

**LAND CONVEYANCE STANDARDS  
AND REQUIREMENTS FOR APPROVALS  
OF DEED DESCRIPTIONS, SURVEYS AND  
PLATS IN MEDINA COUNTY, OHIO**

**PREPARED BY**

**THE OFFICE OF THE MEDINA COUNTY AUDITOR**

**AND**

**THE OFFICE OF THE MEDINA COUNTY ENGINEER**

## **TABLE OF CONTENTS**

Introduction

I - Requirements For Filing Instruments For Conveyance Of Real Property

II - Requirements For Instruments Of Conveyance Containing A New Metes And Bounds Description

III - Requirements For New Survey Drawings

IV - Requirements For Filing Plats And Replats Creating Subdivisions, Condominiums, Cluster Homes, Or City/Village Lots

V - Requirements For Annexation Plats

VI- Requirements For Vacation Of Perpetual Highway Easements

VII- Requirements For Vacation Of Dedicated Public Roads Within A Township

VIII- Requirements For Vacation Of Dedicated Public Roads Within A Municipality

IX- Requirements For Vacation Of Recorded Subdivisions Or Parts Thereof Within A Township And Procedure For Filing

X- Requirements For Vacation Of Recorded Subdivisions Or Parts

XI- Thereof Within A Municipality And Procedure For Filing

XII- Requirements For Boundary Line Agreements

XIII- Requirements For Recording Highway Easements

## **APPENDIX**

I- General Deed Standards And Information

II- Description Terminology

III- Sample Of Survey Drawing

IV-Sample Of Legal Description

V- Instructions For Filing A Petition For Annexation With The Board Of County Commissioners

VI- Samples of Documents - Auditor

VII- Conversion Tables

VIII- Minimum Standards For Boundary Surveys In The State Of Ohio

## **INTRODUCTION**

The intent of these standards and requirements is to establish a consistent method of checking legal descriptions for conveyance of title to real property and/or the establishment of easements, and to set forth the requirements for preparing a survey drawing(s) for property splits, the creation of Subdivisions, Condominiums, Cluster Homes and/or City or Village Lots.

Following these Standards and Requirements as set forth will insure proper and accurate descriptions of property for tax purposes.

Not all situations can be covered by these standards and requirements, and when such situations arise they will be handled as special cases to be interpreted by the Tax Map Office with the assistance of representatives of the Engineer's Office, and/or the Auditor's Office.

Ultimately, it is the decision of the Medina County Auditor and the Tax Map Office as to whether a legal description is sufficient to meet the following adopted Land Conveyance Standards as provided for by Sections 315.251 and 319.203 of the Ohio Revised Code.

Said legal descriptions and accompanying survey drawings, where applicable, must meet, and in some cases, exceed the "Minimum Standards for Boundary Surveys in the State of Ohio." Said minimum standards have been accepted by the State Board of Registration for Professional Engineers and Surveyors as an operating rule and became effective May 1, 1980 according to Chapter 4733-37 through 4733-37-07 of the Ohio Administrative Code and have been adopted by the State of Ohio in Section 315.251 of the Ohio Revised Code effective March 18, 1997.

Said applicable codes referred to from time to time herein, are the current versions as of the date of this publication. Any subsequent revisions, change or updates to said codes or any new codes that may be established will automatically be made part of this document.

SPECIAL NOTE: Abridgments allowed by the State Minimum Standards are NOT acceptable in Medina County except as permitted herein.

## **SECTION I**

### **REQUIREMENTS FOR FILING INSTRUMENTS FOR THE CONVEYANCE OF REAL PROPERTY**

The requirements of Section 315.251 of the Ohio Revised Code shall apply to all instruments for the conveyance of real property filed in Medina County, Ohio, except as specifically set forth herein.

Plats of surveys and/or survey descriptions shall not be protected by, or attempt to be protected by copyright restrictions. Any plats or instruments of conveyance so restricted will be refused for processing.

#### **Tax Map Office Time Requirements:**

The Tax Map Office does not guarantee the processing of instruments on the same day that they are submitted. The Tax Map Office will make every effort to process instruments containing simple descriptions as soon as possible; however, the Office works on a "first-come-first-served" basis and the

more complex or the more problems there are with the description, the more time each one takes. Combinations, splits, annexations and subdivisions may take several days for processing through the Tax Map Office. Refer to the requirements for the appropriate transaction for approximate time requirements.

### **Rejection of Documents by Tax Map Office:**

If the Tax Map Office determines that the legal description in the instrument submitted for transfer or the survey plat does not meet the requirements of these standards, it shall notify the presenter and attempt to work out any technical deficiencies on an informal basis. If the problem cannot be worked out between the Tax Map Office and the presenter, the presenter shall be entitled to have the objection appealed to the County Engineer for further review and final decision.

### **REQUIREMENTS FOR NEW OR EXISTING DESCRIPTIONS OF RECORD**

A. All instruments conveying a parcel of record, when submitted for transfer, must describe the parcel verbatim as witnessed by the instrument of previous record and transfer, except as otherwise permitted by these standards and requirements.

B. All legal descriptions that were used in an instrument of conveyance recorded prior to 1-1-98, will be accepted in the new instrument if the parcel can be located for taxing purposes. Verification of location must be provided to the Tax Map Office by the presenter of the instrument if the location is questionable.

C. If the parcel to be conveyed is an existing parcel but does not have a description of record due to being the residue parcel resulting from an earlier subdivision or having changes in its configuration or otherwise altered due to factors such as boundary line agreements, eminent domain proceedings, highway relocations or dedications, etc., a new description shall be required. The new description shall be derived by one of the following methods:

1. Exceptions Method : The description may utilize the last description of record prior to the split(s) or other boundary changes, followed by the descriptions of the parcel(s) having been split out of the original parcel. No more than three (3) "exceptions" may be used in this method and all "exceptions" shall be subject to the same requirements as for a parcel conveyance. (Copies of prior instruments containing the "exception" descriptions should accompany the instrument being presented for record to expedite processing).
2. New Perimeter Description Without Survey Method: A new perimeter description may be written using existing data of record, provided that the description adequately describes the property to be conveyed and can be located on the tax maps. If the existing data of record is inadequate to sufficiently describe the parcel for tax map purposes, the County Auditor may order a new survey drawing and a new metes and bounds description to be prepared. New perimeter descriptions prepared without survey must be written by a registered surveyor and shall state at the end that it was prepared without survey from existing data and provide the name of the registered surveyor who prepared the description.
3. New Metes and Bounds Description - From Existing or New Survey Method: All new metes and bounds descriptions must be written by a registered surveyor and submitted with the original survey drawing of a new survey or a copy of the appropriate existing survey of record to the Tax Map Office along with the deed for transfer. The new metes and bounds description and the survey drawing may be

submitted to the Tax Map Office for review prior to presentation of the deed or other instrument of transfer. Said new survey and description must comply with the Land Conveyance Standards and Requirements for Approvals for Deed Descriptions, Surveys, and Plats in Medina County, Ohio, as herein adopted. See SECTION III, page 5 for requirements.

D. Exceptions to Requirements of Paragraphs A, B and C (Technical Corrections):

Descriptions that are not identical to the previous description of record but have been amended or altered by the preparer due to any of the following or similar circumstances which do not make any substantive change in the description of the property shall not be subject to the requirement that a new perimeter or metes and bounds description be prepared:

1. Changes in Township/Municipal designation due to annexation and/or detachment proceedings, mergers of unincorporated or incorporated entities or changes in official names of governmental subdivision.
2. Addition or correction of Tract, Section, Lot, Sublot, Subdivision names, street names or identifying numbers or other information of record to further identify the property to be transferred and/or required by the Recorder's Office for indexing purposes.
3. The correction of scrivener errors or omissions in the legal description of the prior instrument of record.
4. To reflect dedication or vacation of public streets.
5. Changes in descriptions reflecting changes in the names of adjoining lot owners or information relating to adjoining lots referred to in the prior legal description of record which do not make any substantive change in the description.
6. Converting chains and links to feet and decimals thereof. (Keep chains and links and add feet conversion in parenthesis.)

E. Starred Parcels :

Parcels on the tax maps that have a "star" will be evaluated on an individual basis.

## **SECTION III**

### **REQUIREMENTS FOR INSTRUMENTS OF CONVEYANCE CONTAINING A NEW METES AND BOUNDS DESCRIPTION**

Note: Surveys performed and dated prior to May, 1996 will be exempt from the strict adherence to the Ohio Administrative Code Chapter 4733-37 but should incorporate the following as much as possible. All new metes and bounds descriptions from surveys(s) shall be written by a professional land surveyor in compliance with the Ohio Administrative Code Chapter 4733-37 and must incorporate the following:

I. All new metes and bounds descriptions based on an EXISTING SURVEY(S) of record must incorporate the following:

A. Caption/Situate:

1. Must denote state, county, municipality or township, and the appropriate Section, Tract, Large Lot, Township/City/Village Lot, Out Lot or Small Lot.
2. Must denote recorded ownership and deed reference as to the tract of origination. List the Official Record or Deed Book and page(s) or Document Number(s) and their respective date(s) of transfer where the owner took title.

B. Reference Point, Tie-Down or Origin Point:

1. All new metes and bounds descriptions must be referenced to an established point of origin for the description such as centerline intersections of roads or streets of record, Township Tract/Section/Lot lines or corners thereof or their intersection with roads of record, or recorded subdivision corners or lines, or recorded City or Village Lots or Out-lots.
2. This reference point should not be confused with the Principal Point of Beginning of the parcel being described. However, when the corner of the described parcel originates at the Reference Point, the Principal Point of Beginning and the Reference Point become one and the same.

C. Courses:

1. Each course of a new description should be a separate paragraph, and all courses should be stated in a clockwise direction from the principal point of beginning to the point of termination for the subject description.
2. Each course of a new metes and bounds description based on a survey(s) of record shall cite the bearings (adjusted for clockwise direction) and distances as shown on the existing record survey.
3. Any course describing a curve must contain the direction of the curve (right or left) and all the curve data cited on the record survey.
4. Each course must recite all monumentation, as shown on the record survey, either placed, found, or found and used along each course, or at the point of termination. This recitation shall include the type, size, material and full cap information, if any, of each monument.
5. Each course must describe all common lines shown on the record survey such as centerlines of roads, railroads, rivers, Section/Tract/Lot lines, etc. (Add updated name in parenthesis following the original record.)
6. Intent in regard to adjoining, if used:

If an adjoining(s) is cited, then the full name(s), Official Record(s) or Deed Book(s) and Page(s) or Document Number(s) and the respective transfer date(s) of the reference deed(s) used must be stated.

7. If available, the basis of the description shall be given in a statement similar to: "this description is based on a survey performed by (name of surveyor), Surveyor's Number, date of survey and found in Survey Book \_\_\_\_, Page \_\_\_\_ of Medina County Tax Map Records.

8. The description shall recite the basis of the bearings of the survey used if available.

D. Road Rights-of-Way:

1. The current road right-of-way widths should be noted after the road name and number the first time the road is mentioned in the metes and bounds description. In the event the road right-of-way width varies along the extent of the boundary of the road centerline it should be stated "right-of-way width varies".

E. Acreage:

1. Acreage must be stated as shown on the record survey of the parcel.

2. Where the record survey is in more than one taxing district, the description must cite each acreage separately and may be totaled for the whole parcel.

F. Surveyor Information:

1. All new metes and bounds descriptions written from a survey of record and prepared by a professional land surveyor must incorporate the surveyor's name and registration number, the date the survey was performed and a statement indicating the source of any additional information used in the development of the description including Tax Map and ownership data.

NOTE: A description written in this manner is an abridgment of Chapter 4733-37-06 Descriptions paragraph E of the Ohio Administrative Code and is acceptable by Medina County for this purpose ONLY.

G. Closure Accuracy:

1. All new metes and bounds descriptions written from a survey of record will be subject to computer verification as to the accuracy of the parcel closure of the area described. Closure must meet the measurement specifications defined in Chapter 4733-37-04, paragraphs B and C, of the Ohio Administrative Code. See APPENDIX VIII.

II. All new metes and bounds descriptions based on a NEW SURVEY must incorporate the following. See Appendix IV for Sample of Legal Description.

A. Caption:

1. Must denote State, County, Municipality or Township, and the appropriate Section, Tract, Large Lot, Township/City/Village Lots, Outlot or Small Lot.

2. Must denote recorded ownership and deed reference as to the tract of origination. List the Official Record(s) or Deed Book(s) and Page(s) or Document Number(s) and their respective date(s) of transfer where the owner(s) took title.

B. Reference, Tie Down or Origin Point:

1. All new metes and bounds descriptions must be referenced to an established point of origin for the

description such as centerline intersections of roads or streets of record, Township Tract/Section/Lot Lines or corners thereof or their intersection with roads of record, or recorded subdivision corners or lines, or recorded City or Village Lots or Outlots. 2. This Reference Point should not be confused with the Principal Point of Beginning of the parcel being described. However, when the corner of the described parcel originates at the Reference Point, the Principal Point of Beginning and the Reference Point become one and the same.

#### C. Courses:

1. Each course of a new metes and bounds description should be written as a separate paragraph and all courses should be stated in a clockwise direction from point of beginning to the point of termination for the subject description.
2. Each course of a new metes and bounds description shall have a bearing expressed as a compass direction in degrees, minutes, and seconds and a distance measured in feet and decimal parts thereof (to two(2) decimal places) from point of origination to the point of termination.
3. Each course description must note all controlling monumentation either set or found and used. The description of each monument shall include the type, size, and full cap information. Duplication of monument information is not required where the point of termination of one course becomes the point of origination of the next course.

Note: I.P. is NOT an acceptable description.

4. Any Course of a new metes and bounds description which is on a curve must contain the direction of the curve (right or left), the radius, the long chord bearing and distance, and the arc length. All distances shall be in feet to two (2) decimal places. Any additional curve data may be added by the surveyor.
5. When applicable, each course description shall include any other common line(s) such as centerlines of roads, rivers, streams, etc., Section lines, Tract lines, Township Lot lines, or any other pertinent common line of record or interest as witnessed by the survey for the conveyance.
6. Intent in regard to adjoining, if used: If an adjoining(s) is cited, then the full name(s), Official Record(s) or Deed Book(s) and Page(s) or Document Number(s) and their respective transfer date(s) of the reference deed(s) used must be stated.

#### D. Basis of Bearings:

1. A clear statement as to the basis of the bearings (direction) used. Bearings are based on astronomic (true) north, magnetic north, geodetic (grid) north, or on an assumed datum as determined by the surveyor or correlating to a specific record bearing which, if used, must be stated on the drawing and in the legal description.

#### E. References:

1. All references to roads, rivers, water bodies, railroads etc., must use current or existing numbers or names of record. Old or original names may also be mentioned if they would add clarity. Names of water bodies are determined to be of 'record' as they are shown and named on current NGS Quad-



sheets.

F. Road Rights-of-Way:

1. The current road right-of-way widths should be noted after the road name and number the first time the road is mentioned in a legal description. In the event the road right-of-way width varies along the extent of the boundary of the road centerline it should be stated 'right-of-way width varies.'

G. Acreage:

1. All new metes and bounds descriptions must give the acreage contained within its perimeter and calculated to the fourth decimal place. The total acreage contained within the road right-of-way shall also be recited to the fourth decimal place, when shown. Total calculated square footage may also be mentioned as an option.

2. Whenever a new metes and bounds description encompasses two or more taxing districts, a breakdown of the total area must be recited to create an accurate tax structure. The acreage to four (4) decimal places must be recited for each taxing district.

H. Surveyor Information:

1. All new metes and bounds descriptions must include the surveyor's name, Ohio registration number and date of the survey and be incorporated into a statement indicating the subject description was prepared from an actual field survey similar to the following: "The above description is based on a field survey performed by surveyor's name (not a company name), for surveying company (if applicable), P.S. Number \_\_\_\_\_ on month, day, (if applicable), year."

I. Closure Accuracy:

1. All new metes and bounds descriptions presented for transfer will be subject to computer verification as to the accuracy of the parcel closure of the area as described. Closure must meet the measurement specifications defined in Chapter 4733-37-04 paragraphs B and C of the Ohio Administrative Code. See Appendix VIII.

## SECTION IV

### REQUIREMENTS FOR NEW SURVEY DRAWINGS

See Appendix III for Sample of Survey Drawing.

A. The original survey drawing must be presented to the Medina County Tax Map Office at the same time the deed is presented for transfer.

B. Size Requirements. The size of the survey drawing must be no smaller than 8-1/2" x 14" and no larger than 18"x 24".

C. Material Requirements. The material upon which the survey drawing is made must be either a high rag content vellum or mylar. NO sepia or blue-line diazo copies on mylar or vellum or drawings on

linen will be accepted. The survey drawing must be drawn with India Ink or other dense black inking material capable of being clearly scanned or microfilmed.

D. Lettering. All lettering shall be no less than 1/10" in height (10 pt. lettering) to guarantee legible reproduction.

E. All survey drawings must incorporate the following details:

1. Title. A title such that the general location of the subject survey can be readily identifiable. This requirement should include the same information as established in Section III REQUIREMENTS FOR INSTRUMENTS OF CONVEYANCE CONTAINING A NEW METES AND BOUNDS DESCRIPTION, Subsection II, Item A (Caption), Article 1. See Page 7.

2. North Arrow. A north arrow.

3. Basis of Bearings. A clear statement as to the basis of the bearings (direction) used. Bearings are based on astronomic (true) north, magnetic north, geodetic (grid) north, or on an assumed datum as determined by the surveyor or correlating to a specific record bearing which, if used, must be stated on the plat and in the legal description.

4. Reference, Tie Down or Origin Point. The tie down or starting point reference as cited in the description. This requirement should include the same information as established by Section III REQUIREMENTS FOR INSTRUMENTS OF CONVEYANCE CONTAINING A NEW METES AND BOUNDS DESCRIPTION, Subsection II, Item B.(Reference, Tie Down or Origin Point), Articles 1 and 2. See page 7.

5. Survey Control. Indicate survey control used and its relationship to the property surveyed. Controlling lines and roads must have at least two verifiable points, and must indicate and properly describe the monuments found and used for the control. Said control point must be labeled on the drawing as found and used and referenced as such in the legal description.

6. Monumentation. 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 type, size, and full cap information, if any, for each. I.P. Is NOT an acceptable description. If all monuments are identified individually, no legend will be required.

7. Adjoiners. When adjoining ownership is shown, information shall include the following:

a. Name or names by which the current or cited adjoiner(s) took title

b. Official Record(s) or Deed Book(s) and page number(s) or Document Number(s)

c. Date(s) of transfer

d. Township/City/Village/Subdivision Lot Number where the adjoiners land is located, if not otherwise indicated.

8. Courses. All boundary information for each course as established by Section III REQUIREMENTS FOR INSTRUMENTS OF CONVEYANCE CONTAINING A NEW METES AND BOUNDS

DESCRIPTION, Subsection II, Item C. (Courses), Articles 1 through 6. See Page 8.

9. Source Data. A citation of pertinent documents and sources of data used as a basis for carrying out the work. i.e.: County Field Book Number and Page, Official Record or Deed Book and page or Document Number, State highway right-of-way drawings, Survey Book and page, etc.

10. Scale. The written and graphic scale of the subject drawing.

11. Approval Signature Space On Splits. Blank space must be allowed within a parcel split survey drawing for all required approvals for the execution of the split. The approvals may consist of any or all of the following:

Township Zoning Inspector

One or more Township Trustees

City/Village Approval

Medina County Planning Approval

Checking with the Tax Map Department, Township Zoning Inspector, and Medina County Planning regarding exact approval requirements is highly recommended prior to execution of the survey drawing.

See Medina County Subdivision Regulations.

12. Surveyor Signature and Stamp. The surveyor's printed and original signed name, Ohio Registration Number and reproducible, original stamp or seal must be on the drawing.

13. Road Rights-of-Way. The current road right-of-way widths should be shown on the survey drawing for all roads encompassed within the surveyed parcel. If the width varies within the parcel, the variances should be shown as calculated or extrapolated from the right-of-way information available or if not available, it can be stated 'width varies'.

14. Date. The date the survey was performed.

In addition to the requirements as set forth above, all survey drawings must incorporate the principles, and minimum standards of good surveying, engineering and draftsmanship as defined by Chapter 4733-37 through 4733-37-07 and any subsequent revisions thereto of the Administrative Code of the State Board of Registration for Professional Engineers and Surveyors of the State of Ohio. See APPENDIX VIII.

## **SECTION V**

### **REQUIREMENTS FOR FILING PLATS AND REPLATS CREATING SUBDIVISIONS, CONDOMINIUMS, CLUSTER HOMES, OR CITY/VILLAGE LOTS**

I. Original drawings of plats of subdivisions, condominiums, cluster homes, etc. must be presented to

the Medina County Tax Map Office along with a digital copy of same, if possible. Plats presented with the digital file may require a minimum of 5 working days to process. If a digital copy is not available, the Tax Map Office may require a minimum of 7 working days to process the Plat. A list of acceptable forms, formats, compression methods and media types for the digital file is available at the Tax Map Office.

All subdivision, condo, etc. Plats must incorporate the following details:

A. Title. A title such that the name of the Plat, the general location of the property encompassed by the Plat and a clear description of what the Plat is creating must be readily identifiable.

i.e.: The John D. Jones Subdivision

Located in Litchfield Township, Lots 16 and 17

Creating Sublots 1 through 15 and Blocks A through C.

B. North Arrow. A north arrow.

C. Basis of Bearings. A clear statement as to the basis of the bearings (direction) used. Bearings are based on astronomic (true) north, magnetic north, geodetic (grid) north, or on an assumed datum as determined by the surveyor or correlating to a specific record bearing which, if used, must be stated on the plat.

D. Reference, Tie-Down Origin Point. The control tie down referenced to an established point of origin such as centerline intersections of roads or streets of record, Township Tract/Section/Lot Lines or corners thereof or their intersection with roads of record, or recorded subdivision corners or lines, or recorded City or Village Lots or Outlots.

E. Monumentation. All monumentation either found or set, together with a legend of the symbols used to identify the subject monumentation showing the type, size, material and full cap information, if any, for each. If all monuments are identified individually, no legend will be required. Monuments must be set at all new corners of Sublots, Blocks, etc. A general statement citing this will be acceptable. Monuments are not required to be set where the actual corner will be occupied by the structure, condominium or cluster home.

F. Existing Recorded Lines. All existing Section/Tract or Township/City/Village Lot lines or corners must be shown and identified within the area encompassed by the Plat.

G. Adjoiners. When adjoining ownership is shown, information shall include the following:

1. Name or names by which the current adjoiner(s) took title.
2. Official Record or Deed Book and Page Number or Document Number.
3. Date of transfer.
4. Township/City/Village/Subdivision Lot Number where the adjoiner's land is located, if not otherwise indicated.

H. Source Data. A citation of pertinent documents and sources of data used as a basis for carrying out the work. i.e. Survey Book and Page, Road Record Book and Page, Official Record or Deed Book and Page, State Highway Right-of-way Drawings, etc.

I. Scale. The written and graphic scale of the Plat.

J. Surveyor's/Engineer's Signature and Stamp. The engineer's or surveyor's printed and originally signed name, Ohio Registration number and reproducible original stamp or seal must be on the Plat presented.

K. Owners Dedications, Easements, Acknowledgements and Signatures. A signature block for each applicable required signature i.e.; the proper legal wording for the dedication of indicated roads, easements and/or acknowledgement of action creating the plat as shown, followed by blanks for signatures of all owners and witnesses (along with their printed names of same) as well as notary signature and seal.

**Note: All plats that file with the Medina County Recorder's Office must have the signature of the owner(s) as acknowledging the creation of the Plat as a minimum.**

L. Approval Signature Blocks. Required signature blocks must be provided and may consist of, but are not limited to:

Applicable Township/City/Villages officials

County Planning Official signatures

Health Department

County Engineer

See Medina County Subdivision Regulations.

M. Recording Signature Blocks. Signature blocks must be provided for the recording process in the form as follows:

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_

Tax Map Draftsman

Received for transfer this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_

Medina County Auditor Received for recording this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

at \_\_\_\_\_ A.M./P.M.

Recorded in Plat Book Volume \_\_\_\_\_, page \_\_\_\_\_

Fee \$ \_\_\_\_\_

---

Medina County Recorder

N. Material Requirements. The material upon which the Plat is drawn must be mylar (Recorder's Office requirement). No sepia, blueline or blackline diazo mylar copies or drawings on linen will be accepted. The Plat must be drawn in black India Ink or other dense black inking material capable of being clearly scanned or microfilmed.

O. Lettering Requirements. No lettering less than 0.1 inch will be accepted (10 pt. lettering).

P. Size Requirements. The Plat must be no smaller than 11 inches by 17 inches and no larger than 18 inches by 24 inches (Recorder's Office requirement). NOTE: Plat minimum size is LARGER than Survey minimum size.

In addition to the requirements as set forth above, all new metes and bounds descriptions, and all requirements for plats of surveys must incorporate the principals, and minimum standards of good surveying, engineering and draftsmanship as defined by Chapters 4733-37 through 4733-37-07 of the Administrative Code of the State Board of Registration for Professional Engineers and Surveyors of the State of Ohio. See APPENDIX VIII.

## **SECTION VI**

### **REQUIREMENTS FOR ANNEXATION PLATS**

All Annexation Plats shall be presented to the Medina County Tax Map Office for approval prior to its presentation to the Medina County Commissioners for their signatures. See Appendix V for the Commissioners' instructions for filing a petition for annexation with the Board of County Commissioners.

Originals of approved Annexation Plats must be presented to the Medina County Tax Map Office and may require a minimum of three (3) working days to process.

All Annexation Plats must incorporate the following details:

I. Title. A title setting forth the following:

A. The amount of acreage being annexed

B. The Township(s) and Tract/Section/Lot(s) from which the annexation is being removed.

C. The Municipality to which the annexation is going

D. The lot(s) designations being created, if any.

II. Parcel Information. Each parcel to be annexed must have the following:

A. Ownership

B. Acreage if available.

C. Existing 'permanent parcel number'.

D. Proposed city or village lot number or space therefor if applicable.

E. Space for the new 'permanent parcel number'.

F. Present address if available.

G. Space for new address if applicable.

These items must be shown either within the limits of the parcel on the Plat or in a table included as part of the Plat and keyed to the proper parcel on the drawing of the Plat.

III. Acceptance Block. The Annexation Plat must be accepted by the municipality similar to the following:

Accepted by the City of \_\_\_\_\_ by City Council

Resolution/Ordinance No. at a Regular Meeting of same

held on day of 19 by Clerk

of the City Council.

IV. Commissioners' Approval Block. The Medina County Board of Commissioners must approve of any annexation. The signature block should be similar to the following:

Approved by the Medina County Board of Commissioners this

day of 20\_\_.

i.e.: President

i.e.: Commissioner

i.e.: Commissioner

V. Recording Signature Blocks. Signature blocks for the Recording process should be similar to the following:

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Tax Map Draftsman

Received for transfer this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Medina County Auditor Received for recording this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

at \_\_\_\_\_ A.M./P.M.

Recorded in Plat Book Volume \_\_\_\_\_, page) \_\_\_\_\_

Fee \$ \_\_\_\_\_

\_\_\_\_\_  
Medina County Recorder

VI. Material Requirements. The material upon which the plat is drawn must be mylar. No sepia, blueline or blackline diazo mylar copies or drawing on linen will be accepted.

The drawing must be executed in black India ink or a dense black computer generated ink capable of being clearly scanned or microfilmed.

VII. Lettering Requirements. No lettering less than 0.1 inch tall will be accepted (10 pt. lettering).

VIII. Size Requirements. The plat must be no smaller than 11" x 17" and no larger than 18" x 24".

All Plats of Annexation should incorporate to the extent possible the principals and minimum standards of good surveying, engineering, and draftsmanship as defined by the Administrative Code of the State Board of Registration for Professional Engineers and Surveyors of the State of Ohio.

## **SECTION VII**

### **REQUIREMENTS FOR VACATION OF PERPETUAL HIGHWAY EASEMENTS**

Vacations of public roads is covered in Sections 5553.01 through 5553.06 of the Ohio Revised Code.

All vacations of perpetual highway easements shall be processed by the Medina County Tax Map Office in the same manner as deeds.

A drawing of the road, or portion thereof, must be prepared by the Medina County Engineer or a registered surveyor and said drawing and description must be accompanied by the Medina County Commissioner's resolution of intent to vacate.



I. Requirements for Furnishing Drawings of Perpetual Highway Easements to be Vacated.

A. All drawings of Perpetual Highway Easements to be vacated shall contain the following:

1. A north arrow
2. Scale: Written and graphic
3. The State, County, Township, Municipality (if applicable), Section, Tract, Lot, etc.
4. The owner(s) name, Official Record or Deed Volume and page(s), transfer date(s) and the permanent parcel number(s) of the property(s) the perpetual highway easement is on.
5. Any, and all distances, bearings, etc. pertaining to the centerline and right-of-way lines of the perpetual highway easement, if available.
6. Area of the perpetual highway easement to be vacated, in acres, and broken down to show acreages for separate parcels within the easement, if applicable. Square footage is optional.

Note: The drawing must be presented to the Medina County Engineer for his review before the County Commissioner's final hearing. If the Medina County Commissioners, after the final hearing, pass a resolution to proceed with the vacation of the perpetual highway easement, said resolution is recorded in the Commissioner's Journal and a copy forwarded to the Medina County Engineer's Office to be filed in the Medina County Road Records.

## **SECTION VIII**

### **REQUIREMENTS FOR VACATION OF DEDICATED PUBLIC ROADS WITHIN A TOWNSHIP**

Vacations of dedicated public roads within a Township is covered in Sections 5553.01 through 5553.06 of the Ohio Revised Code.

All vacations of dedicated public roads shall be processed by the Medina County Tax Map Office in the same manner as deeds.

A survey drawing of the road, or portion thereof, to be vacated must be prepared by the Medina County Engineer or a registered surveyor and said drawing must be accompanied by the Medina County Commissioners' resolution of intent to vacate.

I. Procedure for Filing a Survey Plat for the Vacation of a Dedicated Public Road Within a Township.

A. Survey drawings shall be prepared using the same guidelines as outlined in SECTION IV REQUIREMENTS FOR NEW SURVEY DRAWINGS. See pages 10 through 12.

Note: Said survey drawing shall illustrate the intended partitioning, acreage, and ownership reversions.

B. The survey drawing must be presented to the Medina County Engineer for his review before the County Commissioners' final hearing.

C. If the Medina County Commissioners, after the final hearing, pass a resolution to proceed with the road vacation, the County Commissioners will forward the survey drawing to the Medina County Tax Map Office for filing with the Medina County Auditor and recording in the Medina County Recorder's Office.

D. The survey drawing must include signature blocks similar to the following: Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_

Tax Map Draftsman Received for transfer this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_

Medina County Auditor

Received for recording this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

at \_\_\_\_\_ A.M./P.M.

Recorded in Plat Book Volume \_\_\_\_\_, page \_\_\_\_\_

Fee \$ \_\_\_\_\_

\_\_\_\_\_

Medina County Recorder

## **SECTION IX**

### **REQUIREMENTS FOR VACATION OF DEDICATED PUBLIC ROADS WITHIN A MUNICIPALITY**

Vacations of dedicated public roads within a Municipality is covered in Section 711.39 and Sections 723.04 through 723.12 of the Ohio Revised Code.

All vacations of dedicated public roads shall be processed by the Medina County Tax Map Office in the same manner as deeds.

A survey drawing of the road, or portion thereof, to be vacated must be prepared by a licensed surveyor or engineer and said drawing must be accompanied by the petition and/or ordinance for such vacation.

#### **I. Procedure for Filing a Survey Plat for the Vacation of a Dedicated Public Road within a Municipality.**

A. Survey drawings shall be prepared using the same guidelines as outlined in SECTION IV

REQUIREMENTS FOR NEW SURVEY DRAWINGS. See pages 10 through 12.

B. The survey drawing must be reviewed by the Medina County Tax Map Office prior to presentation to the governing Council.

C. The plat and ordinance must be presented to the governing Council for their approval and signature of the ordinance.

D. The plat and ordinance must be presented to the Tax Map, Auditor's, and Recorder's Offices by the governing body's representative.

Note: Said survey drawing shall illustrate the intended partitioning, acreage, and ownership reversions.

E. The survey drawing must include signature blocks similar to the following:

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_

Tax Map Draftsman

Received for transfer this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_

Medina County Auditor

Received for recording this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

at \_\_\_\_\_ A.M./P.M.

Recorded in Plat Book Volume \_\_\_\_\_, page \_\_\_\_\_

Fee \$\_\_\_\_\_

\_\_\_\_\_

Medina County Recorder

## **SECTION X**

### **REQUIREMENTS FOR VACATION OF RECORDED SUBDIVISIONS OR PARTS THEREOF WITHIN A TOWNSHIP AND PROCEDURE FOR FILING**

Subdivision and sublots that are NOT within a Municipal Corporation: Reference Sections 711.25, 711.26, and 711.27 of the Ohio Revised Code.

I. Apply for Vacation Statement:

Prepare the full legal description of the area(s) to be vacated with a statement similar to the following: 'I/We hereby petition to vacate the following land(s):[full description with existing parcel numbers].'  
All of the petitioners with their printed names must sign the statement. In addition a separate statement of acknowledgment of the intent to vacate the specified sublots must be signed with their printed names by ALL of the owners of the sublots that are NOT being vacated within the Subdivision. Bring the signed petition to the Tax Map Office to have the legal description checked. Make corrections, if needed, to the description and parcel numbers to reflect the existing records.

## II. Publish Intention:

Publish for two weeks in the local newspaper with general circulation for the area involved, the intention to vacate the described land(s).

## III. Get Auditor's Certificate of Vacation:

Get a proof of publication from the newspaper. Within 10 days of the end of publication take the petition to vacate and the proof of publication to the Auditor's Office. The Auditor's Office will type up a certificate stating the sublots are now vacated.

## IV. Record the Documents:

Bring all 3 documents (petition, proof of publishing and Auditor's certificate) to the Tax Map Office to begin the regular recording procedure. All fees necessary for the recording process must be paid by the person filing the vacation.

NOTE: If there has been dissent to the petition for vacation via a letter to the Auditor, the petitioners must go to the Medina County Prosecutor's Office for further procedures.

See Appendix VI for Samples of Documents to be filed for vacation.

## **SECTION XI**

### **REQUIREMENTS FOR VACATION OF RECORDED SUBDIVISIONS OR PARTS THEREOF WITHIN A MUNICIPALITY AND PROCEDURE FOR FILING**

#### Subdivision and Sublots within a Municipal Corporation:

Reference Section 711.17, 711.18, 711.19 and 711.20 of the Ohio Revised Code.

#### I. Application of Petition to Vacate:

A petition must be filed with the Common Pleas Court through the Clerk of Courts by at least two-thirds of the property owners of the sublots or City or Village lots proposed to be vacated. The petition must include a full legal description with existing parcel numbers of each parcel to be vacated and all signatures must have the printed name following each signature.

#### II. Publish Intention to Vacate:

The petition to vacate must be published for 30 days in the newspaper with general circulation for the area to be vacated. Get proof of publication from the newspaper.

### III. Get Clerk of Courts' Certification of Vacation:

Within 30 days of the end of publication take the Petition to Vacate and the Proof of Publication to the Clerk of Courts. If the Court has not received any objections to the vacation petition, they will Certify the Vacation through the means of a Journal Entry, citing Sections 711.17 through 711.20 of the Ohio Revised Code as the authority, which will be signed by a Judge. Generally, the Clerk of Courts will then give the Journal Entry to the Tax Map Office.

### IV. Journal Entry is Recorded:

Tax Map Office will start the recording procedure through Tax Maps, then Auditor's, then Recorder's Offices. Once the Journal Entry is filed with the Recorder's Office the Vacation is complete and reverted to acreage.

## **SECTION XII**

### **REQUIREMENTS FOR BOUNDARY LINE AGREEMENTS**

A boundary line agreement as covered in Section 5301.21 of the Ohio Revised Code provides for the common lines or corners in dispute.

All Boundary Line Agreements shall be processed by the Medina County Tax Map Office in the same manner as deeds.

If the boundary line agreement is located within a recorded subdivision the Boundary Line Agreement Plat shall meet all the requirements set forth in SECTION V Requirements for Filing Plats and Re-plats Creating Subdivisions, Condominiums, Cluster Homes, or City/Village Lots. See pages 13 through 15.

## **SECTION XIII**

### **REQUIREMENTS FOR RECORDING HIGHWAY EASEMENTS**

All highway easements shall be written by the registered surveyor who prepared the easement drawing and must incorporate the following.

#### I. Requirements for Highway Easement Descriptions

A highway easement description must cover only one existing parcel. It cannot consist of one description which takes the easement across more than one existing adjoining parcel having common ownership.

##### A. Caption

1. Must denote State, County, Township and Municipality, if applicable, Section or Tract, Township Lot etc.

2. Must denote recorded title and deed reference(s) as to the tracts of origination. List the Official Record or Deed Book and page and transfer date(s) where the owner took title.

#### B. Parcel Identification

1. Must identify the tract of ground in which the easement is located by general description of the parcel, owners names and the parcel numbers.

2. Must list acreage of all parcel(s) and parcel numbers in which the easement is located.

#### C. Highway Easement Identification

##### 1. Centerline Easements

a) Must state width of easement. (Example) "Being a 60 feet wide easement 30 feet each side of the following described line."

b) Detailed description of the course of the centerline including a readily identifiable beginning point. (Example) "Beginning at a point in the western most property line, approximately 35 feet, more or less, northwesterly from the southwest corner of (grantor's) tract. Thence northeasterly, parallel to and 35 feet northwesterly from grantor's southern most line, approximately 300 feet, more or less, to a point in the grantor's eastern most property line.

##### 2. Strip Easements

a) Must state width of easement. (Example) "Being a 60 foot wide easement..."

b) Must state location. (Example continued from above)"... along the grantor's south property line."

##### 3. Irregular Shaped Easement.

a) Must have a defined point of beginning tied down to a point of record.

b) Must have a clear metes and bounds description.

#### D. Restrictions

1. Must list any and all restrictions over the aforesaid easement area.

## II. Requirements for Highway Easement Drawings

A. All easement drawings must reflect the legal description and incorporate the following details:

1. A north arrow.

2. Scale: Written and graphic.

3. The State, County, Township and Municipality, if applicable, Section, Tract Lot, etc.
4. Owner(s) name, Official Record or Deed Volume and page(s) or Document Number, the respective transfer date(s) and permanent parcel number of the land the easement is on, and adjoining landowner(s), Official Record or Deed Volume and page(s) or Document Number and the respective transfer dates if easement begins, or ends on an adjoining property line.
5. The property lines of the subject parcel, or the land containing the easement, and any roads mentioned in the written description.
6. Any, and all distances, bearings, etc., pertaining to the easement area shall be shown on the drawing.
7. Area of the easement in acres. Square footage is optional.

## **APPENDIX I**

### **GENERAL DEED STANDARDS & INFORMATION**

Grantor - must deed out in the identical way as took title - may have A.K.A., F.K.A., H.T.T.A. to cover multiple names. Must include marital status at time of filing.

Grantee - must take title in only one way - no A.K.A.'s etc.

Trusts - Only Trustees of a Trust can take title. Successor or co-trustees must file an affidavit within 30 days of succession of the prior Trustee with a legal description of the real property through Tax Maps, the Auditors, and Recorder's Offices. Section 5302.171 ORC.

Partnerships, General - will be asked in the Recorder's Office if partnership is already recorded.

Signatures of Grantors - must have typed or legibly printed names below signatures. This requirement enforced by Recorder's Office.

Signatures of Witnesses - must have typed or legibly printed names below signatures.

Notary - must have Notary Seal and signature notarizing the Grantor's signatures.

Metrics - Medina County Tax Map Office will not require descriptions or surveys to be in metric measurements until the State of Ohio so mandates. Descriptions or surveys may contain metric measurements, but must also show the standard English measurement equivalents.

Chains and Links/Rods/Perches - Antiquated forms of distance and acreage measurement. Deeds using these forms of measurement must be converted to feet and decimal parts thereof, and acreage. The antiquated form of reference must be kept, but the equivalent in feet and acres must be shown for each distance or acreage in parenthesis.

Land Contracts - legal descriptions for land contracts must describe existing parcels and are subject to all requirements as normal deed legal descriptions. The Tax Map Office shall check and initial the

descriptions on all land contracts prior to their being recorded. Section 5313.02 ORC.

Fractional Interest Statements - when ONLY a fractional interest is being transferred, the fractional interest statement must appear in a separate paragraph preferably BEFORE the legal description.

Reservation of Interest - when the deed is reserving an interest for the Grantor - i.e. mineral rights or life estate - the reservation must be set off from the legal description as a separate paragraph following the legal description.

Starred Parcels - A parcel of land on the tax maps may have a '\*' (star) on the parcel usually located near the parcel number. This indicates there is a problem with the parcel which may be as simple as a typo on the deed or a very complicated problem of conflicting ownership. A '\*' (star) may also appear adjacent to a dimension along a line of the parcel. This indicates there is a problem on that parcel concerning that dimension. A '\*' (star) will also appear inside a parcel that has no parcel number associated with that parcel. This indicates the so starred parcel is either a result of an overlap between two adjacent parcels' descriptions or a gap caused by supposed adjacent parcels' descriptions. For explanation of any particular '\*' (star) please ask one of the Tax Map Office's personnel.

## **APPENDIX II**

### **DESCRIPTION TERMINOLOGY**

Description Terminology: for further reference see Black's Law Dictionary, 6th edition, H.C. Black, 1979, West Publishing Co., St. Paul, MN.

Adjoining - reference term meaning a boundary that is in common with another. Adjoining parcel - the parcel has a line(s) in common with the subject parcel being described along - implies the boundary is moving with the call (i.e. along a township line) and the line is the route.

A.K.A. - abbreviation for 'also known as'. Commonly used to list other ways in which a person or company has taken title. ALL forms in which a person or company has taken title must be listed when that person or company is transferring their property out of their name. i.e. Jane Jones A.K.A. Jane J. Jones

Block - a term used to describe parcels created in Subdivisions for two purposes:

1. Generally of irregular shape and larger acreage than sublots and not to be used as buildable lots - often used as "green space," or common areas or drainage basins.

2. Larger acreage than sublots being reserved for later development as sublots or cluster homes or condos, etc.

Call - the "bound" along which or to which in order of superiority, a course of a metes and bounds description goes.

1. Calls for monuments - natural (lakes, rivers, trees) or physical - any type of marker set by a surveyor
2. Secondary monuments - descriptive boundary - i.e., to a tree row, to a fence



3. Reference to a record boundary i.e. - township/city/village lot line, subdivision subplot line etc.
4. Calls tied to other monuments with bearing and distance to such monuments not at or along the property boundaries.
5. Distances on the boundary
6. Bearings on the boundary
7. Area contained within the parcel when not specified within the caption of the description.

Excepting therefrom - to omit or remove the following description from the prior description. To subtract the following acreage from the prior described acreage.

F.K.A. - abbreviation for 'formerly known as'. Commonly used when a person has taken title one way and now their name is legally changed. The person will deed out in their new legal name and signature, but list their former name also.

i.e.. Jane Adams F.K.A. Jane Jones

(married name)(maiden name)

H.T.T.A. - abbreviation for 'having taken title as'. Alternate usage where a person or company took original title in a different manner from the way they are deeding out.

i.e. Jane Adams F.K.A. Jane Jones

(married name)(maiden name)

Legal Description - A legal description of a parcel of land should be clear, complete and concise and written in such a way that avoids any confusion between the intended parcel and any other parcel.

A legal description consists of 3 basic parts: (1) the caption (2) the body and (3) the exceptions, restrictions and/or reservations if any.

The caption consists of the situation (basic location) of the parcel stating the township(s) or municipality(s) name(s), the county and the state and the specific purpose statement i.e. what the description is intended to do. (Describing a parcel of land for transfer of ownership; an easement; or certain rights such as life estate, mineral rights, or surface rights. The caption gives the parameters outside of which any calls in the body of the description that conflict with the caption are nullified. For example, a caption that reads a parcel of land being located in Tract 1, Lot 1 of York Township; then no portion of the body of the description can go outside of that tract, lot, and township.

The body of the legal description must be a clear recital of all the pertinent facts to describe the land and be complete, without contradictions to the caption or any other factors influencing the location.

Exceptions cut out or remove a portion of the land described in the body of the description. They must be complete descriptions, capable of standing alone, to describe the parcel of the exception. The area

defined in an exception IS SUBTRACTED from the acreage being conveyed. A summation paragraph at the end of a description containing one or more exceptions helps to clarify the intent of the deed. For example:

"Intending to convey after said exceptions approximately One acre of land, more or less, Subject to all legal highways."

Reservations are conditions of restricted use of a portion of the land being conveyed. For example, reserving an easement of access across and designated portion of the described land. The area defined in a reservation IS NOT SUBTRACTED from the acreage being conveyed.

The above is paraphrased and adapted to Medina County's particular situation from Chapter 32 'Land Descriptions' by Dennis J. Mouland from The Surveying Handbook, Second Ed., Edited by Russell C. Brinker and Roy Minnick, New York, NY, Chapman and Hall Publishers 1995.

Metes and Bounds - a system of describing a parcel of land by giving the directions and distances measured out (meted out) around the parcel and the "call" for the course to extend to a natural or artificial monument.

Original Lot - a term sometimes used to describe the 'original' divisions set up by the first surveyors of an individual Township. Sometimes abbreviated as O.L. and as such can be confused with the same abbreviation used to mean Out-Lot. See Out-Lot definition.

Outlot - a type of lot created at the incorporation or creation of a municipality. Typically these were larger parcels that were expected to be split into many subsequent parcels as the municipality grew. Typically, they were numbered and designated on the Incorporation Plat or original Village Plat as Outlots starting with the number 1. The abbreviation is usually O.L. and as such can be confused with the same abbreviation used to mean Original Lot. See Original Lot definition.

Paper-Split - a split performed strictly based on splitting the parcel number. The existing single parcel number represents multiple individual Lot/Sublots of a recorded plat. One or more of the individual lots/sublots can be 'split' on paper without requiring a survey because the individual lots/sublots still exist since the interior lot/sublot boundary lines and/or acreage have not been changed. The new legal description, to reflect the changes desired, must be written by a registered surveyor when the description is not identical to the description used on the prior instrument.

Plat - a general term used to describe the recorded document that creates a Subdivision, City/Village lot, annexes parcels into a Municipality etc. Sometimes also used to refer to the document containing the drawing of a survey.

It is referenced by a Plat Book number and Page where the specific document (Plat) can be found recorded in the Medina County Recorder's Records.

plat - a very vague term that should be avoided. The correct term most often meant by "plat" would be drawing, survey or Tax Map of a specific parcel of land.

Raw Acreage - a general term used to refer to parcels of land that exist as a metes and bounds description within a Township. Parcels of land considered as raw acreage descriptions are NOT part of any Subdivision. 'Raw Acreage' in this usage does not have any intended connotation to the existence

or lack of structures on the parcel.

Recorded Lot/Small Lot/Sublot - refers to a parcel of land as recorded by a drawing in the Medina County Recorder's Records. It may be recorded within the Deed Volumes in the case of Original Township Lots and old Plats i.e. "Friendsville Plat~ or the more recently created Recorder's Plat Books which are the record of Subdivisions, New City/Village Lots and Annexations.

Recorded Parcel - refers to a parcel of land who's legal description is recorded in the Medina County Recorder's Records in a Deed Volume or Official Record Volume. The parcel's description may consist of a recorded lot/small lot/sublot or a metes and bounds description of raw acreage.

Reserving - to reserve an interest such as an easement or life estate for the grantor, but the land described as reserved is NOT subtracted from the prior described acreage.

Scribner - writer(s) of deeds

section of land - this term should be avoided as "Section" is a specific name of a body of land within some original Medina County townships. A more appropriate term is "parcel of land."

Small lot - this term for descriptions of land within Medina County refers to parcels of land historically numbered and shown on documents (most typically in old deed books) as the Plat. i.e. small Lot 2 of the Abbeyville Plat. These parcels were established prior to the creation of Subdivisions and therefore are not termed 'Sublots' and there is no Plat Book and Page to be referenced; however, the Deed Book and Page may be included.

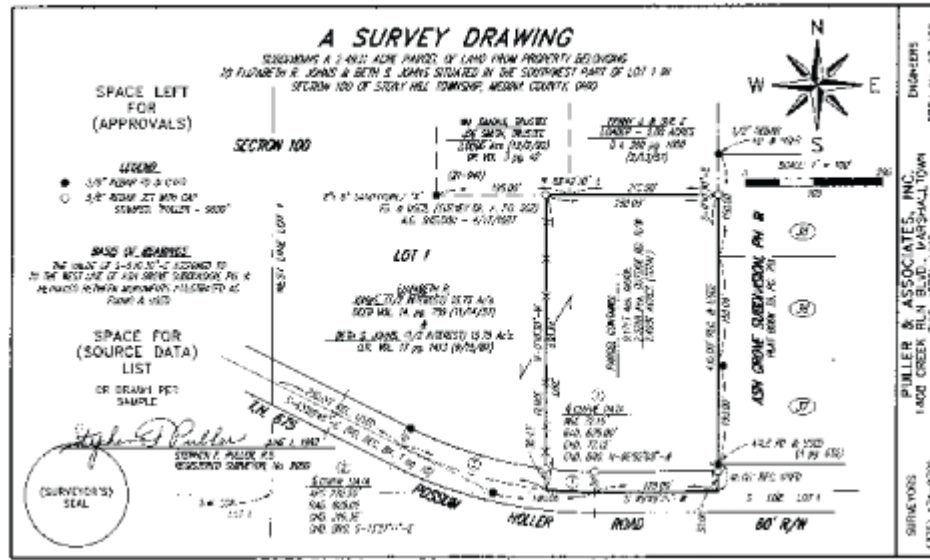
Sublot - this term specifically describes a parcel of land as recorded in a subdivision. The full name of the subdivision and its Plat Book number and page should be referenced the first time the sublot is mentioned within that description.

Survey - a general term used to imply that a registered surveyor has performed a survey of a parcel. A microfilmed or computer scanned copy of the original signed and sealed drawing of the survey (sometimes called the plat of survey) is on file in the Tax Map Office's Survey Vault for most surveys used as the basis of descriptions sited in deeds filed in Medina County. Surveys of all new splits and re-surveys of existing parcels must be submitted and added to the survey vault when the deed using the survey's description is first presented for transfer.

Tract of land - this term should be avoided as 'tract' is a specific name of a body of land within some original Medina County Townships. A more appropriate term is "parcel of land."

## **APPENDIX III**

### **SAMPLE OF SURVEY DRAWING**



**APPENDIX IV**  
**SAMPLE OF LEGAL DESCRIPTION**

PULLER & ASSOCIATES, INC.  
 1408 Creek Run Blvd.,  
 Surveyors/Engineers (375) 474-9725

DESCRIPTION OF SURVEY

SUBDIVIDING A 2.4931 ACRE PARCEL OF LAND FROM PROPERTY BELONGING TO ELIZABETH R. JOHNS & BETH S. JOHNS

Situated in the Township of Stony Hill, County of Medina, State of Ohio and known as being the southwest part of Lot 1 in Section 100 of said Township and part of a 15.75 acre parcel of land owned by Elizabeth R. Johns and Beth S. Johns who claim title by Deeds filed on November 14, 1957 in Deed Volume 14, pg. 759 and on September 15, 1987 in Official Record Volume 17, pg. 1413, respectively, of the Medina County Recorder's Office further bounded and described as follows:

Commencing at a point in the centerline of T.H. 675, Possum Holler Road, (a 60.00' R/W) at its intersection with the west line of Lot 1;

Thence S-63 20' 46" E along the centerline of Possum Holler Road, 250.00 feet to a point;

Thence southeasterly, continuing along the centerline of Possum Holler Road and an arc of a curve deflecting to the left having a radius of 625.00 feet and a chord 219.36 feet long bearing S 73 27' 11" E, 220.50 feet to a point, said point being the "TRUE PLACE OF BEGINNING" of the parcel of land herein described;

Thence N 0 10' 30" W along an old fence line found and used, passing through an iron pin set in the north right-of-way line of Possum Holler Road 30.43 feet from the centerline of T.H. 675, 430.84 feet to an iron pin set in the south line of a former 4.00 acre parcel of land surveyed April 17, 1887, by A. D. Sheldon, County Surveyor, filed in Survey Book A, pg. 652 of the Medina County Tax Map Office and now being the south line of a 2.0000 acre parcel of land conveyed December 2, 1992 to Wm. Simons, Trustee and Joe Smith, Trustee by Deed filed in Official Record Volume 3, pg. 42 of the Medina County Recorder's Office; E. R. Johns & B. S. Johns, (2.4931 Acres)

#### DESCRIPTION OF SURVEY (Cont'd.)

Page 2

Thence N 89 49' 30" E along Sheldon's record line, the south line of said Simons-Smith parcel, and the south line of a 2.00 acre parcel of land conveyed February 13, 1957 to Frank J. & Sue Z. Loader by Deed filed in Deed Volume 200, pg. 1000 of the Medina County Recorder's Office, 250.00 feet to an iron pin set in the west line of Ash Grove Subdivision, Phase III as recorded in Plat Book 35, pg. 751 of the Medina County Recorder's Office;

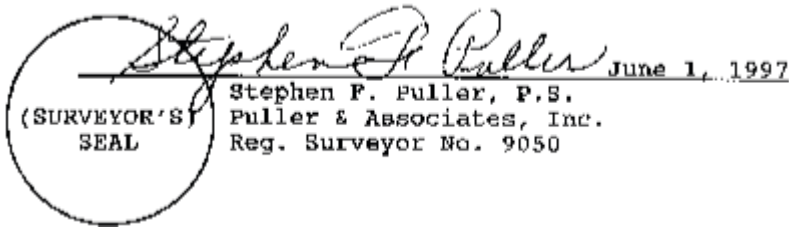
Thence S 0 10' 30" E along the west line of Ash Grove Subdivision, passing through an axle found and used in the north line of the subdivision's dedicated road right-of-way at the southwest corner of Sublot 37 and an iron pin set in the original north right-of-way line of Possum Holler Road 40.00 feet and 30.00 feet, respectively, from the centerline of T.H. 675, 435.00 feet to a point in the south line of Lot 1;

Thence S 89 49' 30" W along the south line of Lot 1 and the centerline of Possum Holler Road, 178.00 feet to a point, said point bears S 0 10' 30" E, 30.00 feet from an iron pin set in the north right-of-way line of T.H. 675;

Thence northwesterly, continuing along the centerline of Possum Holler Road and an arc of a curve deflecting to the right having a radius of 625.00 feet and a chord 72.12 feet long bearing N 86, 52' 03" W, 72.16 feet to the "TRUE PLACE OF BEGINNING" and containing within said bounds a total of 2.4931 acres of land, more or less, there being 0.1713 acres inside and 2.3218 acres outside road right-of-way and subject to all legal highways as surveyed by Stephen F. Puller, Registered Surveyor No. 9050 of Puller and Associates, Inc., June 1, 1997.

Monuments described as "iron pins set" are 5/8 inch diameter by 30 inch rebar with a yellow plastic cap stamped "Puller - 9050".

Bearings correlate to the value of S 0 10' 30" E assigned to the west line of Ash Grove Subdivision, Ph. III retraced between monuments illustrated as found and used on my accompanying survey drawing.



## APPENDIX V

### **Instructions for filing a petition for annexation with the Board of County Commissioners**

1. The original and two (2) copies of the signed petition and the original and two (2) copies of the mylar (plastic plat) must be filed with the Commissioners Office.
  - a. The petition must state the number of owners in the territory, the name & address of a person to act as agent, and include a description of the territory to be annexed.
  - b. The petition must be signed by a majority of the property owners.
  - c. The mylar must have appropriate signature blocks for the Commissioners, City/Village, Auditor, Tax Maps and Recorder.
  - d. The mylar needs to state in the "title" the total acreage to be annexed.
2. A hearing will be set between sixty (60) to ninety (90) days after receipt of the petition and mylar. A copy of the resolution setting the hearing will be sent to the Agent for the Petitioner. This will act as written confirmation of the date and time for the hearing.
3. Within 30 days of receipt, the Commissioners Office will send the plat and legal description to the County Engineer's Tax Map Office. The Tax Map Office will review these for accuracy and notify the Commissioners Office in writing. (Inaccuracy is cause for rejection of an annexation petition.)
4. Prior to, or at the public hearing, the Agent for the Petitioner must present:
  - a. Copies of letters sent to the Clerk of City/Village Council and the Clerk of the Township which informs them of the proposed annexation - proof of delivery must accompany these copies. (This notice is to be sent to the Clerks after filing the petition & map with the Commissioners Office.)
  - b. Proof of publication in the newspaper advertising the public hearing. (This notice is to be sent to the Clerks after filing the petition & map with the Commissioners Office.)
  - c. Copies of letters sent to the Clerk of City/Village Council and the Clerk of the Township notifying them of the public hearing - proof of delivery must accompany these copies. (This notice is to be sent to the Clerks within 7 days after the Commissioners officially set the hearing date.)
  - d. Copy of the City/Village ordinance/resolution indicating what services, if any, the municipality will provide to the territory proposed for annexation.

5. Commissioners have ninety (90) days to make a decision on the petition. Once the decision is made, a copy of the resolution will be sent to the Agent for the Petition, and the transcript of proceedings will be forwarded to the City/Village involved.

## **APPENDIX VI**

### **SAMPLES OF DOCUMENTS - AUDITOR**

#### **Sample of Vacation Petition**

Vacation of Sublots Petition

The undersigned, James J. Jones being the owner of the following:

'Situating in the Township of Sharon, County of Medina, and State of Ohio, and being the whole of Sublots 1, 2, 3, and 4 of the Sharon Homesites Allotment as recorded in Plat Book 6, page 49 of the Medina County Recorders Records'

intends to vacate said sublots, pursuant to Sections 711.25, 711.26 and 711.27 of the Ohio Revised Code.

Sublot 1 PP# \_\_\_\_\_ signature

Sublot 2 PP# James J. Jones

Sublot 3 PP#

Sublot 4 PP#

We, Jackie J. James and John James, husband and wife, being the owners of Sublots 5 and 6 of the Sharon Homesites Allotment; June Jemson and Joe J. Jemson, husband and wife, being the owners of Sublots 7,8,9 and 10 of the Sharon Homesites Allotment situated in the Township of Sharon, County of Medina and State of Ohio, as recorded in Plat Book 6 page 49 of the Medina County Recorders Records, do hereby acknowledge receipt of the personal written notice this 1st day of December, 1978.

\_\_\_\_\_ signature }

Jackie J. Jones }

Owners of Sublots 5 and 6 PP#

\_\_\_\_\_ signature }

John James }

\_\_\_\_\_ signature }

June Jemson }

Owners of Sublots 7,8,9 and 10 PP#

\_\_\_\_\_signature }

Joe J. Jemso

**Sample of Proof of Publishing**

[attached copy of notice from newspaper]

I, A.C. Hudnutt, Publisher of the Medina County Gazette, a daily newspaper published in said Medina County, and having a general circulation therein, do solemnly swear that the attached advertisement was published in said paper for consecutive weeks/days, the first insertion on the day of , 20\_\_.

\_\_\_\_\_signature

Sworn to and subscribed before me this Day of , 20\_\_.

\_\_\_\_\_signature

Notary Public

Publisher's Fee \$

**Sample of Certificate of Auditor**

[Typed on Auditor's Official Letterhead]

The Auditor of Medina County, in compliance with the provisions of Section 711.27 of the Ohio Revised Code, having notice that the requirements of Section 771.25 of the Ohio Revised Code have been complied with by the owners of all lots in the Sharon Homesites Allotment plat of sublots as provided by the Board of County Commissioners of Medina County on December 14, 1953, and recorded in the Medina County Recorder's Record of Plats in Plat Book 6 at page 49 ; and having been presented with proof of publication as provided by Section 711.26 of the Revised Code of the State of Ohio, and having been served with no notice of injunction granted against or dissent from the proposed vacation of Sublots



1, 2, 3, and 4 of the Sharon Homesites Allotment, hereby certifies that the lots specified in the publication provided by said Section are hereby vacated upon the records of the County Auditor and the County Recorder shall so note upon his records.

\_\_\_\_\_ signature  
Auditor of Medina County

## **APPENDIX VII**

### **Conversion Table**

1 foot = 0.3048 meters  
1 meter = 3.281 feet  
1 chain = 66 feet  
1 chain = 100 links  
1 chain = 4 rods  
40 chains = 0.5 mile  
80 chains = 1 mile  
1 link = 0.66 foot  
1 rod = 16.5 feet  
1 rod = 5.0292 meters  
4 rods = 1 chain  
1 mile = 80 chains  
1 mile = 1.609344 kilometer  
1 mile = 5280 feet  
1 acre = 43,560 square feet  
1 acre = 10 square chain  
1 square rod = 0.00625 acre  
1 square yard = 0.8361 square meter  
1 square meter = 10.76391 square feet  
1 hectare = 2.471054 acres

## **APPENDIX VIII**

STATE OF OHIO

STATE BOARD OF REGISTRATION FOR PROFESSIONAL

ENGINEERS & SURVEYORS

65 SOUTH FRONT STREET, ROOM 302

COLUMBUS, OHIO 43215

TELEPHONE: 614-466-3650

**4733-37 MINIMUM STANDARD FOR BOUNDARY SURVEYS IN THE STATE OF OHIO.**

4733-37-01 PREAMBLE.

These standards are intended to be the basis for all surveys relating to the establishment or retracement of property boundaries in the State of Ohio. Abridgments of one or more provisions herein shall be clearly indicated on plats and/or legal descriptions and reports. Where local or other prescribed regulations exist which are more restrictive than these standards, the survey shall conform to all local and state regulatory standards. When a client desires only a portion of his property surveyed, and this portion can be clearly isolated from the remainder of the property without affecting the interests of adjoining owners, these standards shall apply to the survey of only the desired portion.

4733-37-02 RESEARCH AND INVESTIGATION.

(A) When the deed description of the subject property and the deed descriptions or adjoining properties do not resolve the unique locations of the corners and lines of the property being surveyed, the surveyor shall consult other sources of information in order to assemble the best possible set of written evidence of every corner and line of the property being surveyed. These sources include, but are not limited to: records of previous surveys, deed descriptions of adjacent properties, records of adjacent highways, railroads and public utility lines: Also include subdivision plats, tax maps, topographic maps, aerial photographs, and other sources as may be appropriate.

(B) After all necessary written documents have been analyzed, the survey shall be based on a field investigation of the property. The surveyor shall: Make a thorough search for physical monuments, analyze evidence of occupation and confer with the owner(s) of the property being surveyed. In addition, the surveyor shall, when necessary: confer with the owner(s) of the adjoining property and take statements.

4733-37-03 MONUMENTATION.

(A) When necessary in accordance with the accepted surveying practice and legal requirements the surveyor shall set boundary monuments so that, upon completion of the survey, each owner of the property and each referenced control station will be physically monumented.

(B) When it is impossible or impracticable to set a boundary monument on a corner, the surveyor shall set a reference monument, similar in character to the boundary monument and preferably along one of the property lines which intersect at that corner. When such a reference monument is used, it shall be clearly identified as a reference monument of the plat of the property and in any new deed description which may be written for the property.

(C) Every boundary monument and/or reference monument set by the surveyor shall, when practicable:

(1) Be composed of a durable material.

(2) Have a minimum length of thirty inches.

(3) Have a minimum cross-section area of material of 0.2 square inches.

(4) Be identified with a durable marker bearing the surveyor's Ohio registration number and/or name or company name.

(5) Be detectable with conventional instruments for finding ferrous or magnetic objects.

(D) When a case arises, due to physical obstructions such as pavements, large rocks, large roots, utility cables, etc., so that neither boundary monument or a reference monument can be conveniently or practicably set in accordance with paragraph (C) of this rule, then alternative monumentation, which is essentially as durable and identifiable (i.e., chiseled "X" in concrete, drill hole, etc.) shall be established for the particular situation.

#### 4733-37-04 MEASUREMENT SPECIFICATIONS.

All measurements shall be made in accord with the following specifications:

(A) The surveyor shall keep his equipment in such repair and adjustment as to conform to the requirements stipulated by the director of agriculture in sections 1327.46 to 1327.99, of the revised code. The specifications, tolerances, and regulations published in the "National Bureau of Standards Handbook 44" shall be the specifications, tolerances and regulations for commercial weighing and measuring devices of the state.

(B) Every measurement of distance shall be made either directly or indirectly in such a manner that the linear error in the distance between any two points (not necessarily adjacent points) shall not exceed the reported distance divided by five thousand (allowable linear error = reported distance divided by five thousand and every angular measurement shall be made in such a manner that the allowable (directional) error, in radians, shall not exceed the allowable linear error divided by the reported distance (allowable directional error = allowable linear error divided by reported distance). When the reported distance is less than one hundred feet, the linear error shall not exceed 0.02 feet. The reported distance is the distance established by the survey.

(C) In all new deed descriptions and plats of survey, the lengths and directions of the lines shall be specified so that the mathematical error in closure of the property boundary does not exceed 0.02 feet in latitudes and 0.02 feet in departure.

#### 4733-37-05 PLAT OF SURVEY.

(A) The surveyor shall prepare a scale drawing of every survey in which he retraces previously established property lines or establishes new boundaries.

(B) A copy of this drawing shall be given to the client. When required, another copy shall be filed with the proper agency.

(C) The surveyor shall include the following details:

(1) A title such that the general location of the survey can be identified.

(2) A north arrow with a clear statement as to the basis of the reference direction used.

- (3) The control station(s) or line cited in the deed description and the relationship of the property to this control.
- (4) A notation at each corner of the property stating that the boundary monument specified in the deed description was found, or that a boundary monument was set. In addition, there shall be a statement describing the material, size, position and condition of every monument found and/or set.
- (5) A general notation describing the evidence of occupation that may be found along every boundary line and/or occupation line.
- (6) The length and direction of each line as specified in the deed description of the property or as determined in the actual survey if this differs from what is stated in the deed description by more than tolerance specified in paragraph (b) of rule 4733-37-04 of the administrative code.
- (7) A citation of pertinent documents and sources of data used as a basis for carrying out the work.
- (8) The written and graphical scale of the drawing.
- (9) The date of the survey.
- (10) The surveyor's printed name and Ohio registration number, signature and seal (in a form which may clearly reproduce on any copies which may be made of the original drawing).

4733-37-06 DESCRIPTIONS.

(A) When a surveyor is called upon to prepare a new description, either to replace an existing description which is inadequate or to create a new piece of property, said description shall include the following items:

- (1) Sufficient caption so that the property can be adequately identified.
- (2) A relationship between the property in question and clearly defined control station(s).
- (3) The basis of the bearings.
- (4) A citation to the public record of the appropriate prior deed(s).
- (5) The surveyor's name, Ohio registration number and date of writing and/or survey.

(B) A metes and bounds description shall include, in addition to paragraph (A) of this rule:

- (1) A description of the boundary monument used as the initial point of the description.
- (2) A series of calls for successive lines bounding the parcel, each of which specifies.
  - (a) The intent in regards to adjoiners or other existing features.
  - (b) The direction of the line relative to the direction of the basis of bearing.

(c) The length of the line.

(d) A description of the boundary monument (or reference monument) and whether found or set to identify the end of the particular line.

(e) Sufficient mathematical data shall be given for each curved line so that the curve can be reproduced without ambiguity.

(f) The reported boundary data shall meet the closure requirements of paragraph (C) of rule 4733-37-04 the administrative code.

(3) The area of the parcel.

(C) Descriptions other than the metes and bounds form shall include sufficient and adequate legal and technical wording so that the property can be definitely located and defined.

(D) A statement shall appear indicating that either: The description was made in accordance with a recent survey and the date thereof, or the description was made based on a previous survey, of a certain date, and date of description, or the description was not based on a survey.

(E) When the surveyor knows a new description is to be used for a fee transfer, the surveyor shall base the description on a current or updated survey of the property.

#### 4733-37-07 SUBDIVISION PLATS.

When a subdivision is created from a piece of property, or several adjoining pieces, the surveyor shall prepare a scale drawing showing all of the details specified in rule 4733-37-05 of the administrative code. In addition, the drawing will show all of the details of each new lot, street, easement, etc., including the length and direction of each new line. Sufficient mathematical data shall be given for each curved line so that the curve can be reproduced without ambiguity.

#### **Tax Map Office**

144 N. Broadway - Rm. 119  
Medina, OH 44256  
(330) 725-9777

#### **Engineering Center**

791 West Smith Rd.  
Medina, OH 44256  
(330) 723-9561

#### **Highway Facility**

6100 Wedgewood Rd.  
Medina, OH 44256  
(330) 764-8780

Office Hours: M-F 8:00am-4:30pm

Highway Facility: M-F 7:00am-3:30pm