

**REPORT OF THE  
JOINT SUBCOMMITTEE STUDYING  
GUIDELINES FOR RECORDING PLATS  
TO  
THE GOVERNOR  
AND  
THE GENERAL ASSEMBLY OF VIRGINIA**



**HOUSE DOCUMENT NO. 26**

**COMMONWEALTH OF VIRGINIA  
RICHMOND  
1983**

## **MEMBERS OF COMMITTEE**

Walter H. Emroch, Chairman  
James F. Almand, Vice-Chairman  
Peter K. Babalas  
John H. Bartenstein  
Roy E. Comer, Jr.  
J. Curtis Fruit  
Frederick T. Gray  
C. Hardaway Marks  
William E. Maxey, Jr.  
Clinton Miller

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Office of Clerk, House of Delegates

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**Report of the  
Joint Subcommittee Studying  
Guidelines for Recording Plats  
To  
The Governor and the General Assembly of Virginia  
Richmond, Virginia  
January, 1983**

To: Honorable Charles S. Robb, Governor of Virginia  
and  
The General Assembly of Virginia

**INTRODUCTION**

Recognizing that standard procedures should be adopted for the recordation of plats in the various localities in the Commonwealth, the 1982 General Assembly called for a study of this issue. House Joint Resolution No. 130 (See Appendix A) authorized the creation of a joint subcommittee to study the establishment of guidelines for recording plats.

Walter H. Emroch, a delegate from Richmond, was elected to chair the joint subcommittee. Other members of the General Assembly chosen to serve on the subcommittee were, from the House, James F. Almand, C. Hardaway Marks and Clinton Miller and, from the Senate, Peter K. Babalas and Frederick T. Gray. Two members, J. Curtis Fruit and William E. Maxey, Jr., were clerks of court appointed by the President of the Virginia Court Clerks' Association and two members, John Bartenstein and Roy E. Comer, Jr., were surveyors appointed by the President of the Virginia Association of Surveyors.

**BACKGROUND**

The State Library has been working with circuit court clerks since the local records program began in 1972 to devise appropriate procedures for keeping records. As a result of this effort, a 1981 report to the General Assembly (Senate Document No. 9, 1981) concluded that "plats were and are the poorest made and kept records in the courthouse". A lack of meaningful, standardized preparation and recordation guidelines was perceived to have substantially contributed to this situation.

**RECOMMENDATIONS OF SUBCOMMITTEE**

The subcommittee, with valuable assistance from the State Archivist, Dr. Louis H. Manarin, made two recommendations:

1. A statutory amendment to § 17-68 of the Code of Virginia (See Appendix B) to require a) that courts using a procedural microfilm recording system record plats with the deed and index all plats in the general index to deeds, b) where plats are maintained singly, that they be cross-referenced appropriately with deed books, and c) that all plats submitted for recordation meet the standards adopted under § 42.1-82 of the Code.
2. The establishment of a special subcommittee to draw up detailed standards for plats under the auspices of the State Library Board and the State Public Records Advisory Committee as authorized in §§ 42.1-80 through 42.1-83.

The membership of the special subcommittee is to be composed of subcommittee members John H. Bartenstein, Roy E. Comer, Jr., J. Curtis Fruit and William E. Maxey, Jr., together with two additional circuit court clerks to be appointed by the President of the Virginia Court Clerks' Association, two additional surveyors to be appointed by the President of the Virginia Association of Surveyors, and one person who is neither a clerk nor surveyor to be appointed by the State Library Board. The guidelines established by the special subcommittee are to be completed prior to July 1, 1983.

Respectfully submitted,

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Walter H. Emroch, Chairman

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James F. Almand

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Peter K. Babalas

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John H. Bartenstein

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Roy E. Comer, Jr.

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J. Curtis Fruit

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Frederick T. Gray

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C. Hardaway Marks

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William E. Maxey, Jr.

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Clinton Miller

**APPENDIX A**

**HOUSE JOINT RESOLUTION NO. 130**

Requesting a study on the establishment of guidelines for recording plats.

**Agreed to by the House of Delegates, February 20 1982**

**Agreed to by the Senate, March 1, 1982**

WHEREAS, there are no guidelines for the preparation and recordation of plats; and

WHEREAS, standards for plats are needed so that uniform procedures for recording them can be developed; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That a study on the establishment of uniform procedures for the preparation and recordation of plats is requested. The study committee shall be composed of ten members: four members from the House Committee for Courts of Justice, to be appointed by the chairman; two members from the Senate Committee for Courts of Justice, to be appointed by the chairman; two members to be appointed by the President of the Virginia Court Clerks' Association; and two members to be appointed by the President of the Virginia Association of Surveyors.

The subcommittee shall complete its work in time to submit recommendations to the 1983 Session of the General Assembly.

The cost of conducting this study shall not exceed \$5,500.

## APPENDIX B

A BILL to amend and reenact § 17-68 of the Code of Virginia, pertaining to the recordation of plats and maps.

Be it enacted by the General Assembly of Virginia:

1. That § 17-68 of the Code of Virginia is amended and reenacted as follows:

§ 17-68. Recordation of maps.—All plats and maps may in the discretion of the clerks of the several circuit ; ~~corporation or hustings~~ courts be recorded in a book to be known as the plat book. And in case of such recordation of any plat or map which is attached to or made a part of any deed, deed of trust or writing which is recorded in the deed book, an appropriate note shall be made on the deed book where such deed, deed of trust or other writing is recorded, referring to the plat book and page where the plat or map is recorded and the clerk shall endorse on the plat and plat book the date of the recordation and a reference by book and page to the recorded instrument of which it is a part and shall sign the certificate. ~~No clerk, however, shall be required to spread upon the records of his office any such plat or map if it be larger than the sheets of the deed book or plat book kept in his office~~ *In those courts where deeds and other writings are recorded by a procedural microfilm recording system, plats shall be recorded with the deed and other writings and indexed in the general index to deeds. Wherever plats are maintained singly, as in a cabinet or on microfilm aperture cards, they shall be cross-referenced with the deed books in the same manner as prescribed herein when plats are recorded in a separate plat book. All plats submitted for recordation shall meet the standards for plats as adopted under § 42.1-82 of the Virginia Public Records Act .*

