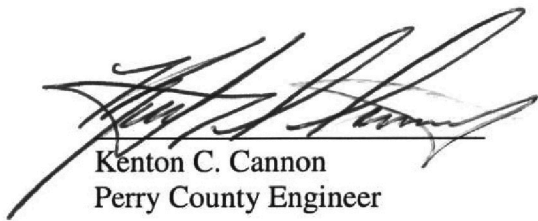


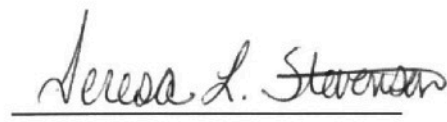
REVISED STANDARDS FOR ALL INSTRUMENTS OF CONVEYANCE

Section 319.203 of the Ohio Revised Code states, "The County Auditor and the County Engineer shall adopt standards governing the conveyance of real property in the County." This section also states, "The County Auditor shall not transfer any conveyance that does not comply with these standards."

Pursuant to section 319.203 and 315.251 of the Ohio Revised Code the attached standards are hereby adopted to govern descriptions and plats of real estate to be transferred. It is the intent of the standards to provide a consistent method of review for all instruments of conveyance.



Kenton C. Cannon
Perry County Engineer



Teresa L. Stevenson
Perry County Auditor

Adopted: *3/17/2011*

Effective Date: April 1, 2011

*Public hearings were held on 1/20/2011 and 2/3/2011 in accordance with the ORC.

Standards for All Instruments of Conveyance

Perry County, Ohio

Effective Date: May 1, 1997

Effective Date of Revision: April 1, 2011

Minimum Standards for all Instruments of Conveyance Perry County, Ohio

The following standards are now adopted and established in conjunction with the Perry County Engineer and the Perry County Auditor, effective on this date:
April 1, 2011.

Revised January, 2011

Instruments that need to follow These Standards:

Existing descriptions of record, all street, alley, road and subdivision vacations, new surveys, subdivisions and road dedications, annexations descriptions, land contracts, DEEDS, AFFIDAVITS, AND OTHER CONVEYANCES.

It is understood that all situations not addressed by these standards will be handled as special cases by the County Engineer's Map Department, the County Auditor's Office, the County Planning Commission, and Local Zoning.

Section 1 – Transfer Procedures

100 – Engineer's Office Procedures

- 100.1 Up to (7) working days may be required to complete the Engineer's checking procedure, starting with the day an instrument arrives. PRIOR APPROVAL OF TRANSFER DOCUMENTS IS BOTH ALLOWED AND ENCOURAGED.
- 100.2 THE INSTRUMENT'S PARCEL NUMBERS ARE FIRST VERIFIED FOR PRECISION, BOTH IN NUMBER AND IN LOCATION ON ITS CORRESPONDING TAX MAP.
- 100.3 Secondly, an instrument's township name and/or municipality is verified.
- 100.4 Next, an instrument's section/quarter township and township and range lines are verified, as well as its north arrow.
- 100.5 All descriptions will be checked for completeness (Good Point of Beginning, Good Lead-In, and typographical errors).
 - A. New descriptions and plats of survey will be checked for closure under current guidelines set forth by the State of Ohio (C) of OAC 4733-37-04.

- B. All surveys and descriptions stamped “Approved for Closure” prior to April 1, 2011 will be checked for closure using a 1:5000 ratio of error.
- C. SEE APPENDIX “A” FOR PERRY COUNTY ENGINEER MAP DEPARTMENT STANDARDS.

100.6 – Engineer’s Office Stamp Application

- A. Descriptions that meet current standards will transfer with the following stamp, “**APPROVED FOR TRANSFER**” and these stamps will be signed and dated by map department personnel.
- B. Descriptions that do NOT meet the current standards will be stamped by one of the following:
 - 1. Descriptions transferring within an immediate family, step family (Parent to Child, Brother, Sister, Husband, or Wife, Grandparent to Grandchild), will transfer with a stamp,

“FAMILY TRANSFER EXEMPT, APPROVED FOR TRANSFER”

- 2. Descriptions transferring outside of immediate family that do not meet standards but contain sufficient information to accurately assess taxes, verify acreage, location, and dimensions will be stamped:

“DESCRIPTION DOES NOT MEET STANDARDS, APPROVED FOR TRANSFER”

- 3. Descriptions transferring outside of immediate family that do not meet standards and do not contain sufficient information to accurately assess taxes, verify acreage, location, and dimensions will be stamped:

“DESCRIPTION DOES NOT MEET STANDARDS, NEW DESCRIPTION REQUIRED”

*Such a stamp indicates that a new survey is required
PRIOR TO TRANSFER to rectify current problems with the instrument.*

These stamps will be signed and dated by map department personnel.

(Note) Descriptions/plats submitted shall conform to the requirements as set forth in the Standards and Provisions of Chapter 711 in the Ohio Revised Code and Sections 315.251 and 319.203 and the Minimum Standards for Boundary Surveying in the State of Ohio, Administrative Code Chapter 4733-37, any township zoning and the standards found in Section 2.

101 – Auditor’s Office Procedures

- 101.1 Up to three (3) working days may be required to complete the auditor’s checking procedure.
- 101.2 THE INSTRUMENT’S PARCEL NUMBERS ARE FIRST VERIFIED FOR PRECISION, BOTH IN NUMBER AND IN LOCATION ON ITS CORRESPONDING TAX MAP.
- 101.3 The instruments parcel number, owner name, acreage, range-township and section numbers and the township name and/or municipality are checked against the records on file.

102 – Recorder’s Office Procedures

- 102.1 The following data is required to provide necessary information for transfer and indexing.
- A. Name of Grantor
 - B. Name of Grantee
 - C. Signature of Grantor/Grantors
 - D. Legal Description of Property
- 102.2 STANDARDIZATION REGULATIONS – SEE APPENDIX B

Section 2 – Transfer Standards

200 – Existing Deed Descriptions of: All Lots and Outlots (Platted and Unplatted)

- 200.1 Lots in platted areas which are shown on plats in the office of the County Recorder shall be described by lot number, name of addition or subdivision and with a reference to a plat book and page number or slide number.
- 200.2 Descriptions of parts of such lots and outlots or recorded plats, shall be adequately tied to a recorded lot corner on the recorded plat and shall give dimensions of each part.
- 200.3 Deed descriptions referring to lots and outlots or 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 a reference only.
- 200.4 Any lot split shall require a survey.
- 200.5 Land currently or previously vacated (including but not limited to alleys, streets, lots, etc.) shall be accompanied by a metes and bounds description.

201 – Existing Deed Descriptions of: Metes and Bounds Descriptions of Record

201.1 Deed descriptions referring to acreage in unplatted areas shall be described by metes and bounds and adequately referenced to one of the following:

- A. Section Corner
- B. Quarter Section Corner
- C. Fraction Section Corner
- D. Nearby Subdivision Corner

(Note) 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 reference points of beginning “on the lands of John Doe” etc.

201.2 The description of a tract lying in more than one section, fraction section, or a tract of land lying in part within and in part outside a municipal corporation, and that includes two or more taxing districts, of portions or recorded subdivisions shall state the acreage, dimension, Auditor’s parcel number, and prior deed reference of each part.

201.3 The description of a tract containing an exception shall be fully described and/or referenced by a prior recorded description that meets the current transfer standards. The acreage of the exception shall be recited. No more than four exceptions per tract. Exceptions are be recited at the conclusion of each parent tract, UNLESS EXCEPTED FROM MORE THAN ONE PARCEL.

201.4 Each tract being conveyed shall state the Auditor’s parcel number and prior deed reference at the conclusion of each parent tract.

201.5 The division of any parcel of land shall require a survey.

201.6 Descriptions presented for transfer that differ in context from the prior Recorded description, will not be accepted for transfer. Descriptions with exceptions to the parent tract are permitted. See requirements 201.3 above, concerning exceptions and 201.7 for scrivener errors.

201.7 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.

201.8 Acreage within a vacated subdivision must have a new survey before transferring unless the original description meets the current transfer standards.

201.9 An affidavit transferring real estate that is presented to the Auditor’s Office shall have a copy of the property description attached.

201.10 The caption of all descriptions shall state the following: State, county, township, range, township number, section, subdivision, quarter section, and corporation or village.

201.11 Land contracts will be reviewed for compliance with these minimum standards and stamped appropriately.

201.12 All corrective deeds shall explain, in the deed, the corrective action being taken.

202 - New Surveys

The survey and 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:

202.1 A new survey shall require a plat map and a legal description, both of which shall bear the surveyor's seal and signature in original ink, the surveyor's signature shall be in blue ink. As well, all stamps from applicable agencies shall be applied in original ink to the plat and legal description. For a new survey to transfer all stamps must be original and all signatures for approval must be signed in blue ink.

202.2 A copy of all new Surveys for fee transfers shall be submitted to the Auditor's office. At the Engineer's Map Department a copy of all approved survey descriptions and plats will be made and will become public information. The plat map submitted must be a scale drawing and not reduced. Faxed copies are not acceptable.

202.3 Property adjoiner's names and deed references shall be on the plat and included in the written description.

202.4 Tie-in for new surveys must use corners that are the same as referenced in rule 201.1 for the requirements for existing deed descriptions.

202.5 The Auditor's parcel number 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.

202.6 The description of a tract lying in more than one section, a tract of land lying in part within and part outside a municipal corporation, 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.

- 202.7 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.
- 202.8 A legal size (8 ½ x 14”) plat of the survey shall be recorded with the deed. For any single tract that is deemed not feasibly legible on a legal sized sheet (8 ½ x 14”) by a representative of the Auditor’s or Engineer’s Office, a larger copy of the survey may be placed on file in the Perry County Engineer’s Map Department. When recording the transfer, a copy reduced to legal size (8 ½ x 14”) of the plat shall be recorded with the statement:

“Reduced copy, not to scale, larger copy available in the Perry County Engineer’s Map Department.”

The Statement shall be applied by the Perry County Engineer’s Office.

This statement shall only be used for **SINGLE TRACTS**, and full discretion of what is, and is not legible, once reduced, shall be left to the Perry County Engineer, and Perry County Auditor.

- 202.9 The division of any parcel of land in the unincorporated area of the county into two or more parcels (for the purpose, whether for immediate or future transfer or ownership) is subject to review by the Perry County Health Department when the split is less than 5 ACRES. Furthermore, if said split occurs on a state route, then ODOT reviews said split prior to the Perry County Engineer’s approval. This is done to make sure said split meets the minimum spacing or sight distance requirements as stated on ODOT Access Management Manual.

(Note) Please reference the Perry County Planning Commission’s Regulations for further information on new lot splits. All applicable regulations are available in the Office of the Perry County Planning Commission.

- 202.10 Any parcel of real property being transferred as the result of a Court Order of foreclosure that has a legal description stamped “*New Description Necessary for Auditors Transfer*”, shall necessitate a new survey and legal description if the foreclosed property in question was mortgaged after January 1, 2008. If the foreclosed property was mortgaged prior to December 31, 2007, and has a “*next transfer requires survey*” stamp, the property shall be allowed to transfer out of the present title holder’s name, as stipulated in the judicial order. Any further transfer of the property shall necessitate a new survey and legal description. A copy of the judicial order shall be submitted with the routing slip for transfer to be approved.

(Note) Applications submitted through standard mail services shall nullify any time constraints imposed in this document.

Section 3 - Recording Standards

300 - Recording Requirements

300.1 The following are required for recording:

- A. Engineer's stamp
- B. Auditor's transfer stamp
- C. Complete notary information
- D. Name of person who prepared document
- E. Original signatures
- F. Name of current owner on affidavits
- G. Certified copy of death certificate with affidavit with each transfer on death deed
- H. A plat will be required to be recorded with any new deed being recorded with a new survey

301 -

301.1 All documents must be legible and of an acceptable quality for microfilming. Cut and paste and documents with staples, tape, or glue are not acceptable. Standard paper sizes such as, 8 ½ x 11 and 8 ½ x 14, are preferred.

APPENDIX A
PERRY COUNTY ENGINEER'S OFFICE
MAP DEPARTMENT STANDARDS

Phone: 740-342-5541
Fax: 740-342-5502

Kenton C. Cannon P.E., P.S.
Perry County Engineer

2645 Old Somerset Road, P.O.Box 29
New Lexington, Ohio 43764

1. Descriptions and plats will reflect current owner's full name, volume, and page at the time of the survey.
2. Survey description captions will reflect whether survey is a "resurvey of the lands" or "part of the lands" of an existing property. This will help determine if split fees (Perry County Planning Commission) are applicable.
3. All tracts must be referenced to a known or established monuments, such as section, quarter section corner, township corner or a lot corner of a platted subdivision (recorded). Intersections of road or intersections of roads and section lines will not be accepted as a point of beginning. Points used as P.O.B. must have labeled reference monumentation set.
4. Basis of Bearing shall appear on the plat and in the description, with a clear statement as to the reference direction.
5. New monumentation being set shall include size and material and be reflected on the plat and in the description.
6. Land contracts or mortgage deeds will not be accepted as property owner or adjoiners in new descriptions or plats.
7. When a tract lies in two different sections, or in two or more recorded tracts, in or out of a corporation, the acreage applicable to each different area shall be shown on the plat and reflected in the description. This information is required for tax and Auditor's purpose.
8. All lots in any municipality or regularly recorded subdivision are to be designated by lot owner, official record/deed record and page number, name of subdivision or addition with plat book and page number, township, range, section number, village, or municipality.
9. Out lots shall have an adequate description, bearings, distances, and acreage to determine location of said out lot.
10. All right-of-ways, alleys, streets, and existing or proposed easements must be reflected on the plat with their corresponding widths.
11. Error of closure shall be not more that 1' in 10,000' on new surveys, and not more than 1' in 5,000' on descriptions approved prior to April 1, 2011.
12. When a survey involves railroad or highway plans, the plan or map numbers shall be reflected on the plat of the survey.
13. All descriptions of new parcels (splits included) must be accompanied by a copy of the survey plat that will be retained by the Map Department for their use and permanent records. Survey plats and descriptions shall display an original signature, registration number and reproducible seal of the surveyor, and the date the survey was made.

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MAP DEPARTMENT STANDARDS

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14. 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 set forth above are inadequate, unless centerline is tied to a known reference monument.
15. Vacation of public lands (Alley, streets etc.) must include the new owner(s) and their proportioned acreage (for tax purposes) along with a copy of the resolution and plat map showing the same. This should be reviewed by the engineer's office before publication.
16. Vacated portions of streets, alleys, roads, etc, included in new surveys will require showing reference volume and page in the description and on the plat.
17. All descriptions and new surveys are reviewed in a timely manner. We recommend that all new surveys be submitted to the map department prior to the preparation of the conveyance to avoid delays. A clear, readable facsimile can be faxed to 740-342-5502 for review. Surveys faxed for review do not qualify as original copies and corresponding surveys will not be approved until original copies are received. Blue-ray copies of plats are prohibited.
18. Right-of-way widths are assumed 40 feet for township roads and 60 feet for county roads.
19. Each course of a new metes and bounds description should be a separate paragraph, and all courses should be, when practical, stated in a clockwise direction from the point of beginning to the point of termination for the subject description.
20. ODOT is reviewing all new splits adjacent to a state route.
Therefore:
Any new lot split surveys adjacent to a state route must be submitted to ODOT prior to approval from the map department. ODOT's completed access form, the lot split form (if applicable), survey plat and description can then be submitted together to the map department for approval. ODOT's access form can be obtained at either the county engineer's office or ODOT's District 5 office. If the lot split requires a lot split form be completed, it will also need signed by ODOT before submission.
21. Acceptable plat sheet sizes are as follows:
 - A. 8.5" x 11"
 - B. 8.5" x 14"
 - C. 11" x 17"
 - D. 13" x 19"
 - E. 18" x 24"
 - F. 22" x 34"
 - G. 24" x 36"

APPENDIX B

Ohio law (ORC 317.114 - Effective July 1, 2009) creates standardization guidelines for documents that are recorded in this office.

The guidelines are as follows:

- 100** Computer font size of at least 10 point;
- 101** Minimum paper size – 8 ½” x 11”, Maximum paper size – 8 ½” x 14”;
- 102** Black or Blue ink ONLY;
- 103** No use of highlighting;
- 104** Margins of 1” on each side of the page and on the bottom;
- 105** 3” margin on the top of the first page, reserved for recorder, auditor & engineer;
- 106** 1 ½” margin on the top of each of the remaining pages

This law does not apply to:

- 202 Any document from any court or taxing authority;
- 203 Plats;
- 204 DD214’s;
- 205 Any state or federal document;
- 206 Any document executed before the effective date of this law

NOTE: *If a document signed does not conform to these guidelines, an additional recording fee of \$20.00 will be collected.*

Please refer to Ohio Revised Code (ORC 317.114) for any further information.