

HENRY COUNTY

LAND TRANSFER POLICY

Approved By:

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OBJECTIVES STATEMENT:

To promote the integrity of the Henry County Tax Maps, the following Land Transfer Policy was drafted in an attempt to put into writing a policy that will maintain the quality of the tax maps and the legal descriptions upon which property lines and valuations are based.

In order to address the interests and concerns of all parties affected by this policy, a representative from all respective parties involved in the land transfer process was asked to serve on the policy drafting committee. Our hope was to set forth in writing the criteria by which legal descriptions will be approved or rejected for transfer by the Engineer's Mapping Department. Our goal is to provide a service for the public to insure proper and accurate descriptions of property, to correct any errors that are evident and to ensure 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 Mapping Department.

Land Transfer Policy Committee

LAND TRANSFER POLICY

REVISED 9/16/97

Requirements for all land transfers:

1. Prior to submittal to the County Auditor for transfer on tax list, all instruments of conveyance must be submitted for examination by the Henry County Mapping Dept. to determine compliance with the provisions of this Land Transfer Policy. All persons submitting instruments of conveyance are encouraged to have descriptions examined prior to the actual time of transfer since the time required to examine the descriptions may be lengthy. This prior examination will avoid delays and allow time for any corrections that may be necessary.
2. All instruments of conveyance and Land Installment Contracts that are splits under five acres shall be submitted to Henry County Planning for review.
3. All reference to cities, villages, roads, recorded plats, railroads, streams, etc., must use current or existing names of record as much as practicable. Old or original names or numbers may be used along with, but not in place of, a current name or number for chain of title purposes.
4. Whenever the intent of any instrument of conveyance is to convey ownership of an adjacent parcel for the purposes of expanding the use of an existing parcel, and such parcel cannot be combined with the existing parcel into a single parcel, and such proposed conveyance does not meet Planning Commission regulations, a statement of intent of such combined use shall be required to be stated upon said instrument prior to approval for said restricted transfer.
5. Every instrument of conveyance shall have its parcel number stated on said instrument.
6. The previous instrument's volume and page shall be on all instruments of conveyance pursuant to O.R.C. section 319.20.
7. It is requested that all instruments of conveyance leave adequate space for affixing the necessary certifications by the appropriate county offices.
8. Any instrument of conveyance that is exempt from real property conveyance fees pursuant to O.R.C. section 319.54(F)(3) and has a real property description that is vague or ambiguous to the point that it would otherwise require a survey (O.R.C. section 315.251) to adequately locate the intended parcel, will be allowed to transfer. However, if the description can be corrected pursuant to other provisions contained in this Land Transfer Policy, the corrections shall be required prior to transfer.

9. If a new split of ten acres or more can be described by fractional section description, this will be allowed. Otherwise, a survey is required whenever land to be conveyed is only a part of the grantor's land or the boundary lines of the land to be conveyed are different from the legal description of the land conveyed in the most recent conveyance of all or part of that land. If a boundary survey is required, the survey plat and description must satisfy the minimum standards for boundary surveys promulgated by the board of registration for professional engineers and surveyors pursuant to Chapter 4733 of the Ohio Revised Code, and must be submitted to the County Mapping Dept. for review.
10. If the Mapping Dept. determines that the survey plat and description satisfy those standards as set forth above, and approves the survey plat and description, a copy of the survey plat shall be filed in the engineer's record of surveys. The filed survey plats are public records under Section 149.43 of the Ohio Revised Code.
11. All original surveys of splits approved by the Planning Commission must be presented with the deed to the Henry County Auditor's Office at time of transfer.
12. When the boundary lines of adjoining tracts of land, or lots in a municipal corporation do not meet, or overlap and encroach upon each other by recorded instruments, the owners of said tracts or lots shall remedy such situations by a written agreement executed pursuant to O.R.C. section 5301.21 prior to submitting an instrument for approval to the County Mapping Department.
13. Descriptions that purport to be a part of, or refer to a subdivision that is not of record in the official record of plats of the Henry County Recorder shall not be approved.

Requirements for all platted lots of record:

1. All instruments conveying a platted lot in a municipality or other subdivided area must designate the following: lot number(s), the official recorded plat title, and, if used, the current plat book and page or plat cabinet slide number reference of official record.
2. Any subdivision or split of an existing platted lot must have an accurate description to establish a tax structure for the portion being conveyed. This enables the County offices to determine the residual land (remaining balance) based on existing records.
3. Any vacated platted lot(s) that are not absorbed by adjacent parcels shall be described by a metes and bounds description since the lot lines will no longer exist. This new description shall also refer to the former subdivision and lot(s) number for title chain purposes.

Requirements for all metes and bounds descriptions of record:

1. All descriptions must denote the state, county and municipality or township, range, section and quarter section, must have a clear point of beginning, and close. The description of any parcel that is located in more than one section shall show the number of acres contained in each section and the total number of acres being conveyed.
2. Any existing metes and bounds description which, since the previous conveyance, has been incorporated into a municipality or transferred to another political subdivision by means of annexation, must be modified to reflect the new corporate location.
3. If a description spans more than one tax district, and the property cannot be combined for real property taxation purposes (for example, part in a municipality and part out), the acreage must be stated for the part located in each tax district.
4. Each description shall state the total acreage being conveyed by each parcel after the exceptions have been made.
5. To aid the Recorder in indexing instruments, it is requested that, if a parcel spans more than one quarter section, the acreage be stated for the amount of land in each quarter section.
6. If the number of exceptions is excessive, it is requested that the instrument author seek assistance from the Mapping Dept. to help simplify the description.
7. Any description stated as an exception must meet the above stated guidelines set forth for other descriptions.