

**COUNTY OF LYCOMING
COMMONWEALTH OF PENNSYLVANIA**

ORDINANCE NO. 2017-03

AN ORDINANCE

OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF LYCOMING, COMMONWEALTH OF PENNSYLVANIA, AMENDING COUNTY OF LYCOMING ORDINANCE 2004-03, ENTITLED, AS AMENDED, "COUNTY OF LYCOMING UNIFORM PARCEL IDENTIFIER ORDINANCE" TO AMEND THE DEFINITION OF DOCUMENT AND TO ADD A DEFINITION FOR REAL ESTATE AND CLARIFYING AND AMENDING THE DOCUMENTS FOR WHICH A UNIFORM PARCEL IDENTIFIER ("UPI") IS REQUIRED PRIOR TO RECORDING WITH THE LYCOMING COUNTY RECORDER OF DEEDS; PROVIDING FOR THE SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES OR RESOLUTIONS INSOFAR AS THE SAME SHALL BE INCONSISTENT HERewith; AND, PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.

Pursuant to the provisions of the Uniform Parcel Identifier Law, Act of January 15, 1988, P.L. 1 (21 P.S. § 331, et seq.) and the Act of January 15, 1988, P.L. 4 (16 P.S. § 9781.1 et seq.), the Board of Commissioners of the County of Lycoming hereby amends Lycoming County Ordinance 2004-03, the County of Lycoming Uniform Parcel Identifier Ordinance, as follows:

WHEREAS, the County of Lycoming Uniform Parcel Identifier Ordinance was enacted effective January 1, 2005, in order to establish the County of Lycoming's Uniform Parcel Identification System; and,

WHEREAS, the County of Lycoming's Uniform Parcel Identification System has proven an effective method of documenting and tracking transactions affecting real estate within the County of Lycoming; and,

WHEREAS, the County of Lycoming desires to expand the recorded instruments which receive a Uniform Parcel Identifier ("UPI") under the County of Lycoming's Uniform Parcel Identifier to even better document and track transactions affecting real estate within the County of Lycoming; and,

WHEREAS, it is the intention of this Ordinance that every instrument involving or affecting any interest in specific real estate and presented for recording in the Lycoming County Office of the Recorder of Deeds shall have a UPI certified thereof.

WHEREAS, pursuant to the enabling provisions of 16 P.S. § 9781.1, the Lycoming County Office of the Recorder of Deeds may not record or accept for recording any conveyance of real estate, mortgage of real estate or any other

instrument affecting real estate in Lycoming County unless the said instrument contains a UPI certified thereon.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE COMMISSIONERS OF THE COUNTY OF LYCOMING, AS FOLLOWS:

SECTION 1:

- **AMEND** Section 2(C), definition of “Document,” to read:

“Document” – Any writing evidencing an interest in Real Estate in Lycoming County, Pennsylvania, and which transfers or otherwise affects an interest in Real Estate, and which is to be recorded in the Office of Recorder of Deeds of Lycoming County. The term “Document” includes but is not limited to, the following:

- (1). A Deed or other instrument that transfers any interest in Real Estate, including Quitclaim Deeds.
- (2). Declaration of Taking by Condemnation.
- (3). Installment Land Contract (Article of Agreement).
- (4). Adverse Possession Affidavit.
- (5). Affidavit Affecting Title to Real Estate.
- (6). Easement.
- (7). Right-of-Way.
- (8). Ground Lease or other Lease Agreement, including a Memorandum of Lease, to the extent the Lease involves or affects any interest in specific Real Estate.
- (9). Right of First Refusal, to the extent it involves or affects any interest in specific Real Estate.
- (10). Option to Purchase, to the extent it involves or affects any interest in specific Real Estate.
- (11). Quiet Title decrees.
- (12). Mortgage, Assignment of Mortgage, Release of Mortgage, Satisfaction of Mortgage, Extension, Postponement, Subordination of Mortgage, or other Secured Transaction to the extent it involves or affects any interest in specific Real Estate.

(13). Distribution Decree, Bankruptcy Notice, or other Court Order affecting specific Real Estate, or other Court Order affecting specific Real Estate.

(14). Subdivision or Land Development Plan.

(15). Oil, gas and/or mineral lease(s) or any subsurface estate.

(16). Agreements of Sale affecting specific Real Estate and intended to be recorded.

(17). Declarations of Condominiums, Planned Communities, Homeowner Associations or other similar entities.

(18). Declarations of Covenants.

(19). Assignments affecting specific Real Estate.

(20). Terminations or Releases affecting specific Real Estate.

(21). Amendments affecting specific Real Estate.

(22). Memorandums affecting specific Real Estate.

(23). Instruments regarding Clean and Green or other preferential assessments affecting specific Real Estate.

(24). Subordinations affecting specific Real Estate.

(25). Instruments affecting oil, gas and/or mineral rights including, but not limited to, affidavits, releases, amendments, declarations, pooling or unitization declarations or agreements, assignments, and terminations.

The above list is not exclusive, and other documents or instruments may be added by the issuance of additional regulations promulgated by the Lycoming County Land Records Office of the Department of Planning and Community Development which administers Lycoming County's GIS Mapping and Data Services or by resolution of the Board of County Commissioners of Lycoming County.

- **ADD** to Section 2, a new Section 2(D), definition of "Real Estate" to read:

"Real Estate" – The surface estate and any interest(s) involving oil, gas, or mineral rights, or any other form, type, or extent of subsurface estate.

SECTION 2:

If any section, clause, phrase provision of this Ordinance is for any reason determined by a Court of Competent Jurisdiction to be invalid, such holding shall not affect the validity of the remaining portions of the Ordinance.

SECTION 3:

This Ordinance shall be effective the 1st day of September, 2017, and shall remain in effect until the expiration of the appropriate enabling legislation, or amendment thereof, or by action of the Board of Commissioners of the County of Lycoming.

Duly enacted this 27th day of July, 2017.

COUNTY OF LYCOMING

ATTEST:

R. Jack McKernan
R. Jack McKernan, Chairman

Matthew A. McDermott
Matthew A. McDermott, Chief Clerk

Tony R. Mussare
Tony R. Mussare, Vice Chairman

Richard Mirabito
Richard Mirabito, Secretary