

Requirements for all Deed Transfers

All deed descriptions must be approved by the Tax Map Department of the Clinton County Engineers Office. Real property conveyance fee statement of value form, or statement of reason for exemption from real property conveyance fee form must be filled out and signed and must be submitted with deed. It is strongly recommended that all deeds be approved before closing.

GENERAL REQUIREMENTS

1. All lots in any municipality on regularly recorded plat need only be designated by the City or Village, Subdivision, and present lot number.
2. Any new legal description of an outlot or part, or divided lot should have adequate dimensions or description tied into a lot or street intersection or a recorded plat with a bearing on the lot line or street line intersection.
3. Any new tract or farm description must be referenced to some known and established point, such as a road intersection or Recorded Plat corner.
4. Any tract or farm to be transferred must have a metes and bounds description. All metes and bounds descriptions must have an error of closure not greater than 1 in 500 for existing descriptions on record. All new descriptions from new surveys must meet the minimum standards as set forth by the State Board of Registration for Engineers and Surveyors. (O.R.C. Section 4733.37)
5. In new surveys, when a tract lies in two or more different Military Surveys, Townships, Counties, or in and out of a corporation, the description shall show how much acreage is in each.
6. When there is an exception to a parcel or tract of land contained in the deed description, the exception must comply with all requirements contained herein. The number of exceptions per tract shall be limited to three (3).
7. Reference shall be made in the deed to the instrument by which the Grantors acquired title to the property being conveyed giving the deed book number and page number of the Clinton County Recorder's Deed Record, Official Record or Registered Land Record. (O.R.C. Section 319.20)
8. The person or persons preparing the deed shall put on his "prepared by statement." (O.R.C. Section 317.111)
9. The tax mailing address of the grantee must be on the deed.

10. If the description is of a surveyed parcel of land, the description must include the name of the Surveyor and show the Volume and Plat Number of the Clinton County Engineer's Record of Land Surveys. (O.R.C. Section 5301.25)
11. The following are exceptions to the foregoing requirements:
 - a) Descriptions of existing tracts or parcels of land for the purpose of settling an estate.
 - b) Descriptions for transferring existing parcels of land between members of family when no consideration is given.
 - c) Descriptions for transferring parcels as a result of Judicial sales, deed in lieu of foreclosure, or pursuant to court of competent jurisdiction.
 - d) Descriptions contained in any instrument which is not necessary to transfer ownership of the tract or parcel on the tax duplicate and is presented for recording solely to correct a title defect.
 - e) Descriptions contained in any land contract filed for record before the effective date of these requirements. (These will still be subject to the requirements that were in effect at the time the contract was filed.)

The foregoing exceptions shall not exempt the future transfer of the parcel by that description from the general requirements.

Wanda E. Armstrong
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