

CALIFORNIA LAW REVISION COMMISSION

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NEWS RELEASE
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For Immediate Release

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Marketable Record Title: Notice of Option

Request for Public Comment

The Law Revision Commission seeks public comment on a tentative recommendation relating to a provision of the Marketable Record Title Act: Civil Code Section 884.010.

That provision enhances marketability of title to real property by providing for the expiration of record notice of an obsolete option to purchase real property. Effective operation of that provision requires that the status of record notice of an option be determinable solely by reference to title records.

The Law Revision Commission has learned that, in some circumstances, the application of Section 884.010 requires information that is not included in the title records (i.e., information about the expiration date of the option). That undermines the purpose of Section 884.010.

The Commission recommends that Section 884.010 be revised so that, in all cases, the status of record notice of an option can be determined by reference to title records alone.

The tentative recommendation is available from the California Law Revision Commission, 4000 Middlefield Road, Room D-2, Palo Alto, CA 94303-4739. The tentative recommendation is also available at the Commission's website (www.clrc.ca.gov) in the pull-down "Reports" menu.

The Commission often substantially revises its recommendations as a result of public comment. To receive timely consideration, comments should be submitted by **September 1, 2009**.
