

MINIMUM STANDARDS
FOR
LAND AND EASEMENT DESCRIPTIONS
SUBMITTED TO
BOISE CITY PUBLIC WORKS

A review of numerous land and easement descriptions and their corresponding exhibit drawings submitted to Boise City Public Works by developers, engineers, architects, land surveyors, etc., has brought to light the need for certain minimum standards to be created that will function as a guideline for both the author and Public Works. It is recognized that individual writing styles vary and the myriad of situations cannot be addressed by a “one size fits all” standard, however, many of the land or easement descriptions are lacking in basic detail or have grammatical errors. When confronted, the author of the defective instrument frequently becomes hostile or claims “it’s just an easement” insinuating there is little importance attached to the document. Without minimum standards of some type in place it is very difficult to convince the author to edit or add essential verbiage.

The largest percentage of problems occur with the “free” metes and bounds description. This description begins at a point then continues reciting bearings and distances only. Calls to street center lines, right-of-way lines or adjoining properties (the monuments) are not shown. The obvious problem is what happens when the beginning point is lost? Without the secondary calls to support the metes and bounds such a description can become difficult or impossible to retrace.

First some basic thoughts: For a land description to be legally sufficient it must identify an area that can be located on the ground by a competent surveyor. Descriptions should be clear and concise. They must be grammatically correct (this includes proper punctuation and capitalization). The document must describe the land with certainty and to the exclusion of all other interpretation. The basis of bearing should be called out. Finally, the description should include references to documents in the public record and calls to monuments. G.H. Wattles, in Chapter 7 of Writing Legal Descriptions, says that “sufficiency is related to the adequateness of references to documents in the public record, calls to monuments, certainty in dimensions, and the completeness of the necessary facts”

Boise City Public Works supports the Minimum Standards for Land Descriptions published by the Idaho Society of Professional Land Surveyors and adopted by the General Membership on March 21, 1992 as shown below.

LAND DESCRIPTION GUIDELINES

A land description, to be legally sufficient, must identify a particular locatable area or areas to which the interest is conveyed. A land description should:

I. Be written so that it can be readily located on the ground by a competent surveyor.

II. Not contain words capable of alternate interpretations.

III. Metes and Bounds descriptions shall contain measurement data sufficient to describe a geometric area that closes mathematically.

IV. Be based upon an actual survey or upon surveyed data of record.

V. Contain the name, stamp and signature of the preparer.

VI. Contain the date of preparation.

In addition, the land/ easement description should be tied to a Public Land Survey monument or a monument recognized as a controlling corner such as a street intersection, subdivision corner or other reproducible corner. Descriptions should be prepared by a Professional Land Surveyor licensed by the State of Idaho.

EASEMENT EXHIBITS/DRAWINGS

Drawings shall be 8 ½" x 11" and submitted on the Standard Boise City Template. The template is available from Public Works Design and can be modified to include the Engineer's logo. The title bar shall have a space for the City Engineer to sign and date, a space for the Public Works drawing number and list the project/subdivision it is associated with. The drawing shall follow the written description and shall indicate Point of Commencement, Real Point of Beginning, Section, Township, and Range and Subdivision Lot/Block. Adjacent roads, parcel numbers, north arrow and the Grantors name and address shall also be included. All information shall be legible. An example of the drawing is attached.



GRANTORS:

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Boise, Idaho 83701

REV. NO.	DESC.	BY:	CK'D:
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BOISE CITY DEPARTMENT OF PUBLIC WORKS

DRAWN BY: ??.	DATE: ??? 2007	PROJECT: Project Number SANITARY SEWER EASEMENT A PORTION OF LOT ??, ?????????? SUBDIVISION
CK'D BY: T.C.	SCALE: N.T.S.	
APPROVED:		LEGAL: SITUATED IN A PORTION OF THE ?? 1/4 OF THE ?? 1/4 OF SEC ??, T?N, R?E, BM, ADA COUNTY, IDAHO
_____ CITY ENGINEER DATE		DWG.No: RW.???.??.??? SHEET ? OF ?