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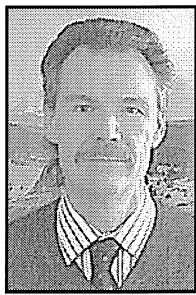
Land Survey

Use ALTA/ACSM land title surveys

When real property changes ownership, the buyer, seller or lender may obtain land title insurance.

The title insurance company researches the record ownership and encumbrances of the specific parcel of land, and identifies any issues that may reveal title deficiencies or burdens on ownership interests, and a resultant decrease in value. It then issues a contract to indemnify the policyholder for any "undiscovered" issues. Some of these issues, however, can be determined only by a survey of the property. Any issues that could be discovered by such a survey are usually excepted from coverage. A survey of the property will reveal such issues, and will generally cause the title insurance company to remove these survey related exceptions to coverage.

Many consumers and lenders order an improvement location certificate, believing they have purchased a "survey". An ILC is *not* a survey, as specifically stated in Colorado statutes at C.R.S. Sec. 38-51-108. Rather, an ILC should be considered a financing document, and is used by a lender or a title insurance company in lieu of a survey in areas they are familiar with and that



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are known to present few such issues. They give the lender or title insurance company "reasonable" assurance that there are no title issues that would be discoverable by field inspection and survey.

A true boundary survey is required to substantiate a property boundary "on the ground," and a land survey plat is generally required to make a record of that boundary survey. The requirements for the elements of a land survey plat are set out in the Colorado statutes at C.R.S. Sec. 38-51-106. When the improvements are also field located and shown on the survey plat, it becomes an improvement survey plat as defined in C.R.S. Sec. 38-51-102(9). Historically, disputes as to the quality of the survey and the amount of detail shown on a survey plat are based on differences of understanding as to the scope of the work to be provided. Therefore, joint committees of the American Land Title

Association and the American Congress on Surveying and Mapping initiated a process to standardize the required elements of a land survey plat on a nationwide basis. The resulting Minimum Standard Detail Requirements for ALTA/ACSM land title surveys, initially released in 1962, and revised in 1979, 1986, 1988, 1992, 1997, and most recently in 1999 (with assistance from the National Society of Professional Surveyors Inc.), are continuously revised and updated based on input from various professionals in the real property field. Although the required elements have been standardized, there will still be slight variations in quality of work, as well as variations in state law and regionally accepted standards of practice. However, the use of these standards with specific requirements and a list of specific optional requirements allows real estate professionals to obtain prices for surveys based on known elements for direct comparison.

Generally, the more detailed a land survey plat is, the more expensive it will be. An ALTA/ACSM land title survey is the most detailed type of land survey plat, and as such, the cost is more than other

types of land survey plats. However, the stringent standards and the very specific list of optional items makes the value of this survey much greater than is represented by the additional cost.

Many professionals believe that the existence of a previous ALTA/ACSM land title survey means no additional survey work is required to obtain a recertified survey plat. However, previous ALTA or other surveys are evidence, but they do not relieve the surveyor of the responsibility to do a proper retracement survey. The field work *must* be completed to verify the field conditions. The cost may, therefore, be less than that of an initial survey, but a cost that is significantly less should cause concern as to the quality of the survey being provided.

In conclusion, an ALTA/ACSM land title survey gives the real estate professional a very comprehensive land survey plat, with standardized requirements giving uniform results and product in a format that is widely accepted throughout the country.

For more information, see <http://www.flatsurv.com/>; <http://www.alta.org/>; or <http://www.acsm.net>.▲