

Boundaries and Easements

Boundary

What is it?



“A SEPARATION, NATURAL OR
ARTIFICIAL WHICH MARKS THE
DIVISION OF 2 CONTIGUOUS
PROPERTIES”



What is the
importance of
boundaries?



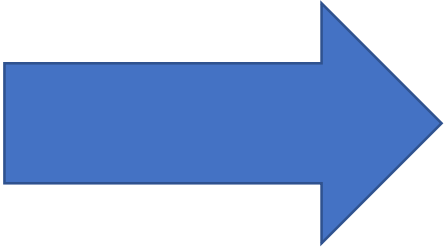
Boundaries of property presumably represent ownership.

Types of boundaries:

- Road
- Creek or River
- Fence
- Survey Line
- Other descriptive items

Where does the
boundary identification
come from?

When ownership of
property is transferred.

Seller  Buyer

Document used for this is a
“Deed”

Common types of deeds

- Warrantee
- Quit Claim
- Sheriffs
- Administrator

What is on the Deed?








Seller and the buyers name
Description of the boundary

What is involved in the “description” (for
new parcel)

Five parts of work of
surveyor:



What is involved in the survey of preparing a new description

-  Research
-  Field Measurements
-  Input, plot, compute
-  Drawing with description
-  Staking out – pipes or rebar mark the boundary

What is involved in survey of an existing description?

1. Research
2. Field Measurements
3. Input, plot & compute, drawing
4. Staking out corners of property boundaries

Typical types of existing descriptions.....

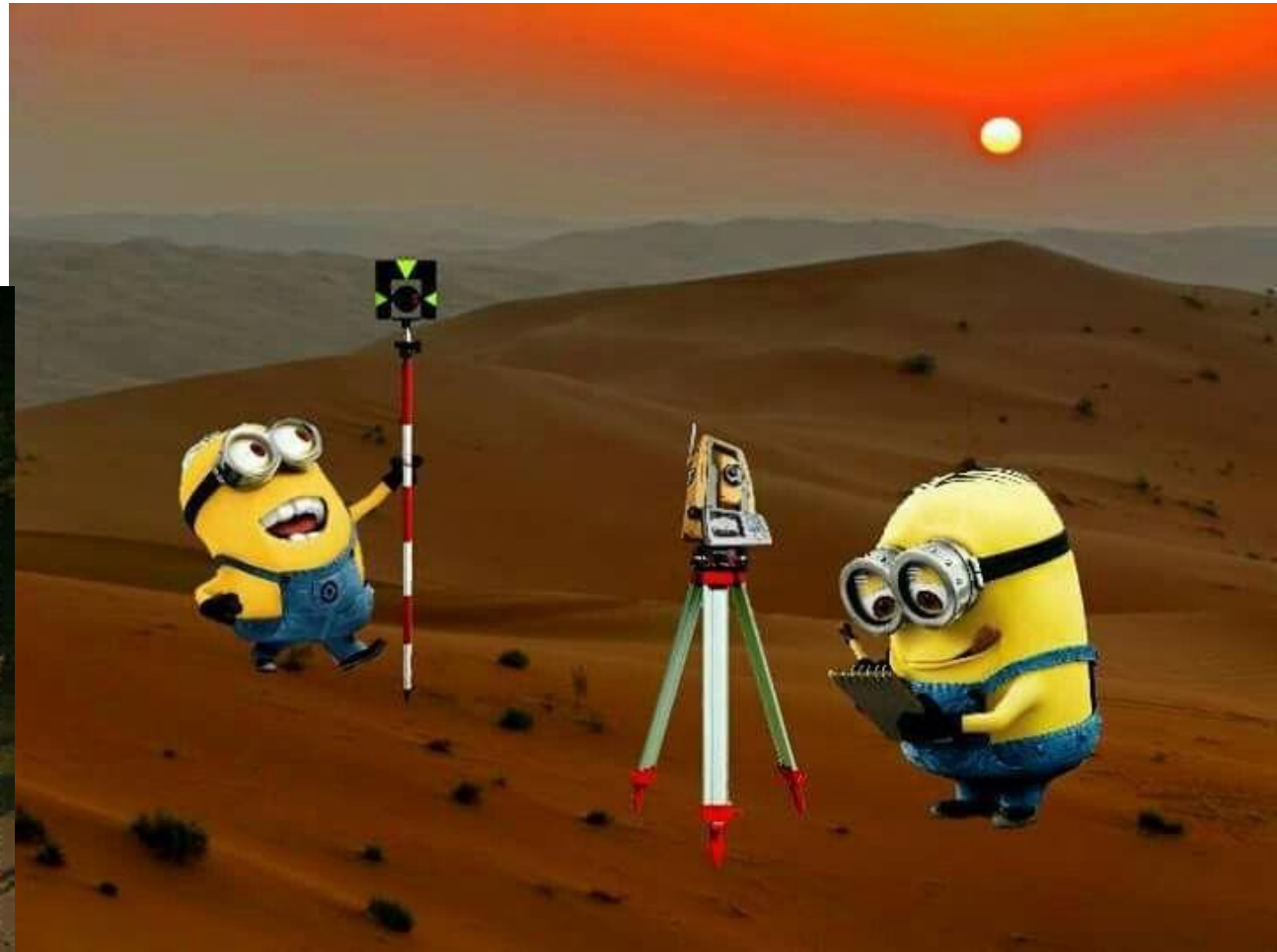
- Aliquot i.e. NE 1/4, SW1/4....
- Lot (and block) of a platted and recorded subdivision i.e. Lot 22 of Austin Acres Subdivision
- Metes and Bounds i.e. commencing at the NW corner of Sec 22, T2N R2W; thence east 242.16'; thence south 147.32' etc.

Metes and Bounds can be
quite lengthy.

A typical procedure when property is bought...

- Description prepared
- Deed prepared using description
- Proof of ownership by seller is provided to buyer
- Title (ownership) researched by Title Company
- Anything of record regarding the land is discovered
i.e. liens, divorce etc.

Easements



“A right created by grant, reservation, agreement, prescription or necessary implication which one person has in the land of another”

May be recorded document or court ordered.



- Mutual agreement (verbal)
- Prescriptive Easement open and continuous use
- Utility easements – overhead, underground
 - Generally recorded documents
 - Can be dedicated on subdivision plat when the subdivision plat gets recorded

Items of Concern and interest

- Width
- Gated and/or locked
- Surface maintenance responsibilities
- Fenced or not?
- Possible zoning issues?
- Frontage