

**REQUIREMENTS FOR ALL INSTRUMENTS OF CONVEYANCE IN GREENE COUNTY**

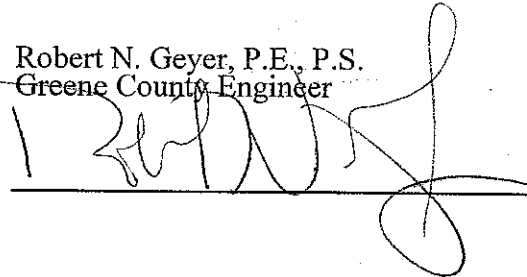
A Greene County policy governing procedures and requirements for acceptance of documents for instruments of conveyance is hereby established.

The purpose of this policy is to provide all departments concerned the ability to maintain accurate records for both public benefit and public use.

This policy includes the rules and regulations for minimum standards as established by the "State Board of Registration for Professional Engineers and Surveyors" on November 1, 2003.

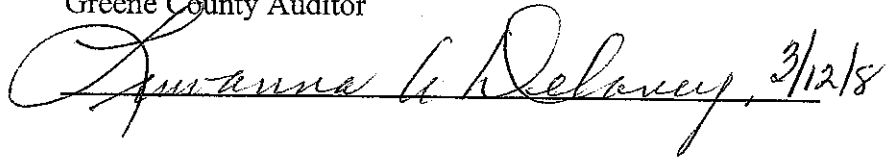
Forms have been developed to make the process easier and more accurate. It is our belief that orderly transfer of property benefits all concerned.

Robert N. Geyer, P.E., P.S.  
Greene County Engineer



3/17/08

Luwanna A. Delaney  
Greene County Auditor



3/12/08

STATE OF OHIO

COUNTY OF GREENE

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE

THIS 12<sup>th</sup> DAY OF MARCH, 2008



NOTARY

RHONDA L. WOODS, Notary Public  
In and for the State of Ohio  
My Commission Expires July 29, 2009

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## **I. GENERAL**

It is the intent of these requirements to provide a standard method of checking legal descriptions for deeds, easements, affidavits and other instruments that require the use of land descriptions.

The county offices and people desire to provide a service for the public to insure proper and accurate descriptions of property, to correct any errors that are evident and to insure that property is accurately described for tax purposes. The County Engineer's Tax Map Department will assist all those preparing instruments by providing parcel numbers from the Tax Maps for use on conveyance instruments when presented for recording.

All situations cannot be covered by these requirements. When situations not covered arise they will be handled as special cases interpreted by the Engineer's Tax Map Department.

All persons or entities, prior to any conveyance or transfer, are required to have all legal descriptions intended to be included in any instrument of conveyance or transfer inspected and approved by the County Engineer's Tax Map Department. Any persons or entities shall also provide a copy of the last instrument of conveyance or transfer on record unless the previous conveyance or transfer has already been stamped "Legally Sufficient as described." This will avoid delays and allow time for any corrections that are necessary.

All new surveys filed must use county size forms (sheet size is 11 3/8" X 18") and be an inked original or reproducible non-destructible copy of the county form and must be legible to insure accurate filing, with original signatures and seals. Photo copies will not be accepted for filing. To permit adequate inspection of the survey, allow the review agents a maximum of five (5) working days for each review.

All instruments of conveyance being presented to the County Auditor for transfer shall indicate the portion of the grantor's interest (if other than full) being conveyed to the grantee.

Deeds based upon unapproved surveys will not be approved until the survey has been approved. Mortgage Location Surveys will not be accepted as property surveys in a property conveyance transaction.

## **II. REQUIREMENTS FOR ALL RECORDED LOTS OF RECORD**

1. All instruments conveying a recorded lot in a municipal or recorded subdivided area must designate the lot number(s), the official recorded plat name, the plat cabinet and page reference of official record, and the prior recorded deed reference if any exists.
2. Any out-lot or portion of a recorded lot must have an accurate description to establish a tax structure for the portion being conveyed, so as to enable the County Offices to check the residue or balance left, based on the current Tax Maps and Parcel Numbers.
3. Any area being conveyed in what is commonly known as an "Unrecorded Plat" must have a metes and bounds description.

4. Vacated lots shall be surveyed from a monumented, documented point and shall be described by metes and bounds since vacated property boundaries do not exist any more.

**Note:** Any new splits within a platted subdivision will be by replat only.

### **III. REQUIREMENTS FOR EXISTING METES AND BOUNDS DESCRIPTIONS OF RECORD**

1. Existing metes and bounds descriptions of record, which do not alter the current tax structure of a parcel(s) will be checked by the Greene County Engineer's Tax Map Department to verify and identify to the Greene County Auditor the tax parcel(s) to be conveyed. Descriptions will be subject to a minimum mathematical closure error of 1:10,000 measure in feet.
2. Existing metes and bounds descriptions of record must be transcribed verbatim from the instrument of previous record and transfer. Correction of scrivener errors, omissions or other obvious mistakes are permitted in order to make the description more accurate. The corrections shall be shown in parentheses
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 its new corporate location within the situate of the subject instrument of conveyance.
4. All instruments of conveyance attempting to convey the remainder or balance of an existing tax parcel(s) from which out-lots or exceptions to title exist must incorporate the following requirements:
  - A. Each out-lot or exception to title of the original tract(s) must be described verbatim as witnessed by the previous conveyance of record. The correction of scrivener errors, omissions or other obvious mistakes are permitted in order to make the description more accurate.
  - B. Each documented exception must recite the title and its recorded source by which it can be readily verified. It is not the intent that all easements and restrictions are to be recited if they are on the previous instrument or readily available.
  - C. Instruments of conveyance using exceptions to title to convey the balance or remainder of a tax parcel(s) shall incorporate a statement identifying the tax parcel(s) and district to be conveyed, and the current taxable area as witnessed by the Greene County Auditor's tax duplicates for the subject conveyance. (i.e., it is the intent of this instrument to convey all of Tax Parcel(s) number and district, containing acreage or footage as shown by the Greene County Auditor.) The County Engineer's Tax Map Department will assign a parcel number at the time of transfer.
5. The Greene County Engineer's Tax Map Department will assist in providing the Tax Parcel numbers by marginal notation or to the description author for his/her incorporation on the instrument of conveyance, and will verify the tax parcel(s) to be

conveyed on all instruments using existing metes and bounds descriptions of record.

6. All metes and bounds descriptions, either existing or new, must contain all the information pertaining to the description that will be used on the legal instrument form when checked by the Tax Map Department for pre-transfer verification or approval.

#### **IV. REQUIREMENTS FOR NEW METES AND BOUNDS DESCRIPTIONS FOR CONVEYANCE**

New metes and bounds descriptions, not previously recorded, shall meet minimum standards as established in Chapter 4733-37 of the Administrative Code, except as herein amplified.

1. Situate:
  - A. Must denote state, county, municipality, township, range, section, or Virginia Military Survey Number.
  - B. Must denote recorded title and deed reference as to the tract(s) of origination.
2. Prior Deed References:
  - A. The deed reference(s) from which the grantor of the conveyance acquired title must be recited
3. Additional Information Requirements:
  - A. Whenever a new metes and bounds description falls in two or more taxing districts or crosses existing deed lines, a breakdown of the total area must be recited to create an accurate tax structure.
4. 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. This process may cause a delay in approving the conveyance for transfer purposes. The surveys should be presented to the County Engineer's Office, to be reviewed for conformance with survey requirements. For pre-transfer approval, allow a maximum of five (5) working days for review. Also the survey should be presented to the applicable Municipality.
5. Instruments containing new metes and bounds descriptions which meet all of the aforementioned requirements will be stamped "Legally Sufficient as Described" and the proper notations will be made on the instrument of conveyance, verifying a correct tax structure to the County Auditor.
6. Whenever the descriptive content of any legal instrument of conveyance is determined to be ambiguous, a statement of intent and/or nature shall be incorporated as part of the instrument, to clarify the parcel(s) to be conveyed.
7. New metes and bounds descriptions shall be prepared by a registered surveyor and must be accompanied by a signed and sealed plat of survey (sheet size is 11 3/8" X 18") for filing which is current as of date of survey. Original stamped "Approved" legal description will be required at time of first transfer.

8. All splits must be approved by the Greene County Regional Planning and Coordinating Commission (if the land division is 10.00 acres or less) or the applicable Municipal Planning Commission after approval by the Greene County Engineer's Office. If there is an overlap of review authority dealing with survey requirements the County Engineer's decision is final.
9. When there is an exception to a tract or parcel, the exception must be fully described by metes and bounds description in the deed to be transferred and comply with the following requirements:
  - A. No more than four (4) exceptions per deed will be acceptable for transfer.
  - B. After the exceptions to a tract or parcel are fully described, a net or remainder acreage must accompany the conveyance of intention.

## **V. LAND CONTRACTS**

All land contracts shall be checked for conformance to known regulations which may be applicable upon final transfer. While recording of these instruments cannot be stopped, they should be checked to alert the parties involved of any possible problem which would arise at a future date when the property comes in for transfer. Land contracts are subject to Section XI, DEFECTIVE DESCRIPTIONS of the "Requirements for all Instruments of Conveyance in Greene County."

1. Bring the instrument into the Greene County Engineer's Tax Map Department for checking.
  - A. Have it checked for Minor Subdivision approval (if applicable).
  - B. Check the instrument for violations of description regulations.
2. Discuss any problems with Engineer's Tax Map Department personnel.
3. Obtain appropriate stamp of approval from the Engineer's Tax Map Dept. for recording.

## **VI. EASEMENTS**

Easements cannot be stopped from being recorded. However, it is in the best interests of the grantor and grantee to have them checked so the parties involved may be advised as to any problems that may be present. The following guidelines are suggested:

1. Have the easement location accurately described.
  - A. Have the place of beginning (starting point) located on a retraceable boundary line of a new or existing parcel of land.
2. Prepare description by one of the following methods:
  - A. By bearing and distance of each course.
  - B. By centerline description, such as "being a 20 foot wide easement; 10 feet on each side of the following described centerline."
  - C. By dimension and area, such as "a 30 foot wide strip of land adjacent to the east line of subplot Number 10 for the entire length of said east line, containing approximately 500 square feet."

3. Include a statement of intent for granting of the use of the easement.
4. Provide an adequate drawing depicting the easement.

## **VII. REQUIREMENTS FOR PLATS OF SURVEY**

1. The surveyor shall prepare a scale drawing (sheet size is 11 3/8" X 18") of every new metes and bounds description he or she has originated, and make available a copy of the drawing (same as General Requirements) to be filed with the Greene County Engineer's Tax Map Department.
2. All plat drawings must incorporate the following details:
  - A. A title, such that the general location of the subject survey can be readily identifiable. (This requirement should include the same information as established by Section 1, Item A. and B. of the "REQUIREMENTS FOR NEW METES AND BOUNDS DESCRIPTIONS FOR CONVEYANCE").
  - B. A north arrow with a clear statement as to the basis of the reference - Direction Used.
  - C. The control station(s) or starting point reference as cited in the deed description.
  - D. Monumentation either found or placed, as cited by the metes and bounds description, together with a legend of the symbols used to identify the subject monumentation, must be legible and identify the material and size for each.
  - E. All existing title, and source of title of adjoining owners along each boundary line of the subject survey.
  - F. All boundary information for each course as established by "REQUIREMENTS FOR NEW METES AND BOUNDS DESCRIPTIONS FOR CONVEYANCE."
  - G. A citation of pertinent documents and sources of data used as a basis for carrying out the work.
  - H. The scale of the subject drawing.
  - I. The surveyors printed and signed name, Ohio Registration Number, and reproducible stamp or seal.
  - J. The plat shall be in black ink on 11 3/8" X 18" sheet size.
  - K. A vicinity map.
  - L. All required easements shall be clearly drawn and described on the plat of survey and all easement boundary information for each course as established by "VI. EASEMENTS," above.
  - M. Acreage of each parcel created and how much acreage is being taken out of adjoining parcels, including the acreage (residue) even if over 10 acres shall be noted.
  - N. Survey shall be current as of date of survey.
  - O. A note certifying that all monumentation shown as placed has been set.

## **VIII. ACREAGE CHANGE**

Whenever a probable error exists in the area of a parcel of land as shown on the Auditor's current tax rolls, the Engineer's Tax Map Department shall be presented with a recorded, signed and sealed plat of survey prepared by a registered surveyor correcting the error. The County Auditor will accept such changes, in writing, only from the Engineer's Tax Map Department or the appropriate court. A new deed shall be prepared and recorded in

accordance with the corrected survey prepared by a registered surveyor.

### **IX. CHANGES TO PROPERTY MAPS**

Explanation: To consolidate parcels on the property maps and remove their separate lines of demarcation, certain procedures shall be followed:

Each deed description may affect the deed description of adjoining properties and changes must be available for future reference in a clear and uninterrupted chain. Therefore, before parcel lines may be removed from the property map, the following procedure will be required (this applies to metes and bounds descriptions):

1. A plat drawing and legal description prepared by a registered professional surveyor showing the combined parcels as one parcel shall be submitted to the Engineer's Tax Map Department.
2. The survey record and description shall be checked for compliance with local regulations and if accepted the plat shall be submitted to the Engineer's Tax Map Department and recorded in the survey records volume.
3. The legal instrument must be filed with the County Auditor and recorded with the County Recorder.

**Note:** Changes to lots in recorded subdivisions will be by replat only, following the subdivision procedures.

### **X. ANNEXATIONS**

All contents of an annexation petition should be presented to the Greene County Board of Commissioners, who will submit them to the proper review agencies for review. These agencies include, but are not necessarily limited to, County Engineer, County Prosecutor, Regional Planning and Coordinating Commission, County Auditor and City or Village officials.

### **XI. DEFECTIVE DESCRIPTIONS**

1. **Bad Description:** A bad description is defined as a description that is basically good except that over a period of time, errors have occurred in the typing of said description. These errors could be spelling, missing lines, or general typographical errors. If a document is discovered to have a 'bad description', the Engineer's Tax Map Department will request that corrections be made. If the document is recorded with the bad description, it will be stamped, 'bad description' so that corrections will be made on the following recording. Exceptions to the requirements of this section shall be made for any instrument of conveyance that is exempt from real property conveyance fees pursuant to ORC Sections 319.54(F)(3)(e), (f), (j), (n), (o), (p), (v) and (x), until such time as a transfer of said property is no longer exempt.



2. **New Survey Required:** 'New Survey Required' involves a legal description that is either so vague or incomplete in its structure that its correct location or otherwise identification is questionable to the Engineer's Tax Map Department or is not satisfactory in structure for appraisal by the Auditor's Office. Upon receiving an instrument of this nature, the Engineer's Tax Map Department will stamp said instrument 'New Survey Required', and a survey will be required for any transfer of said real estate. Exceptions to the requirements of this section shall be made for any instrument of conveyance that is exempt from real property conveyance fees pursuant to ORC Sections 319.54(F)(3)(e), (f), (j), (n), (o), (p), (v) and (x), until such time as a transfer of said property is no longer exempt.
3. **No More Than Four (4) Exceptions in Description:** No Transfer will be approved where the description of the land set forth in a particular tract of land contained in an instrument of conveyance contains more than four (4) previous exceptions to any metes and bounds or lot description by a previous transfer. An exception describes property included in the general description but excluded from transfer. Exceptions must be described in full by metes and bounds legal description or lot description. Transfers not meeting the four (4) exception minimum will be stamped "Survey Required." Exceptions to the requirements of this section shall be made for any instrument of conveyance that is exempt from real property conveyance fees pursuant to ORC Sections 319.54(F)(3)(e), (f), (j), (n), (o), (p), (v) and (x), until such time as a transfer of said property is no longer exempt. Further exception to the requirements of this section shall be made if an exception is created due to an appropriation/eminent domain proceeding by a public entity, in which case the exception so created shall not be counted in arriving at the total number of exceptions permitted before requiring a new survey.

When more than one parcel appears on a deed, each exception should state the specific parcel(s) from which it is excepted. The four (4) exception minimum shall apply per tract and not per instrument, i.e. if an instrument contains various tracts each of which has a separate legal description, four (4) exceptions are permitted per tract prior to requiring a new survey for said tract.

If an exception is taken from more than one (1) parcel, the acreage from each shall be stated and the remainder of each parcel noted.

For each exception to a tract or parcel, the volume and page and date of filing for record of the instrument creating the exception should be included on the current instrument of conveyance.

4. **Auditor's Statutory Remedies:** In addition to the above requirements for descriptions, these Standards specifically recognize the rights of the County Auditor to proceed under O.R.C. 5713.02 and 5713.12 (to wit-requiring a survey in certain situations) through 5713.15 where utilization of such action is proper.

## **XII. TRANSFER OF PROPERTY OWNED BY A PARTNERSHIP**

It is necessary, under Ohio law, that a document recording the forming of a partnership be first filed with the Office of the County Recorder prior to any transfer of property from or to the partnership.

## **XIII. ROADS, STREET, ALLEYS AND VACATIONS**

For the Engineer's Tax Map Department to properly serve the needs of the County Auditor's Office concerning the keeping of an accurate tax base, the Engineer's Tax Map Department must be informed of any road, street, or alley vacation by the responsible government agency. The ordinance or resolution and a plat shall be submitted to the Engineer's Tax Map Department with the owners names, addresses and parcel numbers affected stated thereon.

## **XIV. REQUIREMENTS FOR RECORDING**

The applicant shall be responsible for taking the approved instruments of conveyance of real property to the County Recorder's Office to legally record together with addresses for the parcels.

Only original deeds are recorded

1. The Regional Planning and Coordinating Commission shall stamp (in red) "No Plat Required" on land divisions of 10.00 acres or less and sign all pages of all deeds, legal descriptions or other instruments of conveyance and any included or required easements for any parcel residue.

Replats involving a land exchange.

1. After approval is granted, the survey and land exchange transfer document(s) shall be recorded.

# RPCC REVIEW

## GREENE COUNTY SURVEY RECORD SUBMISSION

DATE SUBMITTED \_\_\_\_\_ Book \_\_\_\_\_ Page \_\_\_\_\_ Parcel \_\_\_\_\_

SUBMITTED BY \_\_\_\_\_  
name \_\_\_\_\_ telephone \_\_\_\_\_

SURVEYOR \_\_\_\_\_  
name \_\_\_\_\_ telephone \_\_\_\_\_

LOCATION \_\_\_\_\_  
township \_\_\_\_\_ name of road \_\_\_\_\_

Grantor \_\_\_\_\_ Grantee \_\_\_\_\_

Number of lots \_\_\_\_\_ Acreage \_\_\_\_\_

Accepted By: \_\_\_\_\_ Receipt Number: \_\_\_\_\_

Zoning Approval: \_\_\_\_\_ Health Dept. Approval: \_\_\_\_\_  
yes no N/A

Residue: Acreage \_\_\_\_\_ frontage \_\_\_\_\_ Existing Structures Yes \_\_\_\_\_ No \_\_\_\_\_

Survey Record and Deed Comments and Corrections:

- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

(OVER)

Reviewed By: \_\_\_\_\_  
date \_\_\_\_\_ 1<sup>st</sup> review date \_\_\_\_\_ 2<sup>nd</sup> review date \_\_\_\_\_ 3<sup>rd</sup> review \_\_\_\_\_

Returned to for Corrections: \_\_\_\_\_  
Time / Date \_\_\_\_\_

2<sup>nd</sup> Returned To: \_\_\_\_\_  
Time / Date \_\_\_\_\_

Approved By: \_\_\_\_\_  
Time / Date \_\_\_\_\_

**CHECK LIST**

For All Metes and Bounds Descriptions  
and Plats or Drawings Not Previously Filed

ITEMS CHECKED ARE **NOT IN COMPLIANCE** WITH APPLICABLE  
GREENE COUNTY REGULATIONS

**DESCRIPTION**

- \_\_\_\_\_ 1. Accurate and complete name and address of grantee and grantor, if applicable.
- \_\_\_\_\_ 2. Accurate and adequate general location (opening statement).
- \_\_\_\_\_ 3. Place of beginning (starting point) and monumentation described.
- \_\_\_\_\_ 4. Required information for all description courses.
- \_\_\_\_\_ 5. Adjoining owner(s) including volume and page of adjoining deeds(s).
- \_\_\_\_\_ 6. References indicated as required.
- \_\_\_\_\_ 7. Acreage shown to three decimal places.
- \_\_\_\_\_ 8. Required information for any author is shown.
- \_\_\_\_\_ 9. Prior deed references shown.
- \_\_\_\_\_ 10. Additional information required as noted:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- \_\_\_\_\_ 11. Closure requirements not met.
- \_\_\_\_\_ 12. Statement indicating basis of reference direction.
- \_\_\_\_\_ 13. Statement of intent needed to clarify transfer.
- \_\_\_\_\_ 14. Description accompanied by a signed & sealed plat of survey on standard sheet furnished by Greene County Engineer. Each attachment to the description also needs to be signed and sealed by the Surveyor. Names and references need to be current as of the preparation of the plat and description.

CHECK LIST FOR NEW PLATS

- \_\_\_\_\_ 1. Map or plat size shall be 14" x 20" (preferred) but no larger than 17" x 20".
- \_\_\_\_\_ 2. Letter size can be no smaller than 1/8".
- \_\_\_\_\_ 3. No bold print except on titles and headings.
- \_\_\_\_\_ 4. Accurate and complete title shall be given on each plat or map.
- \_\_\_\_\_ 5. North arrow and basis for reference shall be shown.
- \_\_\_\_\_ 6. Place of beginning shall be properly shown.
- \_\_\_\_\_ 7. Monumentation set, or found together with an accurate and complete legend of symbols shall be shown.
- \_\_\_\_\_ 8. A note certifying that all monumentation shown as placed has been set.
- \_\_\_\_\_ 9. Names with deed volume and page reference for existing and adjoining property owners shall be shown.
- \_\_\_\_\_ 10. Citation of pertinent documents shall be given.
- \_\_\_\_\_ 11. All easements shall be shown.
- \_\_\_\_\_ 12. Distances and bearings, lot numbers and graphical scale shall be shown.
- \_\_\_\_\_ 13. Acreage of each parcel, including the acreage (residue) even if over 10 acres shall be noted.
- \_\_\_\_\_ 14. Surveyor's printed name, and signature, and date of survey shall be shown.
- \_\_\_\_\_ 15. Surveyor's Ohio Registration number and seal shall be shown.
- \_\_\_\_\_ 16. Any other items required by the subdivision regulations. (Compare with Section 410 of subdivision regulations.)
- \_\_\_\_\_ 17. The plat shall be in **BLACK** ink.
- \_\_\_\_\_ 18. A vicinity map shall be shown.

STATE OF OHIO  
STATE BOARD OF REGISTRATION FOR PROFESSIONAL  
ENGINEERS & SURVEYORS  
65 SOUTH FRONT STREET, ROOM 302  
COLUMBUS, OHIO 43215  
TELEPHONE: 614-466-3650

**Chapter 4733-37 Standards for Boundary Surveys**

**4733-37-01 Preamble.**

These rules are intended to be the basis for all surveys relating to the establishment or retracement of property boundaries in the state of Ohio. When the case arises where one or more provisions herein must be abridged due to local condition, the abridgement shall be clearly indicated on plats and/or legal descriptions and reports. Where local or other prescribed regulations exist which are more restrictive than these rules, the survey shall conform to all local and state regulatory standards. When a client desires only a portion of his property surveyed, and this portion can be clearly isolated from the remainder of the property without affecting the interests of adjoining owners, these rules shall apply to the survey of only the desired portion.

**4733-37-02 Research and investigation.**

(A) The surveyor shall consult deeds and other documents, including those for adjacent parcels, in order to assemble the best possible set of written evidence of every corner and line of the property being surveyed.

(B) After all necessary written documents have been analyzed, the survey shall be based on a field investigation of the property. The surveyor shall make a thorough search for physical monuments, and analyze evidence of monumentation and occupation. In addition, the surveyor shall, when necessary, confer with the owner(s) of the adjoining property and the owner(s) of the property being surveyed.

**4733-37-03 Monumentation.**

(A) The surveyor shall set boundary monuments so that, upon completion of the survey, each corner of the property and each referenced control station will be physically monumented.

(B) When it is impossible or impracticable to set a boundary monument on a corner, the surveyor shall set a reference monument, similar in character to the boundary monument and preferably along one of the property lines which intersect at that corner. When such a reference monument is used, it shall be clearly identified as a reference monument on the plat of the property and in any new deed description which may be written for the property.

(C) Every boundary monument and/or reference monument set by the surveyor shall, when practicable:

- (1) Be composed of a durable material.
- (2) Have a minimum length of thirty inches.
- (3) Have a minimum cross-section area of material of 0.21 square inches.
- (4) Be identified with a durable marker bearing the surveyor's Ohio registration number and/or name or company name.
- (5) Be detectable with conventional instruments for finding ferrous or magnetic objects.

(D) When a case arises, due to physical obstructions such as pavements, large rocks, large roots, utility cables, etc., so that neither a boundary monument nor a reference monument can be conveniently or practicably set in accordance with paragraph (C) of this rule, then alternative monumentation, which is essentially as durable and identifiable (e.g., chiselled "X" in concrete, drill hole, etc.) shall be established for the particular situation.

**4733-37-04 Measurement specifications.**

All measurements shall be made in accord with the following specifications:

(A) The surveyor shall keep all equipment used in the performance of surveying in proper repair and adjustment.

(B) Every determination of distance shall be made either directly or indirectly in such a manner that the linear error in the distance between any two points (not necessarily adjacent points) shall not exceed the reported distance divided by ten thousand (allowable linear error = reported distance divided by ten thousand) and every angular measurement shall be made in such a manner that the allowable (directional) error, in radians, shall not exceed the allowable linear error divided by the reported distance (allowable (directional) error = allowable linear error divided by reported distance). When the reported distance is less than two hundred feet, the linear error shall not exceed 0.02 feet. The reported distance is the distance established by the survey.

(C) In all new descriptions and plats of survey, the lengths and directions of the lines shall be specified so that the mathematical error in closure of the property boundary does not exceed 0.02 feet in latitudes and 0.02 feet in departure.

(D) Surveys performed using metric measurements shall utilize the metric equivalents based upon the U.S. survey foot conversion factor.

**4733-37-05 Plat of survey.**

(A) The surveyor shall prepare a scale drawing of every individual survey, or drawings comprising all of the surveys when they are contiguous, in which the surveyor retraces previously established property lines or establishes new boundaries.

(B) A copy of this drawing shall be given to the client. When required, another copy shall be filed with the appropriate public agencies.

(C) The surveyor shall include the following details:

(1) A title such that the general location of the survey can be identified. The title shall include, but not be limited to: state, county, civil township or municipality, and original land subdivision description.

(2) A north arrow with a clear statement as to the basis of the reference direction used.

(3) The control station(s) or line cited in the description and the relationship of the property to this control must be referenced to an established monumented point of beginning such as, but not limited to: centerline intersection of streets or highways record, section or quarter section corners, Virginia military survey corners or lines, or platted lot corners. The type of monuments set or found at the control stations shall be noted.

(4) A notation at each corner of the property stating that the boundary monument specified in the deed description was found, or that a boundary monument was set, or a legend of the symbols used to identify monumentation. In addition, there shall be a statement describing the material and size of every monument found or set.

(5) A general notation describing the evidence of occupation that may be found along every boundary line or occupation line.

(6) The length and direction of each line as specified in the description of the property or as determined in the actual survey if this differs from what is stated in the deed description by more than the tolerance specified in paragraph (B) of rule 4733-37-04 of the Administrative Code. The length and direction shall be stated as follows:-

(a) Bearings expressed in degrees, minutes and seconds and distances expressed in feet and decimal parts thereof on each course. If a metric equivalent distance is stated, it shall be stated to the third decimal place.

(b) All curved lines shall indicate the radius, central angle, curve length, chord bearing and chord distance.

(c) Each course shall show other common lines such as centerline of roads, rivers, streams, section lines, quarter section lines, half section lines or other pertinent common lines of record.

(7) A citation of pertinent documents and sources of data used as a basis for carrying out the work. The citation shall include, but not be limited to: current deeds as of the date of the survey, prior deeds or other documents of record, and available deeds of record for adjoining parcels along each boundary line of the survey. If the adjoining parcel is a recorded subdivision, only the subdivision name, recording information and lot numbers need to be shown.

(8) The written and graphical scale of the drawing.

(9) The date of the survey.

(10) The surveyor's printed name and Ohio registration number, signature and seal (in a form which may clearly reproduce on any copies which may be made of the original drawing).

(11) The area contained within the perimeter of the surveyed parcel.

(12) All references to roads or railroads contiguous to the surveyed parcel shall use current names or names of record and applicable right of way widths, if available.

(13) All references to rivers or streams shall use current names of record, if available.

#### **4733-37-06 Descriptions.**

(A) When a surveyor is called upon to prepare a new description, either to replace an existing description which is inadequate or to create a new piece of property, said description shall include the following items:

(1) Sufficient caption so that the property can be adequately identified.



- (2) A relationship between the property in question and clearly defined control station(s).
- (3) The basis of the bearings.
- (4) A citation to the public record of the appropriate prior deed(s).
- (5) The surveyor's name, Ohio registration number and date of writing and/or survey.

(B) A metes and bounds description shall include, in addition to paragraph (A) of this rule:

- (1) A description of the boundary monument used as the initial point of the description.
- (2) A series of calls for successive lines bounding the parcel, each of which specifies:
  - (a) The intent in regards to adjoiners or other existing features.
  - (b) The direction of the line relative to the direction of the basis of bearing.
  - (c) The length of the line.
  - (d) A description of the boundary monument (or reference monument) and whether found or set to identify the end of the particular line.
  - (e) All curved lines shall indicate the radius, central angle, curve length, chord bearing, chord length and direction of the curve.
  - (f) The reported boundary data shall meet the closure requirements of paragraph (C) of rule 4733-37-04 of the Administrative Code.
- (3) The area of the parcel.

(C) Descriptions other than metes and bounds descriptions may be a reference to a recorded survey plat or a parcel on a recorded survey plat and shall include sufficient and adequate legal and technical wording so that the property can be definitely located and defined.

(D) A statement shall appear indicating that either: the description was made in accordance with a recent survey and the date thereof, or the description was made based on a previous survey, of a certain date, and date of description, or the description was not based on a survey.

(E) When the surveyor knows a new description is to be used for a fee transfer, the surveyor shall base the description on a current or updated survey of the property.

#### **4733-37-07 Subdivisions.**

When a subdivision is created from a piece of property, or several adjoining pieces, the following rules shall apply:

(A) Rule 4733-37-02 of the Administrative Code shall apply to the original tract(s) of land prior to being subdivided.

(B) Rule 4733-37-03 of the Administrative Code shall apply to the outside perimeter of the original tract(s) of land and to the outside perimeter of the newly created subdivisions. All newly created lots, blocks, rights of way, angle points, points of curvature and points of tangency shall be monumented according to local regulations. Street rights of way may be monumented with monuments on the centerline instead of right of way monuments. Centerline or right of way monuments shall be set at all intersections, angle points, points of curvature and points of tangency.

(C) All newly created subdivisions shall comply with rules 4733-37-04 and 4733-37-05 of the Administrative Code.

(D) All easements within a newly created subdivision shall be accurately dimensioned so that each easement line can be reproduced without ambiguity.

# SAMPLE PLAT OF SURVEY

COUNTY, OHIO  
TOWNSHIP, CITY  
SUBDIVISION & LOT N<sup>o</sup>.

SECTION, TOWN, RANGE OR MILITARY SURVEY N<sup>o</sup>.

SAMPLE PROVIDED BY PLSO

CLEAR STATEMENT AS TO THE BASIS OF THE REFERENCE DIRECTION USED.

DEED REFERENCE BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

PERTINENT DOCUMENTS AND SOURCES OF DATA USED:

PROPERTY OWNER DEED BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

PROPERTY OWNER DEED BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

PROPERTY OWNER DEED BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

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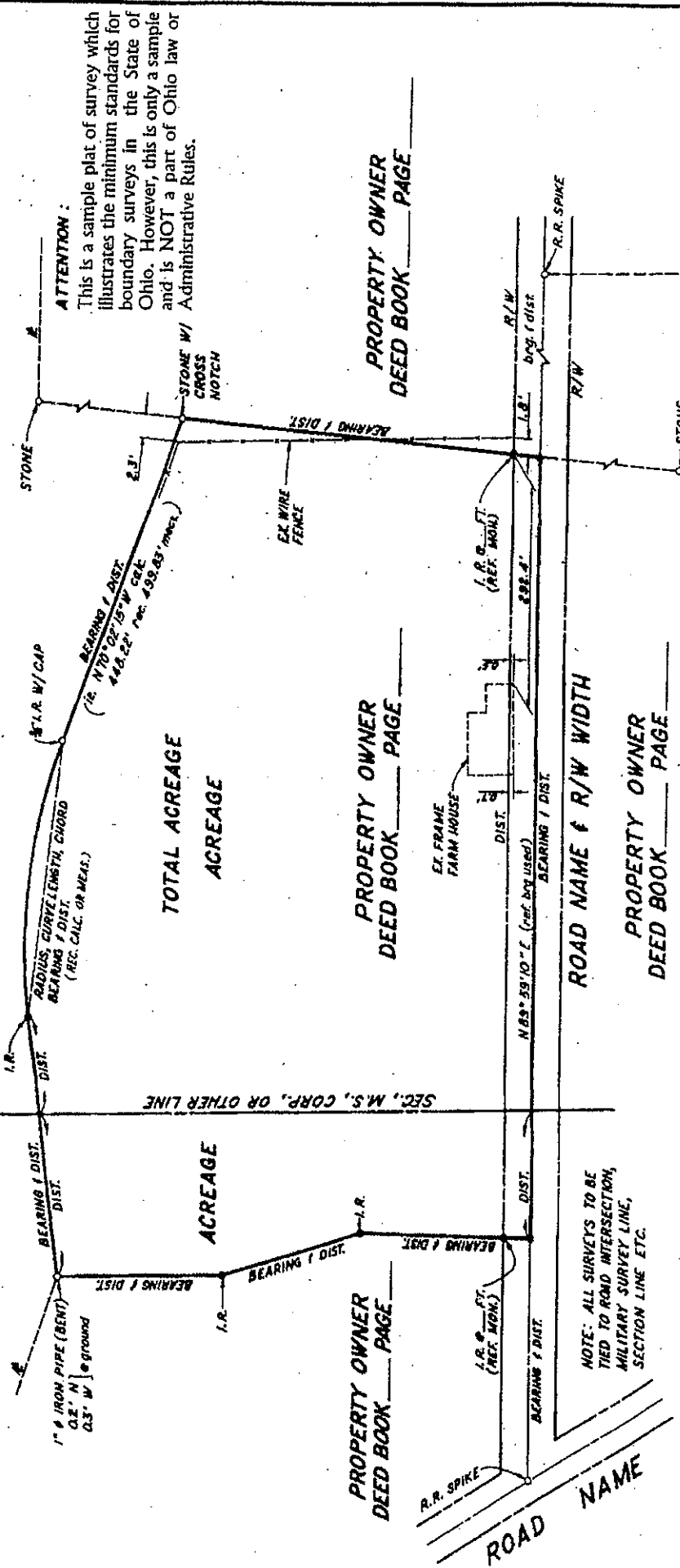
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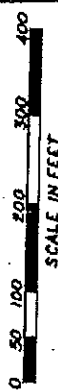
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**ATTENTION:**

This is a sample plat of survey which illustrates the minimum standards for boundary surveys in the State of Ohio. However, this is only a sample and is NOT a part of Ohio law or Administrative Rules.



CLIENT INFORMATION  
SURVEY CO. INFORMATION  
DATE: \_\_\_\_\_ SCALE: \_\_\_\_\_

SURVEYORS SEAL  
Signature  
NAME OF SURVEYOR  
OHIO REG. N<sup>o</sup>.

- LEGEND**
- MONUMENT FOUND
  - MONUMENT SET

NOTE: ALL SURVEYS TO BE TIED TO ROAD INTERSECTION, MILITARY SURVEY LINE, SECTION LINE ETC.