

2021 Suggestions (as of 10/01/19)

NOTE: The Chair of the committee has committed to documenting all suggestions, thus appearance on this list of any particular items does not necessarily represent his endorsement. When work begins in earnest on the next version of the ALTA/NSPS Standards (circa Spring 2020), the NSPS and ALTA committees will review every suggestion and make a corresponding recommendation to address it, or not, in the next version.

Red and **Green** are comments based on the 9/26/19 NSPS Committee meeting in Orlando.

Blue are comments added since 9/26/19 regarding sections of the standards that were already reviewed on 9/26/19.

A section on definitions? [Committee's consensus was that this is an interesting suggestion, but is not needed.]

Prepare a comprehensive list of notes for ALTA/NSPS surveys [Todd E. 10/1/18]. [Committee's consensus was that surveyors should be responsible for producing their own surveys and writing their own notes.]

An introductory note? *"This survey was prepared using the 20XX Standards as established by ALTA and NSPS for Land Title Surveys as said standards were in effect at the time of the initial request/contract for survey. It is understood and accepted by all parties involved that said standards may no longer be current but will still be used for the purpose of this survey."* [Todd D. 9/6/19] [Committee's sense was that this is a contract issue, not a standards issue.]

A section on "updates" that addresses:

- No updates if the original was done to an obsolete set of standards (duh)
- No updates if the title company has changed
- No updates of surveys if your firm didn't do the original (duh)
- No updates if the LS in your company who did the original died, retired or moved on
- No updates if the Table A requirements changed significantly [Committee's consensus was that this is a practice and/or contract, and likely a legal, issue (vis-à-vis State laws and standards)]

Section 1 – Add mention of mineral interests to list of atypical properties. [Discuss with ALTA general treatment of mineral interests vis-à-vis standards.] [Committee's consensus is that this is really just another atypical interest, and we do not need to list every potential atypical situation. Gary Kent will discuss with ALTA]

Section 2 – The client is advised to seek the guidance of flood plain, wetlands, environmental, archeological or other appropriate experts if there are concerns related to those or similar items. [Committee's consensus was that surveyors should handle this in their dealings with the client]

Section 3.D. – "Resolution" of boundary implies the surveyor will solve problems. But gaps and overlaps are title issues, and boundary conflicts are issues that must be solved by the respective owners not the surveyor. Need to clarify what we mean by "resolve?" [Committee's consensus was this is a good idea Just have the title say "Boundary" and strike the word "Resolution."]

Section 3.E.v. – Should read "0.07 feet (2 cm) plus 50 parts per million" in order to be consistent with reference to "feet and meters" in Section 3.E.i. (CA) [Committee understands the suggestion that the listings of units should be in a consistent order. The original basis for the standard was metric, so we will change 3.E.i. from "feet or meters" to "meters or feet."]

Section 3.E. – Measurement standards. See correspondence with Earl Burkholder on 4/25/16 and 7/20/17, et seq. Suggestions in SaGES Conference paper from 7/30-8/3/17 (read introduction): (1) Change the name of the criteria from relative positional precision to positional tolerance; (2) Stipulate that the standards are speaking to local accuracy as the basis for the comparison of the position of one point to another; (3) Be more specific as to the computational process such that it preserves mathematical and geometric integrity. [Gary Kent has had discussions with Earl Burkholder on this topic and he will talk more with Earl on his specific suggestions.]

Section 4 – Reword/reorder this Section to make it all one distinct list rather than, for example, “The request shall set forth...” more clear that title work has to be provided. [grk] [Gary Kent will propose draft language to that end for the committee’s consideration]

Section 4 – Add wording, viz., “Except, however, if the documents outlined above in (i) and (ii) of this section, or if the current record description of the property to be surveyed or, in the case of an original survey, the current record description or recording information for the parent parcel that contains the property to be surveyed, are not provided to the surveyor, or if non-public or quasi-public documents are required to complete the survey, the surveyor shall be required to conduct only that research which is required pursuant to the statutory or administrative requirements of the jurisdiction where the property being surveyed is located and that research (if any) which is negotiated and outlined in the terms of the contract between the surveyor and the client.” [grk] [This will be also be addressed with above suggestion immediately above]

Section 4 - (i) The following documents from records established under state statutes for the purpose of imparting constructive notice of matters relating to real property (public records): [Justin E.] [Committee’s consensus was this is a good suggestion coming from the ALTA committee itself.]

Section 4(?) – What about mineral interests? See emailed primer from Justin Earley on 4/22/16 in ALTA Questions Outlook folder. [Committee’s consensus was that this falls in the same realm as the suggestion above regarding atypical properties. Gary Kent will discuss with ALTA.]

Section 4 - What we would like to see is a type of ALTA/NSPS survey where a title commitment is not required up front; where the surveyor provides a title commitment with the deliverables. I think this would be a win-win for the surveyors because we would be bringing work and \$ to the title company. The surveyor would have better knowledge about selecting a title company and of course would be able to mark up the fees for the title commitment. Rather than the Title Company recommending a surveyor, the Surveyor would hire the Title Company to do their part of the process. What they [US Army Corps of Engineers as related to the Southern Boundary Barrier] are trying to avoid here is getting title commitment on a 10,000 acre ranch, then going back and getting a title commitment on the 7 acres that we are going to purchase. (from USACE 9/19)

Section 4 (or Section 5.C.(new subsection)) – Add a requirement that the surveyor contact the insurer if he or she is aware of a recorded easement that is not listed in the title commitment (or other title evidence) provided. If the title company reports that the easement has not been released, the surveyor must show it on the face of the plat or map even if not listed in the commitment. [Committee’s consensus was that this is a good practice, but that it should not be a requirement. [Gary Kent noted that ALTA committee will also be considering this suggestion and if they think it is worth exploring, the committees will work together to make sure it does not create unwarranted liability for surveyors.]

Section 5 – Intro: clarify that the precisions outlined here are for physical features only and are independent of the boundary precision which is explained in Section 3. [Committee’s consensus was that we should add wording stating that boundary precision is addressed in Section 3.E.]

Section 5.A. – Use the words “survey markers” rather than “monuments.” [OH Bar Assoc.] [Committee’s consensus was that “Monuments” is the proper term of art in surveying and, besides, it also covers natural monuments, whereas “marker” would not.]

Section 5.B.ii. – Does the “travelled way” include sidewalks, especially where they adjoin the roadway? [WV] [Committee’s consensus was that Section 5.B.iv. covers this question, i.e., sidewalks or paths are to be shown regardless.]

Section 5.B.v. - Eliminate use of the word “encroaching” [also in Section 5.C.iii. and Table A item 11] [Committee’s consensus was that this addressed with the “without expressing a legal opinion’ wording prefacing each use of the word encroach and with the word “potential”]

Section 5.C. (new subsection) (or Section 4) – Add a requirement that the surveyor contact the insurer if he or she is aware of a recorded easement that is not listed in the title commitment (or other title evidence) provided. If the title company reports that the easement has not been released, the surveyor must show it on the face of the plat or map even if not listed in the commitment. [See related suggestion above under Section 4 - Committee’s consensus was that this is a good practice, but that it should not be a requirement. Gary Kent noted that ALTA committee will also be considering this suggestion and if they think it is worth exploring, the committees will work together to make sure it does not create unwarranted liability for surveyors.]

Section 5.C.ii. – Include “*or occupation*” in sentence on natural vegetation. i.e., “...unless they are deemed by the surveyor to be evidence of possession or occupation pursuant to Section 5.C.i.” [grk] [Committee’s consensus was, Yes, do this.]

Section 5.C.ii. – What do we mean by “natural vegetation?” (i.e., does this include human-planted ornamentals?) [Gary Kent and the NSPS Committee will talk to ALTA and Dick Bales (who provided the original wording) in October . Perhaps delete the word “natural?”]

Section 5.C.iii. – Eliminate use of the word “encroaching” [also in Section 5.B.v. and Table A item 11] [See above under 5.B.v. - Committee’s consensus was that this addressed with the “without expressing a legal opinion’ wording prefacing each use of the word encroach and with the word “potential”]

Section 5.D. – Buildings on foundations only? Or...? [WV] [Gary Kent and the NSPS Committee will talk with ALTA about this issue in October]

Section 5.D. – Permanent buildings [Gary Kent and the NSPS Committee will talk with ALTA about this issue in October]

[END OF ITEMS REVIEWED AT 9/26/19 NSPS Committee Meeting]

Section 5.E.i. – Add wording, viz., “The location, size, character, type and origin (if known) of any monuments found during the fieldwork.”

Section 5.E.i., ii., iii. and iv. – Add utility locate paint marks as examples.

Section 5.E.i. and/or ii. Nearby wind turbines existing, under construction or proposed (i.e., easements/setbacks from same could affect surveyed property). [a consideration: what would the surveyor’s responsibility be with respect to research? grk] (See Wind turbine suggestion also mentioned in Table A.

Section 5.E.ii. – Nearby airport runways?

Section 5.E.ii. – Evidence of coal mines/stone quarries (See also suggestion in Table A)

Section 5.E.iv. – Include paint marks as one of the examples [FL]

Section 5.F. – Pet cemeteries? [FL]

Section 5.G.i. - I do think that the comma between the words “of” and “the” within the phrase “but within five feet of the perimeter boundary of, the surveyed property” could be eliminated, and the word

“and” inserted before the word “observed”. The statement would then read: “*The location of springs, ponds, lakes, streams, rivers, canals, ditches, marshes, and swamps on, running through, or outside, but within five feet of the perimeter boundary of the surveyed property, and observed during the process of conducting the fieldwork*”

Section 5.G.i. – Add “*unless access is restricted*” and add reference to this in Section 6.B.xi., viz., “The location of springs, ponds, lakes, streams, rivers, canals, ditches, marshes, and swamps on, running through, or - *unless physical access is restricted* - outside, but within five feet of the perimeter boundary of, the surveyed property, observed during the process of conducting the fieldwork.”

Section 5.G.i. – Replace “marshes and swamps” with “standing water”

Section 5.G.i. – Include bio-retention areas as an example? [CA]

Section 6.B.i. – Include record document number with record description

Section 6.B.i. – Add something about requiring a note when the surveyor discovers errors in the Schedule A description.

Section 6.B.i. – Include Schedule A description on the plat/map if it differs from the record description

Section 6.B.i. – Require record document number of parent tract on an original survey, but the parent tract’s description does not need to be shown on the plat/map

Section 6.B.i.a. and 6.B.i.b. – Show the record description or the recording information.

Section 6.B.1.a. - “the property description contained in of the commitment of title report issued by the insurer.”

Section 6.B.ii. – Prohibit writing a new description on a retracement survey except to correct scrivener’s errors in the prior description, to correct a closure error or, in the case of a metes and bounds description, when the measured does not match the record.

Section 6.B.iii. – Last sentence “... shall be horizontal, ground dimensions ...”

Section 6.B.iv.– Report mathematical misclosure of record description when it is an amount deemed significant by the surveyor.

Section 6.B.iv. - Report mathematical misclosure on metes and bounds descriptions only.

Section 6.B.iv. – Eliminate the requirement to report mathematical misclosure on the record boundary; boundaries can mathematically misclose and still be fine.

Section 6.B.iv. – Report mathematical misclosure on the record boundary when “Deemed significant by the surveyor”

Section 6.B.xi. – “A note on the face of the plat or map identifying areas, if any, on the boundaries of the surveyed property, to which physical access within five feet was restricted (see Sections 5.C.ii. and 5.G.i.).”

Section 6.C.i. – Should this item relate only to easements burdening the property?

Section 6.C.ii. - “is or is not on the property...” Perhaps simply state if it is not on the property. There is some indication that surveyors may be using the current wording to avoid giving an opinion. (Mike W.)

Section 6.C.ii. – “(without expressing a legal opinion?), appears to affect or not affect the surveyed property” [grk and Todd D]

Section 6.C.ii – List any record easements found by the surveyor that are not listed in the title commitment and which for which the insurer cannot provide a release.

Section 6.C.ii. – Clarify that the only Schedule B2 items to be referenced on the survey are those that are matters of survey.

Section 6.C.ii. – Note that “Affects” is a legal opinion, not a matter of survey. [WI]

Section 6.C.ii. – Surveyors needing to address multiple revisions to title commitment and no one wants to pay for that. [WI]

Section 6.C.iii. – Address public vs. private rights of way? And surveyor’s opinion as to public or private when not clear? [PA]

Section 6.C. vi - For non-platted adjoining land, recording data **or assessor parcel number** identifying adjoining tracts according to current public records. For platted adjoining land, the recording data of the subdivision plat. Platted setback or building restriction lines which appear on recorded subdivision plats. [AZ]

Section 6.C.viii. - A new item, viz., – “A note if no water features were observed.”

Section 6.C.viii - A new item relating to coal mines and stone quarries – perhaps, if the surveyor is aware of the possibility? Or?

Section 6.D.ii.(b) – Why note “no buildings” when other items do not require such a note (e.g., no cemeteries, etc.)? [AZ] [See proposed new item 6.C.viii. above!]

Section 6.D. new item – Require a Surveyor’s Report with guidance on what to include therein. (AZ SRP) If required, standards should provide the form of such report. [AZ]

Section 6.D. new item – Provide for standardized symbols.

Section 6.D. – Notes that there are “No encroachments” or that “all easements have been shown” etc. are problematic. Can we limit this sort of thing? [WI]

Section 7 – Discuss third party liability and certifying to third parties with no interest in the property

Section 7 - Discuss how the certification can be extended to any other party that is an “Insured” pursuant to the Owner’s Policy of Title Insurance issued in connection with the Commitment for Title Insurance [AZ]

Section 7 – The following comment is from an attorney re: declining a request to certify to successors and assigns of the owner] The Definitions of Terms under the CONDITIONS contained within the Owner’s Policy of Title Insurance also covers as an Insured, among other possible instances, a grantee of an Insured under a deed delivered without payment of actual consideration conveying Title if the memberships or other equity interests are wholly-owned by the named Insured. So under your standard, a transfer by American XXXXX to a wholly-owned affiliate would be included. Perhaps you could state “American XXXX and any other party that is an “Insured” pursuant to the Owner’s Policy of Title Insurance issued in connection with the Commitment for Title Insurance referenced in GENERAL NOTES No. 1,”.

Section 7 – Standardize how dates are reported on surveys [from MN attorney via Mitch]

Section 7 - Maybe the certification can be revised to:

To (name of insured, if known), **and any other party that is an “Insured” pursuant to the Owner’s Policy of Title Insurance issued** (name of lender, if known), (name of insurer, if known), **with respect to any party that is an “Insured” pursuant to the Owner’s Policy of Title Insurance issued**

based on the current commitment for title insurance (names of others as negotiated with the client):

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items _____ of Table A thereof. The fieldwork was completed on _____ [date].

Date of Plat or Map: _____ (Surveyor's signature, printed name and seal with Registration/License Number)

The first change would have the survey apply to a wholly owned affiliate or other insured party, which would seem appropriate from the Insurer's perspective. The second change might limit owner's affidavits in lieu of a survey, would seem appropriate from the Surveyor's perspective. [AZ]

Section 8 – Move “When required by law or requested by the client, the plat or map shall be produced in recordable form and recorded or filed in the appropriate office or with the appropriate agency.” to 6.D.iii. and replace the current wording of that item.

Section 8 - Recording ALTA surveys may or may not be in the best interest of the insured or the insurer. I suggest that the 6.D.iii be revised “When local statutes or ordinances require recordation or filing of a plat or map, the surveyor prepare and record as required by law.” This will help dispel the notion that the ALTA survey is required to be recorded and that a survey required to be recorded contain those items required under law only. [AZ]

Table A in general – Require a positive or negative note on the place of the plat/map regarding every Table A item selected or negotiated (e.g., “shown hereon,” “none observed,” “not applicable,” etc.)

Table A in general – Format in order to allow surveyor to indicate the additional fee associated with each and to better facilitate checking off items.

Table A – On the appropriate items, require a note “None Observed” if the item was checked by the client, but nothing was observed regarding that item.

Table A lead-in paragraph: Clarify that “negotiated” means that the wording of a specific Table A item may be negotiated

Table A item 1 – Make mandatory, not optional

Table A item 1 - Add – “*Note: Some states have mandatory recording regulations when property corners are set or replaced. These regulations may require additional fees and timing for completion.*”

Table A item 1 – clarify wording vis-à-vis what is a “major corner”?

Table A item 6(a) and 6(b) – “...provided to the surveyor by the client or another party...” [MN]

Table A item 6(a) and 6(b) – zoning report/letter must be “specific to the surveyed property.” [OR]

Table A item 6(c?) – Airport-related zoning items [FL]

Table A item 6(c? or d?) – Wind turbine-related zoning items [FL]

Table A item 7a and 7b – Define exterior dimension and exterior foot print. Further suggestion – include only if there is a definition section added.

Table A item 7c – Require measured elevation of building with respect to a ground elevation rather than height? Some jurisdictions define maximum height be defining the elevation. Further suggestion – the surveyor should simply know the local ordinance requirement and use that.

Table A item 8 - "Mountains" of debris on adjoining property that could result in contaminated runoff onto the surveyed property.

Table A item 8 – Nearby wind turbines

Table A item 8 – Coal mines or stone quarries as additional examples?

Table A item 9 – Make striping an optional item (9a)

Table A item 9 – Bifurcate into 2 parts. Part "a" would just be show the types like Regular/Handicap/Motorcycle. Part "b" would go further to include the specialized marking stalls such as visitor, compact, HOV permit, hybrid, etc.

Table A item 10b – Remove.

Table A item 11 – Move first bullet into the intro to clarify that observed evidence is required, viz., "Location of utilities, in addition to the observed evidence required pursuant to Section 5.E.iv., existing on or serving the surveyed property as determined by:

- ~~observed evidence collected pursuant to Section 5.E.iv.~~
- *evidence from plans requested by the surveyor and obtained from utility companies, or provided by client (with reference as to the sources of information), and*
- *markings requested by the surveyor pursuant to an 811 utility locate or similar request*

Table A item 11 – Return to the previous 11a and 11b. Remove reference to "above ground" utilities from the wording. (Todd D.)

Table A item 11: Location of utilities existing on or serving the surveyed property as determined by:

_____ (a) Observed evidence of surface features pursuant to Section 5.E.iv.

_____ (b) observed evidence collected pursuant to Section 5.E.iv. together with:

- *evidence from plans requested by the surveyor and obtained from utility companies, or provided by client (with reference as to the sources of information), and*
- *markings requested by the surveyor pursuant to an 811 utility locate or similar request*

(Mitch D.)

Table A item 11 – Does this item need to mention "below the surface"? Maybe make the wording on this item and Section 5.E.iv. more consistent (i.e., "which evidence may indicate utilities located on, over or beneath the surveyed property.")

Table A item 11 – Add to the second bullet point that plans can be obtained from the local government.

Table A item 11 – Make the three items lettered a-c as options/selections rather than bullets (this will facilitate negotiating something different from the three bullets)

Table A item 11 - Eliminate use of the word "encroaching" [also in Sections 5.B.v. and 5.C.iii.]

Table A item 11 – reference the ASCE 38-02 the *Standard Guideline for the Collection and Depiction of Existing Subsurface Utility Data* (see 10/25/18 email from Curt)

Table A item 12 – Add "Client to provide a copy of the relevant survey requirements."

Table A item 18 – "...hired by the client or another party..." [WI]

Table A item 19 – “(and applicable selected Table A items, except Item #1)”

Table A item 19 – “for those easement requested by the client” (TX)

Table A new item – Add engineering design survey as a new Table A item.

Table A new item – Mineral rights/interests; mine works [WV] (See emailed primer from Justin Earley on 4/22/16 in ALTA Questions Outlook folder)

Develop an application to help persons review Land Title Surveys?

**MINIMUM STANDARD DETAIL REQUIREMENTS FOR
ALTA/NSPS LAND TITLE SURVEYS**
(Effective February 23, 2016)

NOTE - Attention is directed to the fact that the National Society of Professional Surveyors, Inc. (NSPS) is the legal successor organization to the American Congress on Surveying and Mapping (ACSM) and that these 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys are the next version of the former Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys.

1. Purpose - Members of the American Land Title Association® (ALTA®) have specific needs, unique to title insurance matters, when asked to insure title to land without exception as to the many matters which might be discoverable from survey and inspection, and which are not evidenced by the public records.

For a survey of real property, and the plat, map or record of such survey, to be acceptable to a title insurance company for the purpose of insuring title to said real property free and clear of survey matters (except those matters disclosed by the survey and indicated on the plat or map), certain specific and pertinent information must be presented for the distinct and clear understanding between the insured, the client (if different from the insured), the title insurance company (insurer), the lender, and the surveyor professionally responsible for the survey.

In order to meet such needs, clients, insurers, insureds, and lenders are entitled to rely on surveyors to conduct surveys and prepare associated plats or maps that are of a professional quality and appropriately uniform, complete, and accurate. To that end, and in the interests of the general public, the surveying profession, title insurers, and abstractors, the ALTA and the NSPS jointly promulgate the within details and criteria setting forth a minimum standard of performance for ALTA/NSPS Land Title Surveys. A complete 2016 ALTA/NSPS Land Title Survey includes:

- (i) the on-site fieldwork required pursuant to Section 5,
- (ii) the preparation of a plat or map pursuant to Section 6 showing the results of the fieldwork and its relationship to documents provided to or obtained by the surveyor pursuant to Section 4,
- (iii) any information from Table A items requested by the client, and
- (iv) the certification outlined in Section 7.

2. Request for Survey - The client shall request the survey, or arrange for the survey to be requested, and shall provide a written authorization to proceed from the person or entity responsible for paying for the survey. Unless specifically authorized in writing by the insurer, the insurer shall not be responsible for any costs associated with the preparation of the survey. The request shall specify that an "**ALTA/NSPS LAND TITLE SURVEY**" is required and which of the optional items listed in Table A, if any, are to be incorporated. Certain properties or interests in real properties may present issues outside those normally encountered on an ALTA/NSPS Land Title Survey (e.g., marinas, campgrounds, trailer parks; easements, leases, other non-fee simple interests). The scope of work related to surveys of such properties or interests in real properties should be discussed with the client, lender, and insurer; and agreed upon in writing prior to commencing work on the survey. The client may need to secure permission for the surveyor to enter upon the property to be surveyed, adjoining properties, or offsite easements.

3. Surveying Standards and Standards of Care

- A. Effective Date** - The 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys are effective February 23, 2016. As of that date, all previous versions of the Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys are superseded by these standards.
- B. Other Requirements and Standards of Practice** - Many states and some local jurisdictions have adopted statutes, administrative rules, and/or ordinances that set out standards regulating the practice of surveying within their jurisdictions. In addition to the standards set forth herein, surveyors shall also conduct their surveys in accordance with applicable jurisdictional survey requirements and standards of practice. Where conflicts between the standards set forth herein and any such jurisdictional requirements and standards of practice occur, the more stringent shall apply.
- C. The Normal Standard of Care** - Surveyors should recognize that there may be unwritten local, state, and/or regional standards of care defined by the practice of the “prudent surveyor” in those locales.
- D. Boundary Resolution** - The boundary lines and corners of any property being surveyed as part of an ALTA/NSPS Land Title Survey shall be established and/or retraced in accordance with appropriate boundary law principles governed by the set of facts and evidence found in the course of performing the research and fieldwork.
- E. Measurement Standards** - The following measurement standards address Relative Positional Precision for the monuments or witnesses marking the corners of the surveyed property.
- i. “Relative Positional Precision” means the length of the semi-major axis, expressed in feet or meters, of the error ellipse representing the uncertainty due to random errors in measurements in the location of the monument, or witness, marking any corner of the surveyed property relative to the monument, or witness, marking any other corner of the surveyed property at the 95 percent confidence level. Relative Positional Precision is estimated by the results of a correctly weighted least squares adjustment of the survey.
 - ii. Any boundary lines and corners established or retraced may have uncertainties in location resulting from (1) the availability, condition, history and integrity of reference or controlling monuments, (2) ambiguities in the record descriptions or plats of the surveyed property or its adjoiners, (3) occupation or possession lines as they may differ from the written title lines, or (4) Relative Positional Precision. Of these four sources of uncertainty, only Relative Positional Precision is controllable, although, due to the inherent errors in any measurement, it cannot be eliminated. The magnitude of the first three uncertainties can be projected based on evidence; Relative Positional Precision is estimated using statistical means (see Section 3.E.i. above and Section 3.E.v. below).
 - iii. The first three of these sources of uncertainty must be weighed as part of the evidence in the determination of where, in the surveyor’s opinion, the boundary lines and corners of the surveyed property should be located (see Section 3.D. above). Relative Positional Precision is a measure of how precisely the surveyor is able to monument and report those positions; it is not a substitute for the application of proper boundary law principles. A boundary corner or line may have a small Relative Positional Precision because the survey measurements were precise, yet still be in the wrong position (*i.e.*, inaccurate) if it was established or retraced using faulty or improper application of boundary law principles.
 - iv. For any measurement technology or procedure used on an ALTA/NSPS Land Title Survey, the surveyor shall (1) use appropriately trained personnel, (2) compensate for systematic errors, including those associated with instrument calibration, and (3) use appropriate error propagation and measurement design theory (selecting the proper instruments, geometric layouts, and field and computational procedures) to control random errors such that the

maximum allowable Relative Positional Precision outlined in Section 3.E.v. below is not exceeded.

- v. The maximum allowable Relative Positional Precision for an ALTA/NSPS Land Title Survey is 2 cm (0.07 feet) plus 50 parts per million (based on the direct distance between the two corners being tested). It is recognized that in certain circumstances, the size or configuration of the surveyed property, or the relief, vegetation, or improvements on the surveyed property, will result in survey measurements for which the maximum allowable Relative Positional Precision may be exceeded. If the maximum allowable Relative Positional Precision is exceeded, the surveyor shall note the reason as explained in Section 6.B.x. below.

4. Records Research - It is recognized that for the performance of an ALTA/NSPS Land Title Survey, the surveyor will be provided with appropriate and, when possible, legible data which can be relied upon in the preparation of the survey. The request for an ALTA/NSPS Land Title Survey shall set forth the current record description of the property to be surveyed or, in the case of an original survey prepared for purposes of locating and describing real property that has not been previously separately described in documents conveying an interest in the real property, the current record description of the parent parcel that contains the property to be surveyed.

In order to complete an ALTA/NSPS Land Title Survey, the surveyor must be provided with complete copies of the most recent title commitment or, if a title commitment is not available, other title evidence satisfactory to the title insurer. In addition, the surveyor must be provided with the following:

- (i) The following records established under state statutes for the purpose of imparting constructive notice of matters relating to real property (public records):
 - (a) The current record descriptions of any adjoining to the property to be surveyed, except where such adjoining are lots in platted, recorded subdivisions;
 - (b) Any recorded easements benefitting the property;
 - (c) Any recorded easements, servitudes, or covenants burdening the property;
- (ii) Any unrecorded documents affecting the property being surveyed and containing information to which the survey shall make reference, if desired by the client.

Except, however, if the documents outlined above in (i) and (ii) of this section are not provided to the surveyor or if non-public or quasi-public documents are required to complete the survey, the surveyor shall be required to conduct only that research which is required pursuant to the statutory or administrative requirements of the jurisdiction where the property being surveyed is located and that research (if any) which is negotiated and outlined in the terms of the contract between the surveyor and the client.

5. Fieldwork - The survey shall be performed on the ground (except as otherwise negotiated pursuant to Table A, Item 15 below, if selected by the client). The fieldwork shall include the following, located to what is, in the surveyor's professional opinion, the appropriate degree of precision based on (a) the planned use of the property, if reported in writing to the surveyor by the client, lender, or insurer, or (b) the existing use, if the planned use is not so reported:

A. Monuments

- i. The location, size, character, and type of any monuments found during the fieldwork.
- ii. The location, size, character, and type of any monuments set during the fieldwork, if item 1 of Table A was selected or if otherwise required by applicable jurisdictional requirements and/or standards of practice.
- iii. The location, description, and character of any lines that control the boundaries of the

surveyed property.

B. Rights of Way and Access

- i. The distance from the appropriate corner or corners of the surveyed property to the nearest right of way line, if the surveyed property does not abut a right of way.
- ii. The name of any street, highway, or other public or private way abutting the surveyed property, together with the width of the travelled way and the location of each edge of the travelled way including on divided streets and highways. If the documents provided to or obtained by the surveyor pursuant to Section 4 indicate no access from the surveyed property to the abutting street or highway, the width and location of the travelled way need not be located.
- iii. Visible evidence of physical access (e.g., curb cuts, driveways) to any abutting streets, highways, or other public or private ways.
- iv. The location and character of vehicular, pedestrian, or other forms of access by other than the apparent occupants of the surveyed property to or across the surveyed property observed in the process of conducting the fieldwork (e.g., driveways, alleys, private roads, railroads, railroad sidings and spurs, sidewalks, footpaths).
- v. Without expressing a legal opinion as to ownership or nature, the location and extent of any potentially encroaching driveways, alleys, and other ways of access from adjoining properties onto the surveyed property observed in the process of conducting the fieldwork.
- vi. Where documentation of the location of any street, road, or highway right of way abutting, on, or crossing the surveyed property was not disclosed in documents provided to or obtained by the surveyor, or was not otherwise available from the controlling jurisdiction (see Section 6.C.iv. below), the evidence and location of parcel corners on the same side of the street as the surveyed property recovered in the process of conducting the fieldwork which may indicate the location of such right of way lines (e.g., lines of occupation, survey monuments).
- vii. Evidence of access to and from waters adjoining the surveyed property observed in the process of conducting the fieldwork (e.g., paths, boat slips, launches, piers, docks).

C. Lines of Possession and Improvements along the Boundaries

- i. The character and location of evidence of possession or occupation along the perimeter of the surveyed property, both by the occupants of the surveyed property and by adjoining, observed in the process of conducting the fieldwork.
- ii. Unless physical access is restricted, the character and location of all walls, buildings, fences, and other improvements within five feet of each side of the boundary lines, observed in the process of conducting the fieldwork. Trees, bushes, shrubs, and other natural vegetation need not be located other than as specified in the contract, unless they are deemed by the surveyor to be evidence of possession pursuant to Section 5.C.i.
- iii. Without expressing a legal opinion as to the ownership or nature of the potential encroachment, the evidence, location and extent of potentially encroaching structural appurtenances and projections observed in the process of conducting the fieldwork (e.g., fire escapes, bay windows, windows and doors that open out, flue pipes, stoops, eaves, cornices, areaways, steps, trim) by or onto adjoining property, or onto rights of way, easements, or setback lines disclosed in documents provided to or obtained by the surveyor.

D. Buildings

The location of buildings on the surveyed property observed in the process of conducting the fieldwork.

E. Easements and Servitudes

- i. Evidence of any easements or servitudes burdening the surveyed property as disclosed in the documents provided to or obtained by the surveyor pursuant to Section 4 and observed in the process of conducting the fieldwork.

- ii. Evidence of easements, servitudes, or other uses by other than the apparent occupants of the surveyed property not disclosed in the documents provided to or obtained by the surveyor pursuant to Section 4, but observed in the process of conducting the fieldwork if they appear to affect the surveyed property (e.g., roads; drives, sidewalks, paths and other ways of access; utility service lines; water courses; ditches; drains; telephone, fiber optic lines, or electric lines; or water, sewer, oil or gas pipelines on or across the surveyed property and on adjoining properties).
- iii. Surface indications of underground easements or servitudes on or across the surveyed property observed in the process of conducting the fieldwork (e.g., utility cuts, vent pipes, filler pipes).
- iv. Evidence on or above the surface of the surveyed property observed in the process of conducting the fieldwork, which evidence may indicate utilities located on, over or beneath the surveyed property. Examples of such evidence include pipeline markers, manholes, valves, meters, transformers, pedestals, clean-outs, utility poles, overhead lines and guy wires.

F. Cemeteries

As accurately as the evidence permits, the perimeter of cemeteries and burial grounds, and the location of isolated gravesites not within a cemetery or burial ground, (i) disclosed in the documents provided to or obtained by the surveyor, or (ii) observed in the process of conducting the fieldwork.

G. Water Features

- i. The location of springs, ponds, lakes, streams, rivers, canals, ditches, marshes, and swamps on, running through, or outside, but within five feet of the perimeter boundary of, the surveyed property, observed during the process of conducting the fieldwork.
- ii. The location of any water feature forming a boundary of the surveyed property. The attribute(s) of the water feature located (e.g., top of bank, edge of water, high water mark) should be congruent with the boundary as described in the record description or, in the case of an original survey, in the new description (see Section 6.B.vi. below).

6. Plat or Map - A plat or map of an ALTA/NSPS Land Title Survey shall show the following information. Where dimensioning is appropriate, dimensions shall be annotated to what is, in the surveyor's professional opinion, the appropriate degree of precision based on (a) the planned use of the property, if reported in writing to the surveyor by the client, lender, or insurer, or (b) existing use, if the planned use is not so reported.

A. The evidence and locations gathered, and the monuments and lines located during the fieldwork pursuant to Section 5 above, with accompanying notes if deemed necessary by the surveyor or as otherwise required as specified below.

B. Boundary, Descriptions, Dimensions, and Closures

- i. (a) The current record description of the surveyed property, or
(b) In the case of an original survey, the current record description of the parent tract that contains the surveyed property.
- ii. Any new description of the surveyed property that was prepared in conjunction with the survey, including a statement explaining why the new description was prepared. Except in the case of an original survey, preparation of a new description should be avoided unless deemed necessary or appropriate by the surveyor and insurer. Preparation of a new description should also generally be avoided when the record description is a lot or block in a platted, recorded subdivision. Except in the case of an original survey, if a new description is prepared, a note shall be provided stating (a) that the new description describes the same real estate as the record description or, if it does not, (b) how the new description differs from

- the record description.
- iii. The point of beginning, the remote point of beginning or point of commencement (if applicable) and all distances and directions identified in the record description of the surveyed property (and in the new description, if one was prepared). Where a measured or calculated dimension differs from the record by an amount deemed significant by the surveyor, such dimension shall be shown in addition to, and differentiated from, the corresponding record dimension. All dimensions shown on the survey and contained in any new description shall be ground dimensions unless otherwise noted.
 - iv. The directional, distance and curve data necessary to compute a mathematical closure of the surveyed boundary. A note if the record description does not mathematically close. The basis of bearings and, where it differs from the record basis, the difference.
 - v. The remainder of any recorded lot or existing parcel, when the surveyed property is composed of only a portion of such lot or parcel, shall be graphically depicted. Such remainder need not be included as part of the actual survey, except to the extent necessary to locate the lines and corners of the surveyed property, and it need not be fully dimensioned or drawn at the same scale as the surveyed property.
 - vi. When the surveyed property includes a title line defined by a water boundary, a note on the face of the plat or map noting the date the boundary was measured, which attribute(s) of the water feature was/were located, and the caveat that the boundary is subject to change due to natural causes and that it may or may not represent the actual location of the limit of title. When the surveyor is aware of natural or artificial realignments or changes in such boundaries, the extent of those changes and facts shall be shown or explained.
 - vii. The relationship of the boundaries of the surveyed property with its adjoiners (e.g., contiguity, gaps, overlaps), where ascertainable from documents provided to or obtained by the surveyor pursuant to Section 4 and/or from field evidence gathered during the process of conducting the fieldwork. If the surveyed property is composed of multiple parcels, the extent of any gaps or overlaps between those parcels shall be identified. Where gaps or overlaps are identified, the surveyor shall, prior to or upon delivery of the final plat or map, disclose this to the insurer and client.
 - viii. When, in the opinion of the surveyor, the results of the survey differ significantly from the record, or if a fundamental decision related to the boundary resolution is not clearly reflected on the plat or map, the surveyor shall explain this information with notes on the face of the plat or map.
 - ix. The location of all buildings on the surveyed property, located pursuant to Section 5.D., dimensioned perpendicular to those perimeter boundary lines that the surveyor deems appropriate (i.e., where potentially impacted by a setback line) and/or as requested by the client, lender or insurer.
 - x. A note on the face of the plat or map explaining the site conditions that resulted in a Relative Positional Precision that exceeds the maximum allowed pursuant to Section 3.E.v.
 - xi. A note on the face of the plat or map identifying areas, if any, on the boundaries of the surveyed property, to which physical access within five feet was restricted (see Section 5.C.ii.).
 - xii. A note on the face of the plat or map identifying the source of the title commitment or other title evidence provided pursuant to Section 4, and the effective date and the name of the insurer of same.
- C. Easements, Servitudes, Rights of Way, Access, and Documents**
- i. The location, width, and recording information of all plottable rights of way, easements, and servitudes burdening and benefitting the property surveyed, as evidenced by documents provided to or obtained by the surveyor pursuant to Section 4.

- ii. A summary of all rights of way, easements and servitudes burdening the property surveyed and identified in the title evidence provided to or obtained by the surveyor pursuant to Section 4. Such summary shall include the record information of each such right of way, easement or servitude, a statement indicating whether or not it is shown on the plat or map, and a related note if:
 - (a) the location cannot be determined from the record document;
 - (b) there was no observed evidence at the time of the fieldwork;
 - (c) it is a blanket easement;
 - (d) it is not on, or does not touch, the surveyed property;
 - (e) it limits access to an otherwise abutting right of way;
 - (f) the documents are illegible; or
 - (g) the surveyor has information indicating that it may have been released or otherwise terminated.

In cases where the surveyed property is composed of multiple parcels, indicate which of such parcels the various rights of way, easements, and servitudes cross or touch.

- iii. A note if no physical access to a public way was observed in the process of conducting the fieldwork.
- iv. The locations and widths of rights of way abutting or crossing the surveyed property, and the source of such information, (a) where available from the controlling jurisdiction, or (b) where disclosed in documents provided to or obtained by the surveyor pursuant to Section 4.
- v. The identifying titles of all recorded plats, filed maps, right of way maps, or similar documents which the survey represents, wholly or in part, with their recording or filing data.
- vi. For non-platted adjoining land, recording data identifying adjoining tracts according to current public records. For platted adjoining land, the recording data of the subdivision plat.
- vii. Platted setback or building restriction lines which appear on recorded subdivision plats or which were disclosed in documents provided or obtained by the surveyor.

D. Presentation

- i. The plat or map shall be drawn on a sheet of not less than 8 ½ by 11 inches in size at a legible, standard engineering scale, with that scale clearly indicated in words or numbers and with a graphic scale.
- ii. The plat or map shall include:
 - (a) The boundary of the surveyed property drawn in a manner that distinguishes it from other lines on the plat or map.
 - (b) If no buildings were observed on the surveyed property in the process of conducting the fieldwork, a note stating “*No buildings observed.*”
 - (c) A north arrow (with north to the top of the drawing when practicable).
 - (d) A legend of symbols and abbreviations.
 - (e) A vicinity map showing the property in reference to nearby highway(s) or major street intersection(s).
 - (f) Supplementary or detail diagrams when necessary.
 - (g) Notes explaining any modifications to Table A items and the nature of any additional Table A items (e.g., 21(a), 21(b), 21(c)) that were negotiated between the surveyor and client.
 - (h) The surveyor’s project number (if any), and the name, registration or license number, signature, seal, street address, telephone number, company website, and email address (if any) of the surveyor who performed the survey.
 - (i) The date(s) of any revisions made by the surveyor who performed the survey.
 - (j) Sheet numbers where the plat or map is composed of more than one sheet.
 - (k) The caption “ALTA/NSPS Land Title Survey.”

iii. When recordation or filing of a plat or map is required by law, such plat or map shall be produced in recordable form.

7. **Certification** - The plat or map of an ALTA/NSPS Land Title Survey shall bear only the following certification, unaltered, except as may be required pursuant to Section 3.B. above:

To (name of insured, if known), (name of lender, if known), (name of insurer, if known), (names of others as negotiated with the client):

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items _____ of Table A thereof. The fieldwork was completed on _____ [date].

Date of Plat or Map: _____ (Surveyor's signature, printed name and seal with Registration/License Number)

8. **Deliverables** - The surveyor shall furnish copies of the plat or map of survey to the insurer and client and as otherwise negotiated with the client. Hard copies shall be on durable and dimensionally stable material of a quality standard acceptable to the insurer. A digital image of the plat or map may be provided in addition to, or in lieu of, hard copies pursuant to the terms of the contract. When required by law or requested by the client, the plat or map shall be produced in recordable form and recorded or filed in the appropriate office or with the appropriate agency.

TABLE A

OPTIONAL SURVEY RESPONSIBILITIES AND SPECIFICATIONS

NOTE: The twenty (20) items of Table A may be negotiated between the surveyor and client. Any additional items negotiated between the surveyor and client shall be identified as 21(a), 21(b), etc. and explained pursuant to Section 6.D.ii.(g). Notwithstanding Table A Items 5 and 11, if an engineering design survey is desired as part of an ALTA/NSPS Land Title Survey, such services should be negotiated under Table A, Item 21.

If checked, the following optional items are to be included in the ALTA/NSPS LAND TITLE SURVEY, except as otherwise qualified (see note above):

1. _____ *Monuments placed (or a reference monument or witness to the corner) at all major corners of the boundary of the property, unless already marked or referenced by existing monuments or witnesses in close proximity to the corner.*
2. _____ *Address(es) of the surveyed property if disclosed in documents provided to or obtained by the surveyor, or observed while conducting the fieldwork.*
3. _____ *Flood zone classification (with proper annotation based on federal Flood Insurance Rate Maps or the state or local equivalent) depicted by scaled map location and graphic plotting only.*
4. _____ *Gross land area (and other areas if specified by the client).*
5. _____ *Vertical relief with the source of information (e.g., ground survey, aerial map), contour interval, datum, and originating benchmark identified.*
6. _____ *(a) If set forth in a zoning report or letter provided to the surveyor by the client, list the current zoning classification, setback requirements, the height and floor space area restrictions, and parking requirements. Identify the date and source of the report or letter.*
_____ *(b) If the zoning setback requirements are set forth in a zoning report or letter provided to the surveyor by the client, and if those requirements do not require an interpretation by the surveyor, graphically depict the building setback requirements. Identify the date and source of the report or letter.*
7. _____ *(a) Exterior dimensions of all buildings at ground level.*
(b) Square footage of:
_____ *(1) exterior footprint of all buildings at ground level.*
_____ *(2) other areas as specified by the client.*
_____ *(c) Measured height of all buildings above grade at a location specified by the client. If no location is specified, the point of measurement shall be identified.*

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8. _____ *Substantial features observed in the process of conducting the fieldwork (in addition to the improvements and features required pursuant to Section 5 above) (e.g., parking lots, billboards, signs, swimming pools, landscaped areas, substantial areas of refuse).*
9. _____ *Number and type (e.g., disabled, motorcycle, regular and other marked specialized types) of clearly identifiable parking spaces on surface parking areas, lots and in parking structures. Striping of clearly identifiable parking spaces on surface parking areas and lots.*
10. _____ *(a) As designated by the client, a determination of the relationship and location of certain division or party walls with respect to adjoining properties (client to obtain necessary permissions).*
- _____ *(b) As designated by the client, a determination of whether certain walls are plumb (client to obtain necessary permissions).*
11. _____ *Location of utilities existing on or serving the surveyed property as determined by:*
- *observed evidence collected pursuant to Section 5.E.iv.*
 - *evidence from plans requested by the surveyor and obtained from utility companies, or provided by client (with reference as to the sources of information), and*
 - *markings requested by the surveyor pursuant to an 811 utility locate or similar request*
- Representative examples of such utilities include, but are not limited to:*
- *Manholes, catch basins, valve vaults and other surface indications of subterranean uses;*
 - *Wires and cables (including their function, if readily identifiable) crossing the surveyed property, and all poles on or within ten feet of the surveyed property. Without expressing a legal opinion as to the ownership or nature of the potential encroachment, the dimensions of all encroaching utility pole crossmembers or overhangs; and*
 - *Utility company installations on the surveyed property.*
- Note to the client, insurer, and lender - With regard to Table A, item 11, source information from plans and markings will be combined with observed evidence of utilities pursuant to Section 5.E.iv. to develop a view of the underground utilities. However, lacking excavation, the exact location of underground features cannot be accurately, completely, and reliably depicted. In addition, in some jurisdictions, 811 or other similar utility locate requests from surveyors may be ignored or result in an incomplete response, in which case the surveyor shall note on the plat or map how this affected the surveyor's assessment of the location of the utilities. Where additional or more detailed information is required, the client is advised that excavation and/or a private utility locate request may be necessary.*
12. _____ *As specified by the client, Governmental Agency survey-related requirements (e.g., HUD surveys, surveys for leases on Bureau of Land Management managed lands).*

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13. _____ *Names of adjoining owners according to current tax records. If more than one owner, identify the first owner's name listed in the tax records followed by "et al."*
 14. _____ *As specified by the client, distance to the nearest intersecting street.*
 15. _____ *Rectified orthophotography, photogrammetric mapping, remote sensing, airborne/mobile laser scanning and other similar products, tools or technologies as the basis for the showing the location of certain features (excluding boundaries) where ground measurements are not otherwise necessary to locate those features to an appropriate and acceptable accuracy relative to a nearby boundary. The surveyor shall (a) discuss the ramifications of such methodologies (e.g., the potential precision and completeness of the data gathered thereby) with the insurer, lender, and client prior to the performance of the survey, and (b) place a note on the face of the survey explaining the source, date, precision, and other relevant qualifications of any such data.*
 16. _____ *Evidence of recent earth moving work, building construction, or building additions observed in the process of conducting the fieldwork.*
 17. _____ *Proposed changes in street right of way lines, if such information is made available to the surveyor by the controlling jurisdiction. Evidence of recent street or sidewalk construction or repairs observed in the process of conducting the fieldwork.*
 18. _____ *If there has been a field delineation of wetlands conducted by a qualified specialist hired by the client, the surveyor shall locate any delineation markers observed in the process of conducting the fieldwork and show them on the face of the plat or map. If no markers were observed, the surveyor shall so state.*
 19. _____ *Include any plottable offsite (i.e., appurtenant) easements or servitudes disclosed in documents provided to or obtained by the surveyor as a part of the survey pursuant to Sections 5 and 6 (and applicable selected Table A items) (client to obtain necessary permissions).*
 20. _____ *Professional Liability Insurance policy obtained by the surveyor in the minimum amount of \$_____ to be in effect throughout the contract term. Certificate of Insurance to be furnished upon request, but this item shall not be addressed on the face of the plat or map.*
 21. _____ _____

*Adopted by the Board of Governors, American Land Title Association, on October 8, 2015.
American Land Title Association, 1800 M St., N.W., Suite 300S, Washington, D.C. 20036-5828.
www.alta.org*

*Adopted by the Board of Directors, National Society of Professional Surveyors, on October 9, 2015.
National Society of Professional Surveyors, Inc., 5119 Pegasus Court, Suite Q, Frederick, MD 21704.
<http://www.nsp.us.com/>*