parcel or parcels have been conveyed expressly states the number of Land Divisions conveyed to the Purchaser, and such number of Land Divisions conveyed is not greater than the number of Land Divisions allowed to such landowner under this Chapter according to the data base kept by the Town Clerk, then the Town of Mount Pleasant shall recognize the change of ownership of such Land Divisions and revise its data base accordingly.
 - (ii) If the recorded document at the Green County Register of Deeds office according to which such parcel or parcels have been conveyed expressly states that no Land Divisions have been conveyed to the Purchaser, then the Town of Mount Pleasant shall recognize that the transferor of the parcel or parcels has retained ownership of such Land Divisions and shall revise its data base accordingly to show that the parcel or parcels conveyed no longer have Land Divisions attached thereto.
 - (iii) If the recorded document at the Green County Register of Deeds office according to which such parcel or parcels have been conveyed does not expressly state the number of Land Divisions conveyed to the Purchaser, and does not expressly state that no Land Divisions have been conveyed, then under this Chapter the Land Divisions associated with such parcel or parcels shall be deemed to have been conveyed by the land owner to the purchaser thereof, and the Town of Mount Pleasant shall revise its data base accordingly.
 - (iv) Under Section 1-8-1(b)(6)(iii), the following special situations shall be treated as follows:

If a land owner sells less than all of his land in the Town of Mount Pleasant having Land Divisions attached thereto, that land owner’s Land Divisions shall be allocated between the seller and the purchaser or purchasers by multiplying the number of Land

Divisions of the seller immediately prior to such conveyance by a fraction the numerator of which is the number of acres retained by the seller and the denominator of which is the number of acres such seller owned immediately prior to such conveyance. The result of such multiplication (with any fraction equal to .5 or greater rounded up to the nearest whole number) shall be the number of Land Divisions retained by the seller. The number of Land Divisions transferred to the purchaser or purchasers of such parcel or parcels shall be the number of Land Divisions of the seller immediately prior to such conveyance minus the number of Land Divisions retained by the seller. If parcels are sold by a seller separately to more than one purchaser or groups of purchasers, the number of Land Divisions allocated to any single purchaser or group of purchasers shall be the number of Land Divisions transferred to all of such purchasers multiplied in the case of each purchaser or group of purchasers who received separate interests in the conveyed parcels by a fraction the numerator of which is the number of acres received by that purchaser or group of purchasers and the denominator of which is the total number of acres conveyed to all purchasers or groups of purchasers by the seller (with any fraction equal to .5 or greater rounded up to the nearest whole number, provided that the total number of resulting Land Divisions shall not exceed the number of Land Divisions transferred to all of such purchasers). If any of the resulting parcels are less than 1.5 acres, there shall be no Land Divisions attached thereto.

If a land owner or land owners transfer an undivided interest in land in the Town of Mount Pleasant having Land Divisions attached thereto, the transferee or transferees shall be deemed to receive an undivided interest in such Land Divisions together with the seller or sellers.

No Land Division or interest therein may be transferred separately from the land with which such Land Division is attached unless the Land Division is a whole number. For example, a person who owns a parcel with a Land Division jointly with another person may not transfer one-half of a Land Division to a third person who has no interest in the underlying land. Similarly, no person may transfer 1.5 Land Divisions separately from the land (see above with respect to rounding conventions in the case of multiple transferees of a parcel).

No Land Divisions shall be deemed transferred if the parcel or parcels sold contain fewer than 1.5 acres.

The foregoing ordinance was adopted at a regular meeting of the Board of Supervisors of the Town of Mount Pleasant on December 15, 2008.

Vote: Three for, no against.

Posted in three public places on
December _16_, 2008.

Dan Karlen, Clerk

Tim Feller, Chairman

Sally Roe, First Supervisor

Michael Gengler, Second Supervisor