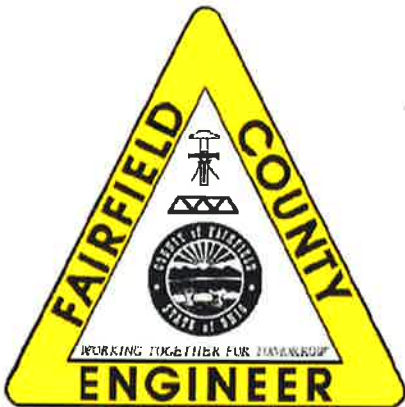


***MINIMUM
REQUIREMENTS
FOR ALL
INSTRUMENTS OF
CONVEYANCE
IN
FAIRFIELD COUNTY***



Jeremiah D. Upp P.E., P.S.

3026 West Fair Avenue, Lancaster, Ohio 43130-8993



Carri L Brown, Ph.D., MBA, CQFM
COUNTY AUDITOR

FAIRFIELD COUNTY
MAP ROOM
108 NORTH HIGH STREET, RM 106
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**AMENDMENT OF STANDARDS GOVERNING MINIMUM
REQUIREMENTS FOR ALL FORMS OF CONVEYANCE
IN FAIRFIELD COUNTY, OHIO**

Pursuant to Section 319.203 of the Ohio Revised Code, Carri L. Brown, PhD, MBA, CGFM the Fairfield County Auditor, and Jeremiah D. Upp, P.E., P.S., the Fairfield County Engineer, hereby agree to the following standards governing the conveyances of real property in Fairfield County, Ohio, and hereby amend and adopt the same as the official standards governing all conveyances of real property in said County.

The official standards so agreed to, adopted, and amended 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 August 16, 2022 at 5:30 pm and August 30, 2022 at 5:30 pm, and public testimony and written comments were solicited and received at such public hearing.

The official standards agreed to, adopted and amended, and attached hereto, shall be effective for all conveyances presented to the Fairfield County Auditor and Fairfield County Engineer on and after August 30, 2022 and shall supersede the prior standards effective March 1, 1997, amended February 1, 2004, amended January 29, 2013 and amended August 30, 2022

AGREED TO:

 8.30.22

Carri L Brown, PhD, MBA, CGFM
Fairfield County Auditor

 8/30/22

Jeremiah D. Upp, P.E., P.S.
Fairfield County Engineer

**PROCEDURES AND MINIMUM REQUIREMENTS FOR THE CONVEYANCE OF REAL
PROPERTY IN FAIRFIELD COUNTY
(FAIRFIELD COUNTY MINIMUM STANDARDS)**

*Effective March 1, 1997
Amended February 1, 2004
Amended January 29, 2013
Amended August 30, 2022*

This document was created to update, improve, and revise previous standards governing the conveyance of real property, established by Fairfield County. These standards are to comply with the Ohio Revised Code (O.R.C.) [~~§ 319.20.3~~] **§ 319.203 Land conveyance standards.**

All of this document will be made available on the Fairfield County
Websites: https://co.fairfield.oh.us/auditor/pdf/conveyance_standards.pdf
<https://www.co.fairfield.oh.us/Engineer>

-INDEX-

Procedures for all forms of conveyance..... 4

Minimum Requirements For All Instruments Of Conveyance In Fairfield County..... 6

Instruments to be Submitted will be Subject to the Following Policies and Requirements 6

Requirements for Transferring Existing Deed Descriptions..... 7

Requirements for New Surveys, Splits / Minor Sub-Divisions..... 9

Annexation Minimum Requirements..... 9

Major Subdivisions..... 10

Condominiums..... 10

List of Exhibits 11

I. PROCEDURES FOR ALL FORMS OF CONVEYANCE

To assist the public, we have listed the necessary steps to complete all types of conveyances. This section will explain the procedures in the conveyance process.

The following procedures and standards have been adopted effective:

- A. Existing numbered lots in recorded and platted additions and sub-divisions without metes and bounds descriptions.
 - 1. To the Auditor's Office (Map Room) (see Page 8, Section B).
 - 2. To the Auditor's Office (Real Estate).
 - 3. To the Recorder's Office.

- B. Existing tracts of record with metes and bounds descriptions.
 - 1. To the Auditor's Office (Map Room) (see Page 8, Section B).
 - 2. To the Auditor's Office (Real Estate).
 - 3. To the Recorder's Office.

- C. New Metes and bounds descriptions (Minor Subdivisions-Lot Splits) in incorporated areas.
 - 1. Obtain pre-approval from the governing authority of the incorporated area (City or Village).
 - 2. To the Auditor's Office (Map Room) for review and all applicable forms.
 - 3. To the County Engineer's Office for review and approval.
 - 4. To the Auditor's Office (Map Room) for completion of forms and filing of survey.
 - 5. Obtain approval (stamp) from the governing authority.
 - 6. To the Auditor's Office (Real Estate).
 - 7. To the Recorder's Office.

- D. New Metes and bounds descriptions (Minor Subdivisions-Lot Splits) in unincorporated areas.
 - 1. Lot Splits with an area less than 5.01 acres.**
 - a) To the Auditor's Office (Map Room) for review and all applicable forms.
 - b) To the County Engineer's Office for review and approval.
 - c) To the Auditor's Office (Map Room) for completion of forms and filing of survey.
 - d) To the Health Department for approval.
 - e) To the Regional Planning Commission (RPC). The deed, an approved legal description, and a copy of the survey must accompany the forms from the Auditor's Office (Map Room) for RPC to process.
 - f) To the Auditor's Office (Real Estate).
 - g) To the Recorder's Office.

 - 2. Lot Splits (Minor Subdivisions-Lot Splits) with an area of 5.01 acres or more.**
 - a) To the Auditor's Office (Map Room) for review and all applicable forms.
 - b) To the County Engineer's Office for review and approval.
 - c) To the Auditor's Office (Map Room) for completion of forms and filing of survey.

- d) To RPC. The deed, an approved legal description, and a copy of the survey must accompany the forms from the Auditor's Office (Map Room) for RPC to process.
 - e) To the Auditor's Office (Real Estate).
 - f) To the Recorder's Office.
- E. Plats approved for transfer (Subdivisions, Condominiums, etc.).
- a) To the Auditor's Office (Map Room) for yellow form.
 - b) To the Auditor's Office (Real Estate).
 - c) To the Recorder's Office.
- F. Land Contracts.
- 1. Must be an existing tract of record.
 - a) To the Auditor's Office (Map Room) for review and all applicable forms.
 - b) To the Recorder's Office.
- G. Easements and Rights of Way.
- 1. To the Auditor's Office.
 - 2. To the Recorder's Office.

II. MINIMUM REQUIREMENTS FOR ALL INSTRUMENTS OF CONVEYANCE IN FAIRFIELD 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 [§ 319.20.3] § 319.203 Land conveyance standards.

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

INSTRUMENTS TO BE SUBMITTED TO THE FAIRFIELD COUNTY AUDITOR'S 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. INSTRUMENTS TO BE SUBMITTED WILL BE SUBJECT TO THE FOLLOWING POLICIES AND REQUIREMENTS:

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

**"WARNING: This description does not meet
Fairfield County Standards and will require
a survey in future transfers."
Fairfield County Map Room
By _____ Date _____**

5. Existing descriptions that do not meet requirements for transfer that shall require new surveys and legal descriptions before being transferred are as follows.
 - a) Any legal description with more than 5 exceptions to a tract will require a new survey and description before transfer. Government Takes (including eminent domain) will not be counted in this 5 exception limitation.
 - b) Existing descriptions that do not meet requirements for transfer may transfer if they meet certain requirements for exemption. These descriptions shall be as follows:
 - 1) When property is being transferred from the owner(s) name into a family trust.

- 2) When a person(s) inherits property by survivorship or per court order.
- 3) When property is being transferred from the owner(s) to an immediate family member (parent to child, grandparent to grandchild, child to parent, grandchild to grandparent, sibling to sibling).
6. All new descriptions and surveys submitted to the Auditor's Office (Map Room) shall be originals with the original signature, date, and stamp.
7. For existing descriptions being transferred, original documents are preferred; however, copies of existing descriptions will be accepted if they are "clean copies". No copies showing previous stamps, signatures, dates, or are in poor condition will be accepted. Faxed copies are unacceptable.
8. All corrective deeds must state exactly what is being corrected.
9. 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 Fairfield County Engineer's Office (see Exhibit B).

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/cabinet and page/slot 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 B).
2. All existing metes and bounds descriptions.
 - a) Legal descriptions referring to acreage in unplatted areas shall be described 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:
 - b) Descriptions must use corners of sections or quarter sections, corners of section fractions, 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".
 - c) All descriptions must reference Township Name(s), Township Number(s), Section Numbers(s), and Range Number(s).

- d) 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 II.A.1.
- e) The description of a tract lying in more than one section, 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.
- f) 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. The acreage of the exception shall be stated. No more than five (5) exceptions per tract will be permitted. Exceptions are to be added at the conclusion of the parent tract.
- g) 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.
- h) 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 B)
- i) Description(s) that differ in context from the prior recorded description, will not be accepted for transfer.
- j) Description(s) with exceptions to the parent tract are permitted but no more than five (5) exceptions per individual parcel. Any description with more than five (5) exceptions will require a new survey for transfer.
- k) 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.
- l) Acreage within a vacated subdivision must have a new survey before transferring, unless it meets current transfer requirements.
- m) Sections, quarter sections, and fractions of sections and quarter sections are acceptable.
- n) An affidavit involving real estate that is presented to the Auditor’s Office shall have a copy of the property description attached.
- o) The Preamble of all descriptions shall state the following: State, County, Township, Range number, Township number, Section or Lot number, Subdivision, Quarter Section and Corporation/Municipality or Village.
- p) 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.
- q) 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 Fairfield County Engineers Office (see Exhibit B).
3. It is recommended that prior to completion of any survey, all applicable review agencies (see page 4 of these standards, "Procedures for All Forms of Conveyance") should be consulted to verify all requirements of the survey. Additional requirements are as follows:
 - a) Boundary surveys are required under the following circumstances:
 - 1) When the legal description of the land to be conveyed is different from the legal description in the most recent conveyance.
 - 2) When existing legal description of a parcel being conveyed has more than 5 exceptions.
 - 3) When the current description is stamped with a *red stamp* (see section II paragraph A number 4)

D. ANNEXATION MINIMUM REQUIREMENTS

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

1. The territory proposed for annexation will have an adequate description for the entire area proposed for annexation.
2. When the territory proposed for annexation 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.
3. Annexation plats should be provided in permanent ink on a reproducible tracing cloth, drafting film or other material subject to approval of the County Engineer.
4. Annexation plats must be submitted with a graphical scale clearly shown with the original drawing no smaller than 11 inches by 17 inches and no larger than **18 inches by 24 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. The recording reference for the existing corporation line shall be labeled where the proposed annexation adjoins.

E. MAJOR SUBDIVISIONS

1. See the governing planning authority over the area for major subdivision regulations.
2. To be recorded the plat must be on 18 x 24 inch Mylar.
3. 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 the plat must be on 18 x 24 inch Mylar.
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 A
Requirements for New Metes and Bounds Descriptions and Plats of Survey

(Maintained by the Fairfield County Engineer's Office as shown on the following two pages)



FAIRFIELD COUNTY ENGINEER
3026 WEST FAIR AVENUE
LANCASTER, OHIO 43130-8993
PHONE: 740-652-2300
FAX: 740-687-7055

MAP ROOM SURVEY NO: /
ACREAGE:

TOWNSHIP:
GRANTOR:

SEC.:

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.

The following checked items will be required to be revised by the Professional Surveyor:

LEGAL DESCRIPTION

- 1. The situate must denote the State, County, Township Number, Range, Section, half section, etc., and 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:
 - a. Section or Quarter Section Corner.
 - b. Corner or Lot Corner shown on a recorded and platted major subdivision with a found or set monument.
 - c. Centerline of intersections of streets or roads with monumentation provided and approved by the County Engineer. (see the approved intersection monuments list on our web page <https://www.co.fairfield.oh.us/Engineer>).
 - d. Proper identification of County monuments must be denoted on the survey plat or subdivision plat, as well as the deed description. County monuments are usually identified by the letters FCGS followed by a four-digit number, i.e. FCGS 8870, or a letter and 3 numbers, i.e. Z 190. These County monument identifiers are available at the County Engineer's Office.
- 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.)
- 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 Section, 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.

Remarks:

PLAT OF SURVEY

- 1. Must denote the State, County, Township Number, Range, Section, half section, etc., and Township Name or Municipality as applicable.
- 2. Must denote land owner names and deed references / official record of all tracts, including all adjoining (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:
 - a. Section or Quarter Section Corner.
 - b. Corner or Lot Corner shown on a recorded and platted major subdivision with a found or set monument.
 - c. Centerline of intersections of streets or roads with monumentation provided and approved by the County Engineer. (see the approved intersection monuments list on our web page <https://www.co.fairfield.oh.us/Engineer>).
 - d. Proper identification of County monuments must be denoted on the survey plat or subdivision plat, as well as the deed description. County monuments are usually identified by the letters FCGS followed by a four-digit number, i.e. FCGS 8870, or a letter and 3 numbers, i.e. Z 190. These County monument identifiers are available at the County Engineer's Office.
- 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.)
- 5. 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.
- 6. All references to roads, rivers, streams, railroads, etc. must use current names of record. Old or original names should also be shown when available.
- 7. The area of any new tracts shall be stated in acres to the nearest thousandths.
- 8. All retracement surveys, new tracts and remainders of original tracts lying in more than one Section, Political Subdivision, Municipal Corporation or Platted and Recorded major subdivision shall state the acreage to the nearest thousandths in each part.
- 9. The Auditor's parcel number of the original tract(s) shall also be shown.
- 10. 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.
- 11. Any course which is a curve shall contain the radius, central angle, curve length, chord bearing, chord length.
- 12. The size and material of all monuments and whether they were found, set or previously set must be shown.
- 13. 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.
- 14. Basis of Bearing must be stated.
- 15. The mathematical error in closure of all boundaries shall be within 0.02 feet in latitude and 0.02 feet in departure.
- 16. Citation of pertinent documents and sources of data used e.g.: subject and adjoining deeds, recorded plats, surrounding surveys, county tax maps, etc.
- 17. Have a North arrow and scale bar shown.
- 18. 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".
- 19. A legend is required or all lines and symbols must be identified.
- 20. Acceptable sheet sizes are 8 ½"x11", 8 ½"x14", 11"x17", 18"x24", 22"x34" or 24"x36".

Remarks:

NOTE: All checked items on the above sheets will need to be corrected before final approval. Please return the revised plat/legal to this office.

Reviewer:

Date: