



# CONVEYING PROPERTY/PROPERTY RIGHTS TO THE CITY OF GEORGETOWN, TEXAS

A Guide for Conveyance of Property or Property Rights into the City

## ABSTRACT

Description of the policies and procedures for conveying title to the City of Georgetown.

Real Estate Services,  
Systems Engineering  
City of Georgetown, Texas

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## Introduction

It may be necessary for a landowner to provide to the City of Georgetown (“City”) certain rights, up to and including fee simple title, in order to comply with City code pursuant to a development project or to obtain access to City services. The Unified Development Code identifies instances in which easements or fee simple title must be provided to the City, as well as guidance on the type, size, and timing of conveyance. Additionally, City policies as described herein identify the procedure for conveying those rights into the City. It is recommended that coordination with City’s Real Estate team early to avoid delays and ensure that the process moves smoothly. In the following pages, detailed information on the process and requirements for conveyance of title are provided. However, it is important to remember that each property is unique which may impact these timeline and requirements.

The general requirements for conveying title into the City are:

1. Metes and bounds description, with survey diagram (Exhibits “A” & “B”).
2. Use of City approved form.
3. Title insurance.

It is important to note that the procedures described here are subject to review and alteration by the City at any time and without notice. This guide is for informational purposes only, and does not amend, alter, or supersede any portion of the City’s Municipal Code of Ordinances, Unified Development Code, Development Manual, Construction Manual, or any other Codes adopted, or regulations promulgated, by the City of Georgetown.

## Specific Requirements for Conveyance of Property and Property Rights

### Metes and Bounds (Survey)

- Metes and bounds description, with a survey diagram of the area being conveyed, easement area, etc.
- Must be signed and sealed by a Texas RPLS.
- Additional survey work may be required in order to clear title.

### Conveyance Documents

The City has standard forms for easements and deeds. The use of these forms provides consistency across the City’s infrastructure networks. Please note:

- City utility easements are exclusive.
- Utilization the City’s Standard form is required.

The most commonly used forms are:

- Deed (click the links below)
  - [General Warranty](#)
  - [Parkland Dedication](#)
- Easements (click the links below)
  - [Water](#)
  - [Wastewater](#)
  - [Electric](#)
  - [Sidewalk](#)
  - [Temporary Emergency Access](#)
  - [General Utility](#)
  - [Public Utility](#)

## Title Insurance Requirements

Title insurance is the method the City utilizes to manage risk associated with the acceptance, ownership, and management of real property. It additionally serves to enhance the conveyance process by providing an accurate and time efficient method of reviewing title.

Title insurance is required, to be provided at no cost to the City\*, for the following interests:

- Any easement serving three or more units or lots
  - Any CIP or Master Plan identified line or infrastructure
  - All roadway rights of way
  - Drainage Easements
  - Parkland
  - Any fee conveyance into the City
- \*(Title insurance is not required for conveyances of Sidewalk and Access easements)

## Title Insurance Companies

In the process of obtaining Title insurance, you may select a Title company that is established and reputable.

- The conveying party may select the title company of their choice. The City does not specifically recommend or require the use of a particular company. However, the City can provide Applicant with a list of title companies that have been previously used by other applicants, are aware of the process involving transactions where the City is a party to the transaction, and can facilitate the process. For the list, click [here](#).
- Any title company selected *must* be licensed by the Texas Department of Insurance.
- The conveying party shall not have any proprietary interest in the title company selected.

## Title Commitments and Title Review

Any commitment submitted to the City for review shall:

1. Include all standard schedules for review;
2. Show a committed coverage of no less than;
  - a. \$1/sf of easement area or property to be conveyed; or,
  - b. the cost to construct the improvements on the property, current as of the time of conveyance. The Engineer's letter of concurrence as required for acceptance of the infrastructure is considered sufficient to determine that cost.
3. The City may object to any exception listed. It is the Grantor's responsibility to clear such objection as a condition of acceptance of the property/easement, etc.
  - i. There are certain exceptions and matters of title to which the City will always object and require clearance. A list may be found in the next section.
  - ii. It is recommended Applicant attempt to resolve issues relating to the title as indicated above prior to filing an application. Resolving these issues will expedite the process and prevent delays or denial of the request.
4. Any documents pertaining to an exception from coverage which are not readily available for review from the Property Records Division of the Williamson County Clerk's office.
  - a. Examples may include court judgements, probate records, etc.

## Matters Causing Immediate Objection

The City will require clearance of the items listed below from the City's title. Please note that the City reserves the right to object to any exception on title, as noted above. This list should not be considered exhaustive, but rather a guide to facilitate more efficient review. It is recommended that anyone submitting a title commitment for review by the City obtain the necessary information and documentation to clear these items *prior to submitting the commitment*.

- "Rights of Parties in Possession", or similar language.
- "Any and all easements, rights of way, encroachments, protrusions, boundary conflicts or other matters of a similar nature, the existence of which would be reflected by a current and accurate survey and the subject property," or similar language.
- "Visible and apparent easements," or similar language.
- Retention of Surface rights pursuant to mineral interests (drilling, access, etc.).
- Utility easements which do not actually encumber the interest being conveyed to the City.
- Easements of the same use running longitudinally with the proposed City easement or right of way.

- ie. Electrical, water, gas easements running along and under proposed City easements.
- Access, utility, other easements across Parkland.
- “Any leases, easements, or other matters of title which do not appear of record,” or similar language.

## Process and Method for Coordinating with City Staff

In order to avoid unnecessary costs and prevent delays, it is critical that the conveying party work closely with staff. Below is the process that each conveyance will follow and the best methods for coordinating work to ensure a successful outcome.

### Initial Submittal of Information

In order to initiate a conveyance to the City, one must submit the following:

- Title commitment
- Metes and Bounds survey
- Ownership Information, including:
  - Most recent deed

Documentation of responsible party (i.e. formation documents, TXSOS management information, etc.). In order to facilitate your project, the City has developed an [Real Property Rights Conveyance Information Sheet](#). This sheet includes much of the information that staff will need in order to prepare the conveyance documents. Use of this document is not required to complete a conveyance to the City. However, failure to provide this information in a timely manner will delay completion of the conveyance. Therefore it is recommended that this sheet be utilized and all pertinent information field be completed.

After you have gathered the necessary information, submit all items in pdf format via email to [ROW@georgetown.org](mailto:ROW@georgetown.org). This initial information will be reviewed by the Real Estate Team, assigned a project number for tracking, and a staff member will be assigned to coordinate. Once assigned, the staff member will initiate contact and begin working with the conveying party to identify additional information needed, appropriate next steps, and to close this process.

**It is critical that the information provided in the initial submittal be accurate and complete to prevent delays.**

### Subsequent Submittals, Ongoing Communication

Once a staff member has been assigned, you will be provided an email and telephone number to communicate directly with that person. Communication will no longer be necessary with

[ROW@georgetown.org](mailto:ROW@georgetown.org). The staff member will identify additional information, give guidance on the City's needs, and provide instructions for closing the conveyance.

## Timing

We understand that your time is valuable. However, every property is different, and so each conveyance will have its own unique issues. Most conveyance take at least 90 days to complete. If this is part of a larger project, the conveyance work can often take place alongside the tasks of other City departments. Please communicate your needs clearly and early to your assigned staff member so that they can provide you with the best level of service. Clearing items from title which do not apply to the area being worked on can greatly speed up the process.

Please note, that changes to the City's standard easements and deeds, will greatly increase review time. Additionally, even in cases in which staff and the City Attorney have approved the changes, Council approval may be necessary.

## Changes to City Documents/Standard Forms

The City recognizes that each property is unique and that changes to the City's standard forms may, from time to time, be necessary. However, times requiring such changes are considered exceptional. Changes to the City's standard forms complicate the future management of the City's infrastructure. The uniformity of these documents enables the City to focus on the technical aspects of managing that system. Additionally, the City's form have been and are now in use across the City on many different properties and in a number of different situation, making them very flexible documents as drafted. For these reasons changes are discourage. However, if necessary, such changes must be submitted in "red line" format, that is easily discernible from the standard. They must be reviewed and approved by City Staff and the City Attorney. Additionally, if substantial changes have been made, approval by the City Council may be necessary. Please keep in mind that changes, and the required reviews, may lengthen timelines and cause project delays.