

DEPARTMENT OF
ATTORNEY GENERAL

MEMORANDUM

January 6, 1997

TO: John H. Long, R.S.
Environmental Health
Drinking Water & Radiological
Protection Division
Department of Environmental Quality

FROM: RPB R. Philip Brown
Assistant Attorney General
Public Health Division

RE: Government Plat Restrictions - Lake Isabella South

Enclosed is a memo by James E. Riley of the Natural Resources Division in our department regarding the above subject discussed at our earlier meeting. I agree with Mr. Riley's conclusion as far as it goes, but I also stand by my earlier advice to you. To insure that government plat restrictions can be enforced against subsequent purchasers of property it would be a much better practice to require developers to record those restrictions with the appropriate county Register of Deeds separate from any sub-division or development use restrictions. Such a document should be entitled "Government Plat Restrictions," or "Public Health Plat Restrictions," or some other description that gives notice to bona fide purchasers that certain government restrictions encumber the title to their property.

RPB/sb
Enclosure
CASES/97/RPB/MEMOJL

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JAN 08 1997

Drinking Water & Radio. Protection
Division - ENVIRONMENTAL HEALTH