

*Conveyance Standards &
Boundary Survey Requirements
Highland County, Ohio*



Effective Date – April 6, 2015
Amended Effective Date – August 31, 2015



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Print Date: 8/31/15

**STANDARDS GOVERNING MINIMUM REQUIREMENTS
FOR ALL FORMS OF CONVEYANCE
IN HIGHLAND COUNTY, OHIO**

Pursuant to Section 319.203 of the Ohio Revised Code, Bill Fawley, the Highland County Auditor, and Dean Otworth, P.E., P.S., the Highland County Engineer, hereby agree to the following standards governing the conveyances of real property in Highland County, Ohio, and hereby adopt the same as the official standards governing all conveyances of real property in said County.

The official standards so agreed to and adopted are attached hereto and made a part thereof. This Agreement is adopted in duplicate and each of the parties hereto shall keep and maintain in his office an original copy of the Agreement.

In accordance with Section 319.203 of the Ohio Revised Code, public hearings were held on the adoption of such standards February 12, 2015 and February 26, 2015 and public testimony and written comments were solicited and received at such public hearing. The public hearings on the amendments were held on August 4, 2015 and August 18, 2015.

The official standards agreed to, adopted and amended, and attached hereto, shall be effective for all conveyances presented to the Highland County Auditor and Highland County Engineer on and after April 6, 2015.

AGREED TO:



Bill Fawley
Highland County Auditor

Date: 2/26/15



P. Dean Otworth, P.E., P.S.
Highland County Engineer

Date: 2/26/15

AMENDMENT AGREED TO:



Bill Fawley
Highland County Auditor

Date: 8/31/15



P. Dean Otworth, P.E., P.S.
Highland County Engineer

Date: 8/31/15

**PROCEDURES AND MINIMUM REQUIREMENTS FOR THE CONVEYANCE OF REAL
PROPERTY IN HIGHLAND COUNTY
(HIGHLAND COUNTY MINIMUM STANDARDS)
Effective April 6, 2015**

This document was created to implement standards governing the conveyance of real property, established by Highland County. These standards are to comply with the Ohio Revised Code (O.R.C.) **319.203 Land conveyance standards.**

All of this document will be made available on the Highland County Websites

<http://highlandcountyeng.org/>

<http://highlandcountyauditor.org/>

-INDEX-

<i>Minimum Requirements For All Instruments Of Conveyance In Highland County</i>	4
<i>General Requirements</i>	4
<i>Requirements for Transferring Existing Deed Descriptions</i>	5
<i>Requirements for New Surveys, Splits / Minor Sub-Divisions</i>	7
<i>Annexation / Vacation Minimum Requirements</i>	8
<i>Major Subdivisions</i>	8
<i>Condominiums</i>	8
<i>List of Exhibits</i>	9
<i>Exhibit A - Requirements for New Metes and Bounds Descriptions and Plats of Survey</i>	10
<i>Exhibit B - Minimum Lot Areas and Width Requirements</i>	12

MINIMUM REQUIREMENTS FOR ALL INSTRUMENTS OF CONVEYANCE IN HIGHLAND COUNTY

This document is the result of a law effective May 9, 1996. Ohio Revised Code Section 319.203 states that the County Auditor and the County Engineer, by written agreement, **must** adopt standards governing the conveyances of real property **319.203 Land conveyance standards**.

The following Requirements are now adopted and established in cooperation between the Highland County Engineer and the Highland County Auditor.

INSTRUMENTS TO BE SUBMITTED TO THE HIGHLAND COUNTY'S MAP/GIS OFFICE BEFORE CONVEYANCE AND/OR RECORDING ARE AS FOLLOWS:

Existing descriptions of record, all street, alley, road, and subdivision vacations, new surveys, subdivisions, condominiums, and road establishments, annexation descriptions and land contracts.

A. GENERAL REQUIREMENTS:

1. It is understood that all situations not addressed by these requirements will be handled as special cases by the Highland County GIS/Map Office.
2. Time requirements for review by the GIS/Map Office; All descriptions will be checked as promptly as possible and in the order they were received.
3. Instruments conveying a new survey description cannot be processed until reviewed and approved by the Map Office and checked by the Highland County Engineer's Office.
4. Description(s) that do not meet current requirements may transfer with a *red WARNING stamp* stating, "WARNING: THIS DESCRIPTION DOES NOT MEET HIGHLAND COUNTY STANDARDS AND WILL REQUIRE A SURVEY FOR THE NEXT TRANSFER" as shown below:

WARNING: This Description does not meet Highland County Standards and will require a survey for the next transfer.

By: _____ Date: _____

5. All new descriptions and surveys submitted to the GIS/Map Office shall be originals with the original signature, date, and stamp.
6. For existing descriptions being transferred, original documents are required. Faxed copies are unacceptable.
7. All corrective deeds must state exactly what is being corrected.
8. No land-locked parcel shall be transferred that has no right-of-way, either by easement or adjacent parcel of same ownership. If access is by adjacent parcel of same ownership, the transferring instrument must state that they can only be transferred together. If access is by easement and the easement is not detailed in the instrument, reference must be made to the volume and page of the document detailing the easement. Easements for common driveways are permitted for up to five parcels. If a common driveway is to provide access for more than two parcels, then each parcel must have the minimum road frontage required by Section 405, Table 1

of the Highland County Planning Commission Regulations (Exhibit B). Easements for common driveways shall be a minimum of thirty (30) feet and a maximum of fifty (50) feet in width and have a maintenance agreement specifying the individuals' maintenance requirements. See Exhibit B.

9. Land contract descriptions must be checked and must follow these same guidelines for deed descriptions. (O.R.C. Section 5313.02) Descriptions used to transfer parcels by land contract shall be the same description by which the grantor took title. Land contracts shall show book and page where recorded along with prior book and page where Grantor took title. A copy of the land contract must be filed in the Auditor's Office. **A land contract will receive a blue NOTICE stamp if there is a problem with the legal description. This means that the property may be transferred by deed one time following the blue NOTICE stamp. At that time, the deed will receive a red WARNING stamp, indicating that prior to the next transfer, the property must be surveyed.**

NOTICE: Legal description is not accurate.

Date: _____ By: _____

10. Descriptions/ plats submitted shall conform to the requirements as set forth in the Requirements and Provisions of Chapter 711 in the O.R.C. and Sections 315.251 and 319.203. New surveys shall also conform to the Minimum Standards for boundary surveying in the State of Ohio, Administrative Code Chapter 4733-37 and the Requirements for New Metes and Bounds Descriptions and Plats of Survey set forth by the Highland County Engineer's Office (see Exhibit A).
11. **All documents, including, but not limited to, affidavits, purporting to change a deed in the future, will receive a blue NOTICE stamp if the survey is incorrect.**
12. **ABSOLUTELY No new split/subdivision shall be accepted if the parent tract does not meet the requirements set forth for a metes and bounds closure in these adopted standards. There are no exceptions to this rule. This rule requires a new recorded deed and new plat for the parent tract.**
13. **Certificate of Transfer/Affidavit of Transfer, Affidavits of Survivorship, and/or Affidavit of Confirmation and any and all documents determined to transfer present ownership act as a deed and therefore will receive the red WARNING stamp. We reserve the right to amend this list of Affidavits based on Section A 1 under General Requirements.**

B. REQUIREMENTS FOR TRANSFERRING EXISTING DEED DESCRIPTIONS

1. All existing lots and out-lots, platted and un-platted.
 - a) Lots in recorded subdivisions and additions 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 or envelope number.
 - b) Lots and out-lots in unrecorded subdivisions and additions shall be described by metes and bounds and adequately tied by metes and bounds (as noted in these standards). Such lots referred to by number will not be accepted for transfer.
 - c) When a split is involved see Requirements for New Metes and Bounds Descriptions and Plats of Survey (see Exhibit A).

2. All existing metes and bounds descriptions.
- a) The mathematical error in closure of all boundaries shall be within 0.02 feet in latitude and 0.02 feet in departure.
 - b) Legal descriptions referring to acreage in un-platted areas shall be by metes and bounds and adequately tied in by metes and bounds and shall reference to a point identifiable on a map of the area as follows:
 - i. Descriptions must use nearby recorded subdivision corner or corner of a specified lot in a recorded subdivision, or road intersections with established monuments depicting the corner of an existing tract, as the "tie".
 - ii. Vague terms are not acceptable, nor are references to points of beginning such as "in a northerly direction", "with the meandering of a stream", etc. Deeds containing these terms and others, if transferred in the past, may be transferred as outlined in Section A.1.
 - iii. The description of a tract of land lying in part within and in part outside 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.
 - iv. The description of a tract containing an exception(s) shall be fully described by lot number or metes and bounds and referenced by a prior recorded description that meets the current transfer requirements. After the exceptions to a tract or parcel are fully described, a net or remainder acreage must accompany the conveyance of intention. No more than three (3) exceptions are permitted per individual parcel. Each exception shall require a new deed to be filed and recorded listing all exceptions of the parent tract. Government takes (including eminent domain) will not be counted in this three (3) exception limitation.
 - v. Multiple tracts being conveyed on one deed shall state the prior deed reference and if applicable the parcel number at the conclusion of each tract.
 - vi. New Surveys are required for all splits and/or re-surveys as outlined in "Requirements for New Surveys, Splits/Minor Subdivisions." - Section C (Also see Exhibit A)
 - vii. Description(s) that differ in context from the prior recorded description, will not be accepted for transfer.
 - viii. Correcting scrivener errors - changes from the previous description that correct scrivener errors, omissions or other obvious mistakes are permitted in order for the description to be acceptable for transfer.
 - ix. Acreage within a vacated subdivision must have a new survey before transferring, unless it meets current transfer requirements.
 - x. An affidavit involving real estate that is presented to the Auditor's Office shall have a copy of the property description attached.
 - xi. The Preamble of all descriptions shall state the following: State, County, Virginia Military Survey, Township, Subdivision, and Corporation/Municipality or Village.
 - xii. Instrument preparation, the name and address of the person or Government agency which prepared the instrument must appear at the conclusion of the instrument. The name must be legible.
 - xiii. Any description which has been incorporated into a municipality or other political subdivision, since the previous conveyance, by means of annexation or de-annexation must be changed to reflect its new corporate location. Official road name changes should also be noted. (Prior road names, when known, should be so indicated.)

C. REQUIREMENTS FOR NEW SURVEYS, SPLITS/ MINOR SUBDIVISIONS

1. 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.
2. Must meet Requirements for New Metes and Bounds Descriptions and Plats of Survey set forth by the Highland County Engineers Office (see Exhibit A). Government takes (including eminent domain) will not be counted in the three (3) exception limitation.
3. It is recommended that prior to completion of any survey, all applicable review agencies should be consulted to verify all requirements of the survey. Additional requirements are as follows:
 - a.) Boundary surveys are required under the following circumstances:
 - i. When the legal description of the land to be conveyed is different from the legal description in the most recent conveyance.
 - ii. When existing legal description of a parcel being conveyed has more than three (3) exceptions.
 - iii. When the current description is stamped with a *red WARNING stamp* (see section A number 4)
 - iv. A parcel of land is being split from a parent tract that does not meet current guidelines.
4. Digital submission of boundary surveys will be accepted from those surveyors who utilize computer aided drafting (CAD) in the preparation of plats. As Highland County builds and maintains the present GIS system, it is imperative to utilize available resources and minimize costs to the public, while being able to provide a quality system for viewing public information. For review purposes, the plat and legal description should be submitted either by e-mail, diskette or CD-ROM in the following formats:
 - i. Plat of survey: AutoCAD .dwg, format or .dxf format, and .pdf format.
 - ii. Legal descriptions: Microsoft Word or .pdf format.
5. Requirements for Ties to County GPS Monuments – Highland County currently has 32 pairs of first order horizontal control monuments registered with the National Geodetic Survey. Utilization of this control is highly encouraged to perpetuate permanent reference to plats of survey and further assist in the implementation of the county's GIS system. Accordingly, new plats are expected to be referenced as follows:
 - a) Subdivisions must tie into one or two accepted monuments, according to the following conditions. A tie must be made to one monument, if a monument is within a 3000 feet radius of the proposed subdivision. A tie must be made to a second monument, if a second monument is inter-visible and within a 3000 feet radius of the first monument.
 - b) Plats of Survey must tie into one or two accepted monuments, according to the following conditions. A tie must be made to one monument, if a monument is within a 3000 feet radius of the surveyed property. A tie must be made to a second monument, if a second monument is inter-visible and within a 3000 feet radius of the first monument.
 - c) Basis of Bearing statements on all plats and deed descriptions to be made of record within Highland County must be stated:

With reference to a deed of record, an official record, plat of record, centerline survey plat along with the bearing specified. The State Plane Coordinate System, Ohio South Zone, North American Datum 1983, also known as NAD 83 (with adjustment year) may also be used as a basis of bearing, only if the control monuments used and bearing between them are denoted in the statement. Continuously Operating Reference Stations (CORS) may be used as a National Geodetic Survey Monument. An assumed bearing may only be used when it is determined there are no other records available.

D. ANNEXATION / VACATION MINIMUM REQUIREMENTS

The description of the property proposed for annexation\vacation and the plat furnished must comply with the requirements specified in the Ohio Revised Code. In addition, the following requirements for proposed annexation\vacation of property within Highland County shall apply:

1. All properties proposed for annexation/vacation will have metes and bounds descriptions for each property proposed for annexation/vacation.
2. When the territory proposed for annexation/vacation falls within more than one township, the description should summarize the total acreage lying within each involved Township in addition to stating the total acreage proposed for annexation/vacation.
3. Annexation plats should be provided in permanent ink on a reproducible Mylar, drafting film or other material subject to approval of the County Engineer.
4. Annexation/Vacation plats must be submitted with a graphical scale clearly shown with the original drawing no smaller than 18 inches by 24 inches and no larger than 24 inches by 36 inches. Reduced size copies may be submitted for review purposes as long as all lettering and detailing is clearly legible.
5. All roadway names should be clearly indicated with existing right-of-way widths labeled.
6. All established monuments that exist should clearly indicate what type of monument. Wherever roadway rights-of-way are met or crossed by a proposed annexation/vacation boundary that is proposed to be the outer boundary for the annexation\vacation the following additional requirements apply:
 - a) An existing iron pin, concrete monument, or railroad spike (on centerline) must clearly be labeled to show the change in road maintenance responsibility in the field.
 - b) When no established monuments exists, iron pins as described in ORC 4733-37-03 shall be added at the right-of-way limits in order to clearly indicate these points in the field. These shall be added within 30 days of annexation approval and must meet the requirements listed in Highland County Planning Commission Regulations section 520.
 - c) Any other established monuments along a proposed annexation\vacation will be subject to approval of the Highland County Engineer.

E. MAJOR SUBDIVISIONS

1. See the governing planning authority over the area for major subdivision regulations.
2. A legal description is required and must be included with the plat in order to be approved and accepted.
3. To be recorded plat must be on a Mylar no smaller than 18 inches by 24 inches and no larger than 24 inches by 36 inches.
4. Signatures are required to be legible and in permanent ink. All signatures shall have the name and title in print beneath.

F. CONDOMINIUMS

1. See the governing authority or planning authority over the area.
2. A legal description is required and must be included with the plat in order to be approved and accepted.
3. To be recorded plat must be a Mylar no smaller than 18 inches by 24 inches and no larger than 24 inches by 36 inches.
4. Signatures are required to be legible and in permanent ink. All signatures shall have the name and title in print beneath.

LIST OF EXHIBITS

Exhibit A: Requirements for New Metes and Bounds Descriptions and Plats of Survey

Exhibit B: Minimum Lot Areas and Width Requirements

Exhibit A
Requirements for New Metes and Bounds Descriptions and Plats of Survey



HIGHLAND COUNTY ENGINEER
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Hillsboro, OH 45133
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FAX: 937-393-3498



Requirements For New Metes And Bounds Descriptions And Plats Of Survey.

All new surveys, metes and bounds descriptions, and plats of survey not previously recorded, must be prepared by a registered Professional Surveyor and must be in compliance with the Ohio Administrative Code, Chapter 4733-37 and the following requirements.

LEGAL DESCRIPTION

- 1. The situate must denote the State, County, Virginia Military Survey, Township Name or Municipality as applicable. The situate shall also contain the recorded deed / official record including the acreage of the original tract(s) and state if the description contains all or part of the original tract(s).
- 2. Point of beginning must be referenced from one of the following:
Property corner of record or Lot Corner shown on a recorded and platted major subdivision with a found or set monument. Centerline intersections of streets or roads with monumentation provided and approved by the County Engineer. (see the approved intersection monuments list on our web page). Virginia Military District corners or lines. National Geodetic Survey or Highland County Geodetic Control monument.
- 3. Each course of a metes and bounds description shall be a separate paragraph and all courses must be stated in a clockwise direction from the point of beginning to the point of termination.
- 4. Each course or line must be described with a bearing expressed in degrees, minutes and seconds and a distance expressed in U.S. feet to the nearest hundredths. (Will not accept North, South, East or West without showing degrees, minutes and seconds.) Where the State Plane Coordinate System, Ohio South Zone is utilized, distances, bearings, and acreages shall be shown on the ground. Additionally, the survey shall indicate the horizontal datum, scale factor, and scale point location.
- 5. The area of tracts being described shall be denoted in acres to the nearest thousandths.
- 6. The description of a tract lying in more than one Virginia Military Survey, Political Subdivision, Municipal Corporation or Platted and Recorded major subdivision shall state the acreage in each part to the nearest thousandths.
- 7. Any course of a description which is a curve shall contain the radius, central angle, curve length, chord bearing, chord length and direction of the curve (right or left).
- 8. Descriptions of new tracts that encompass more than one existing tract must state the acreage from each existing tract to the nearest thousandths, the total acreage of the new tract to the nearest thousandths and state in the situate if the new tract contains all or part of the original tracts.
- 9. The legal description shall state the size and material of all monuments and whether they were found, set or previously set.
- 10. The legal description must have an official seal, be signed and dated by a surveyor registered in the State of Ohio. No copies of signatures or dates will be accepted.
- 11. Basis of Bearing must be stated.
- 12. The mathematical error in closure of all boundaries shall be within 0.02 feet in latitude and 0.02 feet in departure.
- 13. Statement of surveyor i.e.: This description is based on an actual field survey performed by or under the direct supervision of (surveyor name), Registered Surveyor (#) in (date i.e.: August 2002).
- 14. All of above requirements must match the plat of survey.
- 15. Adjoining parcels must identify which parcel they are adjoined to by all of the following: parcel number, volume and page number, and acreage.

PLAT OF SURVEY

- 1. Must denote the State, County, Virginia Military Survey., and Township Name or Municipality as applicable.
- 2. Must denote land owner names and deed references / official record of all tracts, including all adjoiners (including across the road), along with their area of record in acres and any Recorded Subdivisions along with their Plat Book and page numbers.
- 3. Point of beginning must be referenced from one of the following:
Property corner of record or Lot Corner shown on a recorded and platted major subdivision with a found or set monument. Centerline intersections of streets or roads with monumentation provided and approved by the County Engineer. (see the approved intersection monuments list on our web page). Virginia Military District corners or lines. National Geodetic Survey or Highland County Geodetic Control monument.
- 4. If the property being surveyed is within a 3,000 feet radius of any National Geodetic Survey or Highland County Geodetic Control monument, the survey must be tied to the National Geodetic Survey.
- 5. Each course or line must be described with a bearing expressed in degrees, minutes and seconds and a distance expressed in U.S. feet to the nearest hundredths. (Will not accept North, South, East or West without showing degrees, minutes and seconds.) Where the State Plane Coordinate System, Ohio South Zone is utilized, distances, bearings, and acreages shall be shown on the ground. Additionally, the survey shall indicate the horizontal datum, scale factor, and scale point location.
- 6. Must denote the centerline of roads, section lines or quarter section lines and any other common line of reference along with their bearings and distances as applicable. All rivers or streams shall also be mentioned.
- 7. All references to roads, rivers, streams, railroads, etc. must use current names of record. Old or original names should also be shown when available.
- 8. All political boundary lines and Virginia Military Survey lines shall appear on the plat including municipal, township, and county lines.
- 9. The area of any new tracts shall be stated in acres to the nearest thousandths.
- 10. The area in Right-Of-Way shall be denoted in acres to the nearest thousandths.
- 11. All retracement surveys, new tracts and remainders of original tracts lying in more than one Political Subdivision, Municipal Corporation or Platted and Recorded major subdivision shall state the acreage to the nearest thousandths in each part.
- 12. The Auditor's parcel number of the original tract(s) shall also be shown.
- 13. All buildings which fall within the boundaries of the parcel surveyed shall be graphically represented.
- 14. Plats of new tracts that encompass more than one existing tract must state the acreage to the nearest thousandths from each existing tract, the total acreage of the new tract to the nearest thousandths and state if the new tract contains all or part of the original existing tracts.
- 15. Any course which is a curve shall contain the radius, central angle, curve length, chord bearing, and chord length.
- 16. The size and material of all monuments and whether they were found, set or previously set must be shown.
- 17. The plat must have an official seal, be signed and dated by a surveyor registered in the State of Ohio. No copies of signatures or dates will be accepted.
- 18. Basis of Bearing must be stated.
- 19. The mathematical error in closure of all boundaries shall be within 0.02 feet in latitude and 0.02 feet in departure.
- 20. Citation of pertinent documents and sources of data used e.g.: subject and adjoining deeds, recorded plats, surrounding surveys, county tax maps, etc.
- 21. Have a North arrow and scale bar shown.
- 22. A block 1" high by 4" long shall be reserved in the top right hand corner of the survey for GIS/Map Office use.
- 23. Be at one of the following scales: 1"= 10', 20', 30', 40', 50', 60', 80', 100', 120', 200', 300', 400', or 500' and have a minimum letter size of 0.06".
- 24. A legend is required or all lines and symbols must be identified.
- 25. Acceptable sheet sizes: Minimum - 18"x24" Maximum - 24"x36".

Exhibit B

Minimum Lot Areas and Width Requirements

From Highland County Planning Commission Regulations Article 4, Table 1

Article 4, Table 1: Minimum Lot Areas and Width Requirements								
Development Type	Public Water Available	Central Sewage Treatment Available	Minimum Lot Width (feet)	Minimum Lot Area (per family or business)	Minimum Front Setback Requirements (feet)			
					Arterial Street	Collector Street	Local and Cul-de Sac	Side and Rear Yard
Single, Two, or Three Families	Yes	No	90	1 Acre	40	40	40	10
	No	Yes	80	20,000 sf	40	40	40	10
	Yes	Yes	70	10,000 sf	40	40	40	10
	No	No	100	1 Acre	40	40	40	10
Multi-Family Four or More	Yes	No	Prohibited					
	No	Yes	90	2,700 sf	40	40	40	10
	Yes	Yes	90	2,500 sf	40	40	40	10
	No	No	Prohibited					
Commercial	Yes	No	150	1 Acre	50	45	40	10
	No	Yes	90	4,500 sf	50	45	40	10
	Yes	Yes	90	4,500 sf	50	45	40	10
	No	No	150	1 Acre	50	45	40	10
Industrial	Yes	No	Prohibited					
	No	Yes	100		50	45	40	10
	Yes	Yes	100		50	45	40	10
	No	No	Prohibited					

NOTE: Lot area does not include road right-of-way. Lot areas may be increased by recommendation of the County Health Department. For slope areas where the average topographic slope is 15% or greater, refer to hillside regulations.