

## HERKIMER COUNTY CLERK

### SUBDIVISION MAP REQUIREMENTS

Before any real property is subdivided into lots for sale, a copy of a map of the subdivided property which meets the following legal requirements, **must be filed** in the office of the Herkimer County Clerk, 109 Mary Street, Suite 1111, Herkimer, New York 13350. The filing fee is \$10.00. For more information call 315-867-1129.

1. All maps presented for filing must be printed or drawn with pen and India ink upon transparent tracing cloth or polyester film (Mylar) or be photographic copies on transparent tracing cloth or polyester film. Please note – maps on paper will only be accepted as copies for transmittal to County Tax Map Department or to Town or Village Clerk where the property is located.
2. **MUST** be in **TRIPLICATE**, to be distributed to the County Clerk and to the office of the Town or Village Clerk where the property is located.  
Original Mylar filed in County Clerk plat cabinets.  
One paper copy forwarded to County Tax Map Department for filing.  
One paper copy forwarded to the office of the Town or Village Clerk where the property is located.  
(Section 334, Real Property Law, Article 9, as amended August 1984.)
3. **MUST** be not less than 8 ½ x 11 inches and not more than 24 x 36 inches in size.  
(Section 334, Real Property Law, Article 9, as amended August, 1984.)
4. **MUST** have a certificate of the licensed land surveyor filing said map attached showing the date of the completion of the survey by said land surveyor and of the making of the map by said land surveyor and the name of the subdivision. (Section 334, Real Property Law.)
5. **MUST** have town or village planning board final approval endorsed on the map and be signed by the duly authorized officer of the planning board. If the municipality has not opted to create a planning board or has not given its planning board the authority to approve subdivision maps, then said approval should be that of the town or village board. Must be certified by County Treasurer and stamped by Real Property Tax Service Agency.  
(Sections 271, 276, 278, Town Law; Sections 7-718, 7-732, Village Law.)
6. **MUST** have New York State Department of Health approval, endorsed on the map, if the subdivision consists of five (5) or more parcels which are five (5) acres or less.  
(Section 1115-1118, Public Health Law, Article II, Title II.)
7. **MUST** be filed with the County Clerk within sixty two (62) days of planning board, town or village board final approval.  
(Section 276, Town Law; Section 7-728, Village Law.)

8. **MUST** have endorsed thereon or annexed thereto a certificate of the County Treasurer or of an abstract and title company and of all tax collecting officers stating that all taxes on the property have been paid.

(Section 334, Real Property Law.)

#### COUNTY CLERK'S RESPONSIBILITY

1. "It shall be the duty of the County Clerk or register to notify the (local) planning board in writing within three days of the filing or recording of any plat approved by such planning board, identifying such plat by its title, date of filing or recording, and official file number."  
(Section 278, Town Law; Section 7-732, Village Law.)
2. "All of such (subdivision) maps shall be placed and kept, by some suitable method, in consecutive order and shall be consecutively numbered in the order of their filing and shall be indexed under the initial letters of all substantives in the title of the subdivision."  
(Section 334, Real Property Law, Article 9.)