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TECHNICAL
TOPICs

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New Requirements for ALTA/ACSM Land Title Surveys

American Land Title Association (ALTA) and American Congress on Survey and Mapping (ACSM) Land Title Surveys have been a fundamental part of land transactions since the 1960's. Lenders rely on receiving a Survey Endorsement from a title company before they will approve and fund a loan. The endorsement provides the lender insurance that the land being conveyed is the same land shown on the ALTA/ASCM Land Title Survey and the legal description.

Every four to five years, ALTA and the National Society of Professional Surveyors (NSPS) adopt updates to the minimum standards for land title surveys. Effective February 23, 2011, all land title surveys will be required to meet the 2011 *Minimum Standard Detail Requirements For ALTA/ACSM Land Title Surveys*. Examples of the significant changes include:

Language has been added that encourages discussion about the scope of work necessary to satisfy the expectations for non-standard property uses (i.e., leased areas, etc.). This may eliminate the need to survey the entire parcel if the leased area is only a small portion of the parent parcel, resulting in lower survey costs. The standards also specify that the client is responsible for securing access to the property and adjacent property if necessary.

The 2011 standards state that the survey bears the "unaltered" certification as specified in the standards. In the past, surveyors and lenders would negotiate what was acceptable certification language on a case by case basis. The new certification requirement will simplify the proposal process now that only the standard certification will appear on the ALTA/ACSM Land Title Survey.

Along with changes to the main body of the minimum standards, three new items have been added to the Optional Table A items. Item 19 addresses the "location of wetland areas as delineated by appropriate authorities." The implications of this item will vary greatly depending upon the regulations of the region. Item 20 addresses the depiction of off-site improvements within easements and servitudes that benefit and burden the subject property. The inclusion of this item may require additional field data collection and processing resulting in higher survey costs. Finally, Item 21 requires the surveyor to obtain a minimum amount of Professional Liability Insurance throughout the contract term. This item protects all parties involved with the survey.

Transitions from one set of standards to the next may create unique challenges, but being aware of the changes can reduce unexpected surprises.

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