

**TRANSFER PROCEDURES FOR
JEFFERSON COUNTY**

The following requirements are now adopted and established in conjunction with the Jefferson County Engineer and the Jefferson County Auditor as prescribed by Ohio Revised Code Section 319.203. *(See Note #1 on page 6.)

**INSTRUMENTS WHICH ARE TO BE SUBMITTED
TO THE JEFFERSON COUNTY ENGINEER'S MAP DEPARTMENT
BEFORE CONVEYANCE AND/OR RECORDING ARE AS FOLLOWS:**

Existing real estate descriptions of record, all street, alley, road and subdivision vacations, new survey plats and descriptions, subdivision plats, road establishments, annexation descriptions and land contracts.

**INSTRUMENTS SUBMITTED WILL BE SUBJECT
TO THE FOLLOWING PROCEDURES PRIOR TO THEIR ACCEPTANCE
FOR TRANSFER ON THE TAX DUPLICATES OF JEFFERSON COUNTY, OHIO:**

- A. To avoid delay instruments of conveyance and new surveys should be submitted at least two days prior to the transfer. Instruments conveying by a new survey description cannot be processed until both the new description and plat are submitted to the Jefferson County Engineers Map Department for approval. Descriptions will be checked by the Map Department as promptly as possible.
- B. Existing descriptions of record that do not meet current requirements may transfer one time (only if the prior deed reference is before Vol. 520) with a Red Stamp if that description can be located on a tax map. This stamp stating "NEW DESCRIPTION NECESSARY FOR FUTURE TAX MAP TRANSFER", will be initialed by Jefferson County Map Department personnel.
- C. Descriptions that were marked "POOR DESCRIPTION-NOT ACCEPTABLE" will not be accepted. A new survey is required for transfer. See requirement #4 (REQUIREMENTS FOR TRANSFERRING ALL DEED DESSCRPTIONS) for exceptions.
- D. New surveys submitted and approved will be marked "survey checked", initialed by personnel from the Jefferson County Engineer's Map Department.
- E. Descriptions that meet current requirements will transfer with an approved stamp, and will be initialed by Jefferson County Map Department personnel.

- F. Descriptions which are poor but are transferring between immediate family members will transfer with a red stamp, even if the prior description was red stamped, if the property is a gift. If the property is being sold, even to a family member, it must be surveyed. (Immediate family includes: mother, father, son, daughter, grandparents, brother, sister, brother-in-law, son-in-law, sister-in-law, daughter-in-law, father-in-law, mother-in-law, spouse, and grandchild.) Exceptions are not limited as in requirement #6 of the Requirements for Transferring All Deed Descriptions. The remaining acreage of each tract to be conveyed shall be stated.
- G. Land contracts will be reviewed for compliance with the following MINIMUM REQUIREMENTS and stamped appropriately.
- H. It is understood that all situations not addressed by these requirements will be handled as special cases by the Jefferson County Engineer's Map Department.

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

Descriptions/plats submitted shall conform to the requirements as set forth in the Requirements and Provisions of Chapter 711 and Sections 315.251, 319.203 of the Ohio Revised Code and the Minimum Standards for Boundary Surveying in the State of Ohio, Administrative Code Chapter 4733-37 plus the following requirements.

REQUIREMENTS FOR TRANSFERRING ALL DEED DESCRIPTIONS

1. The preamble of all descriptions shall state the following: State, County, Township, range number, township number, section number, subdivision, quarter section and corporation or village.
2. Any instrument referring to a prior Volume & Page and not containing an actual description will not be accepted. All instruments must have a description.
3. Descriptions presented for transfer that differ in context from the prior recorded description, will not be accepted for transfer. Descriptions with exceptions to the parent tract are permitted. See requirement #6 below concerning exceptions and #4 for scrivener errors.
4. Changes from the previous description that involve corrections of scrivener errors, omissions, or other mistakes, in order for the description to be acceptable for transfer, are permitted.

5. An affidavit involving real estate that is presented to the Auditor's Office shall have a copy of the property description attached.
6. The description of a tract containing an excepted area shall have the excepted area fully described and/or referenced by a most recent prior recorded description that meets the current transfer requirements. The acreage of the exception shall be recited. No more than 4 (four) exceptions per tract will be approved or no more than ½ (one-half) the parent tract's acreage shall be in out-conveyances (Exceptions) whichever occurs first. Exceptions are to be recited at the conclusion of each parent tract.
7. Each tract being conveyed shall state the most recent prior deed, referenced at the conclusion of each parent tract.
8. A survey shall be required for all splits, and to combine 2 (two) or more parcels on the tax duplicate.
9. Descriptions that have these phrases:
 1. "Not to be construed as an actual survey, based on the deeds of record"
 2. "Description based on the Jefferson County deeds of record and is not an actual survey",
or other similar statements will not be accepted even if previously stamped approved. A new survey is required for transfer.
10. All corrective deeds shall explain, in the deed, the corrective action being taken.

**REQUIREMENTS FOR TRANSFERRING EXISTING DEED
DESCRIPTIONS OF:
"ALL LOTS AND OUTLOTS" (PLATTED AND UNPLATTED)**

1. Lots in platted areas which are shown on plats in the office of the County Recorder shall be described by lot number, officially recorded name of addition or subdivision, and with reference to a plat book and page number, or cabinet and slide number.
2. Descriptions of parts of such lots and out-lots of recorded plats shall be adequately tied to a recorded lot corner or street intersection shown on the recorded plat and shall give dimensions of each part. Furthermore, any part lot which is "irregular" (that is, not rectangular) must be by metes and bounds description and conform to the requirements for All Metes and Bounds Descriptions of Record.

3. Deed descriptions referring to lots and out-lots of unrecorded plats shall be by metes and bounds and must conform to the Requirements for All Metes and Bounds Descriptions of Record. The number of a lot(s) of an unrecorded plat will not be accepted for transfer and may be used as reference only,

**REQUIREMENTS FOR TRANSFERRING EXISTING DEED
DESCRIPTIONS OF:
“ALL METES AND BOUNDS DESCRIPTIONS OF RECORD”**

1. Deed descriptions referring to acreage in un-platted areas shall be by metes and bounds and adequately tied in by metes and bounds and referenced to a point identifiable by reference to a map of the area such as the following:
 - A. Section corner, quarter section corner, fractional section corner, or nearby recorded subdivision corner.
 - B. Previously recorded surveys of monumented tie-downs that meet current transfer requirements.
 - C. When none of the above resources can be located, recorded highway monumentation or intersection of two roads listed on the current state inventory of county roads may be used.
 - D. Adequate tie-in to any of the above points of reference must be given. The bearing and distance from appropriate section line shall be used for reference.
2. Vague terms used on older deeds, such as “in a northerly direction”, “with the meandering of a stream”, “along a road”, are not acceptable, nor are references to points of beginning “on the lands of John Doe”, etc.
3. The description of a tract lying in more than one section or fractional section, a tract of land lying part within and part without a municipal corporation, tracts that include two or more taxing districts, and portions of recorded subdivisions shall state the acreage, dimensions, and most recent prior deed reference of each part.
4. Error of closure of existing metes and bounds descriptions shall not be greater than 0.02 foot latitude and 0.02 foot departure.
5. Acreage within a vacated subdivision must have a new survey before transferring unless the original tract was a fractional section of 80 acres or larger, or if the original description meets the current transfer requirements.
6. Descriptions such as quarter section (160 Ac.), $\frac{1}{2}$ of quarter section (80 Ac.), are acceptable descriptions. $\frac{1}{2}$ of $\frac{1}{2}$ of quarter section (40 Ac.) and $\frac{1}{2}$ of $\frac{1}{2}$ of the $\frac{1}{2}$ quarter section (20 Ac.) are not acceptable descriptions. If any of the above are created by a split, then the split would require a new survey.

REQUIREMENTS FOR SUBDIVISION PLATS

The subdivision plat shall satisfy the requirements as set forth in the Minimum Standards for Boundary Surveying in the State of Ohio Administrative Code Chapter 4733-37 and promulgated by the Board of Registration for Professional Engineers and Surveyors of the State of Ohio pursuant to Chapter 4733.

ADDITIONAL REQUIREMENTS ARE AS FOLLOWS:

1. Perimeter description of the subdivision must be on the plat.
2. Plat must be on mylar.
3. Plat cannot be any larger than 24 inches by 36 inches.
4. If the subdivision is part of more than one tract of land, the acreage used from each tract to create the subdivision must be stated.
5. The mathematical error of closure of every lot in the subdivision must not exceed 0.02 foot in latitude and 0.02 foot in departure.

REQUIREMENTS FOR NEW SURVEYS

The new survey, plat and description shall satisfy the requirements as set forth in The Minimum Standards for Boundary Surveying in the State of Ohio, Administrative Code Chapter 4733-37 and promulgated by the Board of registration for Professional Engineers and Surveyors of the State of Ohio pursuant to Chapter 4733.

ADDITIONAL REQUIREMENTS ARE AS FOLLOWS:

1. A copy of all new surveys for transfers shall be submitted to the Engineer's Map Department. A plat map and description (as typed and sealed by the Surveyor) shall accompany the survey and remain a part of the map department records and will become public information. The plat map submitted must be a scale drawing and not reduced. Faxed copies are not acceptable. Copies made on a Xerox machine or other similar machines are nor acceptable, unless they are to scale and contained on one sheet as per the surveyor's original drawing.

2. Tie-downs for new surveys must use corners that are the same as referenced in requirements #1 (A-D) for existing deed descriptions, with the exception of a portion of (C) concerning the intersection of two roads.
3. Descriptions that encompass part of more than one tract must state the acreage of each part, the deed reference, and state whether the tract is all or part of said tract(s).
4. The description of a tract lying in more than one section or fractional section, a tract of land lying part within and part without a municipal corporation, or in two or more taxing districts and a tract that includes a portion of a recorded subdivision shall state the acreage lying in each part, deed references, and if the tract is all or part of said tract(s).
5. Any course of a new meets and bounds description which is a curve must contain the direction of the curve (left or right), the radius (in feet and decimal parts thereof), and the long chord bearing and distance (in feet and decimal parts thereof) of the same.
6. All references to Volume and Page of deeds must specify Deed Book Volume or Official Record Volume and Page (Retroactive to July 1989, OR Vol.1, Pg.1).



 James F. Branagan, P.E., P.S.
 Jefferson County Engineer

 Patrick J. Marshall
 Jefferson County Auditor

Adopted _____

Public Hearings held:

* Note #1: The foregoing Procedures and Requirements are recommended but are still pending adoption, August 20, 2004.

Note #2: Drawing files in digital format may be submitted as an adjunct to but not in place of the subdivision (mylar) or new survey (paper) plat .

dm/pl