

## PRACTICES AND PROCEDURES FOR THE HANCOCK COUNTY AUDITOR'S OFFICE

This document is being circulated to cover commonly asked questions regarding County policy.

Section I describes common legal descriptions which are unsuitable for fee transfer (non-exempt).

Section II requires new surveys to be first conveyed as its own parcel and not as a less and except to an existing tract.

Section III states that the County Auditor will need to review pre-approved surveys approved prior to March 1, 2007.

Section IV covers requirements for parcel combinations.

- I. Existing descriptions which are not a complete metes and bounds survey,  $\frac{1}{2}$  or  $\frac{1}{4}$  fraction(s) of a section, or lots (including uniform portions thereof) are not permitted for fee transfer. The following list shows examples of existing legal descriptions unacceptable for fee transfer which must be resurveyed and/or redescribed.
  - a. Points of beginning shall be limited to a section corner, quarter section corner, corner of a recorded lot, monumented road intersection or points acceptable as determined by the County Engineer.

The following are examples of unacceptable Points of Beginning:

    - I. "The northwest corner of a lot owned by John Doe"
    - II. "Commencing at a point in the center of County Rd 3"
    - III. "Beginning at the Southwest corner of the above described parcel"
    - IV. Any Points of Beginning reliant upon road/railroad right of way lines or highway stationing plans
  - b. Any description in which a distance or location is implied. Examples include: "a southerly strip 75 feet of uniform width off the south side of said tract", "North 10 acres off the west  $\frac{1}{2}$  of section 4" , "All the land north of the angling road in section 4" , etc.
  - c. Deeds referencing natural features such as creeks or trees as property lines while lacking a call and/or bearing.
  - d. Calls in a metes and bounds description lacking a discrete bearing and/or distance (i.e. "thence 200 feet in a northwesterly direction along said road" , "thence east to the point of beginning" , "thence west approximately 200 feet") Note: if the intent is to follow an established lot line or section line, descriptions such as "thence Southerly, parallel to the west lot line of lot 1 a distance of 100 feet" will be acceptable.
  - e. Metes and bounds descriptions lacking an acreage or having an inaccurate acreage listed.
  - f. Metes and bounds descriptions that do not mathematically close.

- g. Fractional portions of Sections described as an unusual acreage (i.e. not 20, 40, 80, 160 acres)
- h. Descriptions referenced to multiple parcel numbers. (i.e. "NW ¼ SE ¼ of Section 4 being permanent parcel numbers 02-88888 and 02-88889", "lot 12 being parcel numbers 01-88888 and 01-88889", etc.)  
One description can be referenced to multiple parcels if an acreage breakdown is given and if situated in:
  - I. Multiple sections
  - II. Multiple taxing districts
  - III. Platted and unplatted lands
  - IV. Multiple subdivisions
- i. Is known to overlap another parcel whether surveyed or not.
- j. Legal description not matching the short legal on the Auditor's property card. ("& PT ALY" is a common discrepancy)

The County Auditor's staff is always able to review legal descriptions for compliance prior to transfer. Situations not covered by this list shall be interpreted on a case by case basis by the County Engineer.

- II. New surveys shall not contain an exception thereto or used as an exception (less and except) to an existing parcel on the initial instrument of conveyance. Creating an initial deed of record will be required before transferring the remainder.
- III. Surveys pre-approved prior to March 1, 2007 will need to be rechecked prior to transfer to ensure they meet the most current Standards. Allow up to 2 days for a proper review.
- IV. Parcels may be combined for taxing purposes under the criteria listed below.
  - a. Requests may be made in person at the Auditor's office or over the telephone by either the individual owner(s) or their attorney.
  - b. Deeds with one description referenced to multiple parcels may be subject to being combined at time of transfer.
  - c. The parcels must be owned under the same exact name (i.e. William M. Smith vs. Bill Smith)
  - d. The parcels must be in the same land use class type. (i.e. residential parcels should not be combined with commercial or industrial parcels)
  - e. The location of the parcels must be:
    - I. contiguous
    - II. in the same taxing district
    - III. in the same section (if unplatted)
    - IV. in the same subdivision (if platted)