

REQUIREMENTS
FOR ALL INSTRUMENTS OF CONVEYANCE IN
MORGAN COUNTY, OHIO

Effective Date: August 12, 1996

TRANSFER PROCEDURES FOR MORGAN COUNTY

The following Requirements are now established in conjunction with the Morgan County Engineer and the Morgan County Auditor as prescribed by Ohio Revised Code Section 319.203 effective on this date:

August 12, 1996

Instruments to be submitted to the Morgan County Engineer's Map Department and/or the Morgan County Auditor's Office before conveyance and/or recording are as follows:

Existing descriptions of record, all street, alley, road and subdivision vacations, new survey plats and descriptions, subdivision plats, road establishments, annexations.

Instruments submitted will be subject to the following procedures prior to their acceptance for transfer on the tax duplicates of Morgan County, Ohio. The County Engineer's Office, after reviewing the deed description will stamp the deed in one of three ways:

- A. **"Description approved for Auditor's transfer"** - This means that the description meets the requirements of the County Engineer and County Auditor.
- B. **"New description necessary for future Auditor's transfer"** - This means that something is wrong with the description, but the County Engineer and County Auditor will allow a transfer one time.
- C. **"Intra-family transfer - accuracy of description not reviewed"** - This stamp may be used to transfer any tract, regardless of description deficiencies, from one family member to another family member (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). If the description is deficient, future transfer, out of family, will require a new survey. Certificates of Transfer will not be reviewed.
- D. Descriptions will be checked as promptly as possible. But to avoid a delay or possible "surprise", instruments should be submitted at least three (3) days prior to the transfer.
- E. No more than five (5) new parcels from any property owner's contiguous tract may be transferred in any one year unless filing and recording a subdivision plat.
- F. It is understood that all situations not addressed by these requirements will be handled as special cases by the Morgan County Auditor's Office and Morgan County Engineer's Office.

MINIMUM REQUIREMENTS FOR ALL INSTRUMENTS OF CONVEYANCE IN MORGAN COUNTY

Descriptions/plats submitted shall conform to the requirements as set forth in the Requirements and Provisions of Chapter 711 and Section 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. The following requirements are through the joint efforts of the following counties: Athens, Guernsey, Monroe, Morgan, Noble, Muskingum and Washington.

REQUIREMENTS FOR TRANSFERRING EXISTING DEED DESCRIPTIONS OF:

"ALL LOTS AND OUTLOTS" (PLATTED AND UNPLATTED)

1. 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, slide number or envelope number.
2. 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.
3. 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 and may be used as reference only.
4. Any new lot split will require a description that allows the dimensions of each part to be defined. For example: "the north half of Lot 22" will be allowed if Lot 22 has dimensions on record.

REQUIREMENTS FOR TRANSFERRING EXISTING DEED DESCRIPTIONS OF:

"ALL METES AND BOUNDS DESCRIPTIONS OF RECORD"

1. Deed descriptions referring to acreage in unplatted 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.
 - A. Quarter township corner, section or quarter section corner, fractional section, lease lot, farm lot, river lot, military lot or partition lot corner or nearby recorded subdivision corner.
 - B. Previously recorded surveys of monumented tie downs that meet current transfer requirements.
 - C. 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.
 - D. 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 when needed.
2. 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.
3. The description of a tract lying in more than one section, fractional section, lease lot, farm lot, river

lot military lot, partition lot or quarter township, or 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, if applicable, and most recent prior deed reference of each part, if applicable.

4. When a deed contains an exception; the exception shall be fully described and a deed reference and acreage shall be given for it. The parent tract must meet current transfer requirements. No more than four (4) exceptions per tract will be approved. Exceptions are to be added at the conclusion of each parent tract.
5. Each tract being conveyed shall state the Auditor's parcel number if applicable, and the most recent prior deed reference at the conclusion of each parent tract.
6. A survey shall be required for all splits.
7. Error of closure of existing metes and bounds descriptions shall not be greater than 1/1000.
8. Description (s) presented for transfer that differ in context from the prior recorded description, will not be accepted for transfer. Description (s) with exceptions to the parent tract are permitted. See requirement #4 above, concerning exceptions and #9 for scrivener errors.
9. 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.
10. Acreage within a vacated subdivision must have a new survey before transferring unless the original tract was one of rule #11 or if the original description meets the current transfer requirements.
11. Descriptions such as quarter section (160 Ac.), $\frac{1}{2}$ of quarter section (80.00 Ac.), $\frac{1}{2}$ of $\frac{1}{2}$ of quarter section (40.00 Ac.) and $\frac{1}{2}$ of the $\frac{1}{2}$ of the $\frac{1}{2}$ 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.
12. An affidavit involving real estate that is presented to the Auditor's Office shall have a copy of the property description attached.
13. The preamble of all descriptions shall state the following: State, county, township, range, and township number, section or military lot number, subdivision, quarter section and corporation or village.
14. Land contracts will be reviewed for compliance with these minimum requirements and stamped appropriately.
15. All corrective deeds shall explain, in the deed, the corrective action being taken.
16. Descriptions presented for transfer that contain fraction numbers or subdivision numbers will not be accepted.
17. For deeds requiring surveys, Certificates of Escrow from a financial institution will be required to be filed with the deed in the Morgan County Auditor's Office. A recordable description will be required to be filed in one (1) year.

We understand that all counties may have additional Existing Deed Description Requirements that pertain only to their individual county. Those may be stated below.

REQUIREMENTS FOR NEW SURVEYS:

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. 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.
2. The new survey shall include the property adjoiners 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.
3. Tie downs for new surveys must use corners that are the same as referenced in rule #1 (A-D) for the requirements for existing deed descriptions with the exception of a portion of "C" concerning the intersection of two roads.
4. The Auditor's parcel number, if applicable, 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).
5. 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 portions of a recorded subdivision shall state the acreage lying in each part, dimensions, deed reference and Auditor's parcel number (if applicable) of each part and state if the tract is all or part of said tract(s).
6. 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.
7. A legal size plat of survey shall be recorded with the deed.

We understand that all counties may have additional New Survey Requirements that pertain only to their individual county. Those may be stated below.

8. No more than five (5) new parcels from any property owner's contiguous tract may be transferred in any one year unless first filing and recording a subdivision plat.



Morgan County Engineer

Date: 8-7-96 / 9-21-98



Morgan County Auditor

Date: 8-9-96 / 9-21-98