

2022

Transfer and Conveyance Standards

OF GUERNSEY
COUNTY AUDITOR
AND THE GUERNSEY
COUNTY ENGINEER

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TABLE OF CONTENTS

PREAMBLE.....	3
SECTION 1. Application of Transfer and Conveyance Rules.	3
(A) Change in the Name of Owner(s) of Land.....	3
(B) Change in Description.....	4
(C) Transfer of Interest that May Affect True Value.....	4
(D) Payment requirements.....	4
(E) Manufactured and Mobile Homes.....	4
SECTION 2. Special Transfers.	5
(A) Transfer by Affidavit of Next of Kin.....	5
(B) Transfer of Survivorship Interest.....	5
(C) Transfer on Death Designation Affidavit.	5
(D) Transfer on Death Confirmation Affidavit.....	5
(E) Transfer by Affidavit.....	5
(F) Termination of Life Estate Interest.	6
(G) Corrective Deeds.	6
(H) Affidavit Requirements.	6
(I) Easements, Right of Ways and Land Use/Access Instruments.	6
SECTION 3. Specific Requirements for all Documents of Transfer.	7
(A) Reference to Prior Instrument of Record.	7
(B) Tax Mailing Address of Grantee.....	7
(C) Identification of Interest Conveyed.....	7
(D) Instruments to Conform to Law.	7
(E) Document of Transfer shall include Parcel Number(s).	7
(F) Legal Description.	7
(G) Conveyance Forms.....	7
(H) Multi-Parcel Transfers.	8
SECTION 4. Document Standards.....	8
(A) Original Required.	8

(B) Illegible Writing.	8
(C) E-Filing.	8
(D) Safe at Home.	8
(F) Recording.	9
SECTION 5. Sufficiency of Description.....	9
(A) Identification.	9
(B) Description of Surface Tax Parcels.....	9
(C) Description of Mineral Tax Parcels.	9
SECTION 6. Breaks in the Chain of Title.	10
(A) Grantor is not Prior Grantee.	10
(B) Change of Trustee of Trusts.	10
(C) Minor Differences in Names.	10
SECTION 7. Procedures for Transfer by the TAX Map Department.....	10
(A) Red Stamp.	11
(B) Immediate Family.	11
(C) Green Stamp.....	11
(D) Transfer on Death Designation (TODD) Affidavits.	11
(E) Mineral Descriptions.	11
(F) Surveyor Information.	11
SECTION 8. Minimum Description Requirements.	11
(A) Existing Deed Descriptions of "All Lots and Outlots" (Platted and Unplatted).....	12
(B) Existing Deed Descriptions of All Meets and Bounds Descriptions of Record".	12
(C) Transferring New Deed Descriptions.	14
(D) Land Surveys Reviewed by the Tax Map Department.	15
SECTION 9. Additional Requirements.	15
SECTION 10. Partial Conveyances.	16
SECTION 11. Annexations.	17
SIGNATURES	17
APPENDIX.....	18

PREAMBLE

Pursuant to Ohio Revised Code 319.203, the Guernsey County Auditor and the Guernsey County Engineer have adopted written standards for the conveyance of real property for the county.

The following requirements are a revision, correction and amplification of the requirements contained in the resolution recorded on Pages 136 and 137 of the Commissioner's Journal, Guernsey County, Ohio, dated December 11, 1967 and hereby rescinded. In addition, requirements adopted July 1, 1996 and June 1, 2013 are hereby rescinded.

The following official standards are so amended, agreed to and adopted, in conjunction with the Guernsey County Engineer's Map Department and the Guernsey County Auditor Office, as prescribed by ORC 319.203, and shall be effective for all conveyances presented on or after October 1, 2022.

SECTION 1. APPLICATION OF TRANSFER AND CONVEYANCE RULES.

The Guernsey County Auditor and Guernsey County Engineer's Map Department may reject any conveyance that is not in compliance with the standards adopted and with the Ohio Revised Code and the Ohio Administrative Code.

The Guernsey County Engineer's Map Department and Guernsey County Auditor does not insure clear title to real property or mineral interests, and bear no liability for any title problems that the reviewed descriptions or documents may cause. It should be understood that not all situations could be covered by these standards and requirements. When these situations arise, they will be addressed on a case-by-case basis.

The following rules apply to any transfer and conveyance by instrument of any interest in minerals or real property, partition, devise, descent, certificate of transfer, affidavit, existing descriptions of record, all streets, alleys, roads and subdivision vacations, new surveys, subdivisions, road dedications, annexations and annexation descriptions, easements, right of ways, land use/access and land contracts, 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 of any one of the owners must be presented to the County Auditor under ORC 319.20.

(B) CHANGE IN DESCRIPTION.

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

(C) 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 ORC 5713.03.

(D) PAYMENT REQUIREMENTS.

Conveyances Fee and Transfer Fee(s) are required at the time documents are presented to the County Auditor's Office.

- (1) Accepted forms of payment are cash, checks or for e-file documents, a financial transaction accepted and agreed upon by the county offices at that time.
- (2) Blank checks to be left and filled in by office staff will not be accepted.

(E) MANUFACTURED AND MOBILE HOMES.

Mobile Home transfers and relocation notices may be subject to local regulations.

All transfers of Manufactured Homes and Mobile Homes must comply with ORC 4503.06. A Manufactured Home or Mobile Home title being presented for transfer shall be accompanied by a completed form as applies:

- (1) DTE 100M Manufactured or Mobile Home Conveyance Fee Statement of Value and Receipt.
- (2) DTE 100MEX Statement of Reason for Exemption from Manufactured and Mobile Home Conveyance Fee.

Manufactured Home and Mobile Home titles must be notarized by a notary public or deputy title clerk. Before the clerk of courts can transfer title, the county treasurer must provide an endorsement that the home has been registered for each year of ownership and that all manufactured home taxes imposed under ORC 4503.06 have been paid or that no tax is due and the county auditor must provide an endorsement that the conveyance fees have been paid.

Manufactured homes or mobile homes having complied with the necessary regulations pertaining to having a manufactured or mobile home classified as permanent property ORC 4503.061 and in order to be appraised and placed on the tax duplicate as real estate by the Guernsey County Auditor. The manufactured home or mobile home must be affixed to a permanent foundation, and the owner of the home must also own the land upon which the home sits. All taxes imposed must be paid, and the manufactured home or mobile home title be surrendered to the Guernsey County Auditor and cancelled pursuant to ORC 4505.11.

SECTION 2. SPECIAL TRANSFERS.

All Affidavits for recording shall be presented to the County Auditor and County Map Department for necessary stamps prior to recording at the County Recorder. The following transfers are subject to special requirements:

(A) TRANSFER BY AFFIDAVIT OF NEXT OF KIN.

A transfer under the law of descent and distribution shall be made pursuant to affidavit under ORC 317.22.

- (1) If a Certificate of Transfer is placed on record that confirms (in an identical manner) a previously recorded Affidavit for Transfer, the document will be stamped transfer not necessary. The Certificate of Transfer must state the volume and page of the affidavit it is confirming. A copy of the affidavit must be submitted with the certificate. All transfer fees and forms will be waived. (The copy is for informational purposes, and will not be recorded.)
- (2) If a Certificate of Transfer is placed on record that refutes a previously recorded Affidavit of Transfer, the decedent's interest will be re-transferred according to the certificate. A copy of the affidavit must be submitted with the certificate. All transfer fees and forms will apply and documents will be recorded.

(B) TRANSFER OF SURVIVORSHIP INTEREST.

A transfer of a survivorship interest shall be made pursuant to ORC 5302.17, only upon certificate of transfer or upon affidavit, including a legal description, auditor's parcel number and certified copy of death certificate must be attached.

(C) TRANSFER ON DEATH DESIGNATION AFFIDAVIT.

A Transfer on Death Designation Affidavit containing language to show intent to designate a transfer on death beneficiary pursuant to ORC 5302.23 and 5302.24, does not create a transfer, but must include a legal description and auditor's parcel number. This affidavit does not require an exemption form or transfer fees.

(D) TRANSFER ON DEATH CONFIRMATION AFFIDAVIT.

A Transfer on Death Confirmation Affidavit pursuant to ORC 5302.222 creates a transfer and must include a legal description, auditor's parcel number and a certified copy of death certificate must be attached.

(E) TRANSFER BY AFFIDAVIT.

An Affidavit Relating to Title under ORC 5301.252 is not an instrument for conveying real property. It must, however, still be presented to the County Auditor and County Engineer Map Department due to the possibility of boundary clarifications, name changes, etc.

(F) TERMINATION OF LIFE ESTATE INTEREST.

Affidavits releasing/terminating a Life Estate Interest in real property must include a legal description, auditor's parcel number and a certified copy of death certificate must be attached.

(G) CORRECTIVE DEEDS.

A corrective deed does not change the vested interest and is used for the purpose of correcting a scrivener's error. The corrective deeds shall explain, on the face of the document, the corrective action being taken, reference to the Volume and Page of the prior deed being corrected, and conform to the requirements of ORC 5301.

(H) AFFIDAVIT REQUIREMENTS.

Exemptions under letters B, H and M on the DTE form 100EX require a supporting detailed affidavit for reason of exemption from conveyance fees. Affidavits changing any dimensioning of tax parcels, street names or subdivision names shall be submitted to and approved by the County Map Department and County Auditor.

(I) EASEMENTS, RIGHT OF WAYS AND LAND USE/ACCESS INSTRUMENTS.

The Guernsey County Auditor is responsible for documenting the conveyance of these rights of use instruments. Any easement, right of way or land use/access instrument must meet at a minimum the following criteria:

- (1) Any easements or right of ways for split parcels must comply with the regulations of the Guernsey County Planning Commission if required.
- (2) No easements, right of way or land use/access will be approved where a Grantor is not the current surface owner of record. Survey map of total area must be specific to the Grantor on the instrument.
- (3) Survey map of the total easement area with a line table listing bearings and distances, a metes and bounds description of the total easement area, right of way or use access, or a metes and bounds description for the entire described parcel currently of record.
- (4) Centerline map or description will be accepted.
- (5) Point of Reference shall be based upon a monumented corner of an approved survey of record.
- (6) Current auditor's parcel numbers, total acreage of easement or use area being conveyed must be listed after each described tract.
- (7) Easements, right of ways and land use/access instruments are subject to forms and fees required by ORC 319.202 and 319.154.
- (8) Recording of easements or right of ways does not waive or supersede the requirements of any governing authorities that may be in effect at the time of transfer.

SECTION 3. SPECIFIC REQUIREMENTS FOR ALL DOCUMENTS OF TRANSFER.

All documents transferring an interest in real property that are subject to ORC 319.20, including all court orders and certificates of transfer shall contain all of the following:

(A) REFERENCE TO PRIOR INSTRUMENT OF RECORD.

Each tract being conveyed shall reference the volume and page of the record of the last preceding recorded instrument or instruments by or through which the grantor claims title, as required by ORC 319.20.

(B) 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 ORC 319.20.

(C) IDENTIFICATION OF INTEREST CONVEYED.

If a document being presented is conveying less than a full (100%) interest in the real property or minerals, the lesser interest intended to be conveyed and transferred shall be stated on the document or separate documentation showing each owner's interest may be requested.

(D) INSTRUMENTS 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.

(E) DOCUMENT OF TRANSFER SHALL INCLUDE PARCEL NUMBER(S).

The document of transfer shall include the County Auditor's parcel number(s) of each parcel or lot being transferred at the conclusion of each tract. Listing all parcels numbers at the end of the document will not be accepted.

(F) LEGAL DESCRIPTION.

All documents of transfer shall contain a legal description formatted to and sufficient in form and detail to comply with the detailed specification spelled out in [Section 5](#) of this document and the specification established by and held to in the current revision of OAC Section [4733-37-06](#). A previously recorded document shall not be used as a new instrument of conveyance. Likewise, a previously recorded document shall not be attached as an Exhibit in order to create a new instrument of conveyance.

(G) CONVEYANCE FORMS.

No documents(s) will be transferred unless accompanied by a properly completed DTE 100 or DTE 100EX conveyance form. All forms must be typed or legibly printed. For property receiving the Homestead Reduction, the DTE 101 form must

also be completed. For property enrolled in the CAUV program, the DTE 102 form must be completed.

(H) MULTI-PARCEL TRANSFERS.

Multi-parcel transfers on a single instrument of transfer will only be accepted if the Grantee(s) are identical and Grantor(s) are identical for all described properties.

SECTION 4. DOCUMENT STANDARDS.

The County Auditor will not approve any transfer unless the documents presented to the County Auditor and County Engineer Map Department and meet all of the following requirements:

(A) ORIGINAL REQUIRED.

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

(B) ILLEGIBLE WRITING.

The County Auditor and/or County Engineer Map Department may reject any document of transfer if at their discretion the document or attachments are determined to be illegible.

(C) E-FILING.

E-file documents will be permitted with the agreement of the County Auditor, County Engineer Map Department and County Recorder.

E-file documents must meet the same standards as over the counter and mail in documents and will be processed and stamped accordingly or returned for corrections.

E-file transmitted documents are checked-in by the recorder staff. Documents are then routed electronically and processed by the County Engineer Map Department and County Auditor office staff. The approved documents will be stamped electronically and forwarded to the recorder's office for recording. Documents that cannot be e-recorded are Plats and Military Discharges (DD214).

E-file documents will be completed within three (3) full working days and processed between the hours of 8:00 a.m. and 3:00 p.m., Monday through Friday (excluding holidays and other office closures).

(D) SAFE AT HOME.

The County Auditor and County Engineer Map Department will process documents and maintain records pursuant to H.B. 93 when presented to the County Recorder.

The program participant will submit to the County Recorder the required RPCN and Form SAH-RCPN provided by the Ohio Secretary of State.

(F) RECORDING.

The County Recorder cannot record a conveyance unless it has been indorsed by the Guernsey County Auditor "Transferred" or Transfer Not Necessary". ORC 317.22

SECTION 5. SUFFICIENCY OF DESCRIPTION

(A) IDENTIFICATION.

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

In case of multiple parcels on one deed, each parcel shall be identified as Tract 1 or Parcel 1, etc. The tract or parcel heading, as well as headings for exceptions, shall be in bold type and/or underlined to make them prominent in the description.

(B) DESCRIPTION OF SURFACE TAX PARCELS.

All documents that transfer an ownership interest in a surface 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 [ORC 711.101](#).
- (2) 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 [OAC 4733-37-06](#) minimum standards and the requirements set forth herein.

(C) DESCRIPTION OF MINERAL TAX PARCELS.

All documents that transfer an ownership interest in mineral rights shall contain the following:

- (1) A metes and bounds description that is identical to the previous deed of record or transfer document where the Grantor acquired title to the minerals.
- (2) Restatement of the total acreage being conveyed after all exceptions.
- (3) A reference by Volume and Page to the document of record by which the transferor acquired title to the minerals. A copy of the source document, mineral title chain or court order must accompany the new instrument. (This copy is for informational purposes, and will not be recorded.)

- (4) A recitation of the current surface parcel numbers under which the minerals being transferred after each tract.
Example "*Within or underlying all or a portion of the following auditor parcel number(s):*"

SECTION 6. BREAKS IN THE CHAIN OF TITLE.

Because the County Auditor needs to determine the ownership of each tract, lot or parcel of real property and the County Auditor maintains ownership history of each tax parcel:

(A) GRANTOR IS NOT PRIOR GRANTEE.

No transfer will be approved where a Grantor is not a prior Grantee, as shown on the current Auditors Tax Duplicate, unless the document itself or an Affidavit that satisfies the requirements of ORC 5301.252 is provided to the County Auditor that explains 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.

(B) CHANGE OF TRUSTEE OF TRUSTS.

Before any real property that is in the name of a Trustee of a Disclosed Trust can be transferred or conveyed from the Trustee, the Trustee shall record a Memorandum of Trust.

- (1) The filing of a Memorandum of Trust pursuant to ORC 5301.255 with the County Recorder will not remove a trustee(s) name from the County Auditor's tax duplicate. If a Memorandum of Trust has been previously recorded, the next document of conveyance must reference the Volume and Page of the recorded Memorandum of Trust and recite the name and date of trust and the current trustee(s) title.
- (2) Upon death, resignation, removal, or other event terminating the appointment of a Trustee, an Affidavit of Successor Trustee pursuant to ORC 5302.171 is presented to the County Auditor's Office to remove a trustee(s) name from the tax duplicate. The Affidavit of Successor Trustee must include a legal description, auditor's parcel number and in the event of the death of a Trustee, and a certified copy of death certificate must be attached.

(C) MINOR DIFFERENCES 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 (e.g. Charles, Charley), or due to change in name, and similar differences of a minor nature, must be explained in the document itself or an affidavit, as required by ORC 5301.252 (B) (1).

SECTION 7. PROCEDURES FOR TRANSFER BY THE TAX MAP DEPARTMENT.

Instruments submitted will be subject to the following procedures prior to their acceptance for transfer on the tax duplicates of Guernsey County, Ohio:

(A) RED STAMP.

Description(s) that do not meet current requirements may transfer one time with a RED STAMP if the description can be located on a tax map. The stamp states "NEW DESCRIPTION NECESSARY FOR FUTURE TRANSFER", will be signed and dated by Guernsey County Map Department Personnel.

(B) IMMEDIATE FAMILY.

Descriptions transferring within the immediate family will transfer with a red stamp even if the prior description was red stamped. (Immediate family includes mother, father, son, daughter, grandparents, brother, sister, brother-in-law, sister-in-law, daughter-in-law, son-in-law, father-in-law, mother-in-law, spouse, and grandchild.) Exceptions are not limited as in Section 8 B (4) "Transferring Existing Deed Descriptions of All Meets and Bounds Descriptions of Record".

(C) GREEN STAMP.

Description(s) that meet current requirements will transfer with a GREEN STAMP, "DESCRIPTION APPROVED" and will be signed and dated by Guernsey County Map Department Personnel.

(D) TRANSFER ON DEATH DESIGNATION (TODD) AFFIDAVITS.

Description(s) that are included on Transfer on Death Designation Affidavits will be reviewed by Guernsey County Map Department personnel and stamped accordingly.

(E) MINERAL DESCRIPTIONS.

Description(s) that create new mineral parcels or that are located on mineral deeds will be stamped "DESCRIPTION AND CONVEYANCE OF MINERALS NOT VERIFIED FOR LOCATION OR OWNERSHIP" and will be signed and dated by Guernsey County Map Department Personnel.

(F) SURVEYOR INFORMATION.

The surveyors name, number and date of survey must be included on all instruments of conveyance, if applicable.

It is understood that all situations not addressed by these requirements will be handled as special cases by the Guernsey County Engineer's Map Department.

SECTION 8. MINIMUM DESCRIPTION REQUIREMENTS.

Descriptions/plats submitted shall conform to the requirements as set forth in the most current versions of the Requirements and Provisions of Chapter 711 and Sections 315.251, 319.203 of the Ohio Revised Code and The Minimum Standards for Boundary Surveying in the State of Ohio, Administrative Code Chapter 4733-37 plus the following requirements.

"Existing description" is defined as the legal description which appears on the most recent preceding instrument of conveyance (deed form) on record in the office of the Guernsey County Recorder (mortgages, mineral deeds, land contracts, and lease descriptions are excluded).

(A) EXISTING DEED DESCRIPTIONS OF "ALL LOTS AND OUTLOTS" (PLATTED AND UNPLATTED).

- (1) Lots in platted areas which are shown on plats in the office of the County Recorder shall be described by lot number, officially recorded name of addition or subdivision and with reference to a plat book and page number, slide number or envelope number.
- (2) Descriptions of parts of such lots and out lots of recorded plats, shall be adequately tied to a recorded lot corner or street intersection shown on the recorded plat and shall give dimensions of each part.
- (3) Deed descriptions referring to lots and out lots of unrecorded plats shall be by metes and bounds and adequately tied by metes and bounds. The number of a lot(s) of an unrecorded plat will not be accepted for transfer and may be used as reference only.
- (4) All new lot splits shall require a new survey and will be subject to Guernsey County Planning Commission regulations.

(B) EXISTING DEED DESCRIPTIONS OF ALL MEETS AND BOUNDS DESCRIPTIONS OF RECORD".

- (1) Deed descriptions referring to acreage in unplatted areas shall be by metes and bounds and adequately tied in by metes and bounds and referenced to a point identifiable by reference to a map of the area such as the following:
 - (a) Quarter township corner, section or quarter section corner, fractional section, military lot or partition lot corner or nearby recorded subdivision corner.
 - (b) (Previously recorded surveys of monumented tie downs that meet current transfer requirements.
 - (c) When none of the above resources can be located, recorded highway monumentation or intersection of two roads listed on the current state inventory of county roads may be used.
 - (d) Adequate tie-in to any of the above points of reference must be given. The bearing and distance from appropriate section line, military lot corner, recorded subdivision lot corner, or partition lot corner shall be used for reference.

- (2) Vague terms used on older deeds, such as "in a northerly direction", "with the meandering of a stream", "along a road", are not acceptable, nor are references to points of beginning "on the lands of John Doe," etc.
- (3) The description of a tract lying in more than one section, military lot, fractional section, partition lot or quarter township, a tract of land lying part within and part without a municipal corporation, tracts that include two or more taxing districts, and portions of recorded subdivisions shall state the acreage, dimension, Auditor's parcel number, and most recent prior deed reference of each part.
- (4) Description of Exceptions must meet the following criteria:
"Exception" is defined as any tract of land excluded from the Description of the parent tract.
 - (a) The description of an excepted area shall be fully described and/or referenced by the acreage and recorded volume and page of the original deed by which it was first conveyed.
 - (b) No *more than* four (4) exceptions per tract will be approved.
 - (c) Exceptions shall be added at the conclusion of *each parent tract from which they are excepted*. If the exception is out of more than one parent tract the exception description shall follow the last described parent tract and the tract numbers shall be identified in the exception statement. The remaining acreage of a parent tract transferring after exceptions shall be stated.
 - (d) **A new parcel cannot be created by means of an exception or reservation.**
 - (e) Exception descriptions must meet current transfer requirements. If an exception is deemed inaccurate, the parent parcel shall be resurveyed in order to transfer.
- (5) Error of closure of existing metes and bounds descriptions shall be verified by the Map Department.
- (6) Description(s) presented for transfer that differ in context from the prior recorded description, will not be accepted for transfer unless a new survey has been performed on the tract to be conveyed. See requirement #4 above, concerning exceptions and #8 below for scrivener errors.
- (7) Changes from the previous description that involves scrivener errors, omissions or other obvious mistakes are permitted in order for the description to be acceptable for transfer.
- (8) Acreage within a vacated subdivision must have a new survey before transferring unless the original tract was one of rule #10 or if the original description meets the current transfer requirements.

- (9) Current descriptions such as quarter section (160 Ac.), 1/2 of quarter section (80.00 Ac.), 1/2 of 1/2 of quarter section (40.00 Ac.) and 1/2 of the 1/2 of the 1/2 quarter section being 20.00 Ac. are acceptable descriptions.
- (10) The preamble of all descriptions shall state the following: State, county, township, range, township number, section, partition lot or military lot number, subdivision, quarter section and corporation or village. Upon the changing of municipality or other political Subdivision (annexation, village, city, township, etc.) this must be updated on future conveyances.
- (11) Land Contracts shall contain a legal description and will be reviewed for compliance with these minimum requirements and stamped appropriately. Recording of the land contract does not waive the requirements of any governing authorities, which may be in effect at the time of transfer.
- (12) Instruments conveying by court order, foreclosures, etc. will not be required to have a new survey at the time of transfer even if the description was previously red stamped, and if the description has not changed from the previous deed, it will then be reviewed and stamped accordingly. A new survey will be required before the next transfer if the property transfers out of the immediate family. If there is a split from the parent tract, it will require a new survey and be subject to planning Commission & Health Department regulations before it can transfer.
- (13) Instruments of conveyance that are transferring and have been previously red stamped and are not in the immediate family, must use the following procedures:
 - (a) A letter from the surveyor must be submitted to the Map Department stating he/she has been contracted to do the survey within 90 days of the transfer and include the Auditors Parcel number(s) range, township, & section in the submitted letter.
 - (b) The following statement must be added to the instrument to be conveyed. **"SURVEY PENDING, TO BE COMPLETED AND SUBMITTED TO THE GUERNSEY COUNTY ENGINEER'S MAP DEPARTMENT WITHIN 90 DAYS OF THIS TRANSFER"** or the deed will not be processed. This is to be used only when the surveyor cannot complete the survey before the deed is to transfer.

(C) TRANSFERRING NEW DEED DESCRIPTIONS.

- (1) **When a new legal description is put on record for the first time, the document of conveyance shall have attached as an exhibit the original signed and sealed metes and bounds description provided by the surveyor. The legal description shall not be retyped.** The metes and bounds descriptions shall conform to the format employed by the County Recorder.

- (2) The new survey shall have been approved by and the Original filed in the County Map Department prior to the submittal of the deed for transfer.

(D) LAND SURVEYS REVIEWED BY THE TAX MAP DEPARTMENT.

Boundary survey plats with the metes and bounds descriptions shall satisfy the requirements as set forth in the most current version of The Minimum Standards for Boundary Surveying in the State of Ohio, Administrative Code Chapter 4733-37 and promulgated by The Board of Registration for Professional Engineers and Surveyors of the State of Ohio pursuant to Chapter 4733.

SECTION 9. ADDITIONAL REQUIREMENTS.

Additional Requirements are as follows:

- (1) The survey plat submitted must be a scale drawing and not reduced. Faxed copies are not acceptable.
- (2) The new survey shall include the property adjoiners' names and deed references on the plat and incorporated into the written description. The surveyor's original seal and signature shall be on the plat and description.
- (3) Deed descriptions referring to acreage in unplatted areas shall be by metes and bounds and adequately tied in by metes and bounds and referenced to a point identifiable by reference to a map of the area such as the following:
 - (a) Quarter township corner, section or quarter section corner, fractional section, military lot or partition lot corner or nearby recorded subdivision corner.
 - (b) Previously recorded surveys of monumented tie downs that meet current transfer requirements.
 - (c) When none of the above resources can be located, recorded highway monumentation or intersection of two roads listed on the current state inventory of county roads may be used.
 - (d) Adequate tie-in to any of the above points of reference must be given. The bearing and distance from appropriate section line, military lot corner, recorded subdivision lot corner, or partition lot corner shall be used for reference.
- (4) The Auditor's parcel number shall appear on the description and survey plat of the tract(s) to be conveyed. Descriptions that encompass part of more than one tract must state the acreage and dimension of each part, deed reference, and Auditor's parcel number of each part and state if the tract is all or part of said tract(s).
- (5) The description of a tract lying in more than one section, military lot, fractional section, partition lot or quarter township; a tract of land lying part within and part without a municipal corporation, or in two or more taxing

districts; and a tract that includes a portion of a recorded subdivision shall state the acreage lying in each part, dimensions, deed references and Auditor's parcel number of each part and if the tract is all or part of said tract(s).

- (6) 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), and the long chord bearing and distance (in feet and decimal parts thereof) of the same along with the central angle and curve length.
- (7) All new lot splits shall require a new survey and be subject to Guernsey County Planning Commission regulations.
- (8) New surveys of two or more tracts from the same parent tract cannot have the exact same acreage.
- (9) Instruments conveying tract(s) by new survey descriptions cannot be processed until the original survey description and plat has been submitted and approved by the Guernsey County Engineers Map Department. Surveys submitted and approved will be blue stamped stating "Survey checked".
- (10) When a new survey is found to have significant differences from the document of record or from surrounding parcels, the surveyor shall place a note of explanation on the survey plat citing the differences and data to support the new survey. The issue must be resolved prior to transfer of the deed with said description.

Mineral Ownership Surveys submitted must meet the same requirements as Land Surveys as set forth in Section D herein.

SECTION 10. PARTIAL CONVEYANCES.

- (1) Division of any parcel of land shall require a new survey plat with a written metes and bounds description which shall meet the same requirements as Land Surveys as set forth in Section D herein and may be subject to *The Guernsey County Planning Commission Regulations*.
- (2) A plat showing parcels split within the limits of a municipal corporation, which has adopted formal review procedures will require a stamp of approval from said municipality prior to submittal of the survey split for Map Department review.
- (3) Reconfiguring, removing land from, or adding land to a platted subdivision will not be permitted unless all affected lots are replatted or vacated from the subdivision.
- (4) Split application forms must be attached with the instrument of conveyance at the time of transfer.

- (5) All Planning Commission split fees must be paid before transferring.
- (6) When a survey plat indicates that a parcel is intended "**to go to adjoiner**", or similar language is used, said surveyed parcel shall be deeded to the exact name as is currently on record for the parcel to which it adjoins. This statement, "**to go to adjoiner**", shall be considered a restriction as per the survey plat and will be enforced on all subsequent conveyances of said parcel until a new plat removes the restriction. The instrument of conveyance will be stamped "*Not to be used as a separate building site or transferred as an independent parcel in the future without planning commission approval in accordance with applicable subdivision regulations.*"

SECTION 11. ANNEXATIONS.

Pursuant to ORC Chapter 709, Annexation Plats and their legal descriptions shall encompass all the applicable elements of "Boundary Survey Plats" and "New Deed Descriptions", as well as, the following:

1. An Annexation must have a new perimeter survey by a licensed surveyor of the territory to be annexed along with auditor's parcel numbers, parcel owner's name(s) and acreages of parcels to be annexed.
2. All land to be annexed shall be existing parcels in their entirety. If only a portion of a parcel is to be annexed, the Master Plat Concept can be used to split the parent tract followed by documents putting the new metes and bounds descriptions of said splits on record. All such splits shall be transferred and recorded first, followed by the annexation documents.
3. Following the metes and bounds description, the legal shall include a list of the land owners included in the annexation along with the current parcel involved.

SIGNATURES

AGREED TO:

Original Signature on file in Guernsey County Auditor's Office

PAUL E. SHERRY, P.E. P.S.
GUERNSEY COUNTY ENGINEER

Original Signature on file in Guernsey County Auditor's Office

TONY BROWN
GUERNSEY COUNTY AUDITOR

ADOPTED September 15, 2022

In accordance with ORC 319.203, two public hearings were held on the amendment and adoption of such standards on September 7, 2022 at 10:00 a.m. and September 14, 2022, at 10:00 a.m.

The Agreement is adopted on the date written above in duplicate and each of the parties hereto shall keep and maintain in their office an original copy of the Agreement.

FIRST PUBLIC HEARING MINUTES

PUBLIC HEARING ON AMENDING AND ADOPTION OF 2022 PROPOSED
GUERNSEY COUNTY TRANSFER AND CONVEYANCE STANDARDS

FIRST PUBLIC HEARING MINUTES
SEPTEMBER 7, 2022
10:00 A.M.

PRESENT: PAUL SHERRY, GUERNSEY COUNTY ENGINEER, CORY JOHNSON
AMY SWIGART, SHANNON LEEK, TRACIE HOLDREN, VICKIE LIPTAK

NOT PRESENT: TONY BROWN, GUERNSEY COUNTY AUDITOR

NEXT HEARING: SECOND PUBLIC HEARING
SEPTEMBER 14, 2022
10:00 A.M.
GUERNSEY COUNTY COMMISSIONERS CONFERENCE ROOM

1. HEARING CALL TO ORDER

THE FIRST PUBLIC HEARING ON AMENDING AND ADOPTION OF THE 2022 TRANSFER AND CONVEYANCE STANDARDS BY THE GUERNSEY COUNTY AUDITOR AND GUERNSEY COUNTY ENGINEER WAS HELD ON SEPTEMBER 7, 2022. THE HEARING WAS CALLED TO ORDER AT 10:00 A.M. BY PAUL SHERRY.

2. COMMUNICATIONS/DISCUSSION

THERE WERE NO PUBLIC PARTICIPANTS AT THE HEARING, THEREFORE IT IS NOTED ON RECORD THAT THERE ARE NO CONCERNS OR OBJECTIONS TO THE PROPOSED 2022 CONVEYANCE STANDARDS. THERE WAS NO WRITTEN COMMUNICATIONS RECEIVED BY THE AUDITOR OR ENGINEERS OFFICES PRIOR TO THE FIRST HEARING OF ANY CONCERNS OR OBJECTIONS TO THE PROPOSED 2022 CONVEYANCE STANDARDS.

3. HEARING ADJOURNED

A MOTION WAS MADE BY TRACIE HOLDREN TO ADJOURN THE HEARING AND SECONDED BY CORY JOHNSON.

APPROVED: September 7, 2022

Original Signature on file in Guernsey County Auditor's Office

PAUL SHERRY P.E., P.S.
GUERNSEY COUNTY ENGINEER

SECOND PUBLIC HEARING MINUTES

PUBLIC HEARING ON AMENDING AND ADOPTION OF 2022 PROPOSED
GUERNSEY COUNTY TRANSFER AND CONVEYANCE STANDARDS

SECOND PUBLIC HEARING MINUTES
SEPTEMBER 14, 2022
10:00 A.M.

PRESENT: TONY BROWN, GUERNSEY COUNTY AUDITOR, CORY JOHNSON
AMY SWIGART, SHANNON LEEK, TRACIE HOLDREN, VICKIE LIPTAK

NOT PRESENT: PAUL SHERRY, GUERNSEY COUNTY ENGINEER

1. **HEARING CALL TO ORDER** THE SECOND PUBLIC HEARING ON AMENDING AND ADOPTION OF THE 2022 TRANSFER AND CONVEYANCE STANDARDS BY THE GUERNSEY COUNTY AUDITOR AND GUERNSEY COUNTY ENGINEER WAS HELD ON SEPTEMBER 14, 2022 IN THE COMMISSIONERS CONFERENCE ROOM. THE HEARING WAS CALLED TO ORDER AT 10:04 A.M. BY TONY BROWN.
2. **READING OF FIRST HEARING MINUTES**
THE MINUTES OF THE FIRST HEARING WAS READ BY AMY SWIGART. CORY JOHNSON MOVED TO APPROVE THE FIRST HEARING MINUTES AND SECONDED BY SHANNON LEEK.
3. **COMMUNICATIONS/DISCUSSION**
THERE WERE NO PUBLIC PARTICIPANTS AT THE SECOND HEARING AND IT IS NOTED ON RECORD THAT THERE ARE NO CONCERNS OR OBJECTIONS TO THE PROPOSED 2022 CONVEYANCE STANDARDS. THERE WAS NO WRITTEN COMMUNICATIONS RECEIVED BY THE AUDITOR OR ENGINEERS OFFICES PRIOR TO THE SECOND HEARING. A RECOMMENDATION WAS MADE BY AMY SWIGART THAT COPIES OF THE HEARING MINUTES AND HEARING PUBLIC NOTICES BE ATTACHED TO THE PROPOSED TRANSFER AND CONVEYANCE STANDARDS.
4. **APPROVAL**
THEREFORE, HEARING NO FURTHER CONCERNS OR OBJECTIONS, THE TRANSFER AND CONVEYANCE STANDARDS ARE AMENDED, AGREED TO, AND ADOPTED BY GUERNSEY COUNTY AUDITOR AND GUERNSEY COUNTY ENGINEER, AND WILL TAKE EFFECT ON OCTOBER 1, 2022.
5. **HEARING ADJOURNED**
A MOTION WAS MADE BY TRACIE HOLDREN TO ADJOURN THE HEARING AND SECONDED BY VICKIE LIPTAK.

APPROVED: September 14, 2022

Original Signature on file in Guernsey County Auditor's Office

TONY BROWN
GUERNSEY COUNTY AUDITOR

PUBLICATION NOTICES

DAILY JEFFERSONIAN NEWSPAPER

<https://www.daily-jeff.com/>



Order Confirmation
Not an Invoice

Account Number:	483327
Customer Name:	Guernsey Co. Auditor
Customer Address:	Guernsey Co. Auditor 627 WHEELING AVE. STE.301 TONY BROWN CAMBRIDGE OH 43725
Contact Name:	Guernsey Co. Auditor
Contact Phone:	7404329243
Contact Email:	
PO Number:	

Date:	08/16/2022
Order Number:	7668778
Prepayment Amount:	\$ 0.00

Column Count:	1.0000
Line Count:	30.0000
Height In Inches:	0.0000

Product	#Insertions	Start - End	Category
CDJ The Daily Jeffersonian	2	08/19/2022 - 08/26/2022	Govt Public Notices
CDJ daily-jeff.com	2	08/19/2022 - 08/26/2022	Govt Public Notices

Total Order Confirmation	\$55.00
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1/2

Ad Preview

(Cambridge) – Guernsey County Auditor Tony Brown and Guernsey County Engineer Paul Sherry have scheduled two public hearings concerning modifications to the Guernsey County Real Estate Conveyance Standards, as required by ORC 319.203. The hearings will be held in the Guernsey County Administration Building, Commissioners Office conference room, 2nd Floor, 627 Wheeling Avenue, Cambridge, Ohio. The hearings are scheduled for Wednesday, September 7, 2022, at 10:00 a.m. and Wednesday, September, 14, 2022, at 10:00 a.m. Copies of the proposed revised Real Estate Conveyance Standards are available from either the Guernsey County Auditor or the Guernsey County Engineer Map Offices. DJ 8/19 & 8/26/22

Announcement



(Cambridge) – Guernsey County Auditor Tony Brown and Guernsey County Engineer Paul Sherry have scheduled two public hearings concerning modifications

to the Guernsey County Real Estate Conveyance Standards, as required by ORC 319.203.

The hearings will be held in the Guernsey County Administration Building, Commissioners Office conference room, 2nd Floor, 627 Wheeling Avenue, Cambridge, Ohio. The hearings are scheduled for Wednesday, September 7, 2022, at 10:00 a.m. and Wednesday, September, 14, 2022, at 10:00 a.m.

Copies of the proposed revised Real Estate Conveyance Standards are available from either the Guernsey County Auditor or the Guernsey County Engineer Map Offices or by selecting the link below.

[2022 Proposed \(updated\) Transfer and Conveyance Standards](#)

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