

Sec. 20-300b-2. Property/boundary and limited property/boundary surveys

(a) Property/Boundary and Limited Property/Boundary Surveys require sufficient investigation, study, field measurement and evaluation of factors affecting boundaries, real property interests and other relevant matters with respect to the subject real estate to enable the surveyor to render a professional opinion as to boundary locations and any conflicts therewith.

These surveys require the preparation of a detailed field survey and are intended to present the surveyor's property/boundary opinion. It is recognized that certain factors pertaining to boundary line determination are beyond the surveyor's purview and may require agreements between abutting property owners or action by the courts. Facts surrounding such circumstances shall be noted.

(b) Types of Property/Boundary Surveys

(1) Property Survey

A Property Survey depicts the position of boundaries with respect to:

- (A) locations of all boundary monumentation found or set;
- (B) apparent improvements and features, including as a minimum: dwellings, barns, garages, sheds, driveways, roadways, surface utilities, visible bodies of water and swimming pools;
- (C) record easements and visible evidence of the use thereof;
- (D) record and apparent means of ingress and egress;
- (E) lines of occupation, including as a minimum: fences, walls, hedges and yards;
- (F) deed restrictions pertaining to the location of buildings or other apparent improvements;
- (G) unresolved conflicts with record deed descriptions and maps;
- (H) all apparent boundary encroachments; and
- (I) monumentation required to be set at all corners created by a deflection angle of not less than 70 degrees between two consecutive courses and at intervals not to exceed 600 feet (180 meters) along the boundaries between said corners, except where natural or man-made monumentation defines or occupies the line. Refer to Section 20-300b-14 of these regulations for a description of acceptable monuments. Except when intended for use for Subdivision or Resubdivision applications, this requirement may be waived only through written agreement between surveyor and client and with a notation on the map that all monumentation found or set has been depicted.

(2) Perimeter Survey

A Perimeter Survey depicts a strip along the boundaries, the minimum width of which shall be 15 feet (5 meters), oriented 10 feet (3 meters) within and 5 feet (2 meters) beyond the parcel limits. The purpose of this type of survey is to document the boundary locations by depicting and noting their position with respect to:

- (A) locations of all boundary monumentation found or set;
- (B) apparent improvements and features, including as a minimum: dwellings, barns, garages, sheds, driveways, roadways, surface utilities, visible bodies of water and swimming pools;
- (C) record easements and visible evidence of the use thereof;
- (D) record and visible means of ingress and egress;

- (E) lines of occupation, including as a minimum: fences, walls, hedges and yards;
- (F) unresolved conflicts with existing deed descriptions and maps;
- (G) deed restrictions pertaining to the location of buildings or other apparent improvements;

- (H) apparent boundary encroachments; and

- (I) monumentation required to be set at all corners created by a deflection angle of not less than 70 degrees between two consecutive courses and at intervals not to exceed 600 feet (180 meters) along the boundaries between said corners, except where natural or man-made monumentation defines or occupies the line. Refer to Section 20-300b-14 of these regulations for a description of acceptable monuments. This requirement may be waived only through written agreement between the surveyor and client and with a notation on the map that all monumentation found or set has been depicted.

(c) Types of Limited Property/Boundary Surveys

(1) Existing Building Location Survey

An Existing Building Location Survey depicts the position of all buildings on the property with respect to boundaries, record easement lines and pertinent municipal setback requirements and deed restrictions. No other improvements or features need be depicted.

(2) Zoning Location Survey

A Zoning Location Survey depicts the position of existing or proposed improvements with respect to applicable municipal setback requirements. The purpose of this type of survey is to enable determination of compliance with said requirements. The specific scope of the improvements and matters being addressed by the survey shall be noted. If existing record easements on the subject property may be affected, they shall be depicted. Only those portions of the property, and improvements and features of the property pertinent to the issues being addressed shall be depicted.

(3) Improvement Location Survey

An Improvement Location Survey depicts the position, horizontally and, where required, vertically, between particular existing or proposed improvements with respect to the applicable municipal or statutory requirements. The purpose of this type of survey is to enable determination of compliance with said requirements. The specific scope of the improvements and matters being addressed by the survey shall be stated or a reference to said municipal or statutory requirement shall be noted. If existing record easements on the subject property may be affected, they shall be depicted.

(4) Subdivision or Resubdivision Map

A Subdivision or Resubdivision Map depicts the layout of lots and the associated public or private highways, easements and lands and is intended for submission to applicable regulatory entities. This map shall conform to the requirements of a Property Survey or be submitted along with a Property Survey. The monumentation requirements of Article III of these regulations do not apply to the Original Survey portions.

(5) Easement Map

An Easement Map depicts the position of existing or proposed easements with respect to:

- (A) boundary monumentation found or set;
- (B) improvements and features, including as a minimum: dwellings, barns, garages,

sheds, driveways, roadways, surface utilities, visible bodies of water, fences, walls, hedges, yards and swimming pools;

(C) other record easements and visible evidence of the use thereof; and

(D) unresolved conflicts with record deed descriptions and maps.

All visible encroachments shall be depicted or noted thereon. For boundaries intersected by the easement lines, the surveyor shall indicate the Boundary Determination Category used.

(6) **Boundary Stake-Out**

A Boundary Stake-Out depicts the physical position of markers set on property lines or corners. The surveyor shall issue a signed and sealed letter or sketch indicating the monuments or markers set and indicating the Boundary Determination Category used. No other features need be depicted.

(d) **Additional Requirements**

All survey types listed in subsections (b) and (c) of this section shall comply with the following:

(1) AA, A-1 or A-2 Classes of Horizontal Accuracy, as defined in subsection (b) of Section 20-300b-11 of these regulations.

(2) monumentation or marker location requirements, as defined in Section 20-300b-13 of these regulations;

(3) research requirements, as defined in Article IV of these regulations;

(4) distances along boundary or easement lines shall be expressed to the nearest .01 of a foot (.003 meters), except where said lines are irregular and constantly changing, as along a body of water;

(5) directions shall be defined by angles, bearings or azimuths, along boundary or easement lines expressed to the nearest 10 seconds for Class A-2 and to the nearest 1 second for Class AA and A-1, except where said lines are irregular and constantly changing, as along a body of water;

(6) curved lines shall be defined with the central angle, radius, arc length and tangent. For curves which are not tangent to an adjoining course, the information required to reproduce them shall be indicated. Lines which are radial shall be so noted;

(7) in areas where lines are irregular and constantly changing, as along a body of water, meander, tie or reference lines shall depict or note the position of points located along said lines and allow for a mathematical closure of the map;

(8) adjoining properties shall be identified by most recently published owners' names (N/F, now or formerly) or by subdivision map and lot numbers;

(9) areas shall be noted in acres (hectares) or square feet (square meters);

(10) all monuments or markers set or found shall be depicted and adequately described. When reference markers have been used, their position with respect to the boundary shall be indicated; and

(11) a north arrow shall be depicted on every sheet. The reference to grid, magnetic or north from another map, shall be noted. If magnetic, the date of the reading shall be noted.

(e) **Boundary Determination Categories**

The category used in determining property/boundary opinions for all survey types listed in subsections (b) and (c) of this section shall be identified within the title or notes on the

map, and shall be one of the following:

(1) First Survey:

A First Survey is a survey of existing property lines made when the surveyor has not found a map or other document of the subject property, such as a metes and bounds description which represents a previous surveyor's professional opinion. The volume and page containing the record description of the subject property shall be noted. If the surveyor has found a prior survey, the current survey is by definition, a Resurvey.

(2) Resurvey:

A Resurvey is a retracement of the property lines of an originating survey and any subsequent Resurveys, in which the recovered markers and any other pertinent physical and record evidence are evaluated and found to be appropriate for reliance and update. A Resurvey may be an update of one's own prior survey, or a survey of another surveyor. Referenced maps or descriptions of the property surveyed shall be noted, including recording data, map titles, dates and surveyor's names. If, in the course of conducting a Resurvey, the surveyor determines that the results will conflict with the record, the term Independent Resurvey shall be used, and the differences warranting the independent boundary opinion shall be noted.

(3) Original Survey:

An Original Survey indicates and defines proposed property lines or parcels of land. The Boundary Determination Category of existing boundaries shall be indicated.

(Adopted effective June 21, 1996; Amended October 26, 2018)