

Wayne County

[Click to return to county listing](#)

The following information has been provided to us by the Wayne County Auditor. You are cautioned not to rely upon the following information without having your attorney review your instrument of conveyance and contact the Auditor to determine the current standards.

The following information is provided as a service to real estate professionals in Ohio by Thompson Hine LLP.

REQUIREMENTS FOR ALL INSTRUMENTS OF CONVEYANCE IN WAYNE COUNTY, OHIO

The following requirements are presently adopted and established in conjunction with the Wayne County Engineer and the Wayne County Auditor as prescribed by the Ohio Revised Code section 319.203. The Wayne County Engineer and the Wayne County Auditor held two (2) public hearings, as required by code, on 12/12/97 and 12/23/97, to allow for public comments in regard to these standards.

These requirements are intended to provide a service to the public to ensure proper and accurate descriptions and surveys for property being conveyed. Special situations, not addressed by these requirements, will be managed by the Tax Map Department.

Instruments which are to be submitted to the Wayne County Tax Map Department before conveyance and/or recording are as follows:

Existing real estate descriptions of record, all street/alley/road and subdivision vacations, new surveys, subdivisions, road dedications, annexations and land contracts.

Please Note the following:

The Wayne County Geodetic Control Committee is currently in the process of establishing a Geodetic Reference Framework (GRF). The GRF is the foundation for compiling various land features into a common, electronic database.

When the GRF is officially monumented and established, new property surveys will eventually be required to tie into the system. This will be done in progressive phases as determined by the Wayne County Geodetic Control Committee.

As each required phase of the process evolves, the Wayne County Engineer and the Wayne County Auditor will amend the "Requirements For All Instruments of Conveyance" as needed.

This procedure is being implemented in order to arrive at a compatible and mutually accepted database, with accurately located land features, that will benefit both public and private organizations.

Effective Date: January 1, 1998

*Roger K. Terrill, P.E., P.S., Wayne County Engineer
Sue Ann Fouche, Wayne County Auditor*

REQUIREMENTS FOR ALL INSTRUMENTS OF CONVEYANCE IN WAYNE COUNTY, OHIO

- 1) All instruments conveying a platted lot in a municipality or platted subdivision must designate the following: lot number(s), the recorded subdivision name or municipality name, the plat volume and page, and, if the following exist, the prior recorded deed reference or prior Official Record reference, and the Auditor's Permanent Parcel Number. For platted lots, a metes and bounds description is not required and will not be examined.
- 2) Any subdivision of an existing property must have a description with an accuracy as prescribed by the State of Ohio Administrative Code, Chapter 4733-37 of the Minimum Standards for Boundary Surveys in the State of Ohio. This shall be done to allow Wayne County Offices to establish an accurate tax structure for the parcel(s) and determine the residual acreage(s) based on the existing records.
- 3) The accepted unit of measurement for all instruments of conveyance shall be in accordance to the English System. In addition, Metric Units may be used as secondary to the English Units.
- 4) All references to roads, rivers, streams, railroads, etc. must use current numbers or names of record. In addition, old names or numbers may also be mentioned as a matter of option.
- 5) All metes and bounds descriptions, either existing or new, must be in legal form to be checked by the Tax Map Department for transfer verification or approval. Each description must denote either state, county and municipality or the political subdivision with geographical township and range, section and quarter section in the caption. Each course of the description must be in a separate paragraph and each course must be numbered in consecutive order. Finally, each such description must include the prior recorded deed reference or prior Official Record reference, and the Auditor's Permanent Parcel Number.

REQUIREMENTS FOR EXISTING METES AND BOUNDS DESCRIPTIONS OF RECORD

- 1) All existing metes and bounds descriptions of record (including land contracts) which do not create or alter the current tax structure of a parcel(s), will be checked by the Wayne County Engineer's Office (Tax Map Department) to verify and identify to the Wayne County Auditor the tax parcel(s) to be conveyed. However, if an existing metes and bounds description is ambiguous or deficient, one (1) transfer shall be allowed to an immediate family member but an accurate survey and metes and bounds description shall be required before any additional conveyances.
- 2) All existing metes and bounds descriptions of record must be described verbatim as witnessed by the instrument of previous record and transfer (unless the description is unacceptable by the current standards). The correction of scrivener errors, omissions, or other obvious mistakes will be made upon the face of the instrument prior to recording. The corrections will be made by the person that prepared the instrument, or by their agent, with the approval of the preparer.
- 3) Any existing metes and bounds 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 the parcel's new jurisdiction.

4) A new metes and bounds description shall be required for all residual parcels with more than three (3) exceptions to title. Any exception to title must incorporate the following:

4-A) Each exception to title of the original tract(s) must be described with an acceptable description and placed immediately after the description it is being excepted from.

4-B) Each documented exception must recite the title and its recorded source by which it can be readily verified.

4-C) A "Meaning to Convey" statement must follow the legal description indicating exactly how much land is being conveyed after all recited exceptions to a parcel.

5) Contiguous parcels can not be transferred separately if it results in land-locking one or more of the parcels without City, Village, and/or County planning approval.

REQUIREMENTS FOR NEW METES AND BOUNDS DESCRIPTIONS FOR CONVEYANCE

1) CAPTION:

1-A) The caption must denote either state, county and municipality or political subdivision with geographical township and range, section and quarter section.

2) STARTING POINT:

2-A) All descriptions must be referenced to an established section/quarter section corner or lot corner of a recorded subdivision.

3) COURSES:

3-A) Each course of a new metes and bounds description must be a separate paragraph and numbered in consecutive order. All courses must be described in a clockwise direction from the point of beginning to the point of termination for the subject description.

3-B) Each course of a new metes and bounds description must contain a bearing expressed in degrees, minutes and seconds and a distance recited in feet and decimal parts thereof (not to exceed two (2) decimal places to the right), from a point of origination to a point of termination for each course. Three (3) decimal places to the right may be used only when it is necessary to achieve a more accurate mathematical closure.

3-C) The basis of bearing should be referenced towards the latter part of the description.

3-D) Each course shall contain the name(s) of the adjoining property owner(s), at the date of the survey, and their respective deed volume and page or Official Record reference, or other qualifying features that indicate the intent of the course.

3-E) Each course must recite all controlling monumentation as either set or found. The point of origination and/or termination of each course shall be monumented or a reference monument set as close as practical to the described corner.

4) CURVES:

4-A) Any course of a new metes and bounds description which is a curve, must contain the direction of the curve (i.e.; curve to the right, curve to the left, concave to the south, convex to the north, etc.), the arc length and radius (in feet and decimal parts thereof), and the chord bearing (quadrant direction in degrees, minutes and seconds) the chord distance (in feet and decimal parts thereof), the internal angle (in degrees, minutes and seconds) and the points of curvature and/or tangency. The curve information given must be sufficient to reproduce the curve accurately and without ambiguity.

5) ACREAGE:

5-A) All new metes and bounds descriptions must give the acreage contained within its perimeter and calculated to three (3) decimal places to the right. Four (4) decimal places to the right **may** be accepted in certain situations. Total calculated square footage may also be mentioned as a matter of option.

5-B) Whenever a new metes and bounds description encompasses two (2) or more taxing districts, or two (2) or more parcels, a breakdown of the total area and the area within a given district or parcel must be recited.

6) PROFESSIONAL SURVEYOR:

6-A) All new metes and bounds descriptions must be prepared by a professional surveyor and must incorporate the following: Surveyor's name, Ohio Registration Number, the date of writing and/or survey, and a statement indicating whether the subject description was prepared from an actual field survey or from existing records. The Professional Surveyor must have a drawing submitted to the Tax Map Department prior to recording.

7) PRIOR DEED REFERENCES:

7-A) All new metes and bounds descriptions must recite a deed reference or Official Record reference for the prior conveyance to the grantor.

8) If a new metes and bounds description includes any portion of a platted lot(s), then the affected lot(s) must be replatted and renumbered.

9) All new metes and bounds descriptions will be subject to computer verification as to the accuracy of the traverse closure of the area being described. The allowable mathematical error of closure for new metes and bounds descriptions shall be as prescribed by the State of Ohio Administrative Code, Chapter 4733-37 of the Minimum Standards for Boundary Surveys in the State of Ohio.

10) All instruments containing new metes and bounds descriptions, which meet all of the aforementioned requirements, will be stamped approved by the Tax Map Department.

REQUIREMENTS FOR PLATS OF SURVEY

Note: Subdivision Plats must be submitted to the Tax Map Department a minimum of three (3) working days prior to any transfer. Survey Plats must be submitted to the Tax Map Department a minimum of two (2) working days prior to any transfer.

1) A reproducible copy of a scale drawing and a copy for every new metes and bounds description, shall be made available to the Tax Map Department for approval prior to the conveyance of the parcel.

2) New survey plats, for parcels under five (5) acres (outside the road right-of-way), will need one or more of the following approvals: Wayne County Planning, City or Village, Township Zoning and/or Health Department. Not all parcels over five (5) acres are exempt from review, check with the proper governing authority for their specific requirements.

3) All plat drawings must incorporate the following details:

3-A) A title, such that the general location of the subject survey can be readily identifiable.

This requirement should include the same information as defined in paragraph (1) of the "Requirements for New Metes and Bounds Descriptions for Conveyance" (Page 2) .

3-B) A north arrow with a clear statement as to the basis of bearings.

3-C) The control station(s) or starting point reference as cited in the deed description.

3-D) All monumentation either found or set, as cited in the metes and bounds description, together with a legend of the symbols used to identify the subject monumentation, and the material and size for each.

3-E) The date of the survey.

3-F) All boundary information for each course as defined in paragraphs (3) and (4) of the "Requirements for New Metes and Bounds Descriptions for Conveyance" (Page 3).

3-G) The arc length must be shown on the survey plat along the curve itself and also listed with the curve data for each curve.

3-H) A citation of pertinent documents and sources of data used as a basis for carrying out the work.

3-I) Subdivision Plats shall be no larger than 24"x36" with the bar scale on each drawing.

3-J) Survey Plats shall be no larger than 16"x22" (where possible) with the bar scale on each drawing.

3-K) The surveyor's printed and signed name (must be in black ink), Ohio registration number and seal and a statement of certification.

3-L) All signatures of Owner(s), Witnesses, Notaries and Public Officials must be in black ink with their name typed or printed under each signature. If a Business or Corporation is the owner, the title of the person signing must also be typed or printed under the signature.

In addition to the requirements as set forth above, all new metes and bounds descriptions for plats of survey must incorporate the principles and minimum standards of good surveying, engineering and draftsmanship as defined by Sections 4733.37-01 through 4733.07-07 of the Administrative Code of the State Board of Registration for Professional Engineers and Surveyors of the State of Ohio, inclusive of any subsequent additions or revisions to the same.

Last modified: 1-Sept-99

Comments to: Info@ThompsonHine.com