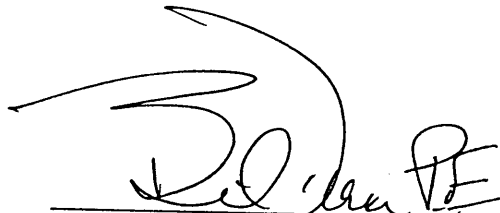


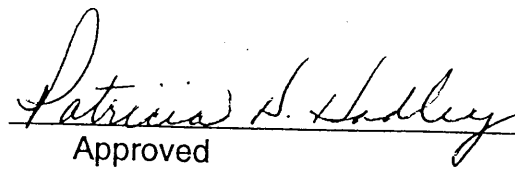
COLUMBIANA COUNTY CONVEYANCE STANDARDS

EFFECTIVE JANUARY 1, 1997




Approved _____ Date 9/10/96

Bert Dawson, P.E., P.S.
Columbiana County Engineer


Approved _____ Date 9/18/96

Patricia Hadley
Columbiana County Auditor

COLUMBIANA COUNTY
CONVEYANCE STANDARDS

PREFACE

It is the intent of these requirements to provide a standard method of checking legal descriptions for deeds, easements, affidavits and other instruments that require the use of land descriptions.

The County Engineer and County Auditor are required by Ohio Revised Code sections 315.251 and 319.203 to jointly adopt standards governing conveyances of real property in the county. The county officials and their people desire to provide a service for the public to insure proper and accurate descriptions of property, to correct any errors that are evident and to insure that property is accurately described for tax purposes.

The following standards are not all inclusive and by law can be modified to cover situations not included herein. Should situations arise that are not covered by these standards before a modification is made, the County Engineer's office and County Auditor's office will make an interpretation and issue a joint policy accordingly on a case-by-case basis.

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SECTION I

EXISTING PARCELS

1.1 REVIEW

The legal description of all existing parcels recorded in deeds, land contracts, trusts, easements, certificates of transfer, long-term leases or any other transfer of title will be reviewed by the County Engineer's Tax Map Department for compliance with Section 4733-37-06 of the Ohio Administrative Code, entitled "Minimum Standards for Boundary Surveys in the State of Ohio". Should the legal description of the land to be conveyed be different from the legal description of the land conveyed in the most recent conveyance of all or part of that land, then a boundary survey, new description and a survey drawing shall be required and must satisfy the requirements of Sections 4733-37-01 through 4733-37-07 of the Administrative Code and the Columbiana County Conveyance Standards.

1.2 CONTENT

All existing legal descriptions of record must be transcribed verbatim from the instrument of previous record and transfer. Correction of typographical errors, omissions or other obvious mistakes are permitted in order to make the description more accurate. The corrections shall be shown in parentheses. In addition to the required content of rule 4733-07-06 of the Administrative Code, the Auditor's permanent parcel number (PPN) shall be included in the legal description for each parcel.

1.3 PRIOR DEED

A copy of the prior deed for each parcel being reviewed shall be submitted with the new deed to the County Engineer's Tax Map Department.

1.4 INADEQUATE DESCRIPTION

Upon review according to the standards stipulated in Section 1.1 of this document, should the legal description of an existing parcel be deemed inadequate by the County Engineer's Tax Map Department, then the new deed will be stamped "New Survey Required" when the next "arms length" sale takes place. This "New Survey" shall satisfy the requirements of Section 4733-37 of the Administrative Code and the Columbiana County Conveyance Standards. See Appendix A for some examples of items which make a description inadequate.

1.5 PLATTED LOTS

All instruments conveying a recorded lot in a municipality or recorded subdivision must designate the lot number(s), the official recorded name and the plat book and page number. Any parcel being conveyed in what is commonly known as an "Unrecorded Plat" must have a metes and bounds legal description.

SECTION I - continued

1.6 RAILROAD RIGHTS-OF-WAY

The conveyance of any portion of railroad right-of-way shall require a boundary survey, new description and a survey drawing which must satisfy the requirements of Section 4733-37 of the Administrative Code and the Columbiana County Conveyance Standards.

1.7 ANNEXATION

Any existing legal description which, since the previous conveyance, has been incorporated into a municipality or other political subdivision by means of annexation must be changed to reflect its new corporation location within the situate of the subject instrument of conveyance.

SECTION II

NEW PARCELS

2.1 DEFINITION

A boundary survey, new legal description and survey drawing are required whenever land to be conveyed is only part of the Grantor's land, or more commonly known as a "split".

2.2 REQUIREMENTS

The boundary survey, new legal description and survey drawing as required by Section 2.1 of this document shall satisfy Section 4733-37-01 through 4733-37-07 of the Administrative Code, entitled "Minimum Standards for Boundary Surveys in the State of Ohio" plus the requirements of this document.

2.3 ROAD RIGHTS-OF-WAY

The area of fee ownership within the existing travelled area of all established road rights-of-way of each parcel shall be shown on the survey drawing and contained within the legal description.

2.4 CLOSURE CHECK

A computer generated print-out of the closure of each new parcel shall be submitted with the legal description, based on the survey drawing, in order to expedite the review process.

SECTION II - continued

2.5 ROADWAY DEDICATION

The establishment, alteration or widening of any public road, street or alley shall require a boundary survey, new description and survey drawing which must satisfy the requirements of the Columbiana County Conveyance Standards.

2.6 TAX PARCEL NUMBER

The County Engineer's Tax Map Department will assist in providing the Tax Parcel Number(s) by marginal notation on the instrument of conveyance, and with the assistance of the County Auditor's Real Estate Department, when requested, will verify the tax parcel(s) to be conveyed on all instruments using the existing legal description of record.

2.7 TAXING DISTRICTS

Whenever a new legal description falls in two(2) or more taxing districts or crosses existing deed lines, a breakdown of the total area must be recited to create an accurate tax structure.

SECTION III

APPROVAL PROCESS

3.1 REVIEW TIME

The time necessary for review of each deed form and survey drawing will be a minimum of two(2) working days from the time of submittal.

3.2 LAND CONTRACTS

Land contracts shall be routed through the County Engineer's Tax Map Department for review to comply with Section 4733-37-06 of the Administrative Code. Should the legal description of an existing parcel be deemed inadequate, "New Survey Required", then a boundary survey, new legal description and a survey drawing will be required at the time of transfer of title, which shall satisfy the requirements of the Columbiana County Conveyance Standards.

3.3 OTHER AGENCY APPROVAL

The approval of other entities, when required, such as the Health Department, County Planning Commission, Zoning Board or municipal planning commissions shall be performed prior to submittal to the County Engineer's Tax Map Department for review.

SECTION IV

GENERAL REQUIREMENTS

4.1 SUBMISSION REQUIREMENTS

A minimum of two(2) copies of the deed form and survey drawing shall be submitted for review. The survey drawing shall be no larger than 24"x 36" in size, be of an adequate scale to show the necessary detail and have a legible surveyor's signature and seal.

4.2 VACATION OF DEDICATED ROADS, STREETS AND ALLEYS

Any proposed vacation of a dedicated road, street or alley, inside or outside a municipality, shall require a boundary survey, new legal description and a survey drawing which shall satisfy the requirements of Columbiana County Conveyance Standards.

4.3 METRICS

Any survey performed in the metric system which requires the submission of a legal description and a survey drawing shall depict all dimensions in imperial units. This task can be accomplished by showing the imperial dimension followed by the metric equivalent in parenthesis.

4.4 GEODETIC CONTROL

Any parcel of land being surveyed for review by these standards which is within one-half mile of any Columbiana County GIS geodetic survey monument shall be tied into said survey mark. Also, in order to establish the basis of bearings, the survey shall be tied into the accompanying azimuth mark of the survey monument. At least one(1) monumented corner of the parcel shall have state plane coordinates (NAD83, Ohio North Zone) listed on the survey drawing.

4.5 EASEMENTS

All new easements of record shall commence at an acceptable starting point as described in Section 4.6 of these standards.

4.6 STARTING POINT

Acceptable starting points for legal descriptions and survey drawings are as follows:

- a) section or quarter section corners
- b) monumented centerline of road intersections
- c) platted allotment corner (plat book and page noted in description)

4.7 ZONING

Any and all applicable zoning regulations shall be satisfied prior to submission for approval by the County Engineer's Tax Map Department.

APPENDIX

APPENDIX A - EXAMPLES OF INADEQUATE DESCRIPTIONS

1. no bearings and/or distances called out along the property lines
2. no area stated for metes and bounds parcel(s)
3. no starting point called out