

**TRANSFER AND CONVEYANCE STANDARDS OF THE
VINTON COUNTY AUDITOR
AND THE
VINTON COUNTY ENGINEER**

Requirements for All Instruments of Conveyance in Vinton County, Ohio

Effective Date: February 1, 2017

It is the intent of these requirements to provide a standard method of checking legal descriptions for deeds, affidavits, land contracts and other instruments that require the use of land descriptions of property.

It is the desire of the county to provide a service for the public to insure proper and accurate descriptions of property, to correct any errors that are evident and to insure that property is accurately described for tax purposes.

It is understood that all situations cannot be covered by these requirements and when those situations arise they will be handled as special cases interpreted by the County Engineer's Office.

All authors of instruments of conveyance are encouraged to have descriptions checked by the County Engineer's Office prior to the actual time of conveyance. All Pre-Approval requests shall contain all the information intended to be used in the legal description of the final document. This will avoid delays and allow time for any corrections that are necessary. The Map Room will stamp the legal description "Pre-Approved", and requests that the "pre-approval" be submitted with the original document.

I. GENERAL REQUIREMENTS FOR ALL INSTRUMENTS OF CONVEYANCE

1. Landlocked Property

No document shall be approved, that upon transfer, creates a landlocked parcel. A landlocked parcel is described as any tract of land, that upon transfer, creates a tract with no road frontage.

However, a landlocked tract will be accepted if the landlocked parcel is sold to, or retained by, an adjoining tract with road frontage. In this case the landlocked parcel must be sold with the frontage tract, or to another owner of the landlocked parcel with road frontage.

2. Exceptions

An exception is described as any tract of land sold from the original tract. All exceptions to the original tract must be listed on the document following the original tract. These exceptions must be written, in their entirety, upon the document, as per their original instrument of conveyance.

3. Bad / Inaccurate Description

A bad / inaccurate description is described as any legal description with:

- A. a point of beginning which cannot be determined and/or identified.
- B. a blatant error in the legal description
- C. An unidentifiable description – i.e. any description that makes reference to property owners that cannot be identified from map room and/or recorder's office research materials.

4. Legibility

No document shall be approved if the legal description is not legible. This is to include smearing, chipping, flaking, poor penmanship, etc.

5. Survey Required For Future Transfer Stamp

A document shall receive a "Survey Required For Future Transfer" stamp if it meets any of the following criteria:

- A. Has more than four (4) exceptions to an original tract.
- B. Is determined to be a bad/inaccurate description. This determination is to be made by the tax map department personnel.

If a document meets any of the above criteria, the document will be accepted for transfer and the "Survey Required For Future Transfer" stamp will be affixed to this document.

In the event of the last document being stamped "Survey Required For Future Transfer", the legal description has been deemed not acceptable for use on a legal document, and will not be accepted by the map room unless it meets the following criteria:

1. Be subject to a foreclosure or forfeiture action, in which case the sheriff's deed would be acceptable.
2. Be a transfer between co-owners of a property so long as both parties were listed as grantees on the last deed.
3. Be a transfer between spouses only. This is to include the language "wife of grantor" or "husband of grantor" on deed.
4. Be an affidavit, quit claim deed or quiet title action to correct title of an existing owner.
5. Be a judicial order.
6. Be a certificate of transfer, survivorship affidavit or transfer.

In these cases, the document shall be stamped "Survey Required For Future Transfer" and be subject to the above criteria for acceptance.

II. REQUIREMENTS FOR ALL RECORDED LOTS OF RECORD

1. All instruments conveying a recorded lot in a village or recorded subdivided area must designate the lot number(s), the official recorded name, the deed book volume or official record volume and page number, and the prior recorded deed reference if any exists. This requirement pertains to all recorded lots of new subdivisions transferring after the effective date of these requirements, and is not intended to apply to previously accepted documents of record.
2. Any out-lot or portion of a recorded lot must have an accurate description to establish a tax structure for the portion being conveyed, so as to enable the County Offices to determine the residue or balance left, based on the current Tax Maps and Parcel Numbers.
3. Any area being conveyed in what is commonly known as an "Unrecorded Plat" shall have a metes and bounds description.

III. REQUIREMENTS FOR EXISTING METES AND BOUNDS DESCRIPTIONS OF RECORD

1. All existing metes and bounds descriptions of record, which do not create or alter the current tax structure of a parcel(s) will be checked by the Vinton County Engineer's Office to verify and identify to the Vinton County Auditor the tax parcel(s) to be conveyed.
2. All existing metes and bounds descriptions of record shall 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.
3. Any existing metes and bounds descriptions which, since the previous conveyance, has been incorporated shall be changed to reflect its new corporate location within the situate of the subject instrument of conveyance.
4. 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 exist shall incorporate the following requirements:
 - A. Each out-lot or exception to title of the original tract(s) shall be described verbatim as witnessed by the previous conveyance of record. The correction of scrivener errors, omissions or other obvious mistakes are permitted in order to make the description more accurate.
 - B. It is desired that all instruments of conveyance using exceptions to title to convey the balance of remainder of a tax parcel(s) incorporate a statement identifying the tax parcel(s) and district to be conveyed, and the current taxable area as witnessed by the Vinton County Auditor's tax duplicate for the subject conveyance. (i.e. it is the intent of this instrument to convey all of Tax Parcel(s) number and district, containing acreage or footage, as shown by the Vinton County Auditor.