

**HARRISON COUNTY
MINIMUM REQUIREMENTS
FOR RECORDED INSTRUMENTS**

RECORDED SUBDIVISIONS. VILLAGES, ANNEXATIONS, ETC.

1. All instruments conveying a recorded lot in a municipality or recorded subdivided area must:
 - a. Designate the lot number(s)
 - b. The official recorded plat name
 - c. The pocket and folder reference
 - d. Prior recorded deed reference, if they exist
2. For transfer, any out-lot or portion of a recorded lot must have an accurate description to establish a tax structure for the portion being conveyed, this will also enable the County Offices to determine the residue or balance remaining, based on the current Tax Maps and Parcel Numbers. A lot split or vacation of any street or alley shall conform the requirements of the Minimum Standards for Boundary Surveys in the State of Ohio, Chapter 4733 of the Revised Code.
3. Any and all changes to a Rural Subdivision must be brought before and approved by the Subdivision Committee of the Harrison County Regional Planning Commission.
4. Any area being conveyed in what is commonly known, as an "Unrecorded Plat" must have a metes and bounds description.

**REQUIREMENTS FOR EXISTING METES
AND BOUNDS
DESCRIPTIONS OF RECORD**

1. Description must be referenced by bearing and distance to an established corner, such as a section corner, quarter section corner, recorded lot corner.
2. Description will be checked for traverse closure. The minimum allowable closure error is one Part in five hundred (1:500) for surveys preformed prior to 1980. For surveys preformed after 1980 must close one part in five thousand (1:5000).
3. All existing metes and bounds descriptions of record must be described verbatim as witnessed by the instrument of previous record and transfer. The correction of scrivener errors, omissions or other obvious mistakes is permitted if it can be shown that a prior recorded instrument contains the correct information.
4. Any existing metes and bounds descriptions which, since the previous conveyance, have 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.
5. 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 exists 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.
 - 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 unless they are on the previous instrument or readily available
 - c. It is desired that all instruments of conveyance using exceptions to tile to convey the balance of remainder of a tax parcel(s) incorporate a statement identifying the tax parcel(s) to be conveyed and the current taxable area as witnessed by the Harrison County Auditor's Tax Duplicate for the subject conveyance.
 - d. A parcel will not be approved for transfer if it is such that the number o exceptions exceed five (5) or the total area of exceptions is more that half of the total parent tract area. EXCEPTIONS: Certificate of Transfer, Sheriff Deed, Immediate family-in such cases the deed will be stamped as a substandard description and will require a new survey for the next at arms- length transfer.
6. Each tract conveyed shall also be provided with a current property address. This can either be verified through the Harrison County House Numbering System for property located outside of incorporated areas and with the village clerks for properties inside the respective villages.
7. Description by Section or aliquot thereof are acceptable (e.g. The northeast quarter of the northwest quarter of Section 22, T-12, R-7 containing 40 acre).
8. All descriptions must include the quarter section(s) which it is a part thereof.

REQUIREMENTS FOR NEW METES AND BOUNDS DESCRIPTIONS

All new metes and bounds descriptions, not previously on record, must comply with the Minimum Standards for Boundary Surveys in the State of Ohio. In addition, such new descriptions shall meet the following requirements.

1. Caption must denote state and county, and either the range, township, section, and quarter section, or, the municipality, plat, subdivision, and quarter section.
2. All descriptions must be referenced to a monument at a section corner, quarter section corner or to a monument in a recorded subdivision.
3. 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, the long chord bearing and distance, and the length of the curve.
4. 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 might also be noted
5. Whenever a new metes and bounds description encompasses two or more taxing districts, or two or more existing parcels of record, a complete break down of the total area to transferred shall be included (e.g. 100 acres being 40 acres of a 45- acre tract, 23 acres of a 29- acre parcel, and all of a 37- acre parcel).
6. In preparing the description each course shall constitute a separate paragraph.
7. Each change in direction shall be described and monumented according to the Minimum Standards for Boundary Surveys in the State of Ohio.
8. Descriptions will be checked for traverse closure. The minimum allowable closure error shall be one part in five thousand (1:5000).
9. All new metes and Bounds descriptions must be prepared by an Ohio Registered Surveyor and must be accompanied by a signed and sealed plat that meets all the above requirements and all of the requirements set forth by the Minimum Standards for Boundary Surveys in the State of Ohio.
10. No parcels, which will be land-locked, will be acceptable for transfer. All parcels shall be accessible to a public road, either by contiguity or by means of easement set forth by metes and bounds description in a minimum width of fifty (50) feet.
11. Total number of splits less than five (5) acres, for a parent tract can not exceed four with a residue. At such a time as the fifth split is made a recorded plat must be filed according to the requirements of the Harrison County Regional Planning Commission, Subdivision Committee.
12. All new descriptions shall tie to or make reference of the control points set by Harrison County if such description is within reasonable proximity to said point.

NEW PLATS

All new metes and bounds descriptions shall be accompanied by a plat of survey. The plat of survey shall meet the requirements of Section 4377-37-05, Plat of Survey, of the Minimum Standards for Boundary Surveys in the State of Ohio.

In addition, the plat of survey shall meet the following requirements:

1. All existing title and source of title of adjoining owners along each boundary line of the subject survey shall be shown, along with the acreage of record or lot number of the adjacent tracts shall be shown.
2. Acreage contained within the perimeter of the newly described tract(s), shall be calculated and shown to the third decimal place. Total calculated square footage might also be noted as a matter of option.
3. Whenever a new metes and bounds description encompasses two or more taxing districts, or two or more tax parcels, a breakdown of the total area in each shall be noted on the plat.
4. The areas to be shown include the new parcel area, area of record included in the parent tract(s), and the area of record of remaining parent tract(s), if applicable. If the tract lies in different sections, or in and out of a corporation, the area shall be stated for each.
5. Curve data shall include the radius, length of curve, and length and bearing of long chord.
6. Plat shall clearly show Range, Township, Section, and Quarter Sections(s).
7. The following shall appear on the plat: Surveyor's name, signature and Ohio Registration number, bearings (degrees, minutes, seconds) and distances to hundredths of a foot; monuments-type and size, acreage in thousandths, north arrow, adjoining landowners name, acreage and deed reference, remaining acreage, range, township, section numbers, current owner, bar scale, written scale, date, quarter section, acreage breakdown, as required
8. Basis of Bearing
9. Pertinent Documents
10. Adjoining and nearby road names and numbers
11. All plats will be a maximum of 24" x 36" print. All paper sizes will be standard engineering dimensions. 8.5 x 11, 8.5 x 14, 11 x 17, 18 x 24, 24 x 26. A digital copy may be acceptable on pre- approval by both the Engineer and Auditor or a case by case basis.

EXCEPTION TO NEW DESCRIPTION REQUIREMENTS

Any description not meeting the closure standards 1:500 (pre- 1980) and 1:5000 (post January 1, 1980) will be required to be resurveyed before transferring except for:

1. Certificate of Transfer
2. Sheriff Deed
3. Life Estate
4. Change of Business Name
5. Family Transfer – Limited to Spouse, children, parents, and siblings
6. Conditional Transfer-In the event that a description will not meet the requirements set forth above a second option is available. A Conditional Transfer Agreement can be entered into, wherein the Grantor/Grantee agree to have a new description prepared, and a corrected deed recorded within a reasonable period of time. The Conditional Transfer Agreement must contain the following: Date of Agreement, name of grantor/grantee, name of attorney who prepared the instrument, name of the Ohio registered Surveyor who will prepare new description, time frame and anticipated date of new survey completion, identification of parcel(s) by prior deed reference, auditor's Parcel number, and record area, a statement of acknowledging that the description is defective and that a new description will be presented for Transfer. The instrument shall be noted on the deed as a Conditional Transfer and will not be accepted a second time if presented for transfer. **CONDITIONAL TRANSFERS ARE NOT RECOMMENDED!!!**
7. Mortgage surveys will not be acceptable for conveyance purposes
8. A copy of the new plat must be on file in the Harrison County Engineer's Office before a description will be approved.

DEED DETAILS

1. All deeds shall have a blank area of approximately four (4) inches at the top of the first page for placement of transfer stamps
2. All deeds shall have quarter section delineation set forth in the parcel(s) description.
3. All deeds shall have a reference to Auditor's parcel number(s).
4. All deeds when presented for Transfer, shall have all necessary forms, completed, as required by the Harrison County Auditor and Engineer
5. All deeds must specify the party preparing the instruments (section 319.20)
6. All deeds must show reference to next preceding recorded instrument. (section 319.20)
7. The instrument must bear the complete address of the Grantee, or of anyone of them named in the instrument. (section 5713.13)

GENERAL

Descriptions of parcels obtained or to be obtained by the Federal, State, County or Municipal Governments must comply with the above stated rules. Centerline survey descriptions or any description with fewer details than herein set forth shall be deemed inadequate.

In the vacating of Public Land (alley, street, etc.) the new owner(s) and their proportioned acreage must be defined by a metes and bounds description and recorded in the Harrison County Recorder's Office.

Railroad Rights-of-way shall be conveyed only by a metes and bounds description, satisfying all of the above requirements.

Any existing legal 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 corporation location at the time of next conveyance.

All existing and new parcel descriptions will be subject to a computer check for closure.

For each tract conveyed the County Auditor's Parcel number shall be incorporated.

All Land Contracts must be presented for Transfer Approval before Recording.

All MWCD Lots will have to be approved by the Engineer's Office for transfer

A current mailing and an accurate site address must accompany each transfer brought to the Engineer's Office.

MINIMUM STANDARDS FOR BOUNDARY SURVEYS IN THE STATE OF OHIO

4733-37-01 PREAMBLE

These standards are intended to be the basis for all surveys relating to the establishment or retracement of property boundaries in the state of Ohio. Abridgements of one or more provisions herein 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 standards. 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 standards shall apply to the survey of only the desired portion.

4733-37-02 RESEARCH AND INVESTIGATION

- A. When the deed description of the subject property and the deed descriptions of adjoining properties do not resolve the unique locations of the corners and lines of the property being surveyed. The surveyor shall consult other sources of information in order to assemble the best possible set of written evidence of every corner and line of the property being surveyed. These sources include, but are not limited to: Records of previous surveys, deed descriptions of adjacent properties, records of adjacent highways, railroads and public utility lines, also include subdivision plats, tax maps, topographic maps, aerial photographs, and other sources as may be appropriate.
- 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, analyze evidence of occupation and confer with the owner(s) of the property being surveyed. In addition, the surveyor shall, when necessary confer with the owner(s) of the adjoining property and take statements.

4733-37-03 MONUMENTATION

- A. When necessary in accordance with the accepted surveying practice and legal requirements 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 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 0.2 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 or a reference monument can be conveniently or practicably set in accordance with paragraph © of this rule. Then alternative monumentation, which is essentially as durable and identifiable, chiseled "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 his equipment in such repair and adjustment as to conform to the requirements stipulated by the Director of Agriculture in sections 1327.46 to 1127.99 of the Revised Code the specifications, tolerances, and regulations published in the National Bureau of Standards Handbook shall be the specifications, tolerances and regulations for commercial weighing and measuring devices of the state.
- B. Every measurement 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 five thousand allowable linear error – reported distance divided by five thousand, and every angular measurement shall be made in such a manner that 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 one 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 deed 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.

4733-37-05 PLAT OF SURVEY

- A. The surveyor shall prepare a scale drawing of every survey in which he 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 proper agency.
- C. The surveyor shall include the following details:
 - 1. A title such that the general location of the survey can be identified.

2. A north arrow with a clear statement as to the basis of the reference direction used.
3. The control stations or line cited in the deed description and the relationship of the property to this control
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 in addition. There shall be a statement describing the material, size, position and condition of every monument found and/or set.
5. A general notation describing the evidence of occupation that may be found along every boundary line and/or occupation line.
6. The length and direction of each line as specified in the deed 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.
7. A citation of pertinent documents and sources of data use as a basis for carrying out the work.
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 on a form which may clearly reproduce on any copies which may be made of the original drawing.

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 stations.
 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 adjoining 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. Sufficient mathematical data shall be given for each curved line so that the curve can be reproduced without ambiguity.
 - f. The reported boundary data shall meet the closure requirements of paragraph © of rule 4733-37-04 of the administrative code.
 - g. The area of the parcel.

- C. Descriptions other than the metes and bounds form 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 SUBDIVISION PLATS

When a subdivision is created from a piece of property or several adjoining pieces. The surveyor shall prepare a scale drawing showing all of the details specified in Rule 4733-37-05 of the Administrative Code. In addition, the drawing will show all of the details of each new lot, street, easement etc. including the length and direction