

SCHUYLKILL COUNTY SOLICITOR'S OFFICE

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MEMORANDUM

To: Attorneys and Other Real Estate Professionals
Date: October 11, 2012

RE: Deeds of Consolidation/Annexation in Municipalities
Subject to the Schuylkill County Subdivision and Land
Development Ordinance Adopted February 25, 2009

Please be advised that effective January 1, 2013 for real property situate in municipalities under and subject to the Schuylkill County Subdivision and Land Development Ordinance Adopted February 25, 2009 (the "SALDO"), the following procedures will be enforced without exception by the Schuylkill County Planning and Zoning Office and the Schuylkill County Tax Assessment Office:

Section 105 C of the SALDO provides "All subdivisions ..., as defined in Article 2 of this Ordinance, shall be submitted for review by the Planning Commission pursuant to the provisions of this Ordinance." Section 2 of the SALDO defines a subdivision as,

The division or redivision of a lot, tract or parcel of land by any means into two (2) or more lots, tracts, parcels, or other divisions of land, including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership, or building lot development. . . .

Pursuant to the aforesaid definition, any situation where two or more parcels are being combined constitutes a subdivision subject to the SALDO. It is important to note that there is no term in the SALDO referred to as a Consolidation or Deed of Consolidation. However, the SALDO, in Section 2, defines an Annexation Plan as:

Also referred to as a Boundary Line Adjustment Plan. Physical combining of two (2) or more adjacent parcels into one parcel, for the sole purpose of increasing lot size where no new, additional or substandard lot will be created.

Article 4 of the SALDO sets forth the procedure for an Annexation Plan. Only after complying with the procedures set forth in Article 4 may two or more parcels be combined.

Based on the foregoing references to the SALDO, in municipalities subject to the SALDO, as of January 1, 2013, the only way the combination of two or more parcels will be accepted by the Schuylkill County Planning and Zoning Office and the Schuylkill County Assessment Office is after compliance with the Procedures more fully set forth in Article 4 of the SALDO. No deeds of consolidation or any other type of deed attempting to combine two or more parcels will be recognized until full compliance with Article 4 of the SALDO.

cc: Ginnie Murray, Tax Assessment Office
Susan Smith, Planning & Zoning Office