

REQUIREMENTS
FOR ALL INSTRUMENTS OF CONVEYANCE IN
HOCKING COUNTY, OHIO

Effective Date: 10-07-96

**MINIMUM REQUIREMENTS FOR ALL INSTRUMENTS
OF CONVEYANCE IN HOCKING COUNTY**

The following requirements are a revision of the requirements dated July 1, 1977 and January 1, 1989, which are hereby rescinded.

The following Requirements are now adopted and established in conjunction with the Hocking County Engineer and the Hocking County Auditor effective on this date: October 7, 1996.

**ALL INSTRUMENTS MUST BE SUBMITTED TO THE HOCKING COUNTY ENGINEER'S MAP
DEPARTMENT BEFORE CONVEYANCE AND/OR RECORDING INCLUDING THE FOLLOWING:**

Existing descriptions of record, new surveys, new subdivisions, subdivision vacations, annexation descriptions and land contracts. This inspection is for accuracy of the description and compliance with all City, County and State regulations. Exempted from this are easements, mortgages and leases.

INSTRUMENTS SUBMITTED WILL BE SUBJECT TO THE FOLLOWING TRANSFER PROCEDURES:

A: Should the deed description be acceptable it will be stamped "Approved for Transfer by the Hocking County Engineer's Office".

B: Should the deed description be a transfer of an existing description which is in error and does not meet the Hocking County minimum survey standards for boundary surveys, it will be stamped "Error(s) in Description" with a brief explanation of the error and "Approved for Transfer by the Hocking County Engineer's Office". Deeds containing excessive or correctable errors will not be approved for transfer and will be returned for correction.

C: Should the deed description include a new division of property? Which is in error or does not comply with the Hocking County minimum survey standards for boundary surveys and all applicable County and City Planning, Health Department and Zoning requirements, it will be returned and will not be permitted to transfer.

REQUIREMENTS FOR TRANSFERRING EXISTING DEED DESCRIPTIONS:

1. Lots in platted areas, which are shown on plats in the office of the County Recorder shall be described by lot number, name of addition or subdivision and with reference to a plat book or cabinet, and page or slide number.
2. Each tract being conveyed shall state the prior deed reference at the conclusion of each tract.
3. Description(s) presented for transfer that differ in context from the prior recorded description will not be accepted for transfer. Description(s) with exceptions to the parent tract are permitted. Exceptions may be described by simply stating the prior instrument of record and acreage.
4. Changes from the previous description that involves scrivener errors, omissions or other obvious mistakes that were found to be correct on an earlier deed of record, are permitted in order for the description to be more accurately described.
5. Acreage within a vacated subdivision must have a new survey before transferring unless the tract can be described from an earlier recorded description and was previously accepted for transfer.
6. Descriptions such as quarter section (160 Ac.), 1/2 of a quarter (80 Ac.), 1/4 of a 1/4 section (40 Ac.) and fractional lots, all of record, are acceptable descriptions.
7. An affidavit involving real estate that is presented to the Auditor's Office shall have a copy of the property description attached.

8. The preamble of all descriptions shall state the following: State, county, township, range, township number, section or lot number, subdivision, quarter section and corporation or village.
9. Land contracts will be reviewed and stamped appropriately, and shall be treated and subject to all requirements for any new transfer.
10. All corrective deeds must state what is being corrected.
11. All conveyances must include the address of the grantee on the deed.
12. Any deed using an attached legal description, must be legible. Fax copies are not permitted.
13. Witness signatures must specify as to whom; signatures must be legible or include witness' printed or typed name.

REQUIREMENTS AND MINIMUM STANDARDS FOR NEW BOUNDARY SURVEYS:

These standards are intended to be the basis for all surveys relating to the establishment or retracement of property boundaries in Hocking County, Ohio. When a client desires only a portion of his property surveyed, and this portion can be clearly isolated from the remainder of the property without affecting the interests of adjoining owners, these standards shall apply to the survey of only the desired portion. These standards shall include, meet or exceed the Minimum Standards for Boundary Surveys in the State of Ohio, Administrative Code, Chapter 4733-37.

SURVEYS REQUIRED:

A: Any division of a parcel of land into two (2) or more parcels shall require a new survey. Excepted from this are parcels which may be readily definable without a metes and bounds description, per a recorded, definable tract. (i.e. 1/4 section, fractional lot, etc.)

B: When the surveyor knows a new description is to be used for a fee transfer, the surveyor shall base the description on a current or updated field survey of the property.

RESEARCH AND INVESTIGATION:

A: When the deed description of the subject property and the deed descriptions of adjoining properties do not resolve the unique locations of the corners and lines of the property being surveyed, the surveyor shall consult other sources of information in order to assemble the best possible set of written evidence of every corner and line of the property being surveyed. These sources include, but are not limited to: records of previous surveys, deed descriptions of adjacent properties, records of adjacent highways, railroads and public utility lines; also include subdivision plats, tax maps, topographic maps, aerial photographs, and other sources that may be appropriate.

B: After all necessary written documents have been analyzed, the survey shall be based on a field investigation of the property. The surveyor shall: make a thorough search for physical monuments, analyze evidence of occupation and confer with the owner(s) of the property being surveyed. In addition, the surveyor shall, when necessary: confer with the owner(s) of the adjoining property and take statements.

MONUMENTATION:

A: When necessary in accordance with the accepted surveying practice and legal requirements, the surveyor shall set boundary monuments so that, upon completion of the survey, each corner of the property and each referenced control station will be physically monumented.

B: When it is impossible or impractical to set a boundary monument on a corner, the surveyor shall set a reference monument, similar in character to the boundary monument and preferably along one of the property lines which intersect at that corner. When such a reference is used, it shall be clearly identified as a reference monument on the plat of the property and in any new deed description, which may be written for the property.

C: Every boundary monument and/or reference monument set by the surveyor shall, when practical:

- (1) Be composed of a durable material.
- (2) Have a minimum length of thirty inches.
- (3) Have a minimum cross section area of material of 0.2 square inches. (5/8" meets this requirement)
- (4) Be identified with a durable marker bearing the surveyor's Ohio Registration number and/or name or company name.
- (5) Be detectable with conventional instruments for finding ferrous or magnetic objects.

D: When a case arises, due to physical obstructions such as pavements, large rocks, large roots, utility cables, etc., so that neither a boundary monument or a reference monument can be conveniently or practically set in accordance with paragraph C of this rule, then alternative monumentation, which is essentially as durable and identifiable (e.g., chiselled "X" in concrete, drill hole, etc.) shall be established for the particular situation.

MEASUREMENT SPECIFICATIONS:

All measurements shall be made in accordance with the following specifications:

A: The surveyor shall keep his equipment in such repair and adjustment as to conform to the requirements stipulated by the Director of Agriculture in sections 1327.46 to 1327.99 of the Revised Code. The specifications, tolerances and regulations published in the "National Bureau of Standards Handbook 44" shall be the specifications, tolerances and regulations for commercial weighing and measuring devices of the State.

B: Every measurement of distance shall be made either directly or indirectly in such a manner that the linear error in the distance between any two points (not necessarily adjacent points) shall not exceed the reported distance divided by five thousand (allowable linear error = reported distance divided by five thousand) and every angular measurement shall be made in such a manner that the allowable (directional) error, in radians, shall not exceed the allowable linear error divided by the reported distance (allowable (directional) error = allowable linear error divided by reported distance.) When the reported distance is less than one hundred feet, the linear error shall not exceed 0.02. The reported distance is the distance established by survey.

C: In all new deed descriptions and plats of surveys, the lengths and directions of lines shall be specified so that the mathematical error in closure of the boundary does not exceed the following:

- (1) Surveys in County and City: 1 in 5,000
- (2) Subdivision plats: 1 in 10,000

D: All surveys using metric measurements shall meet all requirements as described in 4733-37 OAC. All metric measurements given must be followed by english measurements in parentheses.

PLAT OF SURVEY:

A: The surveyor shall prepare a scale drawing of every survey in which he retraces previously established property line(s) or establishes new boundaries.

B: The surveyor shall include the following details on all plats submitted to the Hocking County Engineer's Office for approval:

- (1) A title such that the general location of the survey can be identified.
- (2) A north arrow.

- (3) A clear statement as to the basis of the bearings used.
- (4) A starting point at a section corner or some other permanently recorded and definable point. This does not include the intersection of roads.
- (5) Adjacent property owners and their deed references shall be shown.
- (6) If the property includes acreage in two or more sections, or inside and outside a corporation limit, the acreage in each section or area must be shown.
- (7) The control station(s) or line cited in the deed description and the relationship of the property to this control.
- (8) A notation at each monument stating that the boundary monument specified was found or set, and a description of the material, size, position and condition of every monument found or set. All new iron pins or pipes set after January 1, 1981, shall have some type of durable identification cap and shall be so described on the plat.
- (9) A general notation describing the evidence of occupation that may be found along every boundary line and /or occupation line.
- (10) The length and direction of each line as specified in the deed description of the property or as determined in the actual survey if this differs from what is stated in the deed description by more than the tolerance specified in Paragraph (B) "Measurement Specifications".
- (11) A citation of pertinent documents and sources of data used as a basis for carrying out the work.
- (12) The written and graphical scale of the drawing.
- (13) The date of the survey.
- (14) The surveyor's printed name and Ohio Registration number, signature and seal (in a form which may be clearly reproducible on any copies which may be made of the original drawing).

DESCRIPTIONS:

A: When a surveyor is called upon to prepare a new description, either to replace an existing description which is inadequate or to create a new piece of property, said description shall include the following items:

- (1) Sufficient caption so that the property can be adequately identified.
- (2) A relationship between the property in question and clearly defined control stations.
- (3) The basis of bearings.
- (4) A citation to the public record of the appropriate prior deed(s).
- (5) The surveyor's name, Ohio Registration number and date of writing and/or survey.

B: A metes and bounds description shall include, in addition to paragraph (A) of this rule:

- (1) A description of the boundary monument used as the initial point of the description.
- (2) A series of calls for successive lines bounding the parcel, each of which specifies:
 - (a) The intent in regards to adjoining or other existing features.

- (b) The direction of the line relative to the direction of the basis of bearings.
- (c) The length of the line.
- (d) A description of the boundary monument (or reference monument and whether found or set, and in cases with iron pins or pipes set after January 1, 1981, a description of the identification cap.
- (e) Sufficient mathematical data shall be given for each curved line so that the curve can be reproduced without ambiguity.
- (f) The reported boundary data shall meet the closure requirements of paragraph (C) of "Measurement Specifications".

(3) The area of the parcel, broken down by each section if the parcel lies in two or more sections.

C: Descriptions other than the metes and bounds form shall include sufficient and adequate legal and technical wording so that the property can be located and defined.

D: A statement shall appear indicating that either: the description was made in accordance with a recent survey and date thereof, or the description was based on a previous survey, of a certain date, and date of description, or the description was not based on a survey.

SUBDIVISION PLATS:

When a subdivision is created from a piece of property, or several adjoining pieces, the surveyor shall prepare a scale drawing showing all of the details specified in Rule 4733-37-05 of the Ohio Administrative Code. In addition, the drawing will show all of the details of each new lot, street, easement, etc., including the length and direction of each new line. Sufficient mathematical data shall be given for each curved line so that the curve can be reproduced without ambiguity.

All other requirements as stipulated in the Subdivision Regulations for Hocking County, Ohio adopted November 14, 1978, or subsequent revisions, shall be met.

Signed By: William R. Shaw
Hocking County Engineer

Signed By: Kenneth R. Wilson
Hocking County Auditor

Adopted: 10-02-1996 1996.