

Beware the ILC 'survey' — be sure to get the documentation you need

For almost every home mortgage closing, buyers obtain a document called an Improvement Location Certificate (ILC) that costs anywhere from approximately \$100 to \$300, and in some cases even more. The document provides information required by state statute.



PROPERTY SURVEYS

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However, there are limitations that the buyer should be aware of that may not have been brought to their attention.

ILCs are used by mortgage companies and title insurance companies and are often mistakenly considered legal and binding property surveys, which they are not.

This type of survey "certificate" does not provide the level of protection a homeowner often thinks it does. Misinterpretation of what an ILC is can cost a homeowner money, time and potentially property.

One of the uses of an ILC is to assure the lender or title company that the house they are lending on or insuring is indeed located on the property. However, the precise location of the house on the property isn't of paramount importance to them, so the ILC doesn't precisely measure or establish the boundaries of the property or specify the exact location of the property lines.

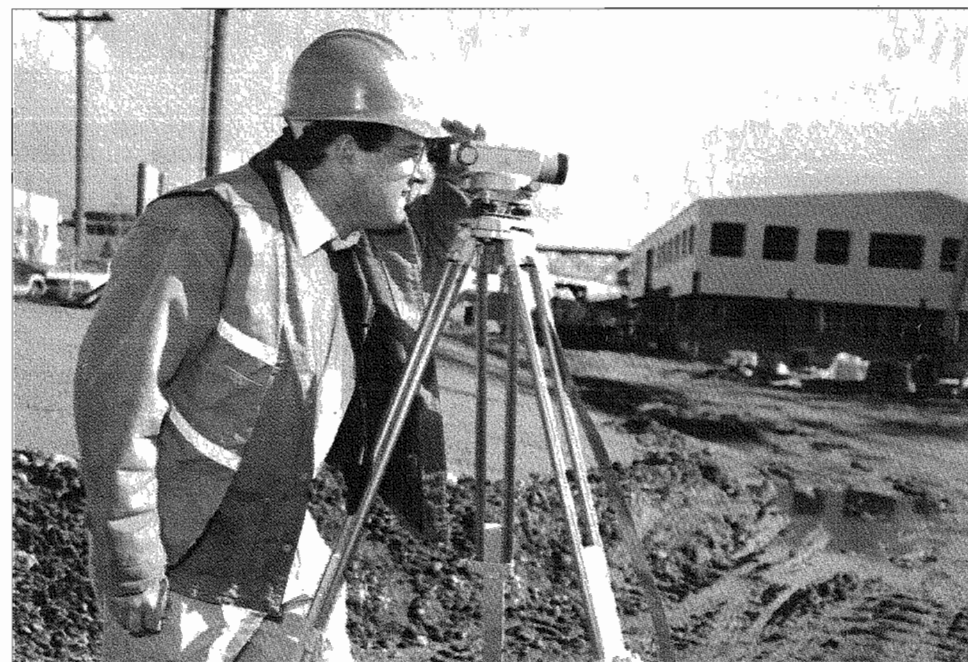
If a person reads an ILC closely, they'll see an important notice stating that: "It is not a land survey plat or improvement survey plat, and that it is not to be relied upon for the establishment of fence, building or other future improvement lines." This

notice is required by state statute, and must be on the face of every ILC.

The misuse of an ILC can create problems between neighbors, especially when one neighbor is planning a building project, such as a new fence, outdoor deck or home addition. The property owner may mistakenly rely on the ILC for planning purposes, but when it comes time to begin building (or worse, when building has already begun), they may become aware — either through interaction with neighbors or in the process of obtaining a building permit — that the ILC was not sufficient to establish boundaries or setback lines. Shutting down the project to obtain an accurate survey of the property can cost thousands of dollars, as well as a great deal of heartache.

Many professional surveyors agree that ILCs are misused by the general public and there are better options. Rather than face potentially disastrous consequences, the Professional Land Surveyors of Colorado (PLSC) recommends that new property owners consider obtaining a monumented land survey of their property. This is especially true if there are any questions at all regarding the location of property lines.

An accurate monumented land survey should reveal or disclose property issues that are crucial to any property owner. Costs for a monumented land survey can begin at approximately \$1,500 and go up from there, depending on site-specific issues. This form of survey (sometimes referred to as a pin survey) is a land survey in which monuments are either found or set to mark the boundaries of a specified parcel of land. It will include a legal description and show title exceptions (such as easements) for the



subject property. The surveyor will locate existing property corner monuments (both on the subject property and on adjacent properties), and in some cases locate block corners, subdivision corners and section corners where appropriate.

Measurements are then performed, and an analysis of the property boundary is made. Boundary lines are then monumented by the surveyor by placing a permanent marker into the ground and capping the monument with a cap bearing their registration number and name. The process can take a few days or several weeks to complete and should provide information to assist in the resolution of any questions regarding property lines.

There are numerous kinds of properties where an owner should very seriously consider having a monumented survey performed. These include mountain properties and properties in older parts of the metro area where surveys may have never been performed originally, or areas that date back prior to when modern records were kept.

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