REAL PROPERTY CONVEYANCE STANDARDS
PUTNAM COUNTY, OHIO
Revised June 2016

Pursuant to Ohio Revised Code Section 319.203, the County Auditor and County Engineer have adopted the following standards regarding the transfer of real property. These standards allow for efficiency in the transfer of real property and accuracy in the tax map record. The review process and approval of transfer does not ensure clear title to a property. The Putnam County Auditor's Office and Putnam County Engineer's Office are not responsible for any title problems. Not all situations can be covered by these standards. The Auditor's Office and Engineer's Office will handle any such situations on a case-by-case basis.

PROCESS

Obtaining pre-approval of legal descriptions from the County Engineer's Office 2-3 days prior to transfer is encouraged to allow time for any possible corrections. Please allow additional time for larger documents. Deeds may be submitted via email to taxmap@putnamcountyohio.gov or by fax (419) 523-6014.

All documents of transfer must include:

a) Volume and page reference to the most recent prior recorded instrument of transfer by which the grantor claims title.
b) Plat Book and Page reference must also be used if parcel was created by a plat.
c) Tax mailing address of grantee
d) Identification of interest conveyed by grantor (i.e. all, half, etc.)
e) Tax Parcel number identifying the property to be transferred.
f) Identification of person preparing the deed ("Prepared by [Name]") as per ORC 317.111.
g) If a corrective deed, nature of the correction must be stated.

It is the responsibility of the deed preparer to provide parcel numbers; prior deed and/or plat book references; and acreage, if applicable, on all instruments of conveyance before submitting the legal description for pre-approval.

It is the opinion of the Ohio State Board of Registration for Professional Engineers and Surveyors that "...registered professional surveyors are the only persons qualified and authorized by law, except as set out in ORC 4733.18, to prepare descriptions for land in this state. When a person, other than a registered professional surveyor, prepares, changes, alters, modifies, or amends a land description, that person is practicing surveying in violation of ORC 4733.22."

The Auditor shall not accept the transfer if the owner, as shown in the tax records, is not the grantee or grantor on the instrument unless the transfer is to correct a chain of title and a statement to that effect appears on the instrument. Reference shall be made in the deed to the instrument by which the grantors acquired title to the property being conveyed, giving the deed book number and page number of the Putnam County Recorder's deed records (ORC 319.20).

Transfer and Conveyance fees are due at the time of transfer. The Auditor accepts cash or check. Checks should be made payable to the Putnam County Auditor.

SUFFICIENCY OF DESCRIPTIONS

1) Any new subdivision of land that creates a parcel or parcels of five (5) acres or less or, by said subdivision, causes a remainder of five (5) acres or less, shall be accompanied with a plat, whether or not the parcel(s) remain in the name of present owner or are to be transferred. Said plat shall contain the parcel(s) created or remaining that are five (5) acres or less, and shall be prepared by a registered surveyor. Said plat will be governed by the Subdivision Regulations for Putnam County, Ohio as adopted in August 1991, and amendments made thereafter to said subdivision regulations.

2) When there is an exception to a parcel, the exception shall comply with the following requirements:
    a) More than three (3) exceptions per parcel will be considered unacceptable for transfer. However, the County Engineer retains the right to request a survey on any number of exceptions if the intent of the transfer is not clearly understood. Exceptions must meet requirements for existing legal descriptions (See items 5 and 6 below).
    b) Exceptions must be identified in a separate paragraph and referenced to one parcel number on the deed.
    c) After the exceptions to a parcel are fully described, an acreage must be given.

3) As per Ohio Administrative Code 4733-37, "All references to roads or railroads contiguous to the surveyed parcel shall use current names or names of record and applicable right-of-way widths, if applicable."

4) As per Amended Substitute Senate Bill No. 158, effective May 8th, 1996, a Boundary Survey will be required when only part of a parcel is conveyed for all parcels over five (5) acres. The boundary survey must satisfy the minimum boundary standards promulgated by the Board of Registration for Professional Engineers and Surveyors pursuant to ORC Chapter 4733. The County Engineer will review and approve the boundary survey, if the survey complies with those standards. Section 315.251 ORC applies to a conveyances presented to the auditor for transfer on or after May 8th, 1996.

5) **Requirements for all recorded lots of record:**
    a) All instruments conveying a recorded lot in a municipality or recorded subdivision area shall contain the following information:
        i) Township/Corporation
        ii) Name of Subdivision
        iii) Lot Number
        iv) Sections, Township and Range Numbers, and
        v) Plat Book and Page of the Putnam County Recorder's Plat Records.
    b) Any out-lot or portion of a recorded lot must have an accurate description to establish a tax structure for the portion being conveyed, based on the current tax maps and real estate tax parcels numbers.
    c) Descriptions based upon unrecorded subdivision plats will not be approved.

6) **Requirements for existing metes and bounds descriptions of record:**
    a) All existing metes and bounds descriptions of record, which will not create or alter the current tax structure of the parcel(s) will be identified by a real estate tax parcel number(s) on the instrument to be conveyed.
    b) If a metes and bounds description of record exists, it must describe verbatim, whether or not it was used in the instrument of previous record and transfer. The

correction of scrivener errors, omissions, or other obvious mistakes are permitted in order to make the description more accurate.

c) 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.
d) Each new call or course needs to be on a separate line (in a new paragraph).
e) Description must have a relative precision of at least 1 in 5,000.

7) A plat shall be required on all transfers of land from one local school district to another.

8) The controlling date of any description on a deed is the date on which the deed is presented to the Auditor's Office for transfer.

9) Whenever the descriptive content of any legal instrument of conveyance is determined to be ambiguous, it will require a new survey to clarify the parcel(s) to be conveyed.

10) Land contracts must be stamped by the Engineer/Tax Map Office, and the description will be checked for conformity to current standards, which may be applicable upon final transfer, to alert the parties involved of any potential problems. Instrument at final transfer should reference where grantor took title and also where the land contract was entered.

11) **Annexations**

Annexations must be submitted in the form of plats and descriptions to the County Engineer for review. All plats and descriptions shall meet a.) the requirements for legal descriptions, and b.) the requirements for new surveys, splits or subdivisions as per Ohio Administrative Code 4733-37.

12) **Recording of plats along with deeds**

As a condition to the recording of any deed, the plat of each new parcel shall be recorded in the Recorder's Office following the transfer of each in the Auditor's Office.

13) **Road, Street and Alley Vacations**

To assist the County Auditor in keeping an accurate tax base, the County Engineer must be informed of any road, street or alley vacation by the responsible government agency via a recorded legal instrument. Accordingly, for road, street or alley vacations, follow ORC 711.39.

14) Existing descriptions that do not meet requirements for transfer may transfer if no money is involved and if they meet one of the following requirements:

a) When property is being transferred from the owner(s) to themselves;
b) When property is being transferred from the owner(s) to an immediate family member;
c) When the trustee(s) of a given trust relinquishes rights to a new trustee of the same trust;
d) When the property is being transferred from the owner(s) name(s) into a family trust;
e) When property is being transferred from a family entity to a member of that entity;
f) When the name of a trust is being changed, but the trustee remains the same;
g) When a person inherits the property by survivorship;
h) Life estates;
i) Corrective deeds;

j) Transfers by Court order, such as Certificates of Transfer, Executor or Fiduciary or Divorce Decree;
k) Sheriff's Deeds, Auditor's Deeds or Judicial Orders lacking an acceptable legal description may also transfer.

At the time of transfer, the legal instrument shall be stamped "New Survey Required Next Non-Exempt Transfer."

* * In addition to the requirements as set forth above, all deeds and other instruments of transfer must follow the laws of this state as set forth in sections 315.251, 319.20, and 319.203 of the Ohio Revised Code and in Ohio Administrative Code 4733-37.