

Coshocton County  
Real Estate Conveyance Standards  
for the approval of all  
Documents of Transfer  
in  
Coshocton County, Ohio

Coshocton County Engineer  
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Effective March 1, 2013

# REAL ESTATE CONVEYANCE STANDARDS

## FOR

### COSHOCTON COUNTY, OHIO

Effective – March 1, 2013

In order to have the most accurate land records reasonably possible, the Coshocton County Auditor and Coshocton County Engineer have adopted these Real Estate Conveyance Standards (“Standards”).

**All documents of transfer must be prepared according to these Standards and shall be submitted for review and approval prior to being submitted for transfer. In order to avoid having to get a corrected document signed by the grantors again, it is recommended that the document of transfer be submitted for approval prior to being executed.**

The County Auditor and the County Engineer are jointly charged with accurately accounting for property records in Coshocton County. The Coshocton County Regional Planning Commission (“Planning Commission”) is responsible for the orderly development of property, and the County Recorder is charged with assuring that any document presented for recording reflects their standards as established for an acceptable document. To fulfill these obligations to the public, the County Engineer will be responsible for reviewing and approving all boundary surveys and legal descriptions so that the parcel can be correctly and accurately located on the ground. The County Auditor accepts the responsibility for making certain that the correct Grantor(s) is set forth based upon the instrument(s) of record, and that the signatures and parcel numbers are correct. The Planning Commission will review all proposed splits of property to insure compliance with any subdivision regulations. The County Recorder has standards for proper margins and legibility and will assess additional recording fees for non-conforming documents or reject the instrument if it is illegible. No instrument, except as noted elsewhere in this document, will be accepted by the County Auditor for transfer without all the necessary approvals.

The above referenced offices have jointly established the following requirements for all real estate instruments. Each section below notes the office that requires the information to properly and accurately perform their respective duties.

- 1) Planning Commission / Auditor – All new descriptions shall describe the intent of the description, be it all of the property, a part of the property, or the remainder of the property. Any transaction that is less than all of the owner’s contiguous property must first be approved by the Planning Commission. Section 315.251 of the ORC states, “A boundary survey shall be made whenever the land to be conveyed is only a part of the grantor’s land or the legal description is different from the legal description in the most recent conveyance of all or part of that land.” No such boundary survey will be reviewed until the Planning Commission has approved the proposed split. After the Planning Commission has approved the split, the boundary survey, along with a copy of the Planning Commission approval, shall be submitted to the County Engineer for review.
- 2) Auditor - All documents of transfer shall indicate the interest being conveyed if less than the total interest of the Grantor. In addition, all prior instruments creating the interest of the Grantor shall be listed and a copy of each shall be included. If a new legal description is being prepared by a Professional Surveyor, the Surveyor shall include the copies with their submission. However, in either case, prior references available “on line” through LandAccess.com need not be supplied in hard copy format.
- 3) Auditor - All documents of transfer shall include the appropriate Auditor’s parcel number. If there are multiple tracts with separate parcel numbers, each tract shall include its respective parcel number.
- 4) Engineer - Except as otherwise provided herein, all tracts or parcels of land shall be described by metes and bounds and shall be referenced to a known or established point or monument, such as a corner of a township, quarter township, section, quarter section, quarter-quarter section or lot. It shall set forth in the description as to the type of monumentation it is, if any. All tie

lines must follow established lines. Bearings and distances shall be shown in all instances.

Metes and bounds descriptions of all tracts or parcels shall close within a mathematical tolerance as delineated in the State Minimum Standards for Boundary Surveys.

Existing documents of transfer on record prior to May, 1980 shall be approved with a closure of 1:2500 provided the rest of the information in the description is correct. Surveys performed prior to May, 1980, but never incorporated into a recorded description, must be brought up to current State Minimum Standards before they will be approved.

- 5) Engineer - When a lot in a duly recorded subdivision is to be conveyed, the correct lot number and the name of the subdivision and its recording information shall appear in the document of transfer. Such a recorded lot will not require a metes and bounds description.

For any re-numbered lot, the original lot number is also required.

- 6) Auditor - All metes and bounds descriptions shall include the acreage to be conveyed. If the total acreage does not match the acreage on the Auditor's tax duplicate, the acreage being conveyed as well as the "duplicate acreage" must be noted.

For the lots described in Item 5, no acreage is required provided it can be reasonably ascertained from said recorded plat.

- 7) Engineer - Descriptions of township lots in the original survey of the County shall contain the correct lot number and the quarter township designation. The platted acreage contained in said lot shall be noted. If the acreage is different than the acreage shown on the tax duplicate, the Auditor will change the tax duplicate to reflect the platted acreage.
- 8) Engineer - The description of a portion of a lot in a recorded subdivision shall be by metes and bounds with reference to a verified fixed monument within the subdivision.
- 9) Engineer - Generally accepted phrases such as, "parallel with," "perpendicular to," "at right angles to," "along the prolongation of," etc., may be used in

conjunction with quarter section, quarter-quarter section, township lot, recorded subdivision, or a recorded subdivision lot or street line.

- 10) Engineer - The sufficiency of existing descriptions purporting to convey a given number of acres, or a given distance, off a side shall be determined by the provisions of Chapter 4 of the book, Writing Legal Descriptions, by Gurden H. Wattles, a copy of which is on file in the County Engineer's Office.
- 11) Engineer - Descriptions purporting to convey a parcel in an unrecorded subdivision must be described by metes and bounds. Unrecorded subdivisions will not be recognized as valid instruments.
- 12) Engineer - All descriptions of out-lots, or parts thereof, shall be by metes and bounds referenced to a known or established point or monument.
- 13) Auditor - In all cases of new surveys where the tract or parcel lies in more than one tax district, the area in each tax district shall be provided.
- 14) Auditor - All new descriptions shall indicate from which tract, as set out in the description contained in the last deed reference, the new parcel is being conveyed. If the new parcel created is from more than one existing parcel, the area from each parcel number shall be noted.
- 15) Engineer – No new description presented for transfer shall contain any exceptions. If an existing description presented for transfer containing exceptions is inadequate, a new survey and legal description will be required. A new plat and legal description will be required for all transactions that are for less than the tract originally obtained.
- 16) Engineer - When a description is prepared by a surveyor, a plat of the survey on 8 ½” by 14” paper shall be submitted with the document of transfer and recorded. Where 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 survey files.
- 17) The following instruments shall be exempt from these Standards and shall be submitted directly to the County Auditor's Office:
  - a. Affidavit for Transfer of Real Estate;

- b. Transfer on Death Affidavit;
  - c. Affidavits required evidencing the death of an owner e.g. Survivorship Affidavit and Transfer on Death. However, the appropriate statute must be cited to justify the exemption from these Standards for items b and c;
  - d. Conveyance of an interest by a spouse to his or her spouse, an owner to another such owner of any real estate received in a common instrument, and, in an instrument as set forth in a. above; and,
  - e. All court-ordered conveyances including, but not limited to, documents of transfer upon foreclosure, execution, partition or by a trustee in bankruptcy.
- 18) Auditor / Engineer - All corrective documents of transfer shall explain the corrective action being taken in the document, and cite the recording information of the document of transfer being corrected.
- 19) Engineer / Auditor – Subject to the below exception regarding certain trusts, transfers of property into trusts, partnerships, corporations, limited liability companies, etc. are not exempt from these Standards. Existing instruments marked “Description Inadequate” or “New description required prior to next transfer” shall be surveyed. This also applies to any transfers to family members. Transfers into trusts created by the property owner(s) where the property owner(s) are the sole current beneficiaries of the trust are exempt from these Standards and shall be submitted directly to the County Auditor’s Office, provided an Affidavit affirming the foregoing accompanies the requested transfer.
- 20) Planning Commission / Engineer – Rights-of-way / easements for ingress and egress do not affect the boundary of the property nor the tax rate applied to the property. Therefore, rights-of-way for ingress and egress will not be reviewed by any of the reviewing agencies. It is the responsibility of the parties affected by the easement to make sure that their interests are adequately protected. The only time rights-of-way will be reviewed and required to be a part of any legal description is when the right-of-way is a common access

drive mandated by Access Management. In that case the County Engineer will review the description and plat of the new right-of-way to insure that it is adequately described. This right-of-way will be required to always be included with the legal description of any property using the right-of-way as well as the parcel subject to said right-of-way.

- 21) Engineer – The preparer of any document of transfer that is utilizing a new, approved plat and legal description shall attach said approved plat and legal description as an exhibit to the document and not have the description re-typed.
- 22) Engineer / Auditor – All instruments submitted for review and approval shall be left in the appropriate box in the Auditor’s Office or submitted to the appropriate reviewer via email. No instruments will be accepted in the Map Office. The instruments will be reviewed in the order received. Each instrument will be reviewed in its entirety and all errors that need to be corrected will be noted during the first review. Instruments needing corrections will be returned to the presenter.

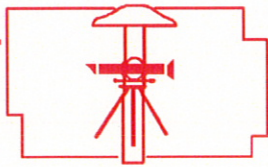
In situations where an instrument bears an incorrect prior deed reference, plat book and page number or other inaccuracy and if the reviewer already has knowledge of the information, the reviewer may provide correct information regarding such inaccuracy. However, the presenter should verify that said information is correct and in no event shall the reviewer be responsible or liable for any such information provided to the preparer.

The preparer of the instrument shall then correct the defect(s) prior to resubmitting it to the Map Office via the box in the Auditor’s Office, or via email. Re-submittals will be handled in the same manner as original submissions. If, upon any review after the initial submission, it is found that all the issues have been corrected except for those falling under items 2), 3), 6), 13) or 14), the Map Office will stamp the document conditionally approved with the item number(s) indicating the unresolved issue(s) noted. At this point, the preparer shall correct the defect(s) prior to presenting it directly to the Auditor’s Office for transfer. The Auditor’s Office, after assuring the

corrections are accurate, will then process the document.

The reviewers will do their best to provide a response within three working days of receiving the document. The status of the review of the instrument can be ascertained by visiting the GIS / Tax Map web page. **Calls to the reviewer to check the status of the review will be referred to the web page and only serve to delay reviews.**





## COSHOCTON COUNTY ENGINEER

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*Frederick T. Wachtel, P.E., P.S.*

March 25, 2013

**Coshocton County Real Estate Conveyance Standards – Guidance Document  
Per discussion with County Prosecuting Attorney's Office**

**Item 17 d.**

This exemption shall apply to any transfer involving spouses whether it is an interest in the property as stated in the Standards; or, a deed transferring the property from spouse A to spouses A and B; or, a deed transferring from spouses A and B to spouse A. These transactions shall be submitted directly to the County Auditor provided a statement is provided claiming this exemption.

A deed transferring property from self to self to reflect an owner's name change shall also be exempt under this item provided a statement is provided to the County Auditor explaining such.

**Item 19**

The exemption for transfers into trusts shall only apply if the beneficiaries are the current owners of the property. If an Affidavit stating such is provided, the transaction may be submitted directly to the County Auditor's Office. If the proposed trust includes any other beneficiaries, the transaction will be subject to all the requirements of the Standards and must be submitted to the Map Office for review.

Frederick T. Wachtel, P.E., P.S.

Coshocton County Engineer