

SUMMARY OF SUBSTANTIVE CHANGES TO THE 2005 ALTA/ACSM MINIMUM STANDARD DETAIL REQUIREMENTS

The 2005 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys are effective January 1, 2006. As of that date, all previous versions of the Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys are superseded by these 2005 standards.

Introductory paragraph:

It is recognized and understood that local and state standards or standards of care, which surveyors in those respective jurisdictions are bound by, may augment, or even require variations to the standards outlined herein. Where conflicts between the standards outlined herein and any jurisdictional statutes or regulations occur, the more restrictive requirement shall apply.

This change was made to better explain that if there is variation from local or state standards that the more restrictive standard will apply. This language permits changes to these standards when required by local or state standards.

Paragraph 1:

The request shall set forth the record description of the property to be surveyed or, in the case of an original survey, the record description of the parent parcel that contains the property to be surveyed. Complete copies of the record description of the property (or, in the case of an original survey, the parent parcel), any record easements benefiting the property, the record easements or servitudes and covenants burdening the property ("Record Documents"); documents of record referred to in the Record Documents; and any other documents containing desired appropriate information affecting the property being surveyed and to which the survey shall make reference shall be provided to the surveyor for notation on the plat or map of survey.

This revision clears up the issue of an original survey (newly created parcel of land) in which there is no existing description to be provided. The record description and documents burdening the parent parcel shall be provided.

Paragraph 5(a)

All data necessary to indicate the mathematical dimensions and relationships of the boundary represented, with angles given directly or by bearings, and with the length and radius of each curve, together with elements necessary to mathematically define each curve. The point of beginning of the surveyor's description shall be shown as well as the remote point of beginning if different. A bearing base shall refer to some well-fixed line, so that the bearings may be easily re-established. The North arrow shall be referenced to its bearing base and should that bearing base differ from record title, that difference shall be noted.

This revision removed the requirement for all bearings to read in a clockwise direction. This requirement was often not practical, especially if an existing description was to the contrary.

Paragraph 5(c)

Measured and record distances from corners of parcels surveyed to the nearest right-of-way lines of streets in urban or suburban areas, together with recovered lot corners and evidence of lot corners, shall be noted. For streets and highways abutting the property surveyed, the name, the width and location of pavement relative to the nearest boundary line of the surveyed tract, and the width of existing rights of way, where available from the controlling jurisdiction, shall be shown. Observable evidence of access (or lack thereof) to such abutting streets or highways shall be indicated. Observable evidence of private roads shall be so indicated. Streets abutting the premises, which have been described in Record Documents, but not physically opened, shall be shown and so noted.

Revision removed the requirement to show the nearest intersecting street and moved it to the Table A Optional requirements. New requirement to show the name, width and location of the pavement abutting the subject property. The width of the right of way is also to be show, if the information is available for the controlling jurisdiction.

Paragraph 5(g)

The location of all buildings upon the plot or parcel shall be shown and their locations defined by measurements perpendicular to the nearest perimeter boundaries. The precision of these measurements shall be commensurate with the Relative Positional Accuracy of the survey as specified in the current Accuracy Standards for ALTA/ACSM Land Title Surveys. If there are no buildings erected on the property being surveyed, the plat or map shall bear the statement, "No buildings." Proper street numbers shall be shown where available.

Revision clarifies that dimensions from building should be only to the nearest perimeter boundaries. Also state that the precision of these measurements (buildings) shall be commensurate with ALTA/ACSM Accuracy Standards.

Paragraph 5(j)

Driveways, alleys and other ways of access on or crossing the property must be shown. Where there is evidence of use by other than the occupants of the property, the surveyor must so indicate on the plat or map. Where driveways or alleys on adjoining properties encroach, in whole or in part, on the property being surveyed, the surveyor must so indicate on the plat or map with appropriate measurements.

Revision adds "other ways of access" to "Driveways and alleys" so as not to limit means of access to only Driveways and alleys

Paragraph 5(k)

As accurately as the evidence permits, the location of cemeteries and burial grounds (i) disclosed in the Record Documents provided by client or (ii) observed in the process of performing the field work for the survey, shall be shown.

Revision states that location of cemeteries "disclosed by records provided by client" and removes the language "disclosed in the process of researching title to the premises" since the surveyor is not tasked with researching title.

Paragraph 6

As a minimum requirement, the surveyor shall furnish two sets of prints of the plat or map of survey to the title insurance company or the client. If the plat or map of survey consists of more than one sheet, the sheets shall be numbered, the total number of sheets indicated and match lines be shown on each sheet. The prints shall be on durable and dimensionally stable material of a quality standard acceptable to the title insurance company. The record title description of the surveyed tract, or the description provided by the client, and any new description prepared by the surveyor must appear on the face of the plat or map or otherwise accompany the survey. When, in the opinion of the surveyor, the results of the survey differ significantly from the record, or if a fundamental decision related to the boundary resolution is not clearly reflected on the plat or map, the surveyor may explain this information with notes on the face of the plat or map or in accompanying attachments. If the relative positional accuracy of the survey exceeds that allowable, the surveyor shall explain the site conditions that resulted in that outcome with a note on the face of the map or plat.

This revision pertains to the property description. Previously, the standards implied that a new description must be prepared based on the survey and that it was to appear on the survey. The revision now states that if a new description is prepared and it differs from the record description (provided by client) BOTH descriptions must appear on the face survey (or attached). The revision goes on to state that if they differ significantly the survey may explain why in a note or attached report. Additionally the revision adds a stipulation that if the relative positional accuracy exceeds the allowable the survey shall explain why.

Paragraph 8 – Certificate

To (name of client), (name of lender, if known), (name of title insurance company, if known), (name of others as instructed by client):

This is to certify that this map or plat and the survey on which it is based were made in accordance with the "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by ALTA and NSPS in 2005, and includes Items _____ of Table A thereof. Pursuant to the Accuracy Standards as adopted by ALTA and NSPS and in effect on the date of this certification, undersigned further certifies that in my professional opinion, as a land surveyor registered in the State of _____, the Relative Positional Accuracy of this survey does not exceed that which is specified therein.

Date: (signed) (seal) Registration No. _____

Revisions to the required certificate mostly due to the new Relative Positional Accuracy requirements and the fact that the "Minimum Angle, Distance and Closure requirements were deleted from the standards. There are no longer three options as in the past version of the standards. Alternately there is certificate which specifies what the actual Relative Positional Accuracy is if it does not meet those specified in the accuracy Standards.