Surveys and Land Descriptions

CHAPTER SUMMARY

1. A legal description is a description of real property by a government survey, a metes and bounds survey, or by lot numbers of a recorded plat, which description is complete enough that a particular parcel of land can be located and identified.

2. A survey is a visual presentation of the physical boundaries of real property. The survey is used to describe real property. The survey may be an as-built survey that locates all physical improvements on the land in relation to the boundary lines of the land.

3. Surveys are generally prepared by professionals known as land surveyors. Land surveyors are generally licensed by the state and must pass certain examinations for competency. Educational requirements generally are a college degree and a major in engineering or mathematics.

4. Three types of land descriptions are used in the United States: (1) government rectangular survey description, (2) platted descriptions, and (3) metes and bounds descriptions.

5. The government rectangular survey description is found in most of the midwestern and western states. The rectangular survey system is based on a set of two intersecting hypothetical lines: principal meridians and baselines. Principal meridians are vertical lines running north and south. Baselines are horizontal lines running east and west.

6. The platted, or short-form, description describes a parcel of land by reference to a recorded survey or plat.

7. A metes and bounds description completely describes the boundary lines of the land. Each boundary line or “call” is described by a course and a distance. The course is the direction in which the boundary line travels and the distance is the length of the boundary line.

8. A metes and bounds description must close. This means that the legal description starts at a beginning point, follows each boundary line by course and distance, and ends back at the beginning point. If the land description does not close, it is defective.

9. A legal assistant may be involved in the preparation of a land description from a survey. Another duty of the real estate legal assistant is to assist the attorney in the review of a survey. A survey review is generally conducted in connection with a transaction involving a sale or a loan secured by real property. A full knowledge of land descriptions and survey requirements is important to enable the legal assistant to fully assist the attorney in a real estate transaction.