

# SANDUSKY COUNTY

## LAND TRANSFER POLICY

## AND MINIMUM STANDARDS FOR

## LEGAL DESCRIPTIONS AND

## PLATS AND PLATS OF SURVEY

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**EFFECTIVE DATE: NOVEMBER 1, 2002**

Effective \_\_\_\_\_, 2002, a Land Transfer Policy will be followed for the conveyance of all property in Sandusky County.

In compliance with Section 319.203 of the Ohio Revised Code, the Sandusky County Auditor and Engineer have, by written agreement, adopted standards to be used for all real estate conveyances.

It is the intent of this policy to provide a standard method of approving Land contracts and legal descriptions with deeds. This policy will insure proper legal descriptions of property, correct errors that become evident, insure proper descriptions for real estate tax purposes, and maintain the integrity of the tax maps.

Land contracts and Legal descriptions with deeds must be approved and stamped by the Sandusky County Auditor's Tax Map Office (TMO) prior to submission to the Sandusky County Auditor for conveyance. In the event that the policy does not address a particular situation, the Sandusky County Auditor's (TMO) will make the final determination.

It is understood that all situations cannot be covered by these requirements and when those situations arise, they will be handled as special cases interpreted by the Sandusky County Auditor's (TMO). If any conflicts exist between these written standards and state minimum standards, the more restrictive shall apply.

We believe this policy will assure uniformity in the conveyance of property in Sandusky County and protect the property interests of its citizens.

If you have questions regarding this information, please feel free to contact either the Sandusky County Auditor's (TMO) or the Sandusky County Engineer's Office.

## **SANDUSKY COUNTY LAND TRANSFER POLICY REQUIREMENTS FOR ALL LAND TRANSFERS:**

1. All deeds and land contracts must be reviewed and approved by the (TMO). All scriveners of instruments of conveyance are encouraged to have *new deeds* stamped prior to the execution of the instrument or actual time of conveyance, since the time required to check descriptions may be lengthy. This prior checking will avoid delays and allow time for any corrections that may be necessary.
2. Any subdivision or parcel split is subject to the Sandusky County subdivision regulations, city approval (when within corporation) and applicable zoning regulations.
3. Any subdivision or split of an existing lot or parcel must have an accurate description to establish a tax structure for the portion being conveyed. The county offices must also be able to determine the residual land (remaining balance) of the remaining parcel based on existing records. If this is too ambiguous, a new legal description for the remaining parcel may be required.
4. All reference to cities, villages, roads, recorded plats, railroads, streams, etc., must use current or existing names or numbers of record. Old or original names or numbers may be used along with, but not in place of, the current name or number for chain of title purposes.
5. Whenever the intent of any deed or land contract is to convey ownership of an adjacent parcel for the purpose of expanding the use of an existing parcel, and such parcel cannot be combined with the existing parcel into a single parcel, and such proposed conveyance does not meet planning commission regulations, the statement “The above described parcel cannot be conveyed separately or independently of property described in volume \_\_\_\_, page \_\_\_\_, of Sandusky County Deed Records without prior approval by The Sandusky County Planning Commission” shall be stated on said instrument.

6. Every deed or land contract shall have its existing parcel number stated on said instrument. The previous volume and page shall be on all deeds and land contracts following the legal description. Any subdivision or split of an existing parcel must have the parcel number(s) of the parent parcel, and state: out of \_\_\_\_\_.
7. Any instrument or deed that is exempt from real property conveyance fees and has a description that is vague or ambiguous to the point that it requires a survey to adequately locate the intended parcel, will be stamped “No Further Transfer Until Updated”. However, if the description can be corrected by means other than a survey, corrections will be required prior to transfer.
8. Descriptions other than metes and bounds may be acceptable if they properly describe the tract, i.e., “being 10 feet off the west side of Inlot 1000, etc.”
9. Historical descriptions (if used for title purposes) must follow after all other requirements.

**REQUIREMENTS FOR ALL RECORDED LOTS OF RECORD:**

1. All legal descriptions must state city/township, town and range, county, state, subdivision name (if applicable), and lot numbers(s), plat volume/plat of survey volume and page number in Recorder’s Office.
2. If the legal description contains only part of a lot, all applicable rules for unplatted lands apply.

## REQUIREMENTS FOR ALL LEGAL DESCRIPTIONS OF UNPLATTED LANDS:

1. All descriptions must denote sufficient and adequate legal and technical wording so that the property can be definitely located and defined to include quarter section, section number, township and range numbers, road tract numbers, distances, angles or bearings (given or implied). All descriptions must have a clear point of beginning, and close. They shall show acreage for each description and show final acreage after any stated exceptions.
2. All descriptions must contain a relationship between the property in question and clearly defined control stations/monumentation, the basis for angles or bearings and *the intent with regard to adjoiners* and other existing features to include deed references (if applicable).
3. All vacations of lands (R/W's, lots, public squares, etc.) and the deed volume and page where they are recorded must be included in all applicable legal descriptions. Metes and bounds descriptions may be necessary if vacated lands descriptions are ambiguous.
4. Any existing metes and bounds description which, since the previous conveyance, has been incorporated into a municipality or transferred to another political subdivision by means of annexation, must be modified to reflect the new corporate location.
5. If a description spans more than one tax parcel, and these tax parcels cannot be combined for real property taxation purposes (for example, part in a municipality and part out), acreage must be stated for each tax parcel.
6. Exceptions may be used if they meet all of the following conditions:
  - a. No more than four exceptions per parcel;

- b. Must give total area being transferred after exceptions;
  - c. Total area of exceptions must not be over 25% of the original parcel.
7. Each description shall state the total acreage being conveyed by each parcel after the exceptions have been made.
  8. Any description stated as an exception must meet the above stated guidelines set forth for legal descriptions of unplatted lands.
  9. All instruments which meet all of the aforementioned requirements will be stamped by the (TMO) and the proper notations will be made on the instrument of conveyance, verifying a correct tax structure to the County Auditor.

**REQUIREMENTS FOR NEW METES AND BOUNDS  
DESCRIPTIONS FOR CONVEYANCE:**

All new metes and bounds descriptions, not previously recorded, must incorporate the following, and meet state minimum standards:

1. Situate: (Abstract)
  - A. Must denote state, county, township, municipality (if appropriate). It must also denote town, range, section, quarter section, road tract, etc.
2. Starting Point:
  - A. All descriptions must be referenced to an established point of beginning or commencement such as centerline intersections of streets or road right-of-ways of record, established monumentation, section and quarter section corners or lines.
3. Courses:
  - A. Each course of a new metes and bounds description should be a separate paragraph.

- B. Each course of a new metes and bounds description shall contain a bearing expressed in degrees, minutes and seconds and a distance recited in feet and decimal parts thereof, from point of origination to a point of termination of each course.
- C. Every boundary monument and or reference monument set by the surveyor shall, when practicable, be in accordance with the Minimum Standards for Boundary Surveys in the State of Ohio.
- D. The basis of the bearings shall be given in a statement similar to the following: “Bearings used hereon are based on an assumed meridian and are for the express purpose of showing angular measurement.”
- E. Each course must recite all monumentation (see Minimum Standards) either placed or found, along each course, or at the point of origination and or termination of each course. This recitation shall include the type, size and material of each monument, e.i., “to a found 5/8-inch iron rod”.
- F. Each course must show all other common lines such as centerline right-of-ways of roads, rivers, streams, etc. quarter or half section lines, or any other pertinent common line of record or interest as witnessed by the survey for the conveyance.

4. Curves:

- A. Any course of a new metes and bounds description which is a curve must contain the direction of the curve (right or left), delta angle, radius arc length, the radius (in feet and decimal parts thereof), chord length and chord bearing of same.

5. References:

- A. All references to roads, rivers, streams railroads, etc. must use current or existing numbers or names of record. Old or original names may also be mentioned if they would add clarity.

6. Acreage:

- A. All new metes and bounds descriptions must give the acreage contained within its perimeter and calculated to the third decimal place. Total calculated square footage may also be mentioned as a matter of option. Acreage within all public right-of-ways shall be shown.
- B. Whenever a new metes and bounds description encompasses two or more taxing districts, two or more tax parcels, two or more sections, or within a city corporation line and within a township, a breakdown of the total acreage must be recited as to the entire description as required in 6A, and as to each existing tax parcel to create an accurate tax structure.

7. Prior Deed Reference:

- A. The deed reference(s) from which the grantor of the conveyance acquired title must be recited.

8. All new metes and bounds descriptions will be subject to computer verification as to the accuracy of the traverse closure (1/10,000 minimum allowable traverse closure) of the area as described. Whenever this process is necessary there will be a delay in approving the conveyance for transfer purposes.



9. All splits must be approved by the Local Planning Authority.

A. No Deed using “**Transfer on Death**” or a “**Certificate of Transfer**” instrument will be accepted to create a new parcel (split).

B. Any “Remainder” Deed that will be Recorded after Approval of Split’s, *will not be reviewed or approved* by this office until *after* all “Splits” are transferred and Recorded.

10. Survey:

A. All new metes and bounds descriptions prepared by a scrivener must incorporate the following:

1. Printed scrivener’s name and address.
2. The date of writing and/or survey.
3. A statement indicating whether the subject description was prepared from an actual field survey or from existing records similar to the following: The above description is based on a “field survey performed by \_\_\_\_\_ on month, day, year” or “from existing deeds of record and on file”.

B. All new metes and bounds descriptions prepared by a registered surveyor must incorporate the following:

1. Printed surveyor name and address.
2. Ohio Registration Number and Seal.
3. The date of writing and/or survey.

4. A statement indicating whether the subject description was prepared from an actual field survey or from existing records similar to the following: The above description is based on a “field survey performed by \_\_\_\_\_ on month, day, year” or “from existing deeds of record and on file and is not based on an actual field survey”.
  - C. All new metes and bounds descriptions prepared by a registered surveyor must be accompanied by a signed and sealed plat of survey.
  - D. All deeds with new Metes and Bounds descriptions not previously recorded shall comply with ORC 5301.25 Section B.
11. All instruments containing new metes and bounds descriptions, which meet all of the aforementioned requirements will be stamped by the (TMO) and the proper notations will be made on the instrument of conveyance, verifying a correct tax structure to the County Auditor.
  12. All instruments are required to have the name of the person who made the survey appear on the deed per ORC 5301.25.

**PLATS AND PLATS OF SURVEYS:  
(DRAWING REQUIREMENTS)**

1. A new survey that is used to prepare a new or updated legal description shall be made available, and a full sized copy of the drawing shall be filed with the Sandusky County Auditor’s (TMO).
2. All plats of survey and plat drawings must incorporate all requirements in accordance with “Minimum Standards For Land Surveys”.

**MINIMUM DRAFTING REQUIREMENTS FOR ALL PLATS  
OR SURVEYS:**

1. All Plats shall be on current industry standard media (i.e. bond, mylar, vellum) with permanent ink. Sheets shall be 11 inches by 17 inches (minimum), 24 inches by 36 inches (maximum).
2. All lettering shall be applied to the media without the use of any intermediate film.
3. Survey drawings on 11" x 17" shall have a minimum letter size of 0.100 in height. The width factor shall be 1.
4. Survey drawings larger than specified in Section 4 shall have a minimum letter size of 0.125 in height. The width factor shall be 1.
5. Ink must be on top.
6. All drawings shall be legible. No torn, smudged or faded drawings will be accepted.
7. All Plats or Plat of Survey's subject to recording shall have the "body" of the drawing occupy at least 75% of available drawing area. This is intended to aid any future user in viewing the drawing as all drawings larger than 11" X 17" will be reduced to that size.