

STANDARDS GOVERNING THE CONVEYANCES OF REAL PROPERTY IN
MIAMI COUNTY, OHIO

Pursuant to Section 319.203 of the Ohio Revised Code, Matthew W. Gearhardt, Miami County Auditor, and Paul P. Huelskamp, P.E., P.S., Miami County Engineer, hereby agree to and adopt the following "Standards Governing Conveyances" for real property in Miami County, Ohio.

This Agreement and the official "Standards Governing Conveyances" are adopted in duplicate and a copy shall be kept and maintained in the office of the Miami County Auditor and in the Office of the Miami County Engineer.

In accordance with Section 319.203 of the Ohio Revised Code, a copy of the proposed "Standards Governing Conveyances" were made available at the offices of the County Auditor and County Engineer, and public hearings concerning the adoption and modification of such standards were held on July 24, 2025 and August 5, 2025. Public testimony and written comments were solicited and received at such public hearings.

The "Standards Governing Conveyances" were agreed to and adopted in an open meeting held on August 12, 2025, in accordance with R.C. 121.22, and shall be effective for all conveyances presented to the Miami County Auditor and Miami County Engineer on and after August 12, 2025.

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 following Standards Governing Conveyances of Real Property in Miami County, Ohio are hereby adopted and agreed to the 12th day of August 2025.



Matthew W. Gearhardt
Miami County Auditor



Paul P. Huelskamp, P.E., P.S.
Miami County Engineer



STANDARDS GOVERNING CONVEYANCE OF REAL PROPERTY IN

MIAMI COUNTY, OHIO

PREFACE

Ohio Revised Code Section 319.203 provides that the County Engineer and the County Auditor of each county, by written agreement, shall adopt standards governing the conveyances of real property in the county. These standards may include surveying standards as specified in Ohio Revised Code Section 315.251.

Section 315.251 of the Ohio Revised Code requires that a boundary survey be made in order to convey a portion of an existing parcel, or to change the legal description for an existing parcel. It also requires that the survey meet the Minimum Standards for Boundary Surveys, as promulgated by the Board of Registration for Professional Engineers and Surveyors, as contained in Chapter of the Ohio Administrative Code. It further provides that the County Engineer review the survey plats and legal descriptions prepared by the surveyor for compliance with these standards.

In addition to these standards, conveyances must comply with all other county or local standards. Where these standards overlap with other standards, the more stringent standard will apply. All deeds, plats, allotments and/or other forms of land conveyance must comply with the laws of the State of Ohio with respect to land transfers including the rules, regulations and procedures promulgated by the Ohio Department of Taxation, Division of Equalization, with respect to the collection of conveyance fees and exemption(s) therefrom. In the event that a question arises regarding the charging and collection of a conveyance fee, the burden to prove that a parcel(s) is exempt must be presented to the Auditor. If a question exists as to whether a conveyance is exempt or not, the fee will be charged or the parcel(s) will not be conveyed.

Adopted August 12, 2025

STANDARDS GOVERNING CONVEYANCE OF REAL PROPERTY IN

MIAMI COUNTY, OHIO

PREAMBLE

As directed by Sections 315.251, 319.203, and other sections of the Ohio Revised Code, and to provide a consistent method of review, the following standards are hereby adopted to govern the conveyance of real property to be transferred on the tax list of Miami County, and all survey plats and descriptions of real property to be provided in conjunction with such conveyances.

The intent of these standards is to ensure proper and accurate descriptions of property, to correct any errors that are evident, and to ensure the property is accurately described for tax purposes. It is understood that all situations cannot be covered by these requirements, and when situations not covered arise, they will be handled as special cases and will be interpreted by the County Engineer and/or the County Auditor. All drafters of conveyances are encouraged to have descriptions checked by the Miami County Engineer's Tax Map Department prior to the actual time of conveyance.

The terms "County Engineer" and "County Auditor", as used herein, include the respective officers and employees of each office.

STANDARDS GOVERNING CONVEYANCES OF REAL PROPERTY IN
MIAMI COUNTY, OHIO
REQUIREMENTS

COUNTY AUDITOR

1. All instruments of conveyance must first be approved for transfer by the Miami County Engineer's Office. Real property conveyance fee statement of value form (DTE 100) or statement or reason for exemption from real property conveyance fee form (DTE 100EX) must be completely filled out, signed, and submitted with the instrument. Instruments of conveyance include deeds, easements, or other instruments by which an interest in real property is conveyed, transferred, or terminated.
2. 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 Ohio Revised Code (ORC) Section 5301.252 is provided 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.
3. 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 office for public inspection.

4. Minor 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, or due to a change in name, and similar differences of a minor nature, must be explained in the document itself or an affidavit, as required by ORC Section 5301.252 (B) (1).
5. 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 an affidavit pursuant to ORC Section 5301.252 or a memorandum of trust pursuant to ORC Section 5301.255. In the event that a successor trustee appears as grantor on a deed, the successor trustee must record an affidavit pursuant to either ORC Section 5302.171 or 5301.252 to explain how the person or entity now holds title as a successor trustee (which affidavit shall include certified copies of the death certificates of the preceding trustees in the event that the succession is due to the death of a preceding trustee, along with a legal description of the property to be conveyed and the required conveyance form.) Such an affidavit is not required if the original trust instrument names the trustees and successor and contains relevant facts pertaining to the successor of trustees, or if a memorandum of trust in compliance with ORC Section 5301.255 that contains relevant facts pertaining to the succession of trustees is recorded in the office of the Miami County Recorder.
6. Land Contracts shall be approved by the County Engineer's Office and then stamped received with a date by the Auditor's office prior to recording.
7. The following are subject to special transfers:

(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 Section 317.22.

(B) – Transfer of Survivorship Interest

A transfer of a survivorship interest shall be made pursuant to ORC Section 5302.17, upon presentation of a certificate of transfer, as provided by ORC Section 2113.61, of affidavit accompanied by a certified copy of a death certificate of the deceased joint tenant.

(C) – Transfer by Affidavit under ORC Section 5301.252

A transfer of the name of the owner or any one of the owners may be made by affidavit pursuant to ORC Section 5301.252 (B) (1). No transfer shall be made by affidavit pursuant to ORC Section 5301.252 (B) (2) and (B) (3), except in the case of the termination of a life estate or survivorship estate.

(D) – Transfer on Death Designation Affidavit

A transfer on death affidavit evidencing death pursuant to a transfer on death designation affidavit shall be executed with all of the formalities required under ORC Section 5302.22 and 5302.23.

8. In some cases, affidavits or documents may be submitted to the Auditor's Office that do not require the transfer of real property. Examples may involve, but not limited to, correcting marital status, scrivener's errors, easements for a property, documents submitted to correct prior chain of title discrepancies on a property, Memorandum of Trust to a successor trustee that isn't transferring interest, etc. Such instruments will be referenced in the Auditor's Office property record books, and the actual document will be stamped with the Transfer Not Necessary "TNN" stamp. The document will then be sent to the County Recorder's Office.
9. Conveyance fee checks submitted to the Auditor's Office that are over the actual amount of the fee will not be accepted. Only checks made out to the Miami County Auditor with correct amounts will be accepted.
10. The County Auditor's Office will also review the instrument of conveyance for standard items required for all estate descriptions, such as Grantor, Grantee, their tax mailing address, Grantor's signatures, and notary stamp. Once verified that the above items are included, the County Auditor shall proceed with the transfer.

COUNTY ENGINEER

GENERAL CONVEYANCE

All new metes and bounds descriptions must conform to the Minimum Standards for Boundary Surveys in the State of Ohio per Chapter 4733-37 of the Ohio Administrative Code.

1. Descriptions of existing parcels of land for the purpose of settling an estate and descriptions for transferring land between members of immediate family when no consideration is given shall be exempt from requirements that the legal description be satisfactory and, therefore, can proceed with as is.
2. When there is an exception to a parcel of land contained in the deed description, the exception must comply with all requirements contained herein. The number of exceptions is limited to two (2).
3. If the description contained in the instrument is a description of a surveyed parcel of land, reference shall be made giving the name of the surveyor and the volume and page number of the Miami County Engineer's record of land surveys. (ORC Section 5301.25)
4. Reference shall be made in the deed to the instrument by which the grantors acquired title to the property. (ORC 319.20)
5. The tax mailing address of the grantee must be on the deed.
6. ***The County Auditor's parcel number must be stated on the instrument. For newly created parcels that do NOT yet have a parcel number in the Auditor's system, state the parent parcel number from which the parcel is being created.***
7. All metes and bounds descriptions must have an error of closure not greater than 1 in 2,000 for existing descriptions on record and not greater than 0.02 ft. latitudes and 0.02 ft. departures for new descriptions from new surveys.
8. Any splitting or dividing of parcels are subject to City, Village, County, and/or Township approvals and are required to be surveyed by a surveyor licensed by the State of Ohio.
9. ***Conveyances that do not convey 100 % of the interest of the property must state exactly what percentage is being conveyed.***
10. ***All instruments and/or descriptions must be legible.***
11. ***There is no requirement for pre-approval of legal descriptions, but it is encouraged. When submitting a legal description for pre-approval, the following is required.***

a. The legal description shall be the unexecuted document or the attached exhibit that will be used for the conveyance of said parcel.

- 1. We will NOT stamp previous deeds for pre-approval; however, they may be submitted as historical evidence. NOTE: That does not guarantee a legal description is still good for transfer.***

CONVEYANCE OF LAND WITHIN INCORPORATED CITIES OR VILLAGES

1. Situate clause must state city or village, Miami County, Ohio.
2. If an entire inlot is being conveyed, only the present inlot number and city or village name must appear in the description. It is recommended that the plat book and page that created the inlot be referenced in the description. When applicable, the Official Records Imaging Number (ORIN) of the plat book and page should be referenced (from Jan. 2009 to early May 2014 it will be 20XXOR-XXXXX and after May 7th, 2014 to Present it will be 20XXP-XXXXX).
3. If an entire outlot is being conveyed, only the present outlot number and city or village name must appear in the description. It is recommended that the plat book and page that created the outlot be referenced in the description.
4. If part of an inlot or outlot is being transferred or excepted, that part must be described by a metes and bounds description tied to a lot corner or intersection of street right-of-way lines. An exception to the preceding will be when rectangular shaped lots are split by parallel lines. In such cases, it must be distinguished as to whether the distance taken by parallel lines is a frontage distance or a perpendicular distance. Acreage must be given for part of inlots and/or outlots and if the description is part of more than one inlot and/or outlot, the acreage from each part must be stated.

CONVEYANCE OF LAND WITHIN THE TOWNSHIPS

1. Situate clause must state Township, section, town, and range, quarter section(s) or fractional section, Miami County, Ohio
2. The parcel to be transferred must have a metes and bounds description. The terms “in a northerly direction,” “with the meanderings of a river or creek,” or “along road” are not definite nor adequate enough to be used in a description. An accurate amount of acreage being transferred must be shown in the description. Exception to this requirement will be a transfer of an entire quarter section.

3. Descriptions for land transferred in the Townships must be referenced to an established monumented point of beginning such as, but not limited to: section or quarter section corners, platted lot corners, or centerline intersections of streets or highways record. The type of monuments set or found shall be noted. (ORC 4733-37-05 & 06)
4. An exception to requirements number 1 and 2 above will be when a lot in a recorded subdivision in the Township is being transferred. The name of the Township, section, town, and range, the subdivision name and the section/phase of the subdivision, lot or tract number, and the plat book and page that created the lot must be given. When part of a lot in a recorded subdivision, the description must be either by metes and bounds tied to a platted lot corner or section corner, or when the lot is rectangular it may be described as a lot split by parallel lines and the distance taken by parallel lines must distinguish whether it is a frontage distance or a perpendicular distance. In all cases where a part of a lot is transferred, the acreage must be given along with the name of the Township, section, town, and range, the subdivision name and the section/phase of the subdivision, lot or tract number, and the plat book and page that created the lot.
5. When a parcel lies in two or more sections or in and out of a city, incorporated village, or unincorporated village the acreage to the third decimal place attributable to each shall be stated and labeled.

CONVEYANCE OF LAND WITHIN UNINCORPORATED VILLAGES

1. If a parcel of land being transferred is all of a lot as shown on a record plat filed in Miami County Recorder's Office, the lot number, unincorporated village name, the plat book and page, Township name, section, town, and range, Miami County, Ohio must be given.
2. If part of a lot as shown on a record plat recorded in the Miami County Recorder's Office is being transferred or excepted, the description must be by metes and bounds tied to a platted lot corner or section corner, or when the lot is rectangular it may be described as a lot split by parallel lines and the distance taken by parallel lines must distinguish whether it is a frontage distance or a perpendicular distance.
3. If a parcel of land within the boundary of an unincorporated village is not a lot as shown on a record plat filed in the Miami County Recorder's Office, then the description must meet the requirements as outlined under "Conveyance of Land in the Townships."

WHEN NEW LEGAL DESCRIPTIONS ARE REQUIRED

4733-37-06 DESCRIPTIONS

(A) When a surveyor is called upon to prepare a new description, either to replace an existing description which is inadequate or to create a new piece of property, said description shall include the following items:

(1) Sufficient caption so that the property can be adequately identified. {3 **Addendums**}

(1.1) {**Addendum**} Denotation of state and county, or where located within incorporated lines, the caption must denote municipality name.

(1.2) {**Addendum**} Where located within an unincorporated area the caption shall denote township name, section number, town number, range number, quarter section or fractional section, and when applicable, allotment name, lot number(s) and plat book volume and page of said allotment or any former lot number(s) and allotment name or, where in a municipality, the municipal inlot or outlot number assigned thereto.

(1.3) {**Addendum**} Denotation of legal name(s) of current record titleholder and deed reference as to the parent parcel(s) at the time of transfer.

(2) A relationship between the property in question and clearly defined control station(s). {3 **Addendums**}

(2.1) {**Addendum**} It is preferred the control stations be within the same quarter section as the property being described. Acceptable control stations or starting point references are monumented section corners, monumented quarter corners, monumented platted lot corners, monumented platted subdivision corners or monumented street centerline intersections.

(2.2) {**Addendum**} If a section corner or quarter section corner is used as a control station, the compass direction of the quarter section should be referenced.

(a) Annexation legal descriptions **must** use a section corner or quarter section corner as a control station.

(2.3) **{Addendum}** All courses between the starting reference point and the property being described shall be along existing lines of record and shall be so identified.

(3) The basis of the bearings.

(4) A citation to the public record of the appropriate prior deed(s).

(5) The surveyor's name, Ohio registration number and date of writing and/or survey.

(B) A metes and bounds description shall include, in addition to paragraph (A) of this rule:

(1) A description of the boundary monument used as the initial point of the description.

(2) A series of calls for successive lines bounding the parcel, each of which specifies: {5 **Addendums}**

(2.1) **{Addendum}** Each course of a new metes and bounds description shall be a separate paragraph, and all courses of boundary must be stated in a clockwise direction from the true place of beginning.

(2.2) **{Addendum}** Courses that have the same bearing must state the overall length between angle points.

(a) The intent in regards to adjoining or other existing features. {2 **Addendums}**

(i) **{Addendum}** A call along existing property lines indicating the current owner of the adjoining property together with the acreage or deed reference, or allotment name, or Public Land Survey System line, and/or other existing physical features that would add clarity.

(ii) **{Addendum}** References to roads, rivers, streams, railroads, or other features of landscape included in the description must be current or existing numbers or names of record. Old or original names may also be mentioned if they would add clarity.

(b) The direction of the line relative to the direction of the basis of bearing and stated in degrees, minutes, seconds to the nearest second.

- (c) The length of the line, **{Addendum}** recited to the second decimal place.
- (d) A description of the boundary monument (or reference monument) and whether found or set to identify the end of the particular line.
- (e) All curved lines shall indicate the radius, central angle, curve length, chord bearing, chord length and direction of the curve.
- (f) The reported boundary data shall meet the closure requirements of paragraph (C) of 4733-37-04 of the Administrative Code. **{1 Addendum}**
 - (i) **{Addendum}** If available, a closure sheet that shows the mathematical verification of the perimeter closure and must include the bearing, distance and/or curve data for each course, coordinates and the area of each parcel.

(3) The area of the parcel. **{4 Addendums}**

- (3.1) **{Addendum}** A statement of the acreage contained within its perimeter calculated to the third decimal place.
- (3.2) **{Addendum}** For properties subject to easements for highway purposes, the description shall contain a statement of the acreage within the right of way and cite the County Engineer's Road Record or municipal record. The total acreage contained within the road right of way shall be recited to the third decimal place. If no record for the road right-of-way, then contact the Miami County Engineer's Tax Map Department for further guidance.
- (3.3) **{Addendum}** Acreage shall be attributed to the quarter section in which it lies or to separate parts of inlots or outlots (within a municipality).
- (3.4) **{Addendum}** When a new parcel is created from more than one existing parcel, the acreage to the third decimal place attributable to each shall be stated.

(C) Descriptions other than metes and bounds descriptions may be reference to a recorded survey plat or a parcel on a recorded survey plat and shall include sufficient and adequate legal and technical wording so that the property can be definitely located and defined.

(D) A statement shall appear indicating that either: the description was made in accordance with a recent survey and the date thereof, or the description was made based on a previous survey, of a certain date, and date of description, or the description was not based on a survey. {3 **Addendums**}

(1) {**Addendum**} The Volume and Page number of the Survey Plat that the legal description is based upon must be provided. The description must be based upon lines and monuments shown on the referenced Survey Plat filed and recorded in the Miami County Engineer's Tax Map Department record of land surveys. The referenced, recent or previous survey on which a description is based upon must meet current MCEO Tax Map Department measurement and closure requirements.

(2) {**Addendum**} Submittal of a legal description to the Miami County Engineer's Tax Map Department for review and approval is considered affirmation the description was prepared in conformance with the Ohio Revised Code and Ohio Administrative Code in description preparation.

(3) {**Addendum**} Inclusion of the surveyor's original signature and reproducible seal on the submitted description is encouraged.

(E) When the surveyor knows a new description is to be used for a fee transfer, the surveyor shall base the description on a current or updated survey of the property.

(F) {**New Addendum**} Instruments containing new metes and bounds descriptions, which meet all of the aforementioned requirements will be stamped accordingly and the proper notations will be made on the instrument of conveyance, verifying a correct tax structure to the County Auditor.

(G) {**New Addendum**} Splits within the unincorporated territory of the County shall be reviewed by an authorized representative of the Miami County Planning Commission. Splits within municipalities shall be approved by the municipal planning commission, or the authorized representative thereof.

(H) {**New Addendum**} All new original surveyor's metes and bounds descriptions shall be submitted as separate sheet(s) attached to the new plat of survey, being on 8.5" x 11" (letter) or 8.5" x 14" (legal) size paper.

(I) {**New Addendum**} All new deeds splitting, combining, or retracing property for the first time of transfer, must attach as an exhibit, a copy of the surveyor's originally supplied legal description.

(1) **{New Addendum}** The parent parcel number should be referenced as well.

(J) **{New Addendum}** A space of at least 2" in height shall be available at the end of the legal description in the deed for Tax Map Department stamps.

(K) **{New Addendum}** Pursuant to O.R.C. § 4733.23, no legal description shall be accepted for approval by the County Engineer's Tax Map Department unless prepared by a professional surveyor currently registered in the State of Ohio.

PLAT OF SURVEY and RECORD OF PLATS

All new Plat of Surveys and Record of Plats must meet the Standards for Boundary Surveys in the State of Ohio per Chapter 4733-37 of the Ohio Administrative Code and per Section 711 of the Ohio Revised Code.

4733-37-01 Preamble {No Addendums}

These rules are intended to be the basis for all surveys relating to the establishment or retracement of property boundaries in the state of Ohio. When the case arises where one or more provisions herein must be abridged due to local condition, the abridgement shall be clearly indicated on plats and/or legal descriptions and reports. Where local or other prescribed regulations exist, which are more restrictive than these rules, the survey shall conform to all local and state regulatory standards.

When a client desires only a portion of his property surveyed, and this portion can be clearly isolated from the remainder of the property without affecting the interests of adjoining owners, these rules shall apply to the survey of only the desired portion.

4733-37-02 Research and Investigation {No Addendums}

(A) The surveyor shall consult deeds and other documents, including those for adjacent parcels, in order to assemble the best possible set of written evidence of every corner and line of the property being surveyed.

(B) After all necessary written documents have been analyzed, the survey shall be based on a field investigation of the property. The surveyor shall make a thorough search for physical monuments,

and analyze evidence of monumentation and occupation. In addition, the surveyor shall, when necessary, confer with the owner(s) of the adjoining property and the owner(s) of the property being surveyed.

4733-35-03 Monumentation {No Addendums}

(A) The surveyor shall set boundary monuments so that, upon completion of the survey, each corner of the property and each referenced control station will be physically monumented.

(B) When it is impossible or impracticable to set a boundary monument on a corner, the surveyor shall set a reference monument, similar in character to the boundary monument and preferably along one of the property lines which intersect at that corner. When such a reference monument is used, it shall be clearly identified as a reference monument on the plat of the property and in any new deed description which may be written for the property.

(C) Every boundary monument and/or reference monument set by the surveyor shall, when practicable:

- (1) Be composed of a durable material.
- (2) Have a minimum length of thirty inches.
- (3) Have a minimum cross-section area of material of 0.21 square inches.
- (4) Be identified with a durable marker bearing the surveyor's Ohio registration number and/or name or company name.
- (5) Be detectable with conventional instruments for finding ferrous or magnetic objects.

(D) When a case arises, due to physical obstructions such as pavements, large rocks, large roots, utility cables, etc., so that neither a boundary monument nor a reference monument can be conveniently or practicably set in accordance with paragraph (C) of this rule, then alternative monumentation, which is essentially as durable and identifiable (e.g., chiseled "X" in concrete, drill hole, etc.) shall be established for the particular situation.

4733-35-04 Measurement Specifications {No Addendums}

All measurements shall be made in accord with the following specifications:

(A) The surveyor shall keep all equipment used in the performance of surveying in proper repair and adjustment.

(B) Every determination of distance shall be made either directly or indirectly in such a manner that the linear error in the distance between any two points (not necessarily adjacent points) shall not exceed the reported distance divided by ten thousand (allowable linear error = reported distance divided by ten thousand) and every angular measurement shall be made in such a manner that the allowable (directional) error, in radians, shall not exceed the allowable linear error divided by the reported distance (allowable (directional) error = allowable linear error divided by reported distance). When the reported distance is less than two hundred feet, the linear error shall not exceed 0.02 feet. The reported distance is the distance established by the survey.

(C) In all new descriptions and plats of survey, the lengths and directions of the lines shall be specified so that the mathematical error in closure of the property boundary does not exceed 0.02 feet in latitudes and 0.02 feet in departure.

(D) Surveys performed using metric measurements shall utilize the metric equivalents based upon the U.S. survey foot conversion factor.

4733-37-05 Plat of Survey {Multiple Addendums}

(A) The surveyor shall prepare a scale drawing of every individual survey, or drawings comprising all of the surveys when they are contiguous, in which the surveyor retraces previously established property lines or establishes new boundaries. **{No Addendums}**

(B) A copy of this drawing shall be given to the client. When required, another copy shall be filed with the appropriate public agencies. **{6 Addendums}**

(1) **{Addendum}** Every new metes and bounds description shall be accompanied by a scale drawing filed with the Miami County Engineer's Tax Map Department. Pursuant to O.R.C. § 4733.23, no plat of survey shall be accepted for approval by the Tax Map Department unless prepared by a professional surveyor currently registered in the State of Ohio.

(a) **{Addendum}** Plats shall be formatted in landscape on 18"x24" mylar.

- (b) **{Addendum}** The upper right-hand corner of the plat shall have “Volume____
Page_____” “Miami County Engineer’s Record of Land Surveys” (must be on all sheets).
- (c) **{Addendum}** Recorder’s plats shall have “Volume____ Page_____” “Miami County Recorder’s Record of Plats” in the upper right-hand corner of the plat (must be on all sheets).
 - 1. **{Addendum}** Plat must have “Prepared By:” statement on it.
- (d) **{Addendum}** Approval Signature Block with lines for County Engineer and Deputy Engineer

(C) The surveyor shall include the following details: 16 **Addendums**}

- (1) A title such that the general location of the survey can be identified. The title shall include, but not be limited to: state, county, civil township or municipality, and original land subdivision description. {2 **Addendums**}
 - (a) **{Addendum}** When located within an unincorporated area the caption must denote Civil Township name, section number, town number, range number, quarter or fractional section, and when applicable, allotment name, lot number(s) and plat book volume and page of said allotment or any former lot number(s) and allotment name along with the current name of the parcel being surveyed.
 - (b) **{Addendum}** When located within a municipality, include the municipal inlot or outlot number(s) and, the plat book volume and page and, when applicable, ORIN of the record plat (from Jan. 2009 to early May 2014 it will be 20XXOR-XXXXX and after May 7th, 2014 to Present it will be 20XXP-XXXXX).
- (2) A North arrow with a clear statement as to the basis of the reference direction used. {**No Addendums**}
- (3) The control station(s) or line cited in the description and the relationship of the property to this control must be referenced to an established monumented point of beginning such as, but not limited to: centerline intersection of streets or highways record, section or quarter section corners, Virginia military survey corners or lines, or platted lot corners. The type of monuments set or found at the control stations shall be noted. {2 **Addendums**}

- (a) **{Addendum}** It is preferred the control stations be within the same quarter section as the property being described. Acceptable control stations or starting point references are monumented section corners, monumented quarter corners, monumented platted lot corners, monumented platted subdivision corners, or monumented centerline intersections of streets or highways record.
 - (b) **{Addendum}** If a section corner or quarter section corner is used as a control station, include the compass direction of the quarter section.
 - 1. The control station for annexation plats **must** be a section corner or quarter section corner.
- (4) A notation at each corner of the property stating that the boundary monument specified in the deed description was found, or that a boundary monument was set, or a legend of the symbols used to identify monumentation. In addition, there shall be a statement describing the material and size of every monument found or set. **{No Addendums}**
- (5) A general notation describing the evidence of occupation that may be found along every boundary line or occupation line. **{1 Addendum}**.
- (a) **{Addendum}** Each course along an existing boundary/property lines must call out the adjoining property owners' name at the time of the field survey, acreage, deed reference, or allotment name and lot number(s), or Public Land Survey System line, parcel number, and/or other existing physical features. Courses creating new lines of division must be labeled as such.
- (6) The length and direction of each line as specified in the description of the property or as determined in the actual survey if this differs from what is stated in the deed description by more than the tolerance specified in paragraph (B) of rule 4733-37-04 of the Administrative Code. The length and direction shall be stated as follows: -. **{1 Addendum}**
- (a) Bearings expressed in degrees, minutes and seconds and distances expressed in feet and decimal parts thereof on each course. If a metric equivalent distance is stated, it shall be stated to the third decimal place.
 - 1. **{Addendum}** Distances in feet shall be recited to the second decimal place.
 - (b) All curved lines shall indicate the radius, central angle, curve length, chord bearing and chord distance.

- (c) Each course shall show other common lines such as the centerline of roads, rivers, streams, section lines, quarter section lines, half section lines or other pertinent common lines of record.
- (7) A citation of pertinent documents and sources of data used as a basis for carrying out the work. The citation shall include but not be limited to: current deeds as of the date of the survey, prior deeds or other documents of record, and available deeds of record for adjoining parcels along each boundary line of the survey. If the adjoining parcel is a recorded subdivision, only the subdivision name, recording information and lot numbers need to be shown. **{No Addendums}**
- (8) The written and graphical scale of the drawing. **{3 Addendum}**
- (a) **{Addendum}** Plats shall be depicted in standard engineering scales.
 - 1. **{Addendum}** Acceptable scales: 1" = 10', 1" = 20', 1" = 30', 1" = 40', 1" = 50', 1" = 60', 1" = 100', 1" = 200', 1" = 300', or 1" = 400".
 - 2. **{Addendum}** Unacceptable scales: 1" = 75', 1" = 125', 1" = 150', and 1" = 175'.
- (9) The date of survey. **{No Addendums}**
- (10) The surveyor's printed name and Ohio registration number, signature and seal (in a form which may clearly reproduce on any copies which may be made of the original drawing). **{2 Addendums}**
- (a) **{Addendum}** The surveyor's original signature and reproducible seal
 - (b) **{Addendum}** The surveyor's current address and/or phone number.
- (11) The area contained within the perimeter of the surveyed parcel. **{13 Addendums}**
- (a) **{Addendum}** The plat of survey shall show the parcel number of the parcel being surveyed.
 - (b) **{Addendum}** The plat of survey shall show the acreage contained within the perimeter calculated to the third decimal place.
 - (c) **{Addendum}** For properties subject to easements for highway purposes, the plat shall show the right-of-way line and contain a statement of the acreage within the right-of-way citing the County Engineer's Road Record or municipal records. The total acreage

contained within the road right-of-way shall be recited to the third decimal place. For roads with no record of right of way contact the Miami County Engineer's Tax Map Department for further guidance.

- (d) **{Addendum}** Acreage shall be attributed to the quarter section in which it lies or to separate parts of inlots or outlots (within a municipality).
- (e) **{Addendum}** When a new parcel is created from more than one existing parcel(s) or lot(s) an acreage breakdown is required. The acreage to the third decimal place attributable to each shall be stated and labeled.
 - 1. **{Addendum}** Each parcel number shall be stated and labeled.
- (f) **{Addendum}** Municipal corporations submitting annexation plats which create a division of one tax parcel into more than one tax parcel must indicate the acreage remaining outside the municipal corporation and name in which such acreage stands either on the plat or by separate documentation. The acreage to the third decimal place attributable to each shall be stated and labeled.
 - 1. **{Addendum}** Acreage breakdowns are required when the territory being annexed is from more than one section, unincorporated village, etc. Acreage breakdown by quarter section may be required. The acreage to the third decimal place attributable to each shall be stated and labeled.
 - 2. **{Addendum}** All parcel numbers shall be stated and labeled.
 - a. **{Addendum}** Those of the parcels within the proposed annexation boundary
 - b. **{Addendum}** Those of the parcels that are adjacent to the proposed annexation boundary

(12) Roads or railroads contiguous to the surveyed parcel shall use current names or names of record and applicable right-of-way widths, if available. **{No Addendums}**

(13) All references to rivers or streams shall use current names of record, if available **{No Addendums}**

(14) **{NEW Item}** Splitting of a parcel **{5 Addendums}**

- (a) **{Addendum}** Survey plats depicting a property split or cut-up shall utilize a symbol to show the location, type, and size of each existing building on each parcel surveyed if relevant to the survey. If no buildings, state as such. If the location of existing

buildings is relevant to the survey, the offset distance from property lines shall be shown. It is the responsibility of the surveyor to ensure conformance with any local zoning codes, ordinances, etc.

1. **{Addendum}** A statement of intent in regards to the survey, split, transfer, etc. of the parcel is to be provided on the survey plat.
2. **{Addendum}** Other statements and, or standards relevant to the property survey-split may be required by other Miami County departments, Township's, Agencies, or Entities with jurisdictional oversight. The surveyor is responsible for investigation, inclusion, and compliance with all requirements and standards.
3. **{Addendum}** When the intent is to transfer the split parcel to an adjacent property owner, show an ownership hook connecting the proposed split parcel to the adjacent owner's property.
 - a. **{Addendum}** Ensure the plat has the appropriate statement and signature block for adjacent property ownership transfer.

COUNTY RECORDER

1. Only the original copy of a document will be accepted for recording. A true and accurate copy of a document may be accepted for recording, so long as the document meets the requirements set forth in ORC 317.112.
2. All documents transferring title to real estate must be stamped with the approval of the Auditor and Engineer.
3. Each document must be signed by the grantor(s) and the signing shall be acknowledged by the grantor, mortgagor, vendor, or lessor, or by the trustee, before a judge or clerk of a court of record in this state, or a county auditor, county engineer, Notary public, or mayor, who shall certify the acknowledgement and subscribe the official's name to the certificate of the acknowledgement.
4. The signatures of each individual or entity signing the document must be legible or, the name of the individual signing the document must be typed, stamped or legibly handwritten immediately beneath the signatures of the individual signing the document.
 - a. This does not apply to any instrument executed prior to October 11, 1945, nor to the following: Any decree, order, judgment, or writ of any court; any will, or death certificate; any instrument executed or acknowledged outside this state. This section does not apply to any instrument upon which the signature itself is printed, typewritten, or stamped.
5. Each document must contain a statement indicating who the document was prepared by.
6. Each document must conform to Ohio Standardization Guidelines as set forth in ORC 317.114.
7. Each document must be of sufficient paper quality so as to permit reproduction by photographic or micro photographic process.
8. Each document must be written in the English language, or contain a translation, which has been certified in accordance with ORC Section 317.113.
9. Checks mailed in made out to the Miami County Recorder must be for the exact amount. No change will be mailed back.

Standard format of instruments to be recorded

Except as otherwise provided in divisions (B) and (C) of this section, an instrument or document presented for recording to the county recorder shall have been prepared in accordance with all of the following requirements:

Legible print size not smaller than a font size of ten;

Minimum paper size of eight and one-half inches by eleven inches;

Maximum paper size of eight and one-half inches by fourteen inches;

Black or blue ink only;

No use of highlighting;

Margins of one-inch width on each side of each page of the instrument or document;

A margin of one-inch width across the bottom of each page of the instrument or document;

A three-inch margin of blank space across the top of the first page of each instrument or document to accommodate any certification or indorsement of the county engineer, county auditor, or county recorder, as may be required by law, with the right half of that margin being reserved for the indorsement of the county recorder required by section 317.12 of the Revised Code; and

A one and one-half-inch margin of blank space across the top of each of the remaining pages of the instrument or document to accommodate any certification or indorsement of the county engineer, county auditor, or county recorder, as may be required by law.

Except as otherwise provided in division (B)(2) of this section, the county recorder shall accept for recording an instrument or document that does not conform to the requirements set forth in division (A) of this section but shall charge and collect the following additional fees for each such instrument or document: an additional base fee for the recorder's services of ten dollars and a housing trust fund fee of ten dollars, which shall be collected pursuant to section 317.36 of the Revised Code.

The county recorder shall accept for recording an instrument or document that does not conform to the requirements set forth in division (A) of this section but shall not charge and collect the additional fees specified in division (B)(1) of this section for page numbers, hand-written, typed, or printed initials, bar codes, copyright information, trailing portions of signatures, plat description of any oil and gas well location or drilling unit or lease, or any other incidental information that is not essential to the recording process or to the legal validity of the instrument or document and that may appear in either of the side margins or in the bottom margin. In addition, notary stamps and seals and any signatures and initials that may appear within the instrument or document need not satisfy the font size requirement and no additional fees may be charged or collected by the county recorder for such a nonconformance.

This section does not apply to any of the following:

Any document that originates with any court or taxing authority;

Any document authorized to be recorded under section 317.24 of the Revised Code;

Any plat, as defined in section 711.001 of the Revised Code, that is required or authorized by the Revised Code to be recorded;

Any document authorized to be recorded that originates from any state or federal agency;

Any document executed before July 1, 2009.

RESOLUTION NO. 25-07-785

SET HEARING DATE(S)
MODIFY STANDARDS GOVERNING THE CONVEYANCES OF REAL PROPERTY IN
MIAMI COUNTY, OHIO
(O.R.C. 319.203)

COUNTY ENGINEER

Mr. Simmons introduced the following Resolution and moved it be adopted:

WHEREAS, the Miami County Engineer's Office in conjunction with the Miami County Auditor wish to modify the Conveyance Standards and in accordance with O.R.C. 319.203, have requested to hold two public hearings, not less than ten days apart, concerning the adoption of the standards; and

WHEREAS, the Miami County Engineer's Office has requested two hearing dates be established for to give testimony either for or against said Standards Governing Conveyances for Real Property in Miami County, Ohio; and

WHEREAS, notice of said hearings shall be advertised in a newspaper of general circulation which shall be established as Sunday, July 6, 2025, in the Dayton Daily News as well as on the County's website.

NOW, THEREFORE BE IT RESOLVED, by the Board of Miami County Commissioners, to set the date of Thursday, July 24, 2025 at 1:40 p.m. in the Commissioners' Hearing Room, Miami County Safety Building, to hear testimony for the proposed modified conveyance standards for real property in Miami County, Ohio and further set the second public hearing to be established as Tuesday, August 5, 2025 at 9:10 a.m..

Advertise: Sunday, July 6, 2025

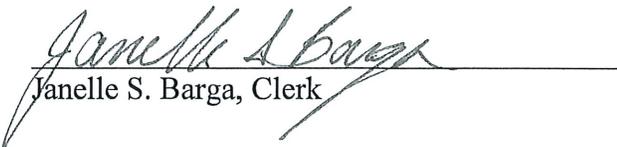
Mr. Westfall seconded the motion and the Board voted as follows upon roll call:

Mr. Simmons, Yea; Mr. Mercer, Yea; Mr. Westfall, Yea.

DATED: July 1, 2025

CERTIFICATION

I, Janelle S. Barga, Clerk to the Board of Miami County Commissioners, do hereby certify that this is a true and correct transcript of action taken by the Board under the date of July 1, 2025.



Janelle S. Barga, Clerk

Cc: Journal
 Files
 Engineer
 Recorder
 Auditor

RESOLUTION NO. 25-07-906

**PUBLIC HEARING #1 HELD
STANDARDS GOVERNING THE CONVEYANCES
OF REAL PROPERTY**

MIAMI COUNTY RECORDER

On this 24th day of July, 2025, a Public Hearing for the standards governing the conveyances of real property in Miami County, Ohio convened at 1:40 p.m. in the Commissioners' Hearing Room.

Ted S. Mercer, Wade H. Westfall, and Gregory A. Simmons, Miami County Commissioners, were present. Also present from Miami County were:

Michael Clarey, Administrator of Commission
Janelle S. Barga, Clerk of Commission
Matthew Gearhardt, Miami County Auditor
Mark Storms, Miami County Engineer
David Norman, Miami County Recorder

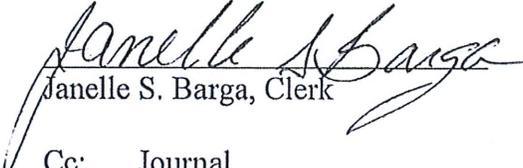
All stated above were present. Citizens had an opportunity to speak, but no citizens attended. The digital recording of the proceedings is available upon request.

Hearing adjourned at 1:42 p.m., with no action taken.

DATED: July 24, 2025

CERTIFICATION

I, Janelle S. Barga, Clerk to the Board of Miami County Commissioners, do hereby certify that this is a true and correct transcript of action taken by the Board under the date of July 24, 2025.


Janelle S. Barga, Clerk

Cc: Journal
Files
Recorder
Engineer ✓

RESOLUTION NO. 25-08-940

**PUBLIC HEARING #2 HELD
STANDARDS GOVERNING THE CONVEYANCES
OF REAL PROPERTY**

MIAMI COUNTY RECORDER

On this 5th day of August, 2025, a Public Hearing for the standards governing the conveyances of real property in Miami County, Ohio convened at 9:10 a.m. in the Commissioners' Hearing Room.

Ted S. Mercer, Wade H. Westfall and Gregory A. Simmons, Miami County Commissioners, were present. Also present from Miami County were:

Janelle S. Barga, Clerk of Commission
Matthew Gearhardt, Miami County Auditor
Mark Storms, for Miami County Engineer
David Norman, Miami County Recorder

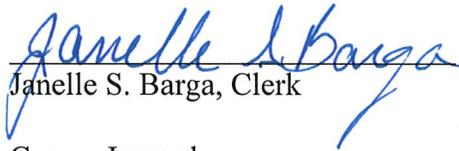
Attached is a list of citizens present. All citizens had an opportunity to speak. The digital recording of the proceedings is available upon request.

Hearing adjourned at 9:20 a.m., with no action taken.

DATED: August 5, 2025

CERTIFICATION

I, Janelle S. Barga, Clerk to the Board of Miami County Commissioners, do hereby certify that this is a true and correct transcript of action taken by the Board under the date of August 5, 2025.


Janelle S. Barga, Clerk

Cc: Journal
Files
Recorder
Engineer

RESOLUTION NO. 25-08-952

ADOPT THE PROPOSED CHANGES TO THE MIAMI COUNTY STANDARDS
GOVERNING THE CONVEYANCES OF REAL PROPERTY
AS PER SECTION 315.251 OF THE OHIO REVISED CODE

COUNTY ENGINEER

Mr. Simmons introduced the following resolution and moved it be adopted:

WHEREAS, the Miami County Engineer's Office in conjunction with the Miami County Auditor agree and recommend approval to adopt revised Standards governing the conveyances of real property in accordance with O.R.C. 319.203 to the Miami County Board of Commissioners; and

WHEREAS, the Miami County Board of Commissioners held two public hearings in accordance with O.R.C. 319.203 on the proposed changes on July 24, 2025 and on August 5, 2025, with public comment heard; and

WHEREAS, the Board of Miami County Commissioners hereby specifically find and declare that said revision, is necessary to ensure proper and accurate descriptions of property and to govern the conveyance of real property to be transferred on the tax list of Miami County; and

WHEREAS, the Miami County Board of Commissioners in accordance with Ohio Law adopt the Standards Governing Conveyances and are hereby adopted in duplicate and a copy shall be kept and maintained in the office of the Miami County Auditor and in the Office of the Miami County Engineer.

WHEREAS, all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board which resulted in formal action were taken in meetings open to the public, in full compliance with applicable legal requirements, including those set forth in Section 121.22 of the Ohio Revised Code.

Now, therefore be it

RESOLVED, by the Board of Miami County Commissioners to adopt the Standards Governing Conveyances" and are hereby adopted in duplicate, as per Section 319.203 of the Ohio Revised Code.

BE IT FURTHER RESOLVED, the County Auditor shall not transfer any conveyance that does not comply with those standards.

The motion to adopt this resolution was seconded by Mr. Westfall with the Board voting as follows upon roll call:

Mr. Westfall, Yea;

Mr. Simmons, Yea;

Mr. Mercer, Yea;

DATED: August 12, 2025

CERTIFICATION

I, Janelle S. Barga, Clerk to the Board of Miami County Commissioners, do hereby certify that this is a true and correct transcript of action taken by the board under the date of August 12, 2025.


Janelle S. Barga, Clerk

Cc: Journal
Files
Engineer – Map Department ✓
Auditor – Matt Gearhardt
Recorder – David Norman