

## **180-7-.02 Land Titles and Location. Amended.**

(1) Every parcel of land whose boundaries are surveyed by a licensed land surveyor should be made conformable with the record title boundaries of such land. The land surveyor prior to making such a survey, shall acquire all necessary data, including deeds, maps, certificates of title, centerline and other boundary line locations in the vicinity. He shall compare and analyze all of the data obtained and make most nearly correct legal determination possible of the position of the boundaries of such parcel. He shall make a field survey traversing and connecting all available monuments appropriate or necessary for the location, and coordinate the facts of such survey with the pre-determined analysis. Not until then shall the monuments marking the corners or such parcel be set, and such monuments shall be set in accordance with the full and most satisfactory analysis obtainable.

(2) Any description written for conveyance or other purpose, defining land boundaries, shall be complete and accurate from a title standpoint, providing definite and unequivocal identification of the lines or boundaries, and definite recitals as to use or rights to be created through such descriptions. Any form of descriptions, regardless of presence or absence of any or all dimensions, but specifically tying to adjoiners, which fulfills the foregoing conditions, is acceptable. However, such description, insofar as possible, in addition to all necessary ties to adjoiners, should contain sufficient data of dimension, determined from accurate field survey, to enable the description to be completely platted. It is also advisable wherever correct surveys have determined the coordinate values of boundary corners or monuments recited in a description, to make proper reference thereto in the description by any appropriate recital.

(a) In the event that the land surveyor determines that it is not possible to make the survey of a parcel of land conformable with the record title of such land or that it is not possible to coordinate the predetermined analysis with the field survey, the surveyor shall explain the reason for his determination and shall denote indisputable language, the source and reason for the corners, lines, and/or areas as shown on the plat. Such reasons may include, but are not limited to, the following: Disputed, property lines or areas; possession lines; acquiescence; adverse possession; unrecorded deeds; proposed purchase (new parcels); dubious and nebulous deed descriptions; and any adverse claim. This paragraph shall not be construed in any way to allow the surveyor to evade his/her responsibilities under the law.

(3) Any surveys made for purposes other than location of land boundaries need only the ordinary information and data necessary to fix the situs of the work to be done, by one or more ties to some known and accepted title boundary line or corner, together with such other data as may be required to the project into adjoining matters appurtenant.

Authority Ga. Code 84-21; O.C.G.A. Secs. 43-15-1(6)(A-G) & 15-6-67(b)(4) & 43-15-1(6)(a)(1).

**Administrative History.** Original Rule was filed and effective on June 30, 1965. **Amended:** Original Rule entitled "Identification Number" repealed by Emergency Rule entitled "Land Titles and Location." Filed and effective on July 31, 1975, for a period of 120 days or until a permanent Rule covering the same subject matter has been adopted superseding this Emergency Rule. **Amended:** Permanent Rule adopted. Filed November 4, 1975; effective November 24, 1975. **Amended:** F. Aug. 9, 1990; eff. Aug. 29, 1990.

**Amended:** F. May 11, 2001; eff. May 31, 2001.