

## **REVISIONS AND ADDITIONS TO LAND CONVEYANCE STANDARDS**

1. Exceptions to parcel being transferred may be listed by acreage, grantee and deed reference.
2. In order to ensure that a new legal description gets on record correctly, a legible copy of the surveyor's original legal description shall be attached & used as "Exhibit A" in a legal document. A copy will be provided by the Engineer's Map Office, if needed.
3. Surveyors shall list the Engineer's or Auditor's parcel number(s) involved, along with acreage breakdown per parcel.
4. It is suggested that surveyors add flood plain information to notes on plats when possible.
5. Surveyors shall include a site map for location of the property on the plat of survey.
6. When a parcel is divided into more than one tract per new surveys, a plat showing the relationships of all of the included surveyed tracts shall be submitted by the surveyor.
7. In the case of a new survey going to the center of a highway acquired by easement, the acreage included in the right-of-way & the usable acreage shall be broken down, so as to create an accurate tax structure. For example, USR23 North was acquired as an easement; therefore, the original boundaries of the properties involved remain, & the new survey shall state the acreage included in said right-of-way, thus leaving an amount of usable acreage to be accurately taxed.
8. The Engineer's Map Office requests that it receives the legal descriptions and plats of new surveys in order to be checked before distribution to the client, etc. (including city surveys). This eliminates the problem of retrieving incorrect copies if there was an error.
9. Each tract being conveyed shall state the prior deed reference, property address & parcel number at the conclusion of each tract.
10. There shall be no prior stamps or recording information on copies of descriptions from previously recorded instruments. Clearly legible copies

may be used, but prior stamps, etc. must be removed before being presented for transfer.

11. Description(s) presented for transfer that differ in context from the prior recorded description(s) will not be accepted for transfer. All information in legal descriptions in prior instruments must be included, i.e. ALL surveyor's information, easements & restrictions involved. Prior transfers that have left off this information must be corrected before transferring at this time. (This might require going back to the original description when the parcel was created.) Surveyor's name, number & date are considered part of the legal description & are required. This is a clarification of III-6 in the Land Conveyance Standards which were adopted June 2, 1997.
12. Affidavits relating facts of title are required to list Auditor's parcel number(s) involved.
13. An affidavit involving real estate that is presented to the Auditor's Office shall have a copy of the property description attached.
14. Copies of new platted subdivisions shall be delivered as soon as possible to the Engineer's map room for early perusal & to be checked for closure, thus avoiding errors and/or delays when presented for recording.
15. Subdivision plats shall include the Auditor's parcel number(s) involved, with an acreage breakdown per parcel.
16. Signatures on subdivision plats shall be written with black permanent ink or black fine point permanent marker.
17. The Auditor's Office has been advised that they cannot accept or stamp or make any corrections from a deed to be re-recorded that bears prior transfer & recording stamps. For example, in the case of a scrivener error in the spelling of a grantee's name, the Auditor's office cannot accept or stamp or make corrections from a deed to be re-recorded that already has recording stamps on it. A new corrective deed listing the reason for the correction must be presented in order for corrections to be made on the Auditor's tax duplicate.

18. A new survey shall be required for the following:
- a. Old descriptions using vague terms such as “thence east”, “in a northerly direction”, “with the meandering of a stream”, “along the road”; or using old references such as “along the lands of John Doe”.
  - b. The transfer of the remainder of a parent tract that has 5 exceptions.
  - c. Parcels that have no description, such as “20 acres off the NW quarter of the SE quarter of section 5, etc.

19. The following are exceptions to the foregoing requirements provided that the legal description contained in the instrument of conveyance are adequate so as to be located on the auditors' transfer records:

- a. Descriptions for transferring parcels of land between members of family when no consideration is given.
- b. Descriptions for transferring parcels as a deed in lieu of foreclosure or other judicial action.
- c. Descriptions contained in any instrument which is not necessary to transfer ownership of the tract or parcel on the tax duplicate and are presented for recording solely to correct a title defect.
- d. Descriptions other than metes and bounds which accurately describe part of a recorded plat. (i.e. "Being 10 feet off the west side of lot #23, etc).
- e. Existing recorded land contracts are subject to requirements that were in effect at the time they were recorded.

The foregoing exceptions shall not exempt the future transfer of the parcel by that description from the general requirements.

20. All new descriptions will be subject to computer verification as to the accuracy of the closure and area described. OAC 4733-37- 04 Section C states that in all new deed descriptions and plats of survey, the lengths and directions of the lines shall be specified so that the mathematical error of closure of the property boundary does not exceed 0.02 feet in latitudes and 0.02 feet in departure.

21. In the case where the grantors are selling the parent tract & are retaining a parcel that is a part of that tract using a new survey, the grantors shall first have a deed recorded in their names, containing the new survey description, thus insuring that all of the proper stamps from all agencies are applied to that parcel.
  
22. A new survey or split which the grantor is selling on a land contract shall first be put on a legal document & recorded in the grantor's name, so as to create an accurate tax structure.
  
23. An instrument to transfer the interest of a Trustee to a Successor Trustee shall include the description, the parcel number(s), property address(es), and deed reference(s) of the parcel(s) involved.
  
24. A deed description must conform with the most current survey on file in the Ross County Engineer's Map Office which conforms to the state's minimum standards.