

PUBLIC NOTICE

The Lake County Auditor and Engineer have set the date, time, and place for a public hearing to consider the proposed revisions to the Lake County Transfer and Conveyance Standards.

Changes to the Transfer and Conveyance Standards will update a previous version. The changes and additions will also define clearer procedures for reviewing documents that will be transferred and recorded.

The Hearings will be held on Friday, September 11 at 10:00 AM and Wednesday, September 30 at 10:00 AM in the Assembly Room in Lake County Administration Building, 105 Main Street, Suite C004, Painesville, OH 44077.

Changes to the Lake County Transfer and Conveyance Standards may be viewed at the Lake County Auditor's Office 105 Main St, Suite C101, Painesville OH, 44077, the Lake County Tax Map Department 105 Main St, Suite B302, Painesville OH, 44077 and the Lake County Auditor's website: <https://www.lakecountyohio.gov/auditor/>.

Any questions regarding the Public Hearing should be addressed to the Lake County Auditor's Office 105 Main St, Suite C101, Painesville OH, 44077, by telephone at (440) 350-2619 or email: realestate@lakecountyohio.gov.

BY ORDER OF THE LAKE COUNTY AUDITOR AND ENGINEER, IN AND FOR LAKE COUNTY, OHIO.

Christopher A. Galloway, Lake County Auditor

James R. Gills, P.E., P.S., Lake County Engineer

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TRANSFER AND CONVEYANCE STANDARDS
OF THE LAKE COUNTY AUDITOR AND THE
LAKE COUNTY ENGINEER
ADOPTED PURSUANT TO OHIO REVISED CODE SECTION 319.203

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INTRODUCTION

Sec. 315.251. If a deed conveying title to real property is presented to the County Auditor for transfer, and the deed contains a legal description for land that is a cut-up or split of the grantor's one or more existing parcels of land as shown in the County Auditor's records, or if the legal description of the land conveyed in the deed is different from the legal description shown in the prior deed to the grantor, a boundary survey plat in conformity with the new description shall be submitted with the deed. The survey plat and description shall satisfy the minimum standards for boundary surveys promulgated by the Board of Registration for Professional Engineers and Surveyors pursuant to Chapter 4733 of the Revised Code. If, in the opinion of the County Engineer, the survey plat and description satisfy those standards, the County Auditor shall accept the deed for transfer and a copy of the survey plat shall be filed in the County Engineer's survey file for public inspection.

This section applies only if the requirements of this section are included in the standards governing conveyances of real property in the County adopted under Section 319.203 of the Revised Code.

Section 319.203. The County Auditor and the County Engineer of each county, by written agreement, shall adopt standards governing conveyances of real property in the county. These standards may include the requirements specified in Section 315.251 of the Revised Code. The County Auditor and County Engineer may modify those standards from time to time as they consider necessary or desirable. The standards shall be adopted or modified only after the County Auditor and County Engineer have held two public hearings, not less than ten days apart, concerning adoption or modification of the standards. The standards shall be available for public inspection during normal business hours at the offices of the County Auditor and County Engineer.

Before the County Auditor transfers any conveyance of real property presented to the Auditor under Section 319.20 or 315.251 of the Revised Code, the County Auditor shall review the conveyance to determine whether it complies with the standards adopted under this section. The County Auditor shall not transfer any conveyance that does not comply with those standards.

The review process and the approval of a transfer DOES NOT insure clear title to a property. The Lake County Auditor's Office and The Lake County Engineer's Office bear no responsibility for any title problems caused by transfers and reviewed descriptions.

SECTION 1-Transfer and Conveyance Standards

These rules apply to any transfer and conveyance of an interest in real property made by conveyance, portion, devise, vacation, descent, appropriation, affidavit, or any other document, that would cause any of the following:

A. Change in the Name of Owner(s) of Land

Any document that creates, transfers, or terminates any interest in land or minerals that would cause the County Auditor to change the name of the owner or any one of the owners, must be presented to the County Auditor under R.C.319.20.

B. Identification of Interest Conveyed

The grantor shall inform the County Auditor in writing whether the grantor is conveying less than the grantor's current interest in land. The deed must spell out any interest less than 100% fee simple.

C. Instrument to Conform to Law

All deeds and other instruments transferring an interest in real property shall conform to the laws of Ohio or to the law of the place where the instruments were executed in regards to grantor's signatures and witness signatures. Names must also be typewritten or legibly printed.

D. Document of Transfer Shall Include Parcel Number and Address

The document of transfer shall include the County Auditor's parcel number(s) of the land and the current site address of the property, if any. If no parcel number yet exists, as in the case of splits, then the current parcel number for tax assessment shall be used with the words "split" or "out of" noted clearly on the deed. Parcel numbers incorrectly recorded shall be marked in the left margin of the document with the correct parcel number and brought to the attention of the County Auditor's Transfer Clerk who will then make the appropriate corrections on the County's real estate accounting system and give notice to the recording party.

NO TRANSFERS WHICH SEPARATE IMPROVEMENTS FROM LAND WILL BE ACCEPTED UNLESS PRESENTLY EXISTING.

E. Conveyance Forms

No instruments will be transferred unless accompanied by an original and properly completed form from the Department of Taxation and Equalization (DTE). For real estate this form is the DTE 100EX exempt form or DTE 100 conveyance form. For mobile homes this form is the DTE

100M(EX) exempt form or DTE 100M conveyance form. All items on the DTE forms must be completed. An itemized breakdown of the amount listed in item 7(e), as to the portion of total consideration paid for items other than real property, must be submitted with the Conveyance Fee Statement.

Existing legal descriptions of property being transferred accompanied by a DTE 100 form require engineer's approval if they are not a full subplot in a recorded subdivision. They shall be stamped by the County Engineer's Tax Map Department.

Existing legal descriptions of property being transferred accompanied by a DTE 100EX form DO NOT require engineer's approval.

Property being transferred that is enrolled in the Homestead Act must complete DTE 101 form.

Property qualified for current agricultural use value must complete DTE 102 form.

F. Exempt Forms

The following letters on the DTE100EX form require additional information:

(K) of an occupied residential property being transferred to the builder of a new residence when the former residence is traded as part of the consideration for the new residence. **Use of this letter requires that a copy of the purchase agreement for the new property be exhibited.**

(L) To a grantee other than a dealer in real property, solely for the purpose of, and as a step in, its prompt sale to others. **Use of this letter requires that one deed be filed immediately after the other in order for the parties to utilize this exemption.**

(M) To or from a person when no money or other valuable and tangible consideration readily convertible into money is paid or to be paid for the real estate and the transaction is not a gift. **Use of this letter requires an additional explanation on the back of this form for the specific reason pertaining to this transaction.**

G. Statements of Conveyance – Homestead and CAUV

Any property that is receiving the Homestead Exemption or is enrolled in the CAUV program must supply a completed and notarized DTE 101 form and/or DTE102 form, respectively, with every transfer.

H. Signatures

Both DTE100 form and DTE100EX form require that an individual sign the form (not a company). In the case of a company, when submitted by a title company, or other organization, the DTE100/DTE100EX form should have attached to it a certified copy of a corporate, limited liability, or partnership resolution granting full authority to execute the form and binding the company to the representations made therein. This may be a copy and may be a blanket resolution authorizing execution of conveyance forms by that individual and binding that organization.

I. Grantor and Grantee Names

All transfer documents shall contain the complete grantor(s) and grantee(s) names, and in the case of a trust, trustees must be included on the deed rather than just the name of the trust.

J. Minor Difference in Names

Differences in the name of the grantor and a prior grantee based upon the inclusion or omission of middle names or initials, or different versions of first names (i.e., Charles, Charley), or due to change in name, or otherwise must correspond, in the original name on the deed or by alias, with the name of the owner on file with the County Auditor.

K. Reference to Prior Instrument of Record

A reference to the volume and page (document number) of the record of the prior recorded instrument by or through which the grantor claims title as required by R.C. 319.20.

L. Tax Mailing Address of Grantee

A statement of the complete tax mailing address of the grantee or any one of the grantees, as required by R.C. 319.20.

M. Changes in Description

Any document that changes, corrects, or amends the description of any parcel of land must be presented to the County Auditor under R.C. 5713.02.

N. Transfer of Interest that may affect True Value

Any document that creates, transfers, or terminates any interest in land that may affect the true value of a parcel for real property tax purposes must be presented to the County Auditor under R.C. 5713.03.

O. Grantor is Not Prior Grantee

No transfer will be approved where a grantor is not a prior grantee, unless the document itself or an affidavit that satisfies the requirements of R.C. 5301.252 is provided to the County Auditor that explains to the County Auditor's satisfaction why there is a break in the chain of title. The County Auditor may also require additional evidence when necessary to establish the correct ownership of the property.

ALL QUESTIONABLE TRANSFERS WILL BE REFERRED TO THE LAKE COUNTY PROSECUTOR'S OFFICE FOR A LEGAL RULING. INTERESTED PERSONS SHOULD SUBMIT POTENTIAL TRANSFERS IN DUE TIME TO ACCOMPLISH THEIR TRANSFER.

P. Original Required

The document of transfer must have the original signature of the grantor or affiant. In most cases, a copy of a court order will be accepted, but the copy must bear the signature of a judge and show on its face that it has been filed with the Clerk of Courts and be a certified copy from the Clerk of Courts.

Q. Document Size

The maximum size for any instrument conveying title shall be 8.5 by 14 inches. The minimum size shall be 8.5 by 11 inches. Plats will be 18" X 30".

R. Poor Original Not Accepted

No instrument will be accepted which has been previously identified as a "Poor Original" or has cut and pasted text attached to said document.

S. Corrections to Document Text

Erasures should be avoided. Corrections must be clear & legible and should be made by lining through the incorrect passage and writing the correct passage above said text or note the correction with an asterisk indicating the correction at the bottom of the page. Any changes made in documents after transfer or after the County Engineer's approval are prohibited and may result in criminal and/or civil prosecution. This may also result in legal action to set aside the deed recording.

T. Illegible Writing

Illegible conveyance documents or their attachments will not be accepted. All determinations of whether to accept or reject documents based upon legibility shall be at the sole discretion of the County Auditor.

U. Transfer and Conveyance Fees

The State of Ohio requires the County Auditor's Office to transfer deeds and charge a transfer fee and when applicable a conveyance fee when changing the name or legal description of a parcel of land as per R.C. 319.20 and 319.54 and 322.02. Transfer fees amounts are applied as adopted by Ohio Revised Code and the Board of County Commissioners.

Transfer and conveyance fees are expected at the time the documents are presented for transfer. Fees are accepted by cash, check or other financial transaction device accepted by the county at that time only. Checks should be made payable to the County Treasurer. Please do not include payment to other offices in Lake County. The County Auditor's office is unable to provide change for checks written for more than the amount due.

V. Legal Descriptions

Descriptions shall not be "reformatted". In general, existing descriptions must be described as witnessed by the previous instrument of record. It is sometimes necessary to go back further in the chain of title to find an acceptable description before it was reformatted. The correction of typographical errors, omissions, or other obvious mistakes will be permitted to make the description more accurate. Any correction which significantly changes the parcel or its location must reference the previously recorded deed in which it was found.

SECTION 2- Description

A. Identification

The description of land shall be sufficient to allow the County Auditor and County Engineer to identify the land that is being transferred. Typographical errors that do not affect the County Auditor's or County Engineer's ability to identify the property may be disregarded, but typographical errors that cannot be resolved will cause disapproval of the transfer.

B. Description of Tax Parcels

All documents that transfer an ownership interest in a tax parcel shall contain one of the following types of descriptions:

1. Platted Lot

A platted lot shall be described by its lot number or other designation and the name of the subdivision and volume and page as platted and recorded, as required by R.C. 711.02.

The description must denote the state, county and municipality or township, original lot, section and/or tract.

2. Condominium Unit

A condominium unit shall be described by its unit number or other designation and the name of the condominium project and volume and page as recorded as set forth in the declaration, as required by R.C. 5311.10. The percentage or percentages of interest therein appertaining to each unit must be submitted with the plat prior to the County Auditor's Office transferring the plat per R.C. 5311.05(B)(6) and 5311.04(B). Boundary corners of the condominium property, including each phase of development, shall be tied to OSP (Ohio State Plane) coordinates and include the datum used to establish the SPCs. All condominium boundaries, including each phase, shall have a minimum of two (2) monuments tied into OSP coordinates (GRID) and show the current adjustment used. Ex. NAD 1983 (2011 Adjustment), Ohio North 3401 and Geoid (12A) model used.

3. Metes and Bounds Descriptions

Each new tract of land that is not a platted lot or condominium unit shall be described by a metes and bounds description prepared in accordance with O.A.C. 4733-37-06 minimum standards and the requirements set forth herein and approved by the County Engineer. Additional requirements of R.C. 5301.25 shall be met.

C. Permitted Exceptions in Descriptions

No single conveyance document may contain more than two (2) exceptions provided the original and the excepted parcels have their own legal descriptions and said legal descriptions are accurate. Exceptions must be written out in their entirety.

SECTION 3-Boundary Surveys

A. Requirements

The requirements for a boundary survey shall be established in accordance with R.C. Section 315.251 as amended by Senate Bill 262 which reads "...If a deed conveying title to real property is presented to the County Auditor for transfer, and the deed contains a legal description for land that is a cut-up or split of the grantor's one or more existing parcels of land as shown in the County Auditor's records, or if the legal description of the land conveyed in the deed is different from the legal description shown in the prior deed to the grantor, a boundary survey plat in conformity with the new description shall be submitted with the deed."

B. Survey Plats

The survey plat and description shall satisfy the minimum standards for boundary surveys promulgated by the Board of Registration for Professional Engineers and Surveyors pursuant to chapter 4733-37 of the Ohio Administrative Code, herein. R.C. 5301.25 requires surveyors name on deed. Deed descriptions will not be approved if not presented in the exact format as written by the surveyor. The survey description, included in the deed, shall be stamped, signed, and sealed by the surveyor. Surveyor's registration number is required.

C. Transferring a new legal description

If, in the opinion of the County Engineer, the survey plat and description satisfy those standards, the County Auditor shall accept the deed for transfer and a copy of the plat shall be filed in the County Engineer's survey file for public inspection, unless the County Auditor independently determines that there is a defect in the transfer.

D. Appropriated Lands

In the case of appropriated lands, the fully executed plans signed by the appropriate municipal officials, county commissioners or O.D.O.T. officials shall constitute the minimum requirements for boundary surveys when said appropriation is taken in fee title. Said plans must be filed with the County Engineer. However, the County Auditor shall accept for transfer all properly certified court ordered transfers.

SECTION 4-Governmental Approval of Parcel Splits and Associated Plats

A. Subdivision of Existing Parcel

Any transfer or conveyance that causes a tax parcel to be divided by minor subdivision into a new parcel of five acres or less, or leaves an existing parcel with five or less acres, or otherwise is required to be approved by the local authority, must be so approved before it will be accepted by the County Auditor and County Engineer. The grantor shall supply to the County Auditor and Engineer a copy of the survey drawing prior to transfer, which shall include drawings of all improvements.

B. Approval Signatures on Plat

Approval signatures must be by the current approved elected or appointed authority at the time of execution, in permanent ink on the appropriate line provided on the plat. Each line on the plat designated for this purpose shall have the signee's name lettered under the line for clarity. Any signature line on the plat that is left empty may be cause for rejection of the plat.

C. No Transfer by Plat

The County Auditor will not transfer (change the name of any owner) of any real property pursuant to a plat, except in the case of vacation plats specific to roadways, alleys and public lands designated as transportation corridors. Vacation plats address specific reversionary rights back to the legal owners.

SECTION 5-Requirements of Conveyance by the County Engineer

A. New Metes and Bounds

1. All new metes and bounds descriptions, and all plats of survey that support those descriptions, must incorporate the principles and minimum standards of good surveying, engineering and draftsmanship, and must meet the "Minimum Standards for Boundary Surveys in the State of Ohio", as defined by Section 4733-37 of the Ohio Administrative Code.

B. Requirements for all Recorded Lots of Record

1. All instruments conveying a recorded lot or other designation in a municipality or recorded subdivided area must designate the lot number or other designation, the official recorded name, the plat book

and page of official record reference, and the prior recorded deed reference if any exists.

2. Any parcel, outlot or portion of a recorded lot or other designation must have an accurate description to enable the County Engineer and County Auditor to determine the residue or balance left, based on existing available records. If a balance or residue parcel is given a designation on a plat, such as "Parcel A" or "Sublot 2", etc., then that parcel will be considered as part of the survey and will require all the compliance items of O.A.C. 4733-37.

C. Requirements for Existing Metes and Bounds Descriptions of Record

1. All existing metes and bounds descriptions of record must be described verbatim, except for immaterial provisions, as determined by the County Auditor, as witnessed by the instrument of previous record and transfer. The recording party must provide a copy of the previous deed for this purpose. The previous recording document must be a non-exempt transfer.
2. **VERIFICATION OF COMPLIANCE TO PREVIOUS CONVEYANCE MAY TAKE UP TO THREE (3) BUSINESS DAYS**, but is not guaranteed and recording parties should take this requirement into consideration when preparing documents. The instrument must have the County Engineer's stamp approving for adequacy and closure on metes and bounds before the County Auditor's Office will transfer on all existing metes and bounds, with the exception of all properly certified court ordered transfers.
3. Any existing metes and bounds description which, since the previous conveyance, has been incorporated into a municipality or other political subdivision by means of annexation must be changed to reflect its new corporate location within the situate of the subject instrument of conveyance. There is no requirement for survey in this situation.
4. All instruments of conveyance attempting to convey the remainder or balance of an existing tax parcel(s) from which outlots or exceptions exist must incorporate the following requirements:
 - a. Each outlot or exception of the original tract(s) must be described verbatim as witnessed by the previous conveyance of record, except as to immaterial provisions as approved by the County Auditor and/or Engineer.
 - b. Each documented exception must refer to its recorded source, if any, by which it can be verified.

5. The County Engineer will make the necessary marginal notations on the instrument of conveyance, at the point of entry into the tax maps, to verify the tax parcel(s) to be conveyed.
6. Existing parcels with multiple parcel numbers:
 - a. Legal descriptions in the same taxing district describing more than one permanent parcel number will be required to be combined into one permanent parcel number.
 - b. Legal descriptions describing a parcel that is located in multiple taxing districts will be allowed to have multiple permanent parcel numbers, but the legal description shall include the amount of area per taxing district
7. Legal descriptions with existing easements shall be referenced and written out in their entirety.

D. Requirements for New Metes and Bounds Descriptions for Conveyance

1. All new metes and bounds descriptions, not previously recorded must be prepared by an Ohio Registered Professional Surveyor and must be in compliance with Ohio Administrative Code, Chapter 4733-37.
2. In addition, the following items shall be required:
 - a. The description must denote the state, county and municipality or township, original lot, section and/or tract.
 - b. The description must denote the recorded title and deed reference as to the tract(s) of origination.
 - c. All descriptions must be referenced to an existing, physical monument at a centerline of streets, roads or right of way monuments, original lot/tract corner, or recorded subdivision perimeter corner. In the event that an existing physical monument cannot be located at the above described locations, two (2) points tied to the Ohio State Plane Coordinate system (GRID) showing the current datum will be accepted in conjunction with record or observed distance. (Ex. NAD 1983 (2011 Adjustment), Ohio North 3401)
 - d. Each course of a new metes and bounds description should be a separate paragraph, and all courses must be stated in a clockwise direction from the point of beginning to the point of termination for the subject description.

- e. Each course of a new metes and bounds description must contain a bearing expressed in degrees, minutes and seconds and a distance recited in feet and the decimal parts thereof, from point of origination to a point of termination of each course.
- f. Each course must contain the names of current adjoining owners together with the recorded deed book and page of official record for each. When a course being described adjoins a recorded platted subdivision a call for the plat book and page will suffice.
- g. All adjoining metes and bounds parcels will require the County Auditor's current permanent parcel number(s) to be shown thereon.
- h. Each course must show all other common lines such as centerline of roads, rivers, streams, quarter or half section lines, or any other pertinent common line or record interest as witnessed by the survey for the conveyance.
- i. Any course of a new metes and bounds description which is a curve must contain the direction of the curve, (right or left), the radius (in feet and decimal parts thereof), the long chord bearing and distance and the arc length.
- j. All references to roads, rivers, streams, railroads, etc. must use current or existing names of record. Old or original names, enclosed in brackets, may also be shown if pertinent and related to research for the survey or as a deed call on a description.
- k. All new metes and bounds descriptions must give the area contained within its perimeter in acres and calculated to the third decimal place. Total gross, right of way and net area of a dedicated road must be calculated. Total calculated square footage is required.
- l. Whenever a new metes and bounds description encompasses two or more taxing districts, or two or more tax parcels, a breakdown of total area must be recited for each tax district or parcel.
- m. All new metes and bounds descriptions will be subject to computer verification as to the accuracy of the traverse closure. A minimum allowable traverse closure error of 1:10,000 over the area as described, will be required.
- n. All new metes and bounds descriptions must have a clear intent statement at the end of the description.

- o. In the case where the current legal description for a remainder larger than five (5) acres does not meet current conveyance standards, the County Engineer may require a new legal description be written and recorded
 - p. For splits with more than one split, legal descriptions will be numbered and filed in that order. If the order of the splits is changed after final County Engineer's Tax Map Department approval, the legal descriptions have to be updated by the surveyor and reapproved by County Engineer's Tax Map Department.
- E. For public road right-of-way takes, where many parcels splits are being surveyed simultaneously but conveyed at different times, a single drawing or set of drawings, signed and sealed by a registered surveyor, approval of appropriate municipality and meeting all survey drawing standards, may be submitted with the first conveyance and serve as the drawing for all subsequent conveyances.
- F. Compliance with items above shall be verified by submittal of the instrument to the County Engineer's Tax Map Department for the appropriate review and approval.
- G. Varying degrees of complexity in instruments submitted may require a more extensive review. Normally, the submitter should allow three (3) business days for a standard instrument to be reviewed for the required compliance. Extremely large tracts of land or complex closures may require a more extensive review and the submitter is advised to submit these types of instruments as early as possible as to avoid delays at recording time.
- H. Upon submittal of a new legal description to the County Engineer's Tax Map Department, the instrument is first checked for appropriate format and parcel numbers. Secondly, the instrument is reviewed for compliance to the standards established herein by a qualified technician trained in surveying related issues. A closure verification sheet shall be prepared and attached to the final review.
- I. Upon completion of the appropriate reviews, and after all comments are addressed and accounted for, the original of the instrument will be stamped by the County Engineer's Tax Map Department.
- J. No document of conveyance will be processed by the County Auditor without the appropriate stamp, listed above, affixed to said instrument and the appropriate reviewing agent's signature thereon.

K. Metric Measurements

1. While the metric system is not required, if used, each course of a new metes and bounds description prepared using the metric system shall include the following:
 - a. Distances shall be recited in meters and decimal parts thereof, along with the equivalent distance in feet and decimal parts thereof enclosed in brackets (*).
 - b. Bearings shall be expressed in degrees, minutes and seconds.
 - c. Curves must contain the direction of the curve (right or left), as well decimal parts thereof, likewise the same dimensions shall be expressed in feet and decimal parts thereof in brackets (*). The bearing of the long chord shall be expressed in degrees, minutes, and seconds.
2. Area shall be expressed in hectares along with the equivalent area expressed in acres calculated to the third decimal place.
3. The U.S. Survey foot definition shall be used when converting between meters and feet. The conversion ratio of 39.37:12 is the U.S. Survey foot multiplier used to convert from meters to feet.

SECTION 6-Requirements for Survey Plats by the County Engineer

- A. All new plats of survey must incorporate the principles and minimum standards of good surveying, engineering and draftsmanship, and must meet the "Minimum Standards for Boundary Surveys in the State of Ohio," as defined by Section 4733-37 of the Ohio Administrative Code.
- B. Any parcel, outlot or portion of a recorded lot or other designation shown on a plat, must have an accurate, fully dimensioned image drawn to scale on the plat to enable the County Engineer and County Auditor to determine the accurate area of said parcel. If a balance or residue parcel is given a designation on a plat, such as "Parcel A" or "Sublot 2", etc., then that parcel will be considered as part of the survey and will require all the compliance items of O.A.C. 4733-37.
- C. All new parcels shown on a plat must ultimately be referenced to an established point of beginning, such as centerline intersections of streets, roads or recorded sections and/or quarter sections, established property corners or recorded subdivision perimeter corners.
- D. Each course of a new parcel shown on a plat must contain a bearing expressed in degrees, minutes and seconds and a distance recited in feet

and decimal parts thereof, from point of origination to a point of termination of each course.

- E. Each new parcel or subdivision must show the names of current adjoining owners together with the recorded deed book and page of official record for each. When a course being described adjoins a recorded platted subdivision, a call for the plat volume and page will suffice.
- F. All adjoining metes and bounds parcels will require the County Auditor's current permanent parcel number to be shown on the plat.
- G. Each course must show all other common lines such as centerline of roads, rivers, streams, quarter or half section lines, or any other pertinent common line or record interest as witnessed by the survey for the conveyance.
- H. Any course of a new parcel or a course tied to a new parcel which is a curve must contain the direction of the curve, (right or left), the radius (in feet and decimal parts thereof), the long chord bearing and distance and the arc length.
- I. All references to roads, rivers, streams, railroads, etc., must use current or existing names of record. Old or original names, enclosed in brackets, may also be shown if pertinent and related to research for the survey or as a deed call on a description.
- J. All new parcels shown on the plat must give the area contained within its perimeter in acres and calculated to the third decimal place. Total calculated square footage is also required.
- K. Whenever a new parcel on a plat encompasses two or more taxing districts, or two or more tax parcels, a breakdown of total area must be recited for each tax district or parcel.
- L. All new parcels shown on a plat will be subject to computer verification as to the accuracy of the traverse closure. A minimum allowable traverse closure error of 1:10,000 over the area as described, will be required.
- M. Compliance with Items (A) through (L) above shall be verified by submittal of the plat to the County Engineer's Tax Map Office for the appropriate review and approval.
- N. Varying degrees of complexity in plats and subdivisions submitted may require a more extensive review. Normally, the submitter should allow three (3) business days for a standard instrument to be reviewed for the required compliance. Extremely large tracts of land or complex closures may require a more extensive review and the submitter is advised to

submit these types of instruments as early as possible as to avoid delays at recording time.

- O. All new subdivisions shall have a minimum of two (2) monuments tied into Ohio State Plane coordinates (GRID) showing the current datum used. (Ex. NAD 1983 (2011 Adjustment), Ohio North 3401 used)
- P. Upon completion of the appropriate reviews, and after all comments are addressed and accounted for, the original of the instrument will be stamped by the County Engineer's Tax Map Department.
- Q. No map of survey, or plat will be processed by the County Auditor without the appropriate stamp, listed above, affixed to said instrument and the appropriate reviewing agent's signature thereon.

R. Metric Measurements

- 1. Each course of a new parcel on a plat and/or course used to develop the plat prepared using the metric system shall include the following:
 - a. Distances shall be recited in meters and decimal parts, thereof, along with the equivalent distance in feet and decimal parts thereof enclosed in brackets (*).
 - b. Bearings shall be expressed in degrees, minutes and seconds.
 - c. Curves must contain the direction of the curve (right or left), as well as the radius, long chord and arc expressed in meters and decimal parts thereof, likewise the same dimensions shall be expressed in feet and decimal parts thereof in brackets(*). The bearing of the long chord shall be expressed in degrees, minutes and seconds.
- 2. Area shall be expressed in hectares along with the equivalent area expressed in acres calculated to the third decimal place.
- 3. The U.S. Survey foot definition shall be used when converting between meters and feet. The conversion ratio of 39.37:12 is the U.S. Survey foot multiplier used to convert from meters to feet.

SECTION 7-Special Applications for Condominiums

Since a unit owners' association comes into title upon the filing of the condominium documents, this action falls within the definition of a "conveyance" under R.C. 319.203, and the following rules shall apply:

- A. All condominium plats and associated declarations shall be prepared in accordance with applicable R.C. 5311-"Condominium Property."

- B. All condominium plats shall be subject to the same review process as conventional plats and the survey of the perimeter boundary of the over-all condominium development shall meet all the requirements of O.A.C. 4733-37 and the requirements laid out in Section 6 enclosed herein.
- C. Individual phases of a condominium shall have complete dimensional ties with bearing and distances back to the original perimeter survey.
- D. All phases of a condominium shall be a closeable traverse to an accuracy of 1:10,000 error of closure.
- E. Overlaps and shortages in closures of condominium phases are not permitted, therefore, all phases must fit graphically and mathematically with each other.
- F. "Common Area" shall be defined as that area common to, and held in fee by, all members of the established Association as spelled out in the recorded declaration related to such development, or held in fee by the developer or owners of record, and as further described in R.C. Section 5311.01.
- G. If garage units are established as separate parcels but are tied to and transferred with the associated unit, then both parcel numbers must appear on the conveyance.
- H. The legal description for a condominium unit and/or garage unit should only refer to the first phase that established the association and the current phase in which the conveyance is included.
- I. Adjustments to common walls and changes to condominium unit shapes and sizes will require a new filing of the condominium plat and declaration.

Considered, amended and adopted this day September 30, 2020.

Christopher A. Galloway
Lake County Auditor

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Lake County Engineer

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