

TRANSFER PROCEDURES FOR WASHINGTON COUNTY, OHIO

The following requirements are adopted and established in conjunction with the Washington County Engineer and the Washington County Auditor as prescribed by Ohio Revised Code Section 319.203. Resolution recorded on Page 205, Volume 57 of the Commissioner's Journal, Washington County dated 2/24/2000.

I. INSTRUMENTS WHICH ARE TO BE SUBMITTED TO THE WASHINGTON COUNTY TAX MAP DEPARTMENT BEFORE CONVEYANCE AND/OR RECORDING ARE AS FOLLOWS:

- A. Existing real estate descriptions of record, all street, alley, road and subdivision vacations, new survey plats and descriptions, subdivision plats, road establishments, annexation descriptions, land contracts and other documents with legal descriptions to transfer or clear title.

II. GENERAL REQUIREMENTS: INSTRUMENTS SUBMITTED WILL BE SUBJECT TO THE FOLLOWING PROCEDURES PRIOR TO THEIR ACCEPTANCE FOR TRANSFER ON THE TAX DUPLICATES OF WASHINGTON COUNTY, OHIO

- A. Description(s) for existing parcels of record, transferring in their entirety, that do not meet current requirements may transfer one time with a RED STAMP if that description can be located on a tax map. This stamp stating "Description Questionable, Not Acceptable for Transfer Again in its Present Form", will be signed and dated by Washington County Map Department Personnel.
- B. Description(s) that meet current requirements will transfer with a STAMP, "APPROVED" and will be signed and dated by Washington County Map Department Personnel.
- C. Descriptions transferring within an immediate family will transfer one time with a red stamp even if the prior description was red stamped. (Immediate family includes: mother, father, son, daughter, grandparents, brother, sister, brother-in-law, sister-in-law, daughter-in-law, son-in-law, father-in-law, mother-in-law, spouse, and grandchild.) Exceptions are not limited as in rule V.) D.) "Requirements for transferring existing tracts or parcels by metes and bounds descriptions of record". The remaining acreage of each tract to be conveyed shall be stated.
- D. Descriptions will be checked as promptly as possible. To avoid a 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 the new survey description and plat is submitted to the Washington County Engineer's Map Department for approval.
- E. Surveys submitted and approved will be signed and dated by personnel from the Washington County Engineer's Map Department.
- F. It is understood that all situations not addressed by these requirements, will be handled as special cases by the Washington County Engineer's Map Department.

III. MINIMUM REQUIREMENTS FOR ALL INSTRUMENTS OF CONVEYANCE IN WASHINGTON 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.

IV. REQUIREMENTS FOR TRANSFERRING LOTS AND OUTLOTS OF RECORD, PLATTED AND UNPLATTED

- A. 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.
- B. Descriptions of parts of such lots and outlots 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.
- C. Deed descriptions referring to lots and outlots of unrecorded plats shall be by metes and bounds and adequately tied by metes and bounds. The number of a lot(s) of an unrecorded plat will not be accepted for transfer but may be used as reference only.
- D. All new lot split shall require a survey and may require approvals by the planning commission and/or health department having jurisdiction.

V. REQUIREMENTS FOR TRANSFERRING EXISTING TRACTS OR PARCELS BY METES AND BOUNDS DESCRIPTIONS OF RECORD:

- A. 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:
 - 1. Quarter Township corner, section or quarter section corner, fractional section, military lot, donation tract or nearby recorded subdivision corner.
 - 2. Previously recorded surveys of monumented tie downs that meet current transfer requirements.
 - 3. 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.
 - 4. 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.
- B. 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.
- C. The description of a tract lying in more than one section, military lot, fractional section, donation tract, partition lot or quarter township, 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, dimension, Auditor's parcel number, and most recent prior deed reference of each part.

- D. The description of a tract containing an excepted area shall be 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 four (4) exceptions per tract will be approved. Exceptions are to be added at the conclusion of each parent tract. Where exceptions cross multiple parent tracts or parcels, add the exception at the end of all tracts.
- E. Each tract being conveyed shall state the Auditor's most recent parent parcel number and most recent prior deed reference at the conclusion of each tract.
- F. A survey shall be required for all splits.
- G. Error of closure of existing metes and bounds descriptions shall not be greater than 0.02 feet in each of latitude and departure.
- H. Description(s) presented for transfer, that differs in text from the prior recorded description, will not be accepted for transfer. Description(s) with exceptions to the parent tract are permitted. See, also, requirement D.) above, concerning exceptions and, I.) scrivener errors.
- I. Changes from the previous description that involves scrivener errors, omissions or other obvious mistakes are permitted in order for the description to be acceptable for transfer.
- J. Acreage within a vacated subdivision must have a new survey before transferring unless the original tract was one of rule K.), or if the original description meets the current transfer requirements.
- K. Descriptions such as quarter section (160 Ac.), 1/2 of quarter section (80.00 Ac.), 1/2 of 1/2 of quarter section (40.00 Ac.) and 1/2 of the 1/2 of the 1/2 quarter section being 20.00 Ac. are acceptable descriptions. If any of the above are created by a split, then the split would require a new survey.
- L. Affidavits for Transfer, Termination of Life Estates, Survivor Interests, Certificates of Transfer issued by Probate Court, Executor, Administrator or Guardian Deeds, or other legal documents involving real estate that are presented to the Auditor's Office for transfer shall include a copy of the property description and the Auditor's parcel number. The descriptions in any of these documents or these types of documents are not subject to these minimum standards, but will be checked for future transfers and stamped as in section 11A if found unacceptable.
- M. The preamble of all descriptions shall state the following: State, county, township, range, township number, section or military lot number, subdivision, quarter section and corporation or village.
- N. Land contracts will be reviewed for compliance with these minimum requirements and stamped appropriately.
- O. All corrective deeds shall explain, in the deed, the corrective action being taken.
- P. Deed conveyances by court order, e.g., foreclosures, partitions, execution sales, etc., are not subject to the survey requirements, provided such descriptions as are used have been reviewed and approved/disapproved at the commencement of court action pursuant to Court Rule No. 23. If such descriptions would require a new survey in any other conveyance, the same will be marked DQNT when the court

ordered deed is recorded and subsequent conveyances of the subject property will have to comply with these survey and transfer requirements. Failure of Plaintiff's attorney to cause pre-check of transferability of description per court rule may result in Sheriff's Deed or other court ordered conveyance being unacceptable for transfer without survey.

VI. REQUIREMENTS FOR NEW SURVEYS:

- A. The new survey and its 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. Error of closure shall not be greater than 0.02 feet in both latitude and departure or 1:2500
2. A copy of all new surveys for fee transfers shall be submitted to the Engineer's Map Department. A plat map and description 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.
3. The new survey shall include the property ajoiners names and deed references on the plat and incorporated into the written description. the surveyors seal and signature shall be on the plat and description.
4. Tie downs for new surveys must use corners that are the same as referenced in rule V.) A.) for the requirements for existing deed descriptions with the exception of a portion of (C) concerning the intersection of two roads.
5. The Auditor's existing parent parcel number(s) shall appear on the description and plat map of the tract(s) to be conveyed. Descriptions that encompass part of more than one tract must state the acreage and dimension of each part, deed reference, and Auditor's parcel number of each part and state if the tract is all or part of said tract(s).
6. The description of a tract lying in more than one section, military lot, fractional section, lease lot, farm lot, river lot, partition lot or quarter township, 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, dimensions, deed references and Auditor's parcel number of each part and if the tract is all or part of said tract(s).
7. Any course of a new metes and bounds description which is a curve must contain the direction of the curve (right or left), the radius (in feet and decimal parts thereof), and the long chord bearing and distance (in feet and decimal parts thereof) of the same.

Robert I. Badger P.E., P.S.
WASHINGTON COUNTY ENGINEER

William D. McFarland
WASHINGTON COUNTY AUDITOR

Adopted

Public hearings held: