



**TRANSFER AND CONVEYANCE STANDARDS  
OF THE ROSS COUNTY AUDITOR  
AND THE ROSS COUNTY ENGINEER  
ADOPTED PURSUANT TO OHIO REVISED CODE SECTION 319.203**

EFFECTIVE JUNE 2nd, 1997

AMENDED SEPTEMBER 7<sup>th</sup>, 2017

In addition to the requirements as set forth in the Ross County Land Conveyance Standards as adopted under Ohio Revised Code 319.203, all new metes and bounds descriptions, and all requirements for plats of survey must incorporate the principles and minimum standards of good surveying, engineering, and draftsmanship as defined and amended by Administrative Code Chapter 4733-37 pursuant to Chapter 119 of the Revised Code and the State Board of Registration for Professional Engineers and Surveyors of the State of Ohio.

  
Charles R. Ortman, P.E., P.S.  
Ross County Engineer

  
Thomas M. Spetrage, Jr.  
Ross County Auditor

## I. REQUIREMENTS FOR ALL DOCUMENTS OF TRANSFER

- A. Pre-Approval: Legal descriptions and Instruments of conveyance shall be submitted for "pre-approval" to the map office no less than two working days prior to transfer.
- B. New Descriptions:
  - 1. All new descriptions for property within the size range of five to twenty acres will need Planning Commission approval prior to transfer. New descriptions for property less than five acres will need Board of Health and Planning Commission approval prior to transfer. This includes land contracts.
  - 2. If the description is a new split within a village/city jurisdiction, and if required to do so, it will need village/city approval prior to submission to the map office for transfer.
  - 3. A copy of the surveyor's legal description shall be attached to the instrument of conveyance
  - 4. No parcel shall be created by exception in a deed.
- C. Existing Descriptions:
  - 1. All existing descriptions, including land contracts, are recommended to be reviewed and checked prior to transfer.
  - 2. A copy(s) of the original legal description should be used in subsequent conveyances. Copies can be obtained at the Engineer's Map Office
- D. Parcel Identification Numbers: The document of transfer shall include the Auditors 12-digit parcel identification number(s) and address of the property, if any; or location of vacant land.
- E. Measurement: All measurements will be documented in the Old English (U.S. Foot) System. Because of ODOT requirements, metric measurement may also be included, when applicable.
- F. All corrective deeds shall explain the corrective action being taken in the deed.
- G. All documents transferring an interest in real property that are subject to O.R.C. 319.20, including all court orders and certificates of transfer, shall contain all of the following:
  - 1. Reference to Prior Instrument of Record: A reference to the volume and page of the record of the next preceding recorded instrument by or through which the grantor claims title as required by O.R.C. 319.20.
  - 2. Address of Grantee (O.R.C. 319.20).
  - 3. Identification of Interest Conveyed: The grantor shall inform the County Auditor in writing whether the grantor is conveying less than the grantor's current interest in the land.
  - 4. Instruments to Conform to Law: All deeds and other instruments transferring an interest in Real Property shall conform to the laws of Ohio or to the law of the place where the instruments were executed.
  - 5. Document of Transfer Shall Include Parcel Number and Address, if any; or location of vacant land

6. Conveyance Forms: No instruments will be transferred unless accompanied by a properly completed and legible (typed or printed) DTE 100 or DTE 100EX conveyance form and DTE 101 and DTE 102, when applicable. Must be signed in blue ink.
  7. Original Required: The document of transfer must have the original signature of the grantor or affiant. In most cases, a copy of a court order will be accepted, but the copy must bear the signature of a judge and show on its face that it has been filed with the clerk of court or be a certified copy from the clerk of courts.
- H. Special Transfers:
1. Transfer by Affidavit of Survivorship Interest shall be made pursuant to O.R.C. 5302.17, as amended from time to time, upon certificate of transfer or upon affidavit and certified copy of a death certificate of the deceased joint tenant.
  2. A transfer under the law of descent and distribution, when no administration of the estate of the decedent is had in the probate court, shall be made pursuant to affidavit under O.R.C. 317.22. The affidavit required by this division shall be accompanied by a certified copy of the death certificate of the decedent, or by some other official acknowledgment adequately evidencing the death of the decedent..
- I. Land Contract: It is recommended that New Surveys/Lot Splits intended for Land Contract be transferred prior to recording of said Land Contract.
- J. Adjoining Parcel Transfer: Grantee and Grantor title for transfer shall be the same.
- K. Tax Mailing Address: Shall be the address of the Grantee.

## II. REQUIREMENTS FOR ALL LOTS OF RECORD

- A. All instruments conveying a recorded lot in a municipality or recorded subdivision must designate the current lot number(s), the Plat Book and Page Number, the prior recorded deed reference, the parcel identification number(s), and the street address. It is required that the official recorded name of the addition or subdivision be listed, when applicable.
- B. Any split or portion of a recorded lot must have an accurate metes and bounds or acceptable and identifiable description to establish a tax structure for the portion being conveyed and to determine the residue or balance left. This will enable the County Auditor and the County Engineer's Map Office to determine an accurate tax parcel delineation based on current tax maps.
- C. Any area being conveyed in what is commonly known as an "unrecorded plat" must have a metes and bounds description.

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

- A. All existing metes and bounds descriptions of record, which do not create or alter the current tax structure of a parcel will be checked by the map office to verify and identify to the County Auditor the tax parcel to be conveyed.
- B. 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 are permitted in order to make the description more accurate.
- C. All conveyances will list the parcel identification number for all tracts.
- D. Any existing metes and bounds description, since the previous conveyance, that has been incorporated into a municipality or other political subdivision by means of annexation must be changed to reflect its new jurisdiction.
- E. 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 must incorporate the following requirements:
  - 1. Each out-lot or exception to title of the original tract shall recite the names of the grantor and grantee and the volume and page of such exception with the total acreage excepted as shown in the Recorder's Office.
  - 2. All instruments of conveyance, using exceptions to title to convey the residue of a tax parcel(s) shall incorporate a statement identifying the tax parcel(s) and the current taxable area as witnessed by the County Auditor's tax duplicate and the County Engineer's Map Office for the subject conveyance (i.e., it is the intent of this instrument to convey all of tax parcel(s) number, containing acreage or footage, as shown by the Ross County Auditor's and Ross County Engineer's records).
  - 3. A maximum of five exceptions shall be permitted in order to transfer the residual of the parent tract. More than five exceptions will require the parent tract to be surveyed in order to be transferred.
- F. All metes and bounds descriptions must contain all of the information pertaining to the description that will be used on the legal instrument form when checked by the Map Office for pre-transfer verification.
- G. A new metes and bounds survey may be required for descriptions that do not meet the requirements for transfer (severe closure problems, unidentifiable, for example).

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

All new metes and bounds descriptions prepared by a registered surveyor must incorporate the following:

- A. Situate
  - 1. Must denote state, county, township, and municipality. It must also denote range, section, and quarter section where applicable or VMS number(s) when applicable and possible.
  - 2. Must denote recorded title and deed reference as to the tract(s) of origin.
- B. Starting Point
  - 1. Deed descriptions referring to acreage in unplatted areas will be described by metes and bounds, adequately tied by metes and bounds, and referenced to a point identifiable on a map, such as the following:
    - a. Quarter township corner, section or quarter section corner, 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, intersection of two roads listed on the current inventory of county, township or state roads.
    - d. Adequate tie-in to any of the above points of reference must be given. The bearing and distance from appropriate point shall be used for reference.
- C. Courses
  - 1. It is preferred for clarity that each course of a new metes and bounds description be a separate paragraph and all courses must be stated in a clockwise direction from the point of beginning to the point of termination for the subject description.
  - 2. Each course of a new metes and bounds description will contain a bearing expressed in degrees, minutes, and seconds, and a distance recited in feet and decimal parts thereof, from point of origination to a point of termination of each course.
  - 3. The basis of the bearings will be given in a statement similar to the following: "This bearing is based on the centerline bearing of both road name and/or number and all other bearings are from angles and distances measured in the field."
  - 4. Each course must recite all monumentation either placed or found, along each course or at the point of origination and/or termination of each course. This recitation will include type, size, and material of each monument.
  - 5. Every boundary monument and/or reference monument set by a surveyor shall be in accordance with the State of Ohio Administrative Code Chapter 4733-37 of the Minimum Standards for Boundary Surveys in the State of Ohio.

6. Each course must show all common lines such as the centerline of roads, rivers, streams, etc., as it exists at the time of the new description.
- D. Curves: 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) and arc distance where applicable of the same.
- E. References: All references to roads, rivers, streams, etc., must use current or existing numbers or names of record. Old or original names may also be mentioned if they would add clarity.
- F. Acreage:
  1. All new metes and bounds descriptions must give the acreage calculated to at least the second decimal place. Total calculated square footage may also be mentioned as a matter of option.
  2. Whenever a new metes and bounds description encompasses two or more taxing districts, or two or more parcels, a breakdown of the total area within a given district or parcel must be recited to create an accurate tax structure.
- G. All new metes and bounds descriptions are required to be prepared by a registered surveyor and must incorporate the following:
  1. Printed surveyor's name and address;
  2. Ohio registration number and seal;
  3. The date of writing and/or survey; and
  4. A statement indicating whether the subject description was prepared from an actual field survey and existing records similar to the following:  
 "The above description is based on a field survey performed by \_\_\_\_\_ on month/day/year."
- H. Prior Deed References: The most recent deed reference(s) from which the grantor of the conveyance acquired title must be recited.
- I. Computer Verification: All new metes and bounds descriptions will be subject to computer verification by Map Office personnel. The maximum allowable traverse closure will be in accordance with the State of Ohio Administrative Code Chapter 4733-37-04.
- J. Approval: All legal instrument containing new metes and bounds descriptions, which meet all of the aforementioned requirements will be stamped by Map Office personnel. Proper notations will be made on the instrument of conveyance verifying a correct tax structure to the County Auditor.
- K. Ambiguous Content: Whenever the descriptive content of any legal instrument of conveyance is determined to be unclear, the County will require a statement of intent and/or nature to be incorporated as part of the instrument, to clarify the parcel(s) to be conveyed.
- L. Surveyor's Signature and Seal:
  1. All new metes and bounds descriptions prepared by a registered surveyor must be accompanied by a signed and sealed plat of the survey.
  2. The description and plat, both with original signature and seal are to be filed with the Map Office for verification prior to transfer.

- M. Railroads:
  - 1. Any transfer of railroad property shall be referenced to the annual report filed with the Ohio Department of Taxation, Public Utilities Section. This report is known as Section A and/or Section B - Appraisal of Real Estate. This will allow the County Auditor to determine which parcel reported to the State by the railroad is being affected by the transfer.
  - 2. Any transfer of railroad property that is not the same parcel as originally acquired by the railroad requires a new survey of the tract to be transferred and will be handled as a new split.
- N. Alley Vacations: The portion of an alley that has been vacated to a contiguous lot of record must have a metes and bounds survey prior to transfer of ownership by deed or other legal instrument.

## V. REQUIREMENTS FOR PLATS OF SURVEY

- A. A registered surveyor will prepare a scale drawing of every new metes and bounds description he or she originated and make available a copy of the drawing and the description to be filed with the Map Office.
- B. All plat drawings must incorporate the following details:
  - 1. A title, such that the general location of the subject can be readily identifiable. (This requirement should include the same information as established by Section 1, Items A and B of the Requirements of New Metes and Bounds Descriptions for Conveyance.)
  - 2. A north arrow with a clear statement as to the basis of the reference -- Direction Used.
  - 3. The control station(s) or starting point reference as cited in the deed description.
  - 4. All 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 showing the material and size for each. If all monuments are identified individually, no legend will be required.
  - 5. All existing title and the source of the title of adjoining owners along each boundary line of the subject survey along with the acreage or lot number(s) of the adjacent tracts.
  - 6. All boundary information for each course as established by the "Requirements of New Metes and Bounds Descriptions for Conveyance" Section 3, Items A through F and Section 4, Item A.
  - 7. A citation of pertinent documents and sources of data used as a basis for carrying out the work.
  - 8. The scale of the subject drawing.
  - 9. The surveyor's printed and signed name (optional signature), Ohio Registration Number, original stamp or seal.
  - 10. A plat of the survey on 8-1/2" x 14" paper shall be submitted with the deed and recorded. When the size of the plat makes it impractical to reduce the plat for recording, a note shall be added to the description that the plat is on file in the County Engineer's Map Office survey files.