



UNIT

15

LEGAL DESCRIPTIONS

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Introduction

Legal descriptions are word pictures that accurately describe parcels of land. The California Land Surveyors Act designates the writing of legal descriptions as part of the practice of land surveying. Drafting legal descriptions requires knowledge of the rules of evidence and proper use of legal terms, ability to write clearly and concisely, understanding of the effects of the description writing process on land title, and the use of a rigorous mathematical checking procedure.

Because description writing requires the use of so many basic land surveying skills, it has been heavily emphasized on recent exams. Typically, about 60 percent of the points on an LS exam will deal with descriptions and boundary determination.

Examinees must know what is required of a good description, the parts of a description, types of descriptions, and a method for attacking description problems. Proper planning of the task of description writing will save time, eliminate errors, and ensure that the description can have only one interpretation.

Performance Expected on the Exams

Write surveyable metes and bounds, strip, “of,” and line descriptions.

Write description preambles and lot, block, and sectionalized land descriptions with information presented in surveyable, logical sequence.

Given the results of a field survey and project requirements, choose the type of description that will give the least ambiguous location for the land being described.

Write curve descriptions using acceptable calls and phrases.

Utilize calls in descriptions that clarify and emphasize the intent of the parties to the description.

Key Terms

Adjacent	Adjoining
Aliquot	Along
Basis of bearings	Bearing
Call	Caption
Coincident	Commence
Contiguous	Continuation
Course	Conveyed
Described	Double call
Due	Each
Either	Excepting
Free line	Half
Lot	More or less
Northerly	Parallel
Point of Beginning (POB)	Point of commencement
Point of termination	Preamble
Prolongation	Reserving
Said	Sufficiency
Thence	Title line
To	Tract
True north	True Point of Beginning
Pedigree	

Video Presentation Outline

Characteristics of a Legal Description

- Can be interpreted in only one way
- Clear and concise
- Surveyable
- Legal
- Insurable

The Description Writer

- Qualifications
- Frame of mind
- Vocabulary
- Clauses

The Parts of the Description

- Preamble
- Body
 - Mathematical closure
 - Courses
 - Free line/title lines
 - Point of beginning
 - Basis of bearing
 - Second basis of bearing
- Clauses

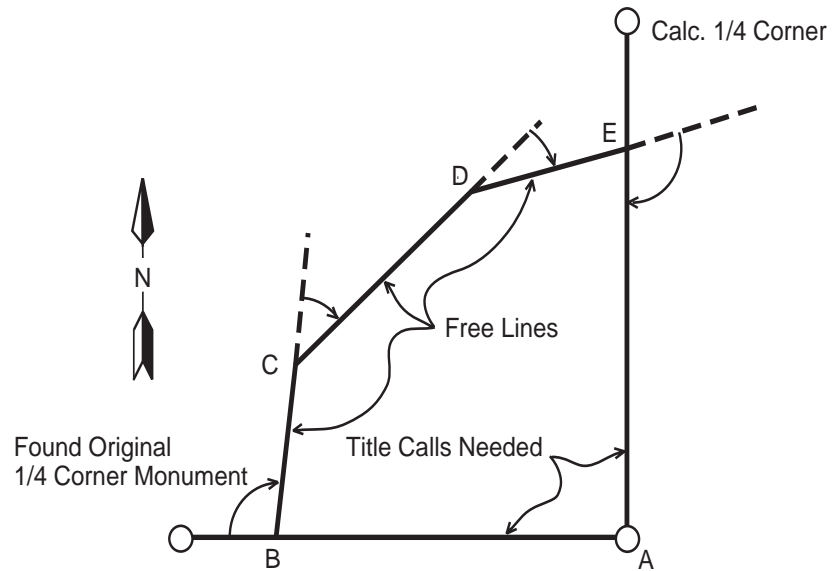


Figure 15-1. Free lines/title lines, Point of Beginning.

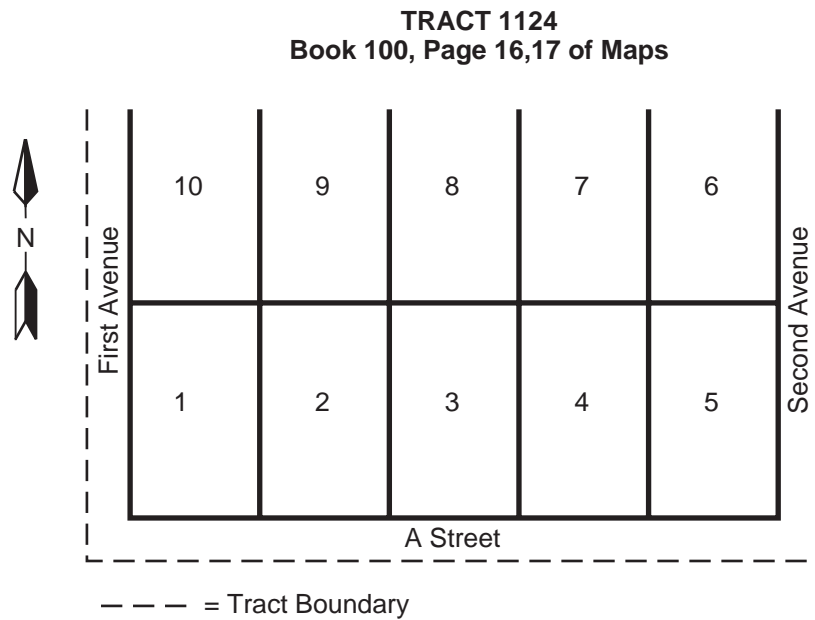


Figure 15-2. Tract 1124.

(NOTE: In the video, this drawing is used to illustrate different types of descriptions.)

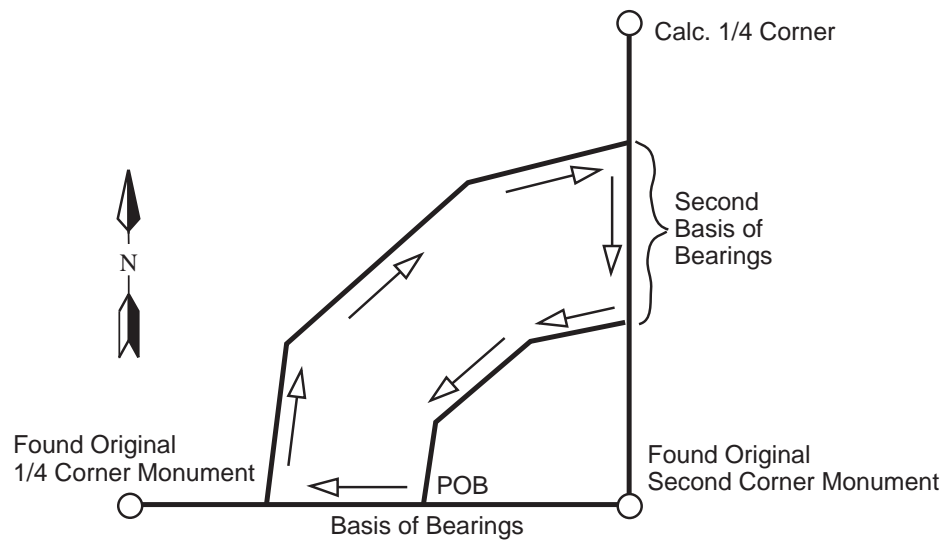


Figure 15-3. Title calls can change basis of bearings.

Types of Descriptions

- Sectionalized land
- Map reference
- Metes and bounds
- Strip
- “Of”
- Line
- Exception
- Inclusive

Planning the Task

A good legal description is *legal*, *insurable*, and *surveyable*. The best way to meet these criteria is to plan ahead.

Before beginning to write, ask the following questions about the parcel to be described:

1. What type of description is best for this parcel?
2. If the parcel to be described is part of a project requiring descriptions of parcels from different ownerships, what type of description should be used?
3. What is the best location for the Point of Beginning?
4. Where should the basis of bearings be established?
5. Clockwise or counterclockwise?
6. What calls should be made?
7. What clauses should be used?

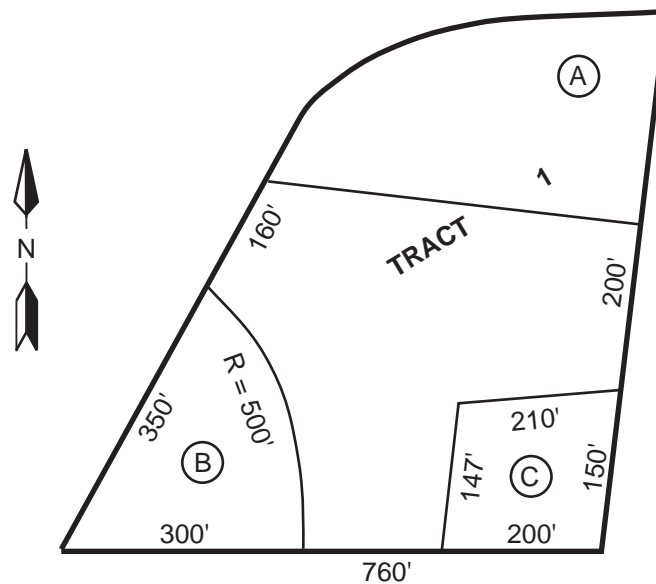
Example Problems

Problem C-4 1977 LS

A parcel of land identified as “Tract One of Mann’s Subdivision” per Map Book 3, page 17, Records of ____ County, California, is shown below. Bearing and distances not shown are not to be assumed or calculated. Disregard possible requirements for parcel map.

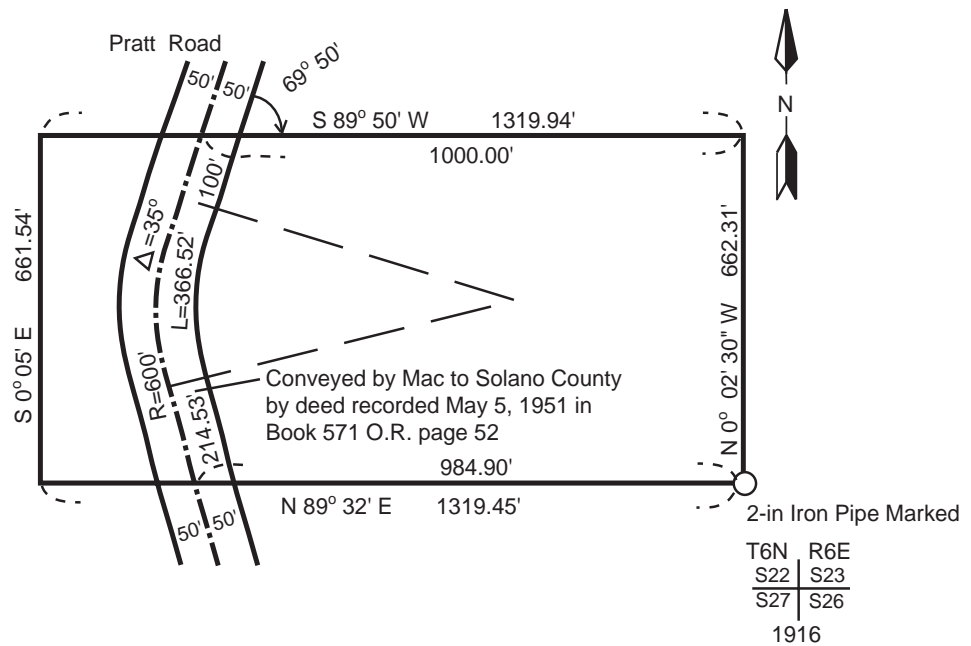
Required:

1. Write a metes and bounds description sufficient to convey the parcel identified as “A.”
2. Write a metes and bounds description sufficient to convey the parcel identified as “B.” Disregard references to official records.
3. Write a metes and bounds description sufficient to convey the parcel identified as “C.” Disregard references to official records.



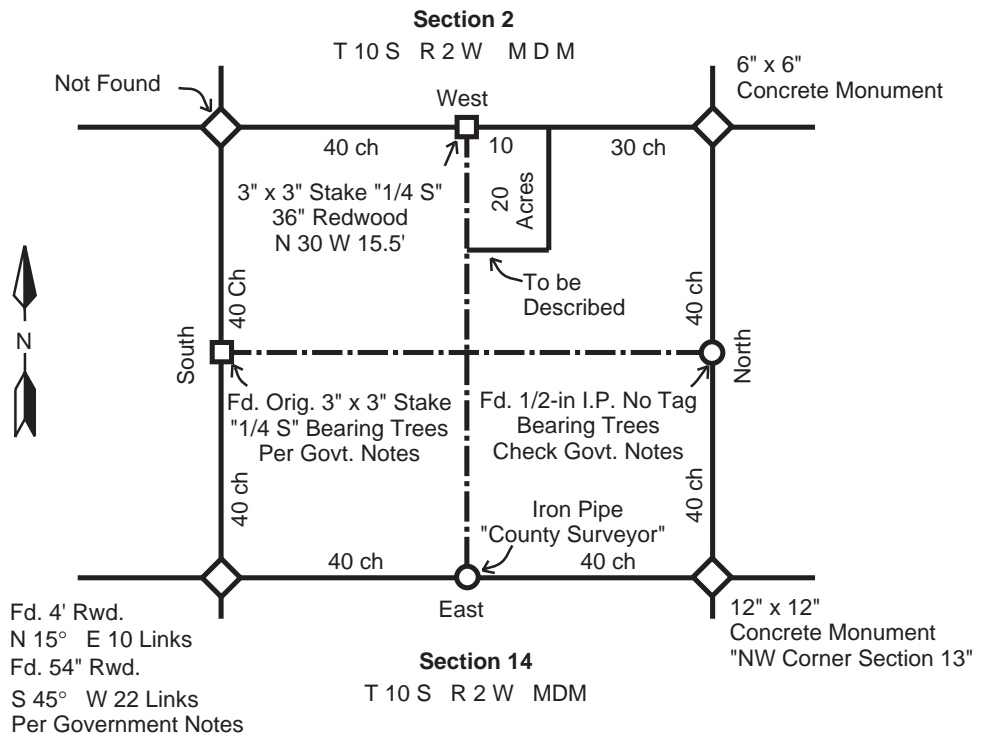
Problem C-1 1978 LS

Calculate the dimensions and write a metes and bounds description for that portion of the S 1/2 of the SE 1/4 of the SE 1/4 of Section 22 which lies east of Pratt Road. (Area not required.)



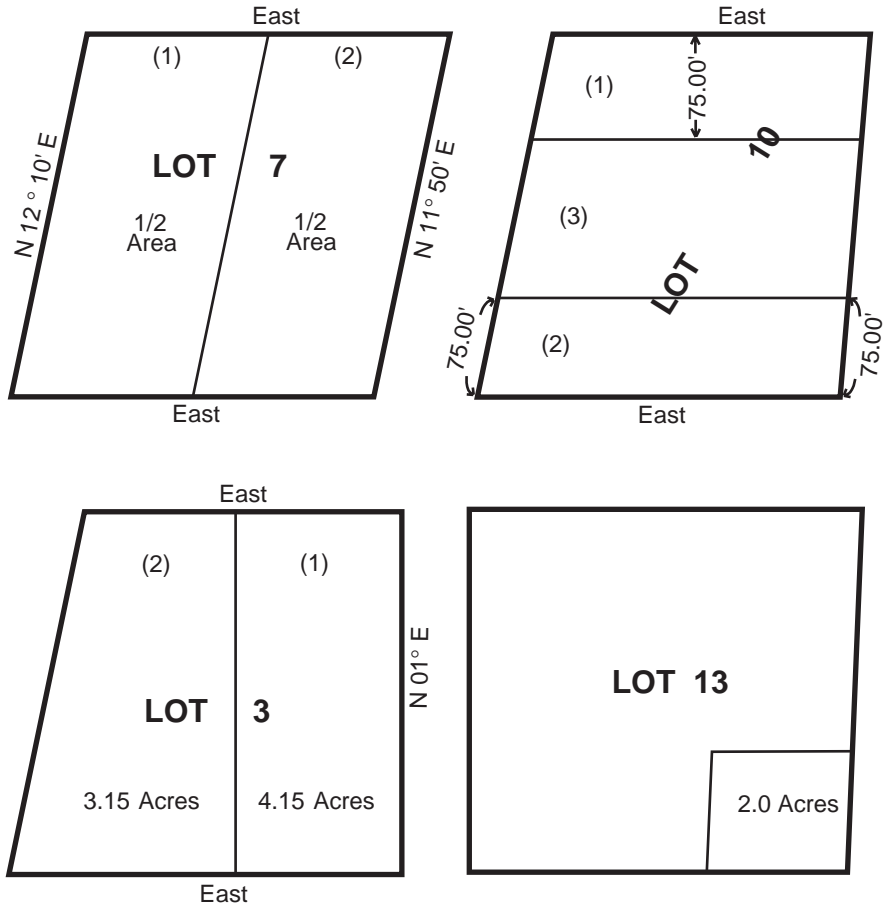
Problem D-5 1984 LS

Write a legal description for the 20-acre parcel shown in County of Santa Cruz, State of California. All dimensions shown are record and measured. Bearings are based on Polaris observation.



Problem D-6 1984 LS

Prepare legal descriptions for all portions of each lot in the order shown, i.e., (1) First, (2) Second, etc. The legal descriptions must be sufficient to properly convey each parcel and there must be no ambiguities created. The parcels will be conveyed in the order shown.



Problem A-3 1986 LS

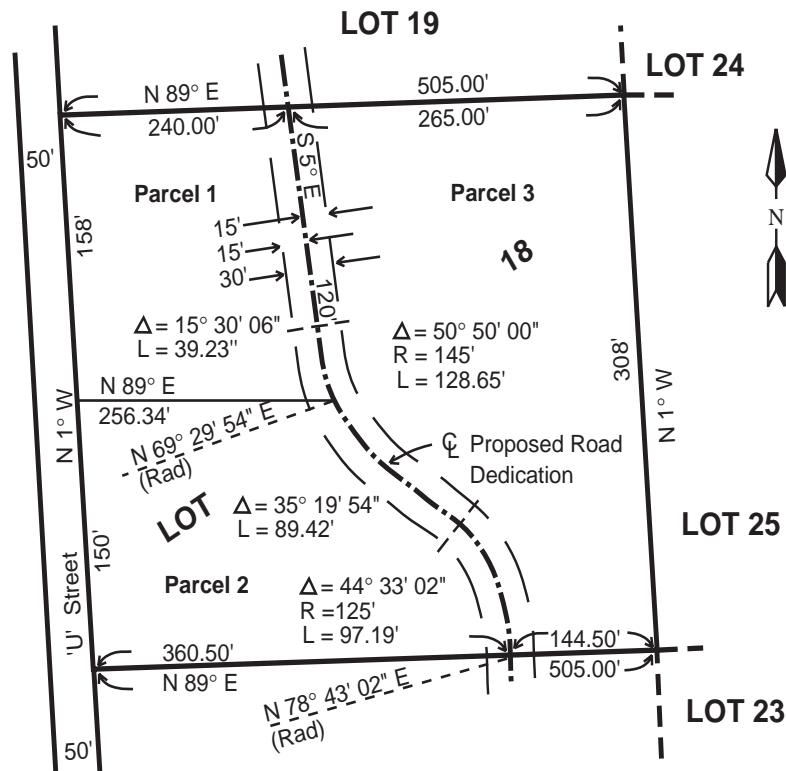
The sketch below shows Tentative Parcel Map Number 12687, based on record data, proposing the subdivision of Lot 18, Tract 400, into three parcels. The tentative map has been approved along with a waiver of final parcel map. (No parcel map need be filed.)

In order to complete the subdivision process, the county requires that a Certificate of Compliance be prepared and recorded and that the 30-ft road easement be dedicated to the county by a separately recorded document. The bearings and dimensions shown are record or calculated from record per Tract 400 and are not the result of a survey.

Required:

1. Prepare a legal description for the road easement. Include the caption.
2. Prepare legal descriptions for proposed Parcels 1, 2, and 3 in such a way that if a survey reveals different bearings and dimensions from those shown on Tract 400, no gaps or overlaps will result. Include captions. Each description must stand alone. If reference is made to the road easement, the entire description need not be rewritten, just referred to.

No calculations are required.

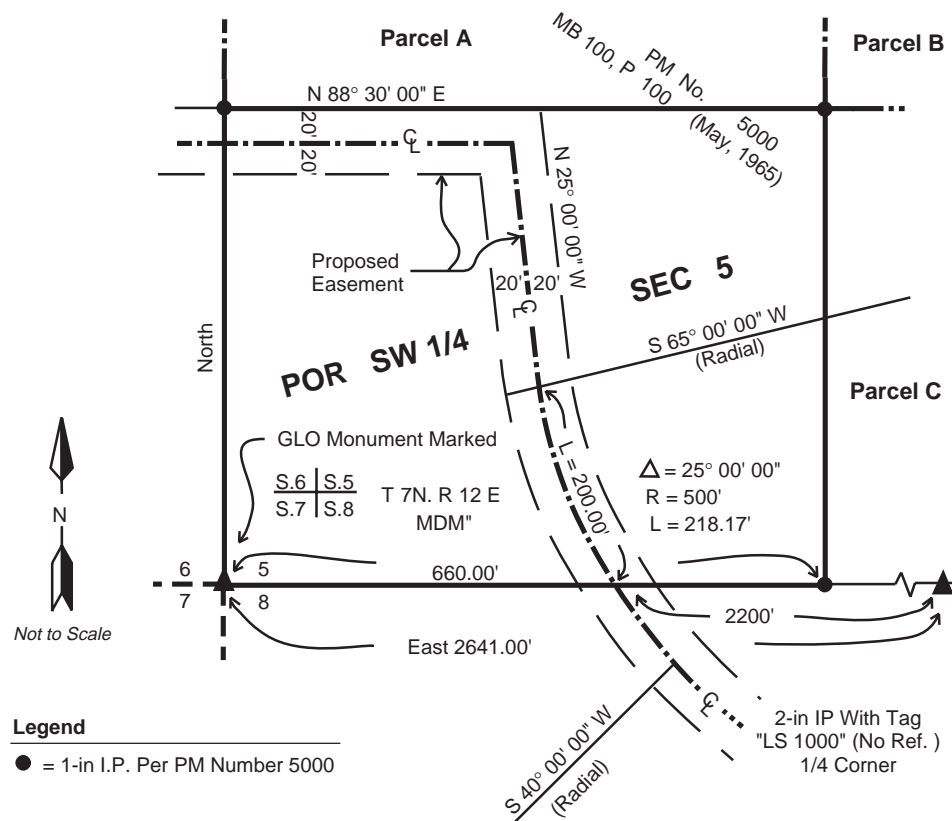


Problem B-1 1991 LS

A client owns a portion of the southwest 1/4 of Section 5, T7N, R12E, M.D.M., and has provided the plat shown below. The surveyor has been asked to prepare a legal description for a proposed 40-ft-wide easement across the property.

Required:

1. Prepare a strip legal description, including caption (preamble), for the proposed easement.
 - Begin your description at the southwest corner of Section 5.
 - Use only the information provided on the plat. Do not make assumptions.



Sample Test Questions

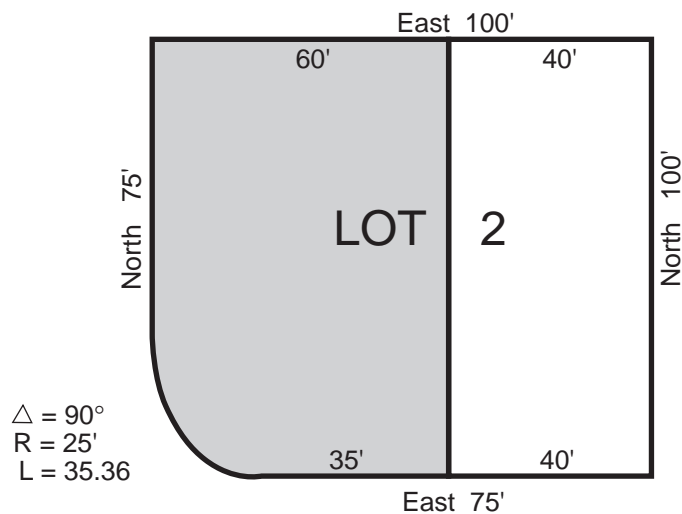
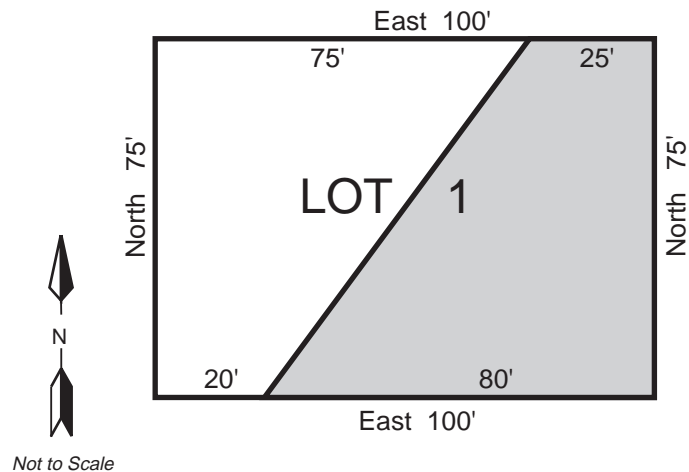
1. Problem A-5 1992 LS

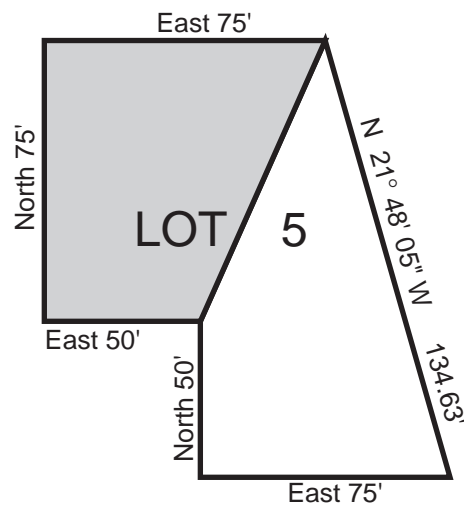
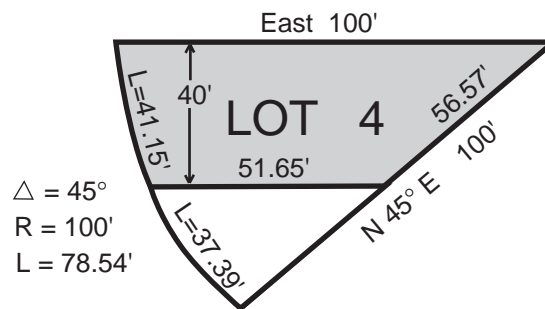
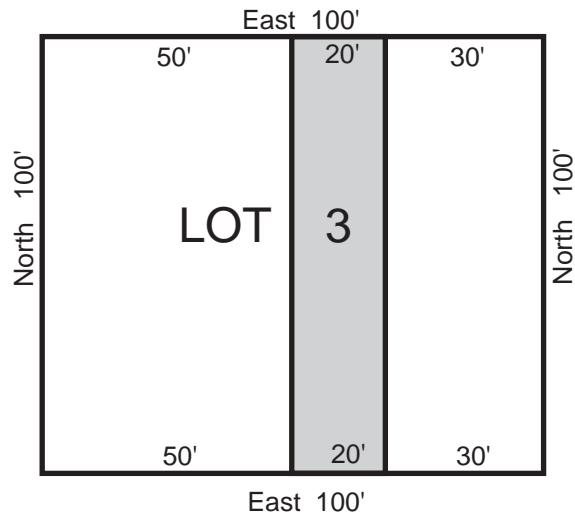
You have been asked to prepare legal descriptions for the shaded portions of the lots below. Treat each shaded portion as the first division of each lot.

Required:

Use only the information provided to solve the following. Make no assumptions. **Do not write a caption for your description. No calculations are required.**

Prepare legal descriptions for the shaded portions of Lots 1 through 5. The shaded areas of the lots depict the client's intent. Prepare your legal descriptions to ensure this regardless of subsequent re-establishments of lots.





2. Problem A-1 1991 LS

You have surveyed a pipeline route as shown on the plat on the following page. Utilizing a property line tie that you made on the northerly line of Sycamore Street, record map values, and the Tarantino deed, you calculated pipe lengths on the Tarantino property. You have been asked to prepare an easement description for the two pipelines as they relate to the Tarantino property.

The Tarantinos bought the northerly 150.00 ft of the easterly 200.00 ft of Lot 3 of Block 14 as shown on a deed recorded on August 9, 1943, in Book 27, Page 83 of Official Records.

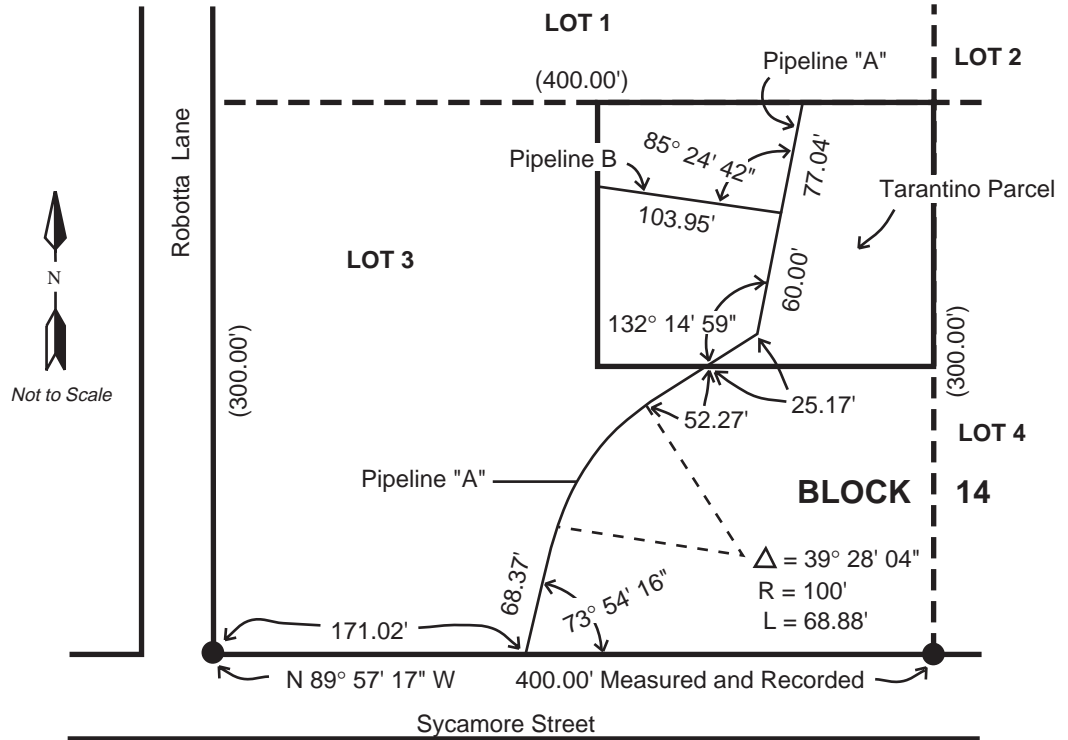
The easement for pipeline “A” is 30.00 ft wide. The pipeline is 10.00 ft southeasterly and easterly of the northwesterly and westerly line of the easement.

Pipeline “B” is in the center of a 20.00-ft-wide easement.

Required:

- A. Calculate the bearings necessary to write the description for the two pipeline easements.
- B. Utilizing the surveyed information, prepare a complete legal description entitled “Exhibit A” for the two pipeline easements on the Tarantino parcel. The legal description will be attached to a grant deed that reads, in part, that Tarantino grants the easements for pipeline purposes as described in Exhibit A.
 - Begin the description at the southwest corner of Lot 3.
 - The TRUE POINT OF BEGINNING must be on the southerly line of the Tarantino parcel.
 - No further surveying or property line calculations are required.

**A PORTION OF MAP 3619
Book 36, Page 54 of Maps,
County of Testing Showing Pipelines**



Legend

- = FD 2-in I.P. with Disk LS 10,000 Per Map 3619
- () = Record Value Per Map 3619

3. Problem B-4 1988 LS

Mr. Giraf owns Parcels 1 through 3 inclusive of Parcel Map No. 12,000 in the County of Calaveras, State of California as shown on the map recorded in Book 14 of Parcel Maps at page 35. He is selling Parcel 1 to Mr. Moosehead.

He needs to retain a well easement, a pipeline easement and an access easement.,

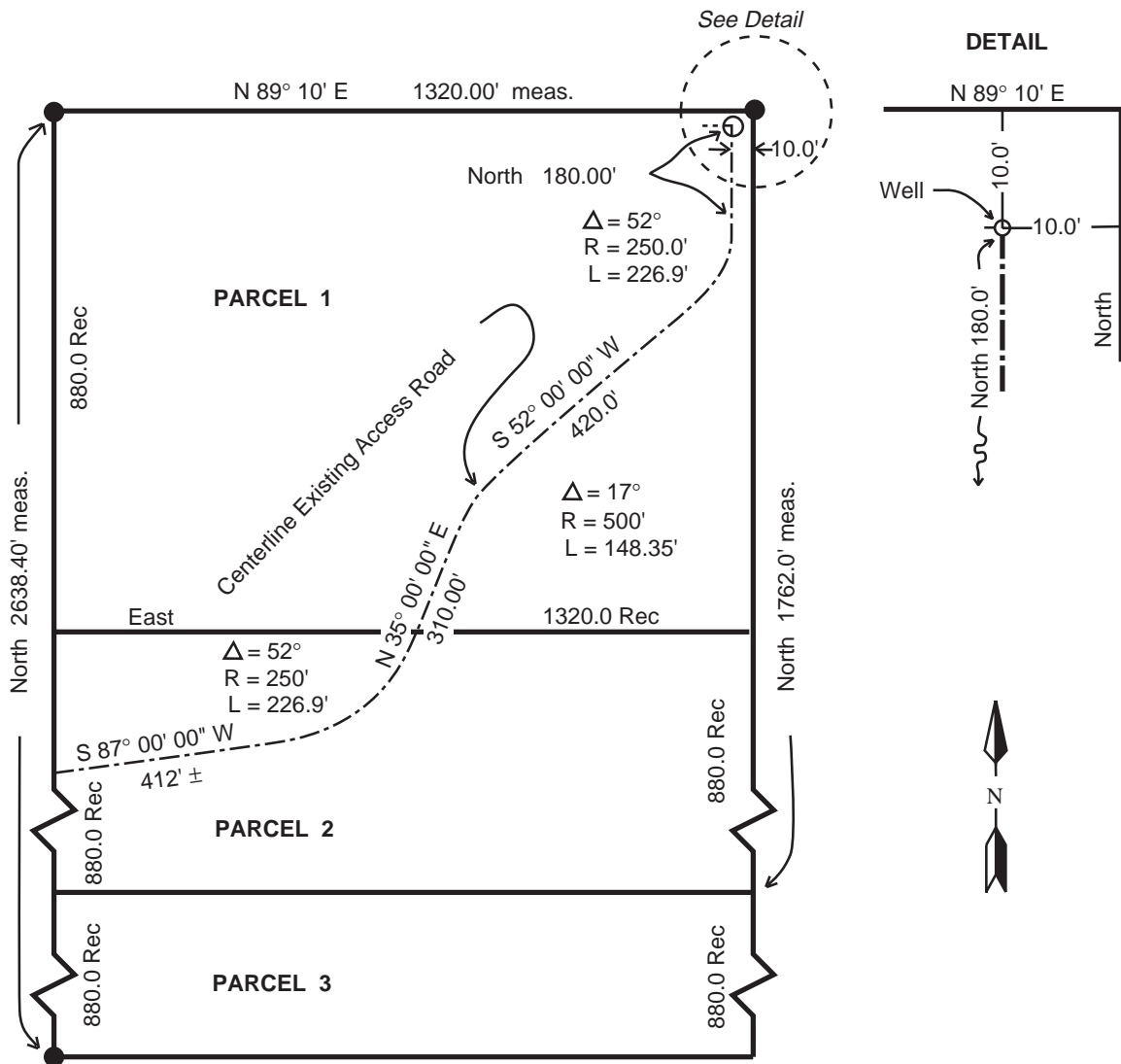
The well easement is to be 25 ft by 25 ft at the northeast corner of Parcel 1. The pipes have not been installed. Provide a 10-ft easement along the easterly line for them. The access easement is to follow the existing access road to the well and should be 20 ft wide.

The owner is not interested in doing a boundary survey of any of the parcels.

The sketch on the following page shows the information gathered from a field survey for the easements. The road and well information shown below were not on the filed parcel map.

Required:

Write complete descriptions for the requested easements.

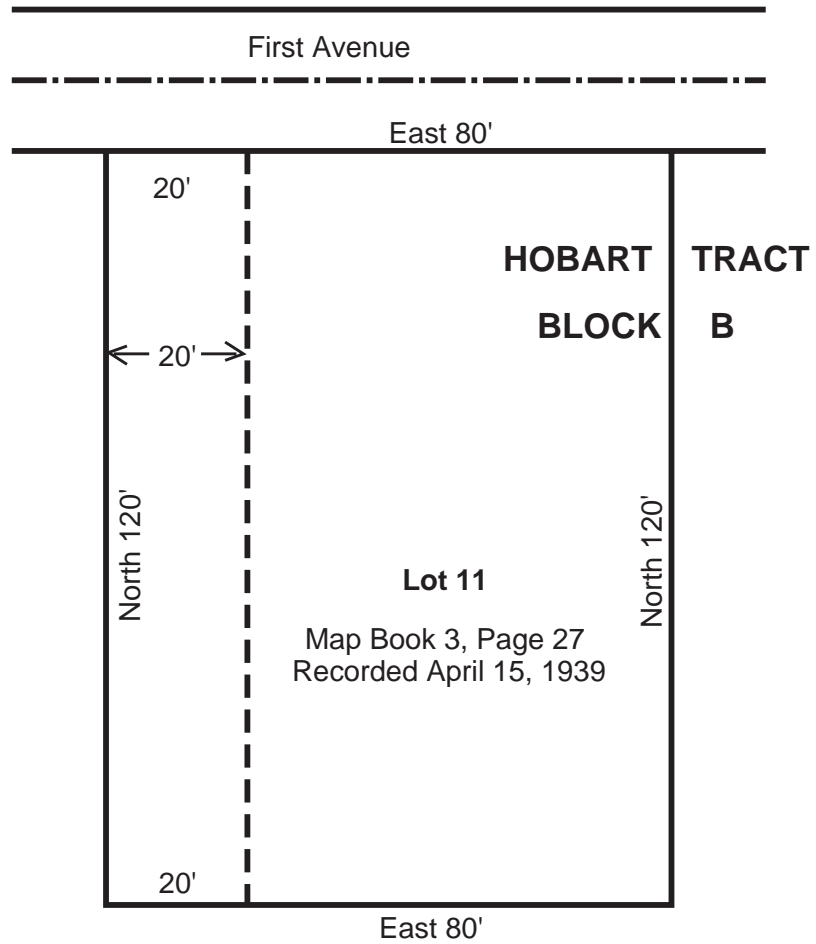


NOTE: All road and well dimensions are your measurements.

Legend

- Rec = Record Dimensions per 14/PM/35
- meas. = Your Measured Dimensions
- = Found Monument as Shown on 14/PM/35

4. A. Write a description of the west 20 ft of Lot 11 so that it would include the underlying fee in First Avenue.



- B. Write a metes and bounds description of the west 20 ft of Lot 11 as measured along the south line of First Avenue such that it will include the underlying fee in First Avenue. Disregard the preamble.

Answer Key

1. The key to planning these descriptions is the statement that surveyors must honor the client's intent and write them in such a way that the intent will be honored even if a later survey altered the bearings and distances on the lot lines. For instance, in Lot 1 the description could be tied to the northwest corner of the lot, but if that were done and a later survey showed the total distance along the North line to be 99 feet, the 75-foot figure in the description would hold, but the buyer would get only 24 feet along the North side.

Our seven "Planning The Task" questions will be useful on the last two problems so they will be used there. Here are some suggested answers for the descriptions for portions of the five lots asked for in Problem A5 of the 1992 exam:

Lot 1: Beginning at the southeast corner of Lot 1; thence westerly along the south line of said lot, 80 feet; thence northeasterly to a point on the north line of said lot, distant westerly, 25 feet along said north line from the northeast corner of said lot; thence easterly, 25 feet to the northeast corner of said lot; thence southerly, along said east line, 75 feet to the Point of Beginning.

or

That portion of Lot 1 lying easterly of a line connecting a point on the south line of said lot distant along said south line westerly, 80 feet from the southeast corner of said lot with a point on the north line of said lot distant westerly, 25 feet from the northeast corner of said lot.

Lot 2: Lot 2, EXCEPT the east 40 feet of said lot; said 40 feet measured along the north and south lines of said lot.

(This one does not depict the client's intent. If a later survey showed the north line to be 99 feet long instead of 100, the client would get only 59 feet along the north side instead of 60.)

The following descriptions better express the client's intent:

Beginning at the northwest corner of Lot 2; thence easterly along the north line of said lot, 60 feet; thence southerly to a point on the southerly line of said lot, distant easterly along said south line 35 feet from the westerly terminus of that course with a bearing of East and a distance of 75 feet; thence westerly along said south line, 35 feet to a curve in the lot line; thence, continuing along said lot line, along a tangent curve to the right, having a radius of 25 feet, through a central

angle of 90°, an arc distance of 35.36 feet; thence, continuing along the west line of said lot, North, 75 feet to the Point of Beginning.

or

Beginning at the northwest corner of Lot 2; thence southerly along the west line of said lot, south, 75 feet; thence, continuing along the lot line, along a tangent curve to the left, having a radius of 25 feet, through a central angle of 90°, an arc distance of 35.36 feet; thence, continuing along the south line of said lot, East, 35 feet; thence northerly to a point on the north line of said lot that bears easterly along said north line 60 feet from the Point of Beginning; thence, westerly along said north line, 60 feet to the Point of Beginning.

or

That portion of Lot 2 lying westerly of a line connecting a point on the north line of said lot, said point distant easterly along said north line 60 feet from the northwest corner of said lot with a point on the south line of said lot, said point distant easterly along said south line 35 feet from the westerly terminus of that course with a bearing of East and a length of 75 feet.

Lot 3: Beginning at a point on the north line of Lot 3, said point distant westerly along said north line, 30 feet from the northeast corner of said lot; thence southerly to a point on the southerly line of said lot, last said point distant westerly along said south line, 30 feet from the southeast corner of said lot; thence westerly along said south line, 20 feet; thence northerly to a point on the north line of said lot, last said point distant westerly along said north line, 20 feet from the Point of Beginning; thence easterly along said north line, 20 feet to the Point of Beginning.

or

The west 20 feet of the east 50 feet of Lot 3, said distances to be measured at right angles to the east line of said lot.

or

The west 20 feet of the east 50 feet of Lot 3, said distances to be measured along the north and south lines of the lot respectively.

NOTE: These last two will result in different size parcels if a later survey results in different dimensions and directions for the lot lines. One is based on the assumption that the 20- and 30-foot dimensions are intended to be measured at right angles and the other is based on the assumption that they are to be measured along the lot lines. The two would be the same if the opposite lot lines are parallel and all interior angles in the lot are 90° as shown, but a later survey may change that relationship. Since the dimensions are shown along the lot lines rather than at right angles, we can assume that is the intent, making the last description the better choice.

Lot 4: The north 40 feet of Lot 4, measured at right angles to the north line of said lot.

Lot 5: Beginning at the northwest corner of Lot 5; thence East, along the north line of said lot, 75 feet to the angle point with the easterly line of said lot; thence southwesterly to the east terminus of that course on the boundary of said lot having a bearing of east and a length of 50 feet; thence westerly along said boundary, 50 feet to the most westerly line of said lot; thence northerly, along said west line, 75 feet to the Point of Beginning.

or

That portion of Lot 5 lying westerly of a line connecting the northerly terminus of that course on the boundary of said lot having a bearing of N 21° 48' 05" W and a length of 134.63 feet with the easterly terminus of that course on the boundary of said lot having a bearing of East and a length of 50 feet.

NOTE: When calling to the terminus of a certain course, it is important to be clear which one is meant. The northwesterly terminus of that course with a length of 134.63 feet could not have been described as the easterly terminus of that course with a bearing of East and a length of 75 feet because there are two of them on the lot. Care was taken to avoid calling that point the northeast corner of the lot because some would understand it to be that and others would not. In other words, it would be interpreted in more than one way.

2. The seven questions will be helpful in planning the answer to this problem. First, answer the questions and then give a suggested solution.

A. What kind of description is best for this parcel?

Answer: The problem did not specify a strip description, but that is the obvious choice.

B. What kind of description would you use for the adjoining parcels to make sure they are compatible?

Answer: The problem does not ask us to write the descriptions for the adjoining parcels, but it is a good idea to get in the habit of thinking along those lines. If pipeline A is to extend into Lot 1, the Point of Beginning (POB) for the description in Lot 1 would have to be the same point as the one reached by the description for pipeline A at the North line of the Tarantino parcel. The same is true for pipeline B.

C. What point is best for the POB?

Answer: We are told to begin the description at the southwest corner of Lot 3 and to place the TRUE POINT OF BEGINNING at the South line of the Tarantino parcel so we should “commence” at the southwest corner of Lot 3 and place the TRUE POINT OF BEGINNING at the intersection of the pipeline and the southerly line of the Tarantino parcel.

D. Where should the basis of bearings be established?

Answer: The obvious choice is along the south line of Lot 3. We must be careful to say “along the south line of said Lot 3” and to give the bearing of that line and not just a general direction such as “easterly.”

E. Clockwise or counterclockwise?

Answer: This question does not apply in this case.

F. What calls should be made?

Answer: The southwest corner of Lot 3 should be called out for the POINT OF COMMENCEMENT, the south line of the lot should be recited to establish the basis of bearings and calls should be made to the south, west, and north lines of the Tarantino parcel.

G. What clauses need to be added?

Answer: A clause or clauses need to be added to make sure that the sidelines of the strips will be prolonged or shortened so as to terminate at the south, the north and the west lines of the Tarantino parcel. Also, an exception should be added to except out that portion of the description for pipeline A which will probably be duplicated in the description for pipeline B. A clause stating that the sidelines for the easement for pipeline B should be shortened so as to commence at the westerly sideline of the easement for pipeline A would accomplish the same thing.

Here is how the description might be written:

EXHIBIT A

Parcel 1: An easement for pipeline purposes in and to the northerly 150.00 feet of the easterly 200.00 feet of Lot 3 of Block 14 as shown on Map 3619 filed in Book 36, page 54 of Maps in the Office of the Recorder in the County of Testing, State of California included within a strip of land 30.00 feet wide, lying 10.00 feet on the left and 20.00 feet on the right, looking in the direction of the traverse, of the following described line:

COMMENCING at the southwest corner of said Lot 3; thence, along the south line of said lot, S 89° 57' 17" E, 171.02 feet; thence

N 16° 08' 27" E, 68.37 feet; thence northeasterly along a tangent curve to the right, having a radius of 100.00 feet, through a central angle of 39° 28' 04", an arc length of 68.88 feet to a point hereinafter referred to as Point A; thence N 55° 36' 31" E, 52.27 feet to the south line of the northerly 150.00 feet of said Lot 3 and the TRUE POINT OF BEGINNING; thence continuing N 55° 36' 31" E, 25.17 feet to a point that bears N 55° 36' 31" E, 77.44 feet from said Point A; thence N 7° 51' 30" E, 60.00 feet to a point hereinafter described as Point B; thence N 7° 51' 30" E, 77.04 feet to the north line of said Lot 3.

The sidelines of said strip shall be prolonged or shortened so as to terminate at the southerly and northerly lines of said northerly 150.00 feet of the easterly 200.00 feet of said Lot 3.

Parcel 2: An easement for pipeline purposes in and to the northerly 150.00 feet of the easterly 200.00 feet of Lot 3 of Block 14 as shown on Map 3619 filed in Book 36, page 54 of Maps in the Office of the Recorder of the County of Testing, State of California included within a strip of land 20.00 feet wide, lying 10.00 feet on each side of the following described line:

Beginning at Point B described in Parcel 1 above; thence N 79° 33' 12" W, 103.95 feet to the westerly line of said easterly 200.00 feet.

The sidelines shall be prolonged or shortened so as to begin at the westerly line of said 30.00-foot easement described in Parcel 1 above and to terminate at the westerly line of said easterly 200.00 feet.

3. NOTE: We will dispense with the questionnaire for Parcels 1 and 2, but we will use it for Parcel 3. Here are the questions and answers relative to Parcel 3:
 - A. What kind of description is best for this parcel?
Answer: The obvious answer in this case is a strip description.
 - B. This question does not apply here.
 - C. What point is best for the POB?
Answer: It is impossible to calculate a POB on the south line of Parcel 1 or the west line of Parcel 2 without mixing field and record data. It is also obvious that the easement must reach the well which is tied to the northeast corner, so let's use that as the POB.
 - D. Where should the basis of bearings be established?
Answer: The drawing shows the access road to be parallel with and westerly, 10.00 feet from the east line of the parcel so we can use that.

Calling that course parallel with the east line and giving the bearing of that east line should do it.

E. Clockwise or counterclockwise?

Answer: Using the well as the POB forces us to run southerly.

F. What calls should be made?

Answer: The POB must be tied securely to the northeast corner of the parcel. Calls should also be made parallel with the east line of the parcel and to the south line of the parcel.

G. What clauses need to be added?

Answer: The easement for a well (deed Parcel 1) the easement for a pipeline (deed Parcel 2) and the access easement (deed Parcel 3) are separate rights and it is proper that they overlap.

We do need a clause, however, to require that the sidelines of the access easement terminate at the south line of Parcel 1 of the parcel map.

Here are the descriptions for the three easements:

Parcel 1: An easement for a well in and to the northerly 25.00 feet of the easterly 25.00 feet of Parcel 1 as shown on Parcel Map No. 12,000 recorded in Book 14 of Parcel Maps at page 35 in the Office of the Recorder of the County of Calaveras, State of California.

Parcel 2: An easement for a pipeline in and to the easterly 10.00 feet of said Parcel 1 of said Parcel Map No. 12,000.

Parcel 3: An easement for access in and to said Parcel 1 of said Parcel Map No. 12,000, consisting of a strip of land 20.00 feet wide, lying 10.00 feet on each side of the following described line:

Beginning at a point in Parcel 1 of said Parcel Map No. 12,000 lying 10.00 feet westerly, measured at right angles, from the easterly line of said Parcel 1 of said parcel map and 10.00 feet southerly, measured at right angles, from the northerly line of said Parcel 1 of said parcel map; thence South, parallel with said east line of said parcel map, 180.00 feet; thence southerly and southwesterly along a tangent curve to the right, having a radius of 250.00 feet, through a central angle of 52°, an arc length of 226.90 feet; thence S 52° 00' 00" W, 420.00 feet; thence southwesterly along a tangent curve to the left, having a radius of 500.00 feet, through a central angle of 17°, an arc length of 148.35 feet; thence S 35° 00' 00" W to the south line of said Parcel 1 of said Parcel Map.

The sidelines of said easement shall be prolonged or shortened so as to terminate at the South line of said Parcel 1 of said Parcel Map.

The easements described in Parcels 1, 2, and 3 above are intended to be appurtenant to and for the benefit of Parcels 2 and 3 of said Parcel Map No. 12,000.

4. A. The West 20 feet of Lot 11.
- B. Beginning at the northwest corner of Lot 11, Block B of Hobart Tract as shown on Map recorded April 15, 1939 in Book 3, page 27 of Maps in the Office of the Recorder of _____ County; thence East along the north line of said lot, 20.00 feet; thence southerly, parallel with the west line of said lot, 120.00 feet to the south line of said lot; thence West, along said south line, 20.00 feet to the west line of said lot; thence, North, along said west line to the Point of Beginning.

NOTE: Calling "along the south line of First Avenue" would not convey the underlying fee in the street.

Appendix 15-A

Miscellaneous Clauses

This list includes some specially written clauses and suggested language to be used in deed writing. These phrases may be used as is or adapted to fit specific needs.

Preambles

MC-1 Portion of an Aliquot Part of a Section.

“That portion of the northeast quarter of the northwest quarter of the northeast quarter of Section 10, T2S, R6E, SBM, in the unincorporated portion of the County of _____, State of California, according to the official plat of said land approved September 15, 1884, described as follows:”

MC-2 Lot and Block.

“That portion of Lot 3 of Tract No. 22886, in the City of _____, County of _____, State of California, as shown on map recorded in Book 604 of Maps, pages 20 and 21 in the Office of the County Recorder of said county, described as follows:”

MC-3 Ranchos.

“That portion of the Rancho _____, in the City of _____, County of _____, State of California, as shown on map recorded in Book _____, page _____ of Patents, in the Office of the County Recorder of said county, described as follows:”

MC-4 Line Descriptions.

“That portion of _____ lying northerly of the following described line:”

MC-5 Strip Descriptions.

“That portion of _____ included within a strip of land, 10.00 feet wide, lying 5.00 feet on each side of the following described line:”

or

“An easement for _____ in and to that portion of _____ included within a strip of land, 10.00 feet wide, lying 5.00 feet on each side of the following described line:”

MC-6 Inclusive Descriptions.

“That portion of _____ included within the following described lines:”

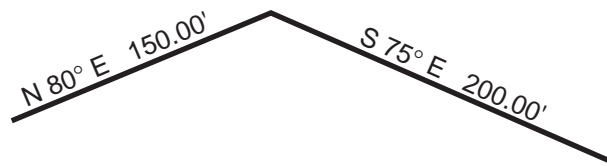
or

“An easement for _____ in and to that portion of _____ included within the following described lines:”

Basic Statements

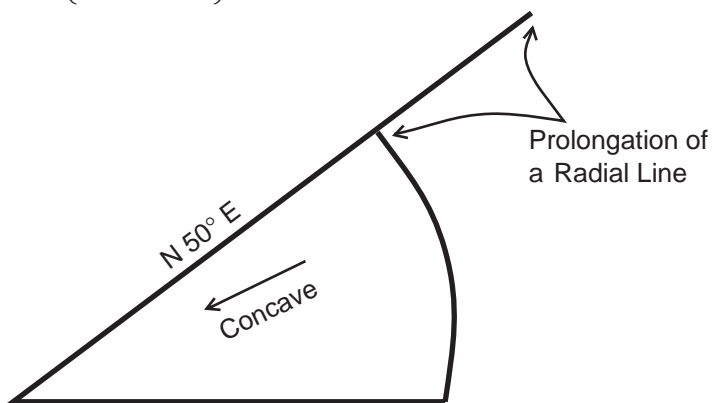
MC-11 Straight Lines.

“...thence N80° E, 150.00 feet; thence S75° E, 200.00 feet...”



MC-12 Radial Lines.

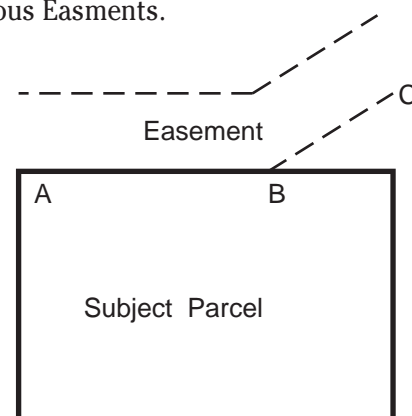
A radial line *radiates* from the center of the circle to a point on the circumference. In this case, the beginning on the radial line would be N 50° E (not S 50° W).



MC-13 Adjacent, Adjoining, and Contiguous Easements.

“The entire easement is *adjacent* to the subject parcel; that portion of the easement from A to B *adjoins* the parcel. That portion of the easement from B to C is *adjacent*, but not *adjoining*.”

(Definitions of the word *contiguous* are contradictory and the word should be avoided.)

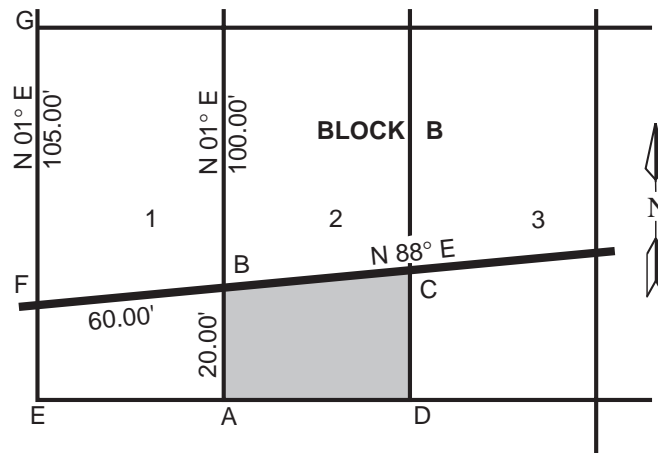


MC-14 Point of Beginning.

Caution: Use only when certain of lot corner's location.

TRACT 1124

Book 100, Page 16,17 of Maps



“...BEGINNING at the southwest corner of said Lot 2...”

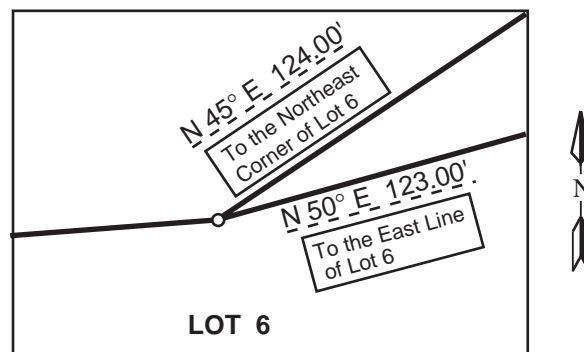
or

“...BEGINNING at a point on the west line of said Lot 2 distant thereon S 1° W, 100.00 feet from the northwest corner of said Lot 2...”

or

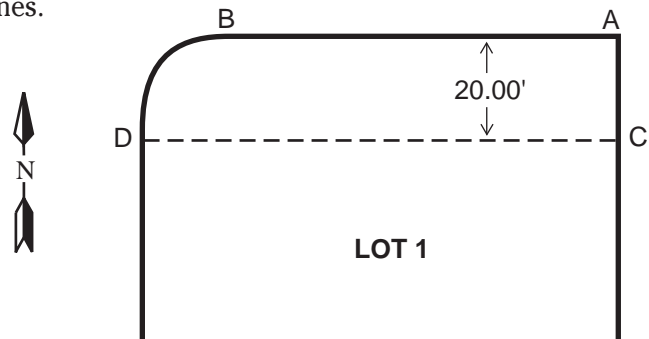
“...COMMENCING at the northwest corner of Lot 1 of said Tract 1124, thence along the west line of said Lot 1, S1° W, 105.00 feet; thence N88° E, 66.00 feet to the west line of said Lot 2 and the TRUE POINT OF BEGINNING...” (This last version should be used if the west Line of Lot 2 is uncertain.)

MC-15 Calls.



- = Controlling Call
- - - = Informative Call – Will Yield to Controlling Call if Different

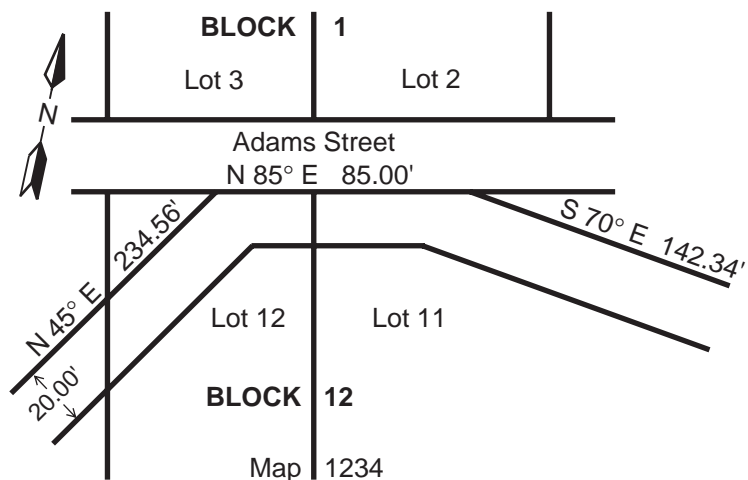
MC-16 Parallel Lines.



All of line C-D is parallel with A-B even though it is longer. It is not necessary to describe C-D as being parallel with A-B “and its westerly prolongation.” C-D can safely be described as follows:

“...a line parallel with, and distant southerly 20.00 feet, measured at right angles from the tangent portion of the northerly boundary of said Lot 1...”

MC-17 Street Lines—One Tract.



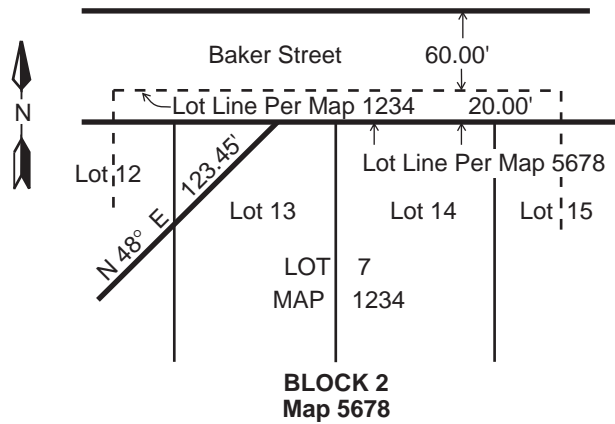
In this case, Adams Street and the lots were created on Map 1234 recorded April 1, 1956 in Official Records of _____ County, CA. When describing the northerly line of the easement:

“...to the south line of Adams Street as shown on Map No. 1234 Recorded April 1, 1956 in the Official Records of _____ County, CA...”

or

“...to the north line of said Lot 12, Block 2 as shown on Map 1234, recorded April 1, 1956 in the Official Records of _____ County, CA ...”

MC-18 Street Lines—Two Tracts.



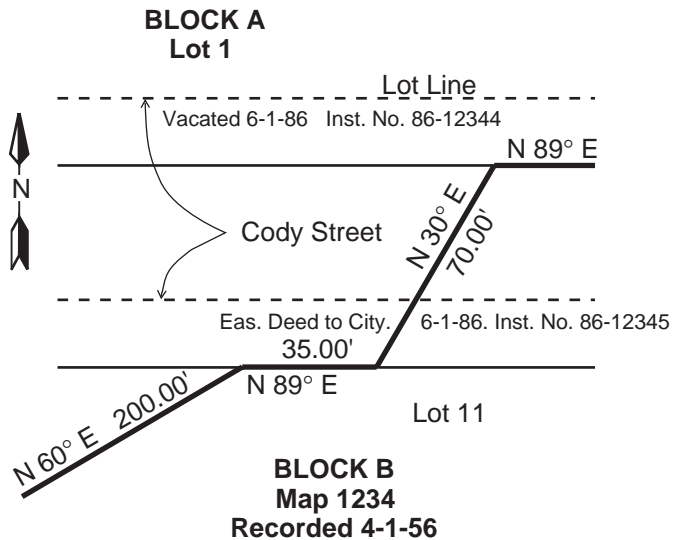
In this case Lot 7 of Map 1234 was further subdivided by Map 5678 which added 20.00 feet to the width of Baker Street.

“...to the north line of Lot 13, Block 2 as shown on Map 5678 recorded July 1, 1971 in Official Records of _____ County, CA...”

or

“...to the south line of Baker Street as shown on Map 5678 recorded July 1, 1971 in Official Records of _____ County, CA...”

MC-19 Street Lines—Easement and Vacation.



Lot lines don't change. Even though a strip had been added to the street on the south and a portion of the street vacated on the north side, the lot lines remain where they were. Calls to the current street sidelines would be made like this:

“...to the southerly line of Cody Street as described in deed to the City of _____, recorded June 1, 1986 as Instrument No. 86-12345 of Official Records of _____ County; thence, along said southerly line, N89° E, 35.00 feet; thence N30° E, 70.00 feet to the northerly line of Cody Street, being the southerly line of that portion of said Cody Street vacated and closed to public use by Instrument No. 12344 recorded June 1, 1986 in said Official Records...”

Curve Descriptions

MC-21 Tangent Curves.

“...thence, northeasterly and easterly along a tangent curve to the right, having a radius of 50.00 feet, through a central angle of 80°, an arc length of 69.81 feet...”

or

“...to a tangent curve concave southerly and having a radius of 50.00 feet; thence northeasterly and easterly along said curve through a central angle of 80°, an arc distance of 69.81 feet...”

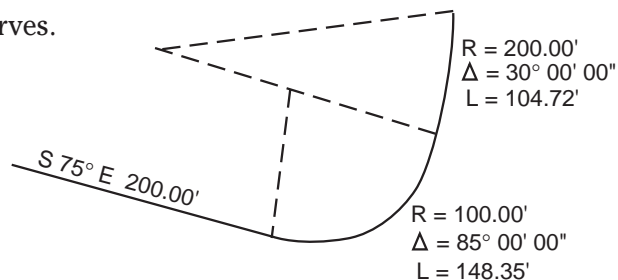
MC-22 Non-Tangent Curves.

“...to a non-tangent curve; thence, easterly from a tangent that bears N 60° E, along a curve to the right, having a radius of 50.00 feet, through a central angle of 80°, an arc length of 69.81 feet...”

or

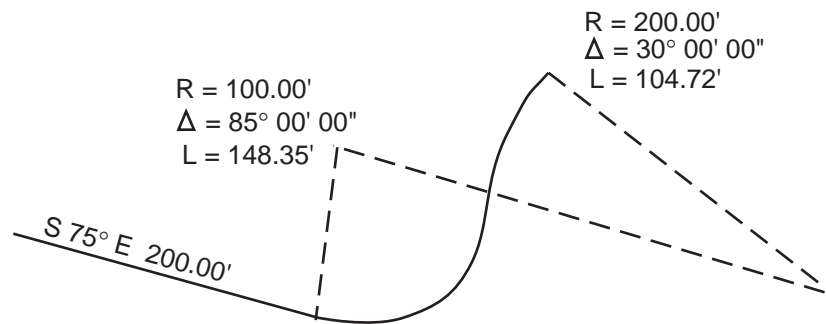
“...to the beginning of a non-tangent curve concave southerly and having a radius of 50.00 feet, to which beginning of curve a radial bears N 30° W; thence easterly along said curve through a central angle of 80°, an arc distance of 69.81 feet...”

MC-23 Compound Curves.



“...thence easterly and northeasterly along a tangent curve to the left, having radius of 100.00 feet, through a central angle of 85° 00' 00", an arc length of 148.35 feet to the beginning of a compound curve concave westerly and having a radius of 200.00 feet; thence northerly along said compound curve through a central angle of 30° 00' 00", an arc length of 104.72 feet...”

MC-24 Reverse Curves.



“...thence easterly and northeasterly along a tangent curve to the left, having a radius of 100.00 feet, through a central angle of 85° 00' 00", an arc length of 148.35 feet to the beginning of a reverse curve concave to the southeast having a radius of 200.00 feet; thence northeasterly along said reverse curve through a central angle of 30° 00' 00", an arc length of 104.72 feet...”

Strip Descriptions

MC-31 Describing the Centerline.

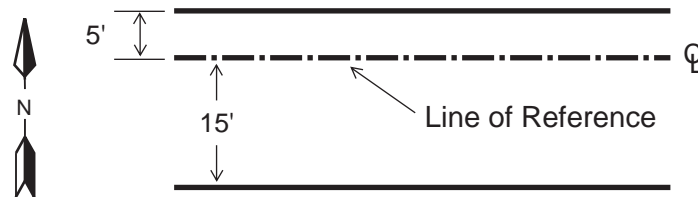


“...A strip of land 20 feet wide, the centerline of which being described as follows...”

or

“...A strip of land 20 feet wide lying 10 feet on each side of the following described line...”

MC-32 Use when the line of reference is inside the strip but is not the centerline and the entire strip runs basically in one direction.



“...A strip of land 20 feet wide lying 5 feet northerly and 15 feet southerly of the following described line...”

or

Use in situations where the strip may change direction.

“...A strip of land 20 feet wide lying 5 feet on the left and 15 feet on the right, looking in the direction of the traverse, of the following described line...”

MC-33 Use when one sideline of the strip is to be the line of reference and the entire strip runs basically in one direction.



“...A strip of land 20 feet wide, the northerly sideline being described as follows...”

or

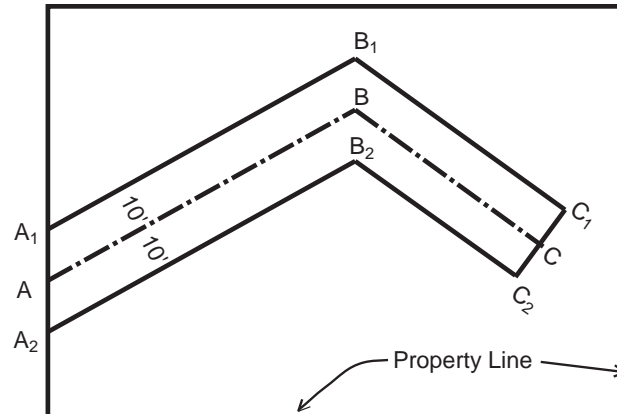
Use in situations where the strip changes directions.

“...A strip of land 20 feet wide, the left sideline of which, looking in the direction of the traverse, being described as follows...”

MC-34 Use when the line of reference must tie to a line parallel with a record line.

“...to a line parallel with and distant southerly, 20 feet, measured at right angles from the north line of said lot, thence along said parallel line...”

- MC-35** To make sure that the sidelines terminate at the property line as required, use a clause similar to this:
 “The sidelines of said strip should be prolonged or shortened so as to begin at the west line of said property.”



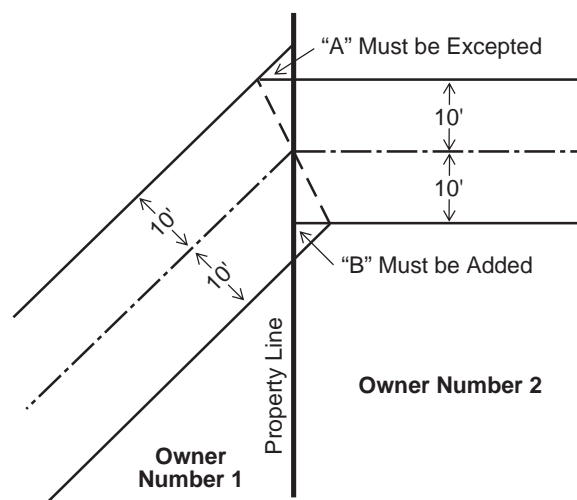
- MC-36** If the strip terminates inside the property, the last point on the line of reference should be called the Point of Termination. Then if the strip ends at a course that is at right angles to the line of reference, the following form should be used:

“The sidelines of said strip shall terminate at a line running through said Point of Termination at right angles to last said course.”

or

Use this form if the strip ends at a line that is not at right angles to the last course.

“The sidelines of said strip shall terminate at a line that bears _____ running through said Point of Termination.”



MC-37 Use this when the strip description from Owner No. 1 terminates at the property line.

“The sidelines of said strip shall be prolonged or shortened so as to terminate at the east line of said property. EXCEPTING therefrom...”
(Describe Parcel A.)

(An alternate method of handling this would be to continue the strip description past the property line and then except out that portion east of the line. That way the small triangle would not have to be described.)

or

Use this when the strip description from Owner No. 2 begins at the property line.

“The sidelines of said strip shall be prolonged or shortened so as to begin at the west line of said property. TOGETHER WITH the following described parcel...” (Describe Parcel B.)

(An alternate method of handling this, as in MC-37A would be to begin the description west of the property line and except out that portion west of the line. That way Parcel B would not have to be described.)

Temporary Construction Easements

MC-51 “A temporary easement for a highway detour in and to...”

MC-52 “A temporary easement for contour grading purposes in and to...”

MC-53 “It is understood that said easement is temporary and shall terminate either upon completion of construction of that portion of Interstate (state) Highway Route _____ lying adjacent to the above-described parcel or December 30, 19____, whichever date occurs first. It is also understood that upon said termination date the State shall have no further obligation or liability in connection with said parcel.”

Misc. Equal Area, Coordinate Clause, Underlying Fee

MC-72 May be used on part takes, fee or easement.

“Containing _____ square feet (acres), more or less.”

MC-74 May be used on part takes when description includes a portion of a public way and its area is known.

“Containing _____ square feet (acres), more or less, in addition to _____ square feet, more or less, included within the adjoining public way(s).”

MC-76 May be used on part takes when description includes a portion of a public way and its area is unknown.

“Containing _____ square feet (acres), more or less, in addition to that portion included within the adjacent public way.”

MC-78 Use on deeds with grid bearings and distances.

“The bearings and distances used in the above description(s) are on the California Coordinate System of 1927 (or 1983, whichever is appropriate), Zone _____. Multiply all distances used in the above description(s) by _____ to obtain ground level distances.”

MC-79 “Together with underlying fee interest, if any, adjacent to the above described property in and to the adjoining public way.”

References

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_____, *California Department of Transportation, Surveys Manual*, Chapter 6.

_____, *Definitions of Surveying and Associated Terms*, ACSM and ASCE, 1978.

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Walpole, Jane, Ph.D., *The Writer’s Grammar Guide*, Simon and Schuster, 1984. (Quick help on grammar).

Wattles, Gurdon H., *Writing Legal Descriptions*, Gurdon H. Wattles Publications, Orange, CA, 1979.