

ABSTRACT

LAND WITHIN ANTIQUATED MAPS MAY NOT BE ABLE TO BE CONVEYED IN ACCORDANCE WITH THE LAWS OF TODAY

The Subdivision Map Act establishes the framework for subdividing land within California. It requires local governments to enact an ordinance to be used as a tool to regulate the design and improvements of subdivisions. Prior to 1893, there was not any state law that regulated the subdivision of land. At that time, the land speculation of the gold rush was rampant. Many “would-be” developers mapped the land with visions of quick sales and huge profits. These maps, referred to as antiquated subdivisions, are scattered throughout California, some in their entirety and others in remnants. Whether or not these old subdivisions are still valid today is consistently challenged. An analysis of case law reveals that many maps that were filed prior to early subdivision statutes did not create legal parcels that may be conveyed in accordance with the Subdivision Map Act of today.

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May 2006