

“WRITING BOUNDARY DESCRIPTIONS... A PRIMER, SOME SUGGESTIONS AND EXAMPLES”

Notes to Accompany Remarks Made on the Subject by

Dr. Richard L. Elgin, PS, PE
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at the

Utah Council of Land Surveyors

Annual Conference
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SOME BASICS

To transfer an interest in real property, must be in writing.

Usually a deed.

Deed must contain: Grantor/Grantee, words of conveyance, date, be executed, be delivered.

And, most important to Professional Surveyor: Must sufficiently describe the parcel being conveyed.

Used in many documents: WD, QC, DOT, Trustee's Deed, Easements, Contracts, Agreements, Judgments, Ordinances.

Important how written. Conveyance could be void for lack of locatability if inadequately described.

But: The name! “Legal Description v. Boundary Description”

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DESCRIPTION'S PURPOSE

Must make clear parties' intentions.

Must positively identify and locate one unique parcel.

Must specify parcel's size, shape, position.

Position referenced to USPLSS or recorded subdivision or the corner of some parcel of record.

Does not create title conflicts (gaps or overlaps).

Parcel boundaries fixed through its POB, distances and directions, calling for record adjoiners and lines of USPLSS or record subdivisions or parcels of record.

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Attorney: Sufficiency and conveying what parties intended.

Title examiner: Junior/Senior rights issues.

Surveyor: Parcel's locatability.

Crafting a boundary description of a surveyed tract is an important part of the survey.

Practically all our boundary issues can be traced to poorly written descriptions. An ill-prepared boundary description prepared by the ill-prepared. This includes surveyors, attorneys, realtors and those in the title industry.

Those who craft the boundary description must have knowledge of surveying math, the legal principles of boundary location, the legal meaning of words and phrases.

The most epic boundary dispute in American history resulted from an ambiguous boundary description!

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BOUNDARY DESCRIPTIONS – TWO ASPECTS

Boundary Descriptions have two separate aspects for the Professional Surveyor:

- 1.) How to craft the well-written boundary description.
- 2.) Construing boundary descriptions.

These are separate, but equally important topics.

This talk is about crafting (writing) the boundary description.

But...To write a boundary description, one should be knowledgeable about construing boundary descriptions.

TYPES OF BOUNDARY DESCRIPTIONS

- **Metes Description** where boundaries are fixed by the recited bearings and distances of consecutive lines around the parcel: "...thence N42°10'E, 247.27 feet; thence S89°18'E, 397.69 feet...." This form likely has no application today.
- **Bounds Description** where the boundaries are fixed by reciting what "bounds" the parcel: "Bounded on the south by I-70, bounded on the east by the lands of Cormac, bounded on the north by the State Park...." Likely not written by a Professional Surveyor today.
- **Metes and Bounds Description** where the boundaries are fixed by reciting the bearings and distances of consecutive lines around the parcel, together with "bounding" references to adjoining boundary lines or calling for lines of the USPLSS or ROW lines (may have "free" lines as well), returning to the POB. Most commonly used by Professional Surveyor today after an original survey or a resurvey.

- **Description by Aliquot Part**, U.S. Public Land Survey System where boundaries are fixed by reference to a GLO plat. “All of the NW1/4 of the SE1/4 of Section 29, Township, Range, PM, County, State.”
- **Description by Reference** where the boundaries are fixed by reference to a recorded plat. “All of Lot 39 of Nolan’s Acres, Rolla, Missouri per subdivision plat recorded at....”
- **Strip Descriptions** are used to convey some linear alignment of a specified width usually on each side of the described centerline. Usually for a right-of-way for a road or ingress-egress easement or utility easement. The beginning point and terminal point should be identified. “...being 10.0 feet on each side of the following described centerline....the sidelines being extended to truncated to reach the grantor’s boundaries.”

- **The “Other” Descriptions**

The proportional description: A fractional part of a larger tract such as “the easterly one-fourth of” The problem with using this description can be the ambiguity of the direction of the dividing line. To survey what’s described will require surveying the whole tract.

The area description: A fractional part of a larger tract with exact acreage such as “the east 2.0 acres of....” Same problem as with the proportional description.

The linear description: A fractional part of a larger tract such as “the easterly 40.00 feet of....” Same problem as with the proportional description.

Hopefully, boundary descriptions of this type are not written by Professional Surveyors. If written, they need some explicit statement about the direction of the dividing line.

ANY LEGAL REQUIREMENTS?

In writing a boundary description, are there any legal requirements?

- 1.) Statutory?

- 2.) Survey Standards?

- 3.) Case law? Lands must be sufficiently described or conveyance may be void.

SOME WORDS AND PHRASES*

- Adjacent:*** Near or close to. A somewhat relative term, sometimes meaning touching or contiguous....But clearly not the equivalent of "abutting" in all cases and not necessarily touching.
- Adjoining:*** Touching. Sharing a common boundary. Touching as distinguished from lying near or adjacent.
- Abut:*** To end at; to border on; to reach or touch with an end. An abutter is one whose lot touches a highway right-of-way. Ends abut, sides join.

Contiguous: Touching at a point or along a boundary. In actual contact. One parcel of land is “contiguous” to another when the two parcels are not separated by other land.

And, the “Contiguity Statement.” A statement that a parcel of land consisting of more than one conveyance or boundary description is “contiguous.” That is, combined, they constitute one parcel of land. The statement says there are no gaps separating the contiguous boundary lines. (Seems to be a more common requirement.)

Latent ambiguity: An ambiguity in a description that does not appear on the face of the description but becomes known when applied. May be cured with extrinsic evidence.

Patent ambiguity: An ambiguity in a description such that the intention of the parties cannot be determined. The “modern tendency” is to uphold the validity of a deed if it is possible to arrive at the intention of the parties.

These terms have less application today. Just about any extrinsic evidence will be allowed to aid in identifying the lands described. Not to change what’s written, but aid in locating.

*These definitions were taken from or paraphrased from *Black’s Law Dictionary* and *Ballentine’s Law Dictionary*.

PARTS OF THE DESCRIPTION

- **Caption**

The caption describes a larger tract within which the described parcel will be located. This serves to get the user located. Where is the parcel located? It also provides a means for the surveyor or title industry to index the conveyance document that contains the description. For example:

“A fractional part of the SE1/4 of the NE1/4 of Section 23, Township, Range, PM, County, State, being more particularly described as follows....”

“All of Lot 3 and a fractional part of Lot 4, Block 7, Brown’s Subdivision, Rolla, Missouri, being more particularly described as follows....”

For any caption, if the body of the description includes part of an adjoining tract not mentioned, an ambiguity is created. If the grantor had no interest in the adjoining tract, that part would not be conveyed. If the grantor owned the adjoining tract at the time the deed was prepared, it is likely that part would be conveyed. Supporting this would be the legal principles that the particular controls the general (body is the particular, caption is general) and the conveyance is construed most strongly against the grantor.

An exception to that rule might be this. Suppose the caption says:

“All that part of the NW1/4 of the NW1/4 of Section, Township, Range, County, State and described as follows....” Here, if the body of the description went beyond the quarter quarter (even if the grantor owns those lands), will they be conveyed? The caption sounds limiting.

- Body

The body, in conjunction with the caption, must describe a unique parcel of land. In general, the body controls if there is conflict with the caption (“more particularly described as follows”); however, this written intent cannot interfere with a senior right.

Starts at a POB and returns to the POB.

- Clauses

Clauses usually follow the body of the description. They restrict or withhold from or add to the use of the parcel described or identify some right in the parcel.

Except

Means to omit or exclude or leave out.

Reserving

Means the grantor keeps a right from part of the whole which has been conveyed in the deed. The grantor conveys the fee but retains some right over the part reserved.

Subject to

Perhaps “All of the NW1/4 NE1/4 Section, Township, Range, County, Subject to the County Road along the south line of said tract.”

In the usual metes and bounds descriptions prepared by the Professional Surveyor, it’s hard to imagine using an “Except” or “Reserving” clause.

Chain of title issues with “Except” or “Reserving.” Hard to catch by the title industry.

SOME SUGGESTIONS

POC and POB and POT

Cardinal Directions

A distance of....

To a point....

Parallel

Right of Left

Front or Back

Radial Line

Un-necessary Words

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Either or Each

To a Non-Tangent Curve

Corner v. Monument

Calling out Monumentation and Basis of Bearing
Always reference the survey

Clockwise or Counterclockwise?

“Half”

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CURVES IN DESCRIPTIONS

In a metes and bounds description, a curved boundary must often be described. In practically all cases, the curve will be a horizontal circular curve (sometimes called a “simple curve”). It is in the horizontal plane (as is the survey), it is the segment of the circumference of a circle and it is tangent to the preceding line (or curve).

Another possible curve geometry is the spiral curve. This talk considers only the horizontal circular curve.

To define a curve, at least two curve elements must be given. Usually the curve radius and curve length is given, but the central angle that subtends the arc (or, “Delta”) is practically always provided. (It may have to be computed from the tangent directions.) It must be known if the curve is tangent or non-tangent, and the curve’s direction of curvature must be given, usually given by the direction of concavity. If not stated, the curve is assumed to be tangent to the preceding line. If non-tangent, say so in the description.

CURVES IN DESCRIPTIONS

Circular Curves

Non-Tangent Curves

Compound Curves

Reverse Curves

Radial Line

The Curve System

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DESCRIBING THE RIPARIAN TRACT

- **General**

Not like describing their upland brethren. Riparian boundaries move...Description must accommodate the tract's riparian boundary being ambulatory. The location of the riparian boundary may not be known. There's a way.

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- Some Basics, These Examples

Riparian boundaries are VERY state-specific.

The following discussion/examples are for the usual situation where the extent of the upland's title is dependent on the navigability or nonnavigability of the river.

Typically if navigable (for title) the riverbed is owned by the state from OLWL or OHWL to OLWL or OHWL.

If nonnavigable, the boundary between opposite landowners will be the thread of the stream.

In some states, whether the river is navigable or nonnavigable will not be known. (And the Professional Surveyor has no duty to declare.)

The following examples may not be applicable in your state.

- Construing

“to the river”

“to the bank”

“to the water's edge”

“to the high bank”

Absent some clearly stated exception and barring some unusual title exception, these phrases convey all the lands the grantor owns. Usually to the OLWL or OHWL (navigable) or thread (nonnavigable). And accretions thereto, even if the accretions are not spoken to in the description.

- Describing

Descriptions of the riparian tract should go along some boundary line “to the river,” thence with the river (upstream, downstream, some direction) to the intersection with some record boundary, then with that line, etc. “To the river” will make the boundary the thread (nonnavigable) or OLWL or OHWL (navigable) if the grantor owns that far.

Probably do not include the acreage in the description, but definitely call for the survey. Presumably the plat shows an acreage and has a note as to how or to what line it was computed.

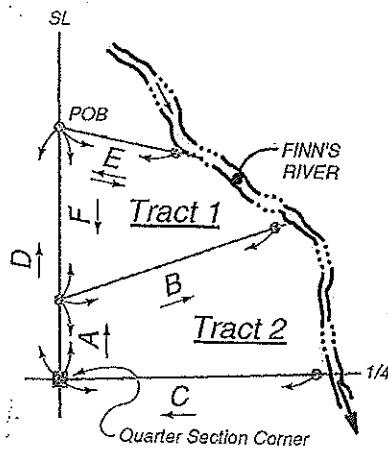
- Terms Not to Use

In describing a riparian tract, do not use terms such as “high bank,” “low bank,” “water’s edge,” “channel,” “shoreline,” or “bank.”

These are not riparian/littoral boundaries. Use will confuse parties’ intentions. Presumption is deed conveys as far as the grantor owns.

Don’t want to convey to the thread/OLWL/OHWL? Put it in, then take it out. But be careful.

Meander Lines? Acreage?



NOTES

- The bearings and distances of lines A, B, C, D, E and F given on plat.
- As river moves easterly, Tracts 1 and 2 gain the accretions. Descriptions still valid. Accretions likely apportioned or property lines extended.
- As river moves westerly, Tracts 1 and 2 lose by erosion. Descriptions still valid.

EXAMPLE ABBREVIATED DESCRIPTIONS

Tract 1

From the quarter corner along the section line, D and to the POB. Thence along the section line, F; thence (call for the line if record) bearing B to Finn's River; thence northerly upstream with Finn's River to a line which bears E (SE) from the POB; thence bearing E (NW) to the POB. Call for the survey and record it.

Tract 2

From the quarter corner, along the section line, A; thence (call for line if record) bearing B to Finn's River; thence southerly downstream with Finn's River to the quarter section line; thence bearing C to the POB. Call for the survey and record it.

Examples from "Riparian Boundaries for Missouri"
by R.L. Elgin (2022)

WHAT DO NSPS AND NCEES
MODEL LAWS AND THE NSPS/ALTA STANDARDS
SAY ABOUT DESCRIPTIONS?

NSPS Model Standards (2002)

Section 7 “Legal Descriptions of Property”

The usual good practices requirements.

Basis of bearings.

Description of natural or artificial monuments.

Surveyor’s contact information, license number and seal.

NCEES Model Law

None (But subject is not squarely within scope of NCEES’ Model Law.)

See the NSPS/ALTA Standards’ Section 6, but:

- 1.) “Current Record Description” must be shown on the plat.
- 2.) Or, if tract is original, plat must note “record document number of the parent tract.”
- 3.) If new surveyed description is written:
 - a.) Why?
 - b.) Statement that new description describes same lands as record description.
- 4.) POC and/or POB shown and noted on the plat.

TO DESCRIBE OR NOT TO DESCRIBE

See the attached article I wrote.

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TO DESCRIBE OR NOT TO DESCRIBE, THAT SHOULD NOT BE THE QUESTION

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Scope

This article addresses the need to prepare a new boundary description of a tract once the survey and plat of the tract is complete. Some in the title industry opt to use the record boundary description in a subsequent conveyance, ignoring the "new" surveyed description. The article is for the usual boundary survey project where a surveyor is asked to survey a tract described with a metes and bounds description. (Not a parcel described by aliquot part of the USPLSS or a lot/block/subdivision description.) The provided description could have been prepared many years ago, or, fairly recently. The tract may or may not have been previously surveyed. The survey is being made in preparation for the next conveyance.

The Boundary Description

The purpose of the boundary description is to identify with specificity and certainty the lands conveyed. Every conveyance of real property requires a sufficient one, for if not the conveyance could be void. The boundary description is the core of the professional surveyor's work. One purpose of preparing a "new" description of a surveyed tract is to best memorialize its location.

Provided a deed, the surveyor's task is to locate the boundaries of the described tract. This is done by taking measurements, locating and evaluating evidence, considering the record adjoiners, applying the legal principles of boundary location, confirming or monumenting the tract corners, then preparing the plat of survey and, importantly, preparing a new boundary description of the surveyed tract. All in compliance with applicable survey standards.

Any metes and bounds tract properly surveyed (or resurveyed or "retraced") should be redescribed and that description used in the subsequent conveyance. The future location of the tract is best served by using the latest survey description. There are so many good reasons for this: Better measurements for distance and direction, new/upgraded monumentation, record adjoiner changes, ambiguities eliminated. The provided description may be very nearly wholly inadequate to locate the tract. For riparian tracts there could be very large boundary location differences and associated acreage changes. The severity of the differences between the "old" and "new" descriptions will be highly variable, and perhaps a function of age, the abilities of the previous surveyor (if surveyed), etc., but any resurveyed tract should be redescribed and that description used in the subsequent conveyance. Subsequent owners will benefit. The boundary description

memorializes the tract's location. One written on completion of a survey best serves that purpose.

A Disturbing Trend

But it seems some in the title industry elect not to use the surveyor's "new" provided description of the surveyed tract in the subsequent conveyance. Instead the "old" record description is repeated in the next conveyance, ignoring the surveyor's "new" boundary description. The reason given for this choice by the title industry is that by using the new description the tract loses its title identity or that the reviewer doesn't know or can't tell that the "new" described and the "old" described lands are the same tract. Usually the "new" description will be such an improvement in locating the tract boundaries that any reason not to use it seems nonsensical. This practice of conveying using the old, record description is a bad one.

Overcoming the "Title Identity" Reason

The boundary survey concludes with a plat of survey and a boundary description crafted by (or one checked and approved) the professional surveyor whose seal is affixed to the deliverables. Some state survey standards require a boundary description be prepared for each boundary survey conducted.

Every plat of survey (In some states referred to as a Certificate of Survey) should include a set of Surveyor's Notes that further explain the survey. Among those notes absolutely should be one that says something like "The lands surveyed, platted and described hereon are the same lands as described in...." Then quoting the record document recording location. This statement should be a requirement of every state's survey standards. This statement ties the survey and its boundary description to the record description. (There are exceptions and amplifications to this.) Or, at the conclusion of the new surveyed boundary description, one could add the statement "Being the same lands previously described in...." (Quoting the record document.) Either of these methods should respond to the title industry's complaint about the next conveyance losing title identity.

Good Professional Practice

Today's modern boundary description should conclude by calling for the survey. Something like "...the above described tract contains XX.XX acres, more or less, per plat of survey number XXXX dated MO/DAY/YEAR by XXXXXXX Survey Company, Inc." If this description is used in a deed, this call for the survey incorporates all the information shown on the plat as a part of the conveyance, to be used and considered in future surveys of the tract. Hopefully the plat of survey is recorded (but that subject is left for another time).

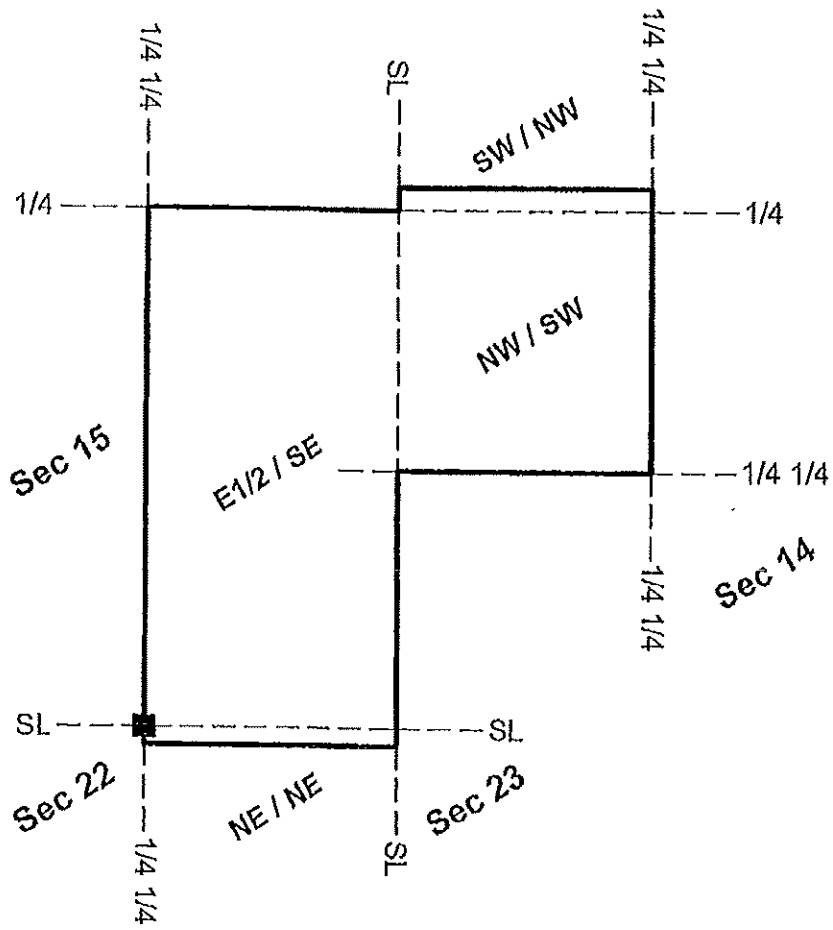
Surveyors and the surveying profession cannot direct or dictate the title industry's business practices. What surveyors can do is use the following best practices: 1.) In

Surveyor's Notes quote the record location of the deed, the survey of which is represented on the plat. 2.) In the new surveyed description call for the survey. 3.) On the resulting plat of survey, place the "new" description AND the "old" record description, labeling them as such. By this, other professionals involved in the real property transfer can choose which description they wish to use in the subsequent conveyance. If the seller's attorney insists on using the "old" record description in the conveyance by Warranty Deed, one may suggest the tract also be conveyed using a later Quit Claim Deed containing the "new" description. At least by that method the new, surveyed description gets into the record. 4.) Record the survey.

After this effort the professional surveyor has provided the best information he or she can concerning the tract and its future conveyance, to benefit the current and future sellers, buyers, lenders, insurers, adjoiners and surveyors. It can do no more. One would hope the title industry would embrace and use our professional services.

About the Author

Dr. Richard Elgin, PS, PE is a surveying practitioner, educator, researcher, collector and author. He codeveloped the "ASTRO" software products and coauthored the Lietz/Sokkia ephemeris. He wrote The U.S. Public Land Survey System for Missouri and Riparian Boundaries for Arkansas and Shoulda Played the Flute (a memoir of his year flying helicopters in Vietnam) and Riparian Boundaries for Missouri. He owns a large collection of early American surveying equipment, rides a Moots bicycle and drives an Alfa Romeo 1600 GT Junior. Dick's articles have appeared in "American Surveyor" for many years. Dick may be reached at: elgin1682@gmail.com



All of the Northwest Quarter of the Southwest Quarter of Section 14 and the East half of the Southeast Quarter of Section 15, T41N, R8W, 5thPM, containing 120 acres more or less. AND four acres off the South side of the Southwest Quarter of the Northwest Quarter of Section 14, T41, R8W; a fence along the Northern boundary of said 4 acres to be the line; said fence to belong to the grantee herein. AND about 13/16ths of an acre in the Northwest corner of the Northwest Quarter of the Southwest Quarter, the fence on the North and ditch on the East to be the lines. AND, commencing at the section corner of Section 15, 16, 22 and 23, T41, R8W, thence south on the section line between sections 22 and 23 one chain to a limestone set for a corner, thence West var. 4 degrees 44 feet East 20.22 chains to a limestone 24 inches long, thence North var. 6 degrees East one chain to a stone set for Northwest corner of the Northeast Quarter of the Northeast Quarter thence East var. 4 degrees 44 feet East 20.22 chains back to the place of beginning, containing 2 acres more or less.

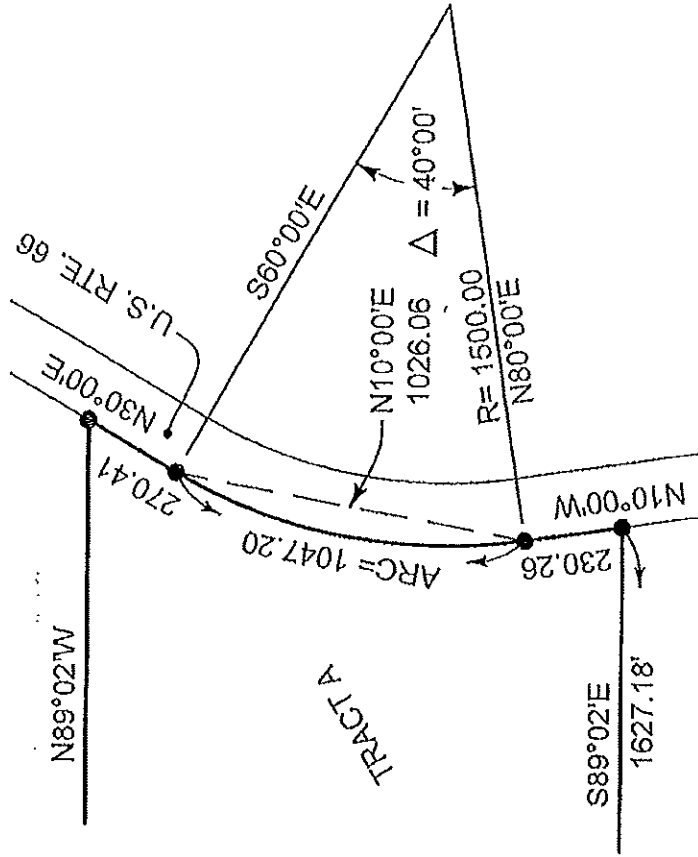
Record description of lands. Description is from current owner's deed. Description first used in the early 1900's and repeated ever since. Read it carefully and try to plot. Notice anything that should be corrected.

All of the Northwest Quarter of the Southwest Quarter of Section 14, and, all of the East Half of the Southeast Quarter of Section 15, and, a fractional part of the Southwest Quarter of the Northwest Quarter of Section 14, and, a fractional part of the Northeast Quarter of the Northeast Quarter of Section 22, all in Township 41 North, Range 8 West of the 5th P.M. described as follows: Beginning at the Southeast Corner of the Southeast Quarter of the Southeast Quarter of said Section 15; thence North 0°42'10" East, 1327.46 feet along the East line of said Southeast Quarter of the Southeast Quarter to the southwest corner of the aforesaid Northwest Quarter of the Southwest Quarter of Section 14; thence South 89°12'18" East, 1329.26 feet along the South line of said Northwest Quarter of the Southwest Quarter to its southeast corner; thence North 0°47'47" East, 1321.42 feet along the East line of said Northwest Quarter of the Southwest Quarter to the southeast corner of the aforesaid Southwest Quarter of the Northwest Quarter of Section 14; thence North 0°50'36" East, 131.26 feet along the East line of said Southwest Quarter of the Northwest Quarter to the southeast corner of a parcel described in Hance County Deed Records at Book 321, Page 46; thence North 89°21'21" West, 1326.42 feet along the South line of said Book 321, Page 46 parcel to the West line of the aforesaid Southwest Quarter of the Northwest Quarter of Section 14; thence South 0°37'26" West, 131.26 feet along said West line to the northeast corner of the Northeast Quarter of the Southeast Quarter of the aforesaid Section 15; thence North 89°01'26" West, 1331.72 feet along the North line of said Northeast Quarter of the Southeast Quarter to its northwest corner; thence South 0°55'40" West, 2652.70 feet along the West line of the aforesaid East Half of the Southeast Quarter of Section 15 to a found stone at the northwest corner of the aforesaid Northeast Quarter of the Northeast Quarter of Section 22; thence South 0°42'18" West, 66.00 feet along the West line of said Northeast Quarter of the Northeast Quarter to the northwest corner of a parcel described in Hance County Deed Records at Book 291, Page 41; thence South 89°20'16" East, 1337.26 feet along the North line of said Book 291, Page 41 parcel to the East line of the aforesaid Northeast Quarter of the Northeast Quarter of Section 22; thence North 0°10'16" East, 66.00 feet along said East line to the point of beginning. Above described tract contains 127.29 acres, more or less, per plat of survey R-1682, dated February 22, 2023, by Recherche Surveying.

Following a survey of the lands, the surveyed description. In the next conveyance of these lands which should be used? The record or the surveyed description?

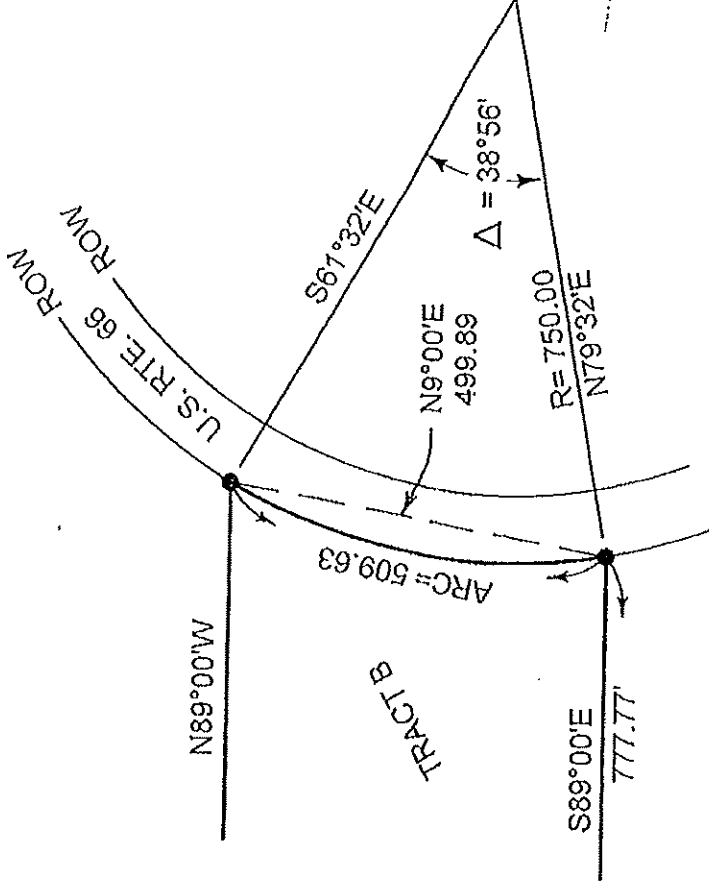
SOME EXAMPLES

- Tangent Circular Curve



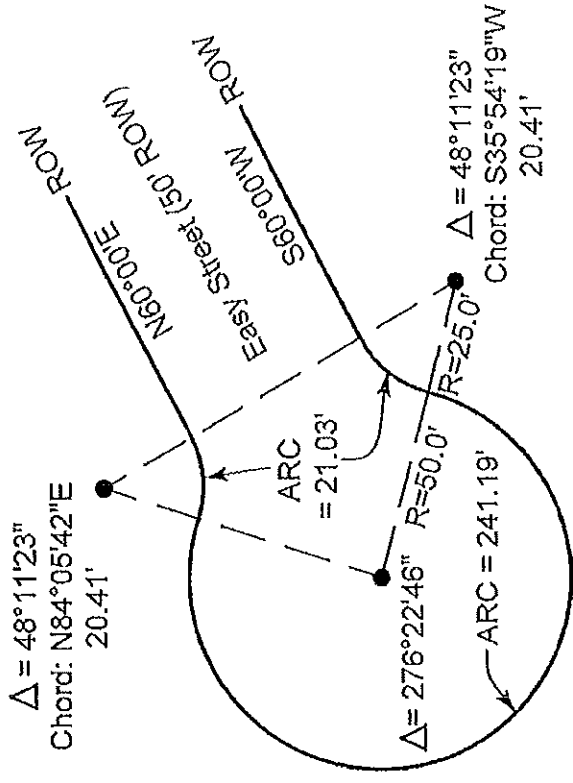
...; thence South 89°02' East, 1627.18 feet to the westerly right of way of U.S. Route 66; thence North 10°00' West, 230.26 feet, and, northerly, 1047.20 feet along the arc of a curve, concave easterly with a radius of 1500.00 feet, the chord of which is North 10°00' East, 1026.06 feet, and, North 30°00' East, 270.41 feet, all along said westerly right of way; thence departing said right of way North 89°02' West...

• Non-Tangent Circular Curve



...; thence South 89°00' East, 777.77 feet to the westerly right of way of U.S. Route 66; thence northerly, 509.63 feet along the arc of a non-tangent curve, concave easterly with a radius of 750.00 feet, the chord of which is North 9°00' East, 499.86 feet along said westerly right of way; thence departing said non-tangent curve and said right of way North 89°00' West...

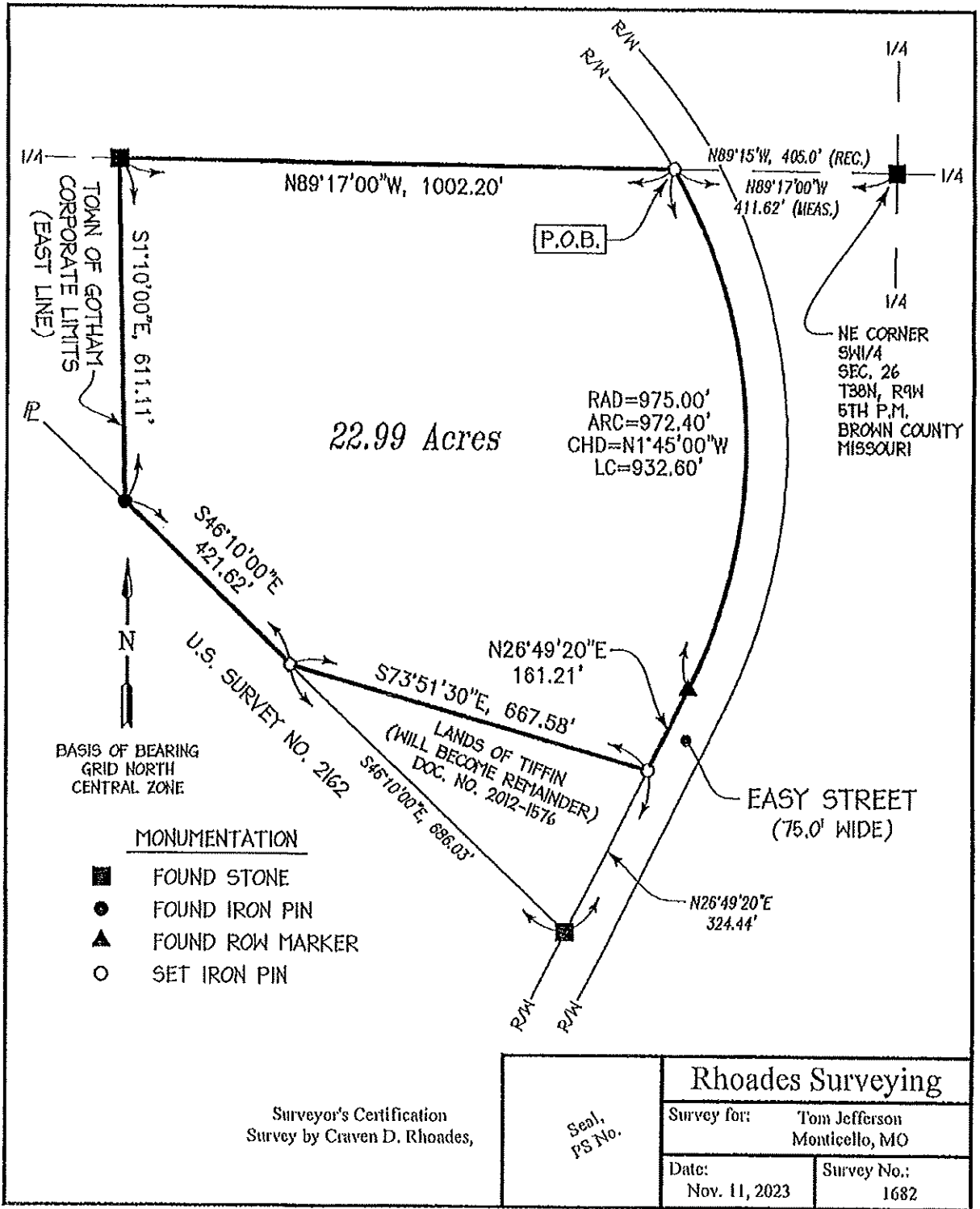
• Cul-De-Sac



...; thence South $60^\circ 00'$ West, 500.00 feet, and, southwesterly, 21.03 feet along the arc of a curve, concave southeasterly with a radius of 25.00 feet, the chord of which is South $35^\circ 54' 19''$ West, 20.41 feet, all along the southerly right of way of Easy Street to a symmetrical cul-de-sac with a radius of 50.00 feet; thence clockwise around said cul-de-sac an arc length of 241.19 feet to the northerly right of way of the aforesaid Easy Street; thence easterly, 21.03 feet along the arc of a curve, concave northerly with a radius of 25.00 feet, the chord of which is North $84^\circ 05' 42''$ East, 20.41 feet, and, North $60^\circ 00'$ East, 500.00 feet, all along said northerly right of way...

For the following two plats of survey, write a boundary description. Both plats represent an original survey. The plats likely do not contain all the elements of current Survey Standards; however, they do contain sufficient information and data to write a competent boundary description.

This talk is based on my forthcoming book, "Writing Boundary Descriptions...Rules, Suggestions and Examples."



22.99 Acres

RAD=975.00'
 ARC=972.40'
 CHD=N1°45'00"W
 LC=932.60'

NE CORNER
 SW1/4
 SEC. 26
 T30N, R9W
 5TH P.M.
 BROWN COUNTY
 MISSOURI

MONUMENTATION

- FOUND STONE
- FOUND IRON PIN
- ▲ FOUND ROW MARKER
- SET IRON PIN

Surveyor's Certification
 Survey by Craven D. Rhoades,

Seal,
 PS No.

Rhoades Surveying

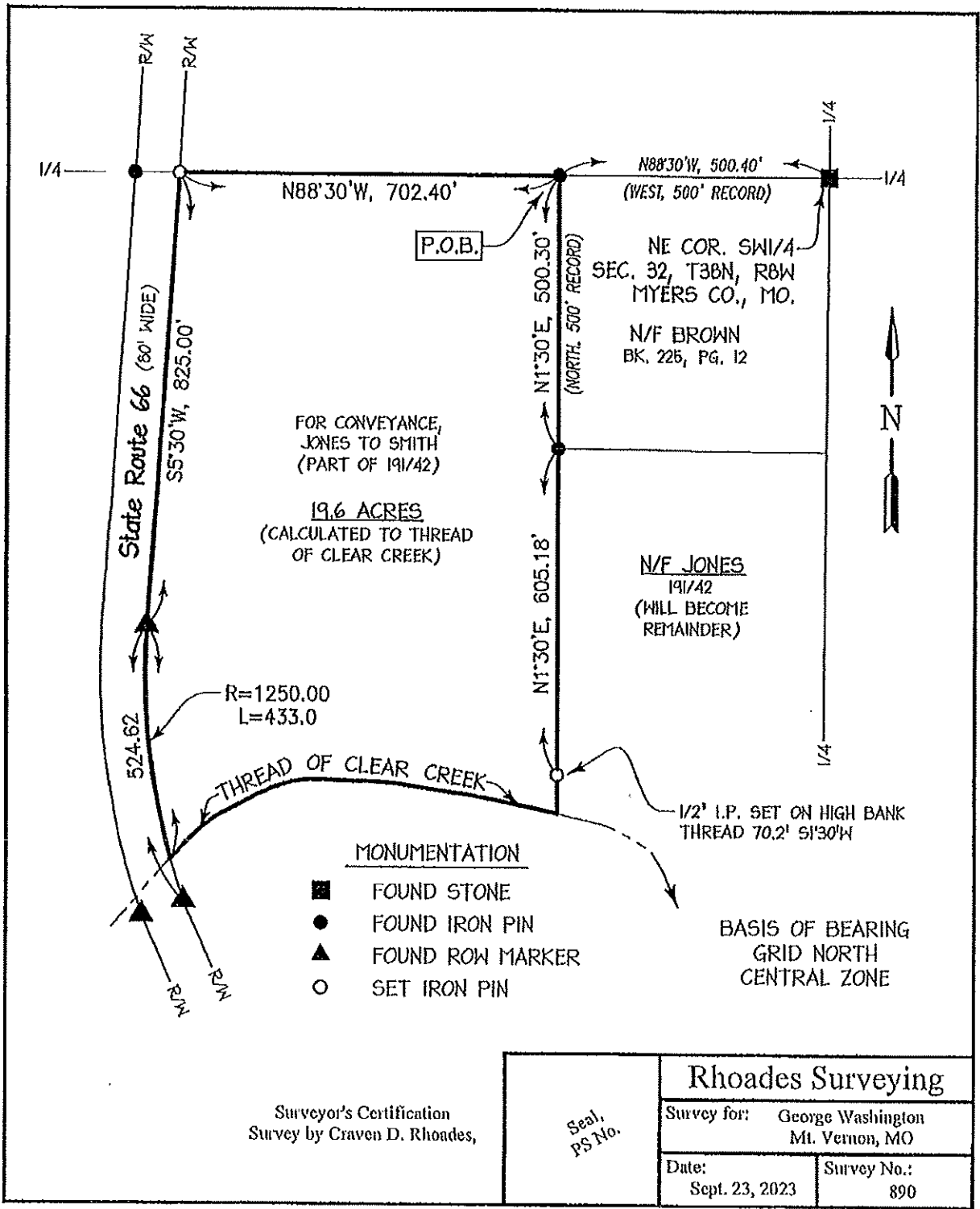
Survey for: Tom Jefferson
 Monticello, MO

Date:
 Nov. 11, 2023

Survey No.:
 1682

DESCRIPTION

A fractional part of the Southwest Quarter of Section 26, Township 38 North, Range 9 West of the 5th P.M., Brown County, Missouri described as follows: Commencing at the Northeast Corner of the Southwest Quarter of said Section 26; thence North 89°17' West, 411.62 feet along the North line of said Southwest Quarter a point on the westerly right of way of Easy Street, the true point of beginning of the hereinafter described tract: Thence continuing North 87°17' West, 1002.20 feet along the aforesaid North line of the Southwest Quarter to the East Corporate Limits of the Town of Gotham; thence South 1°10' East, 611.11 feet along said Corporate Limits to the northeasterly line of U.S. Survey No. 2162; thence South 46°10' East, 421.62 feet along said northeasterly line; thence South 73°51'30" East, 667.58 feet to the aforesaid westerly right of way of Easy Street; thence North 26°49'20" East, 161.21 feet, and, northerly, 972.40 feet along the arc of a curve, concave westerly with a radius of 975.00 feet, the chord of which is North 1°45' West, 932.60 feet, all along said westerly right of way to the true point of beginning. Above described tract contains 22.99 acres, more or less, per plat of Survey Number 1682, dated November 11, 2023, by Accurate Surveying.



Surveyor's Certification
 Survey by Craven D. Rhoades,

Seal, PS No.	Rhoades Surveying	
	Survey for: George Washington Mt. Vernon, MO	
	Date: Sept. 23, 2023	Survey No.: 890

DESCRIPTION

(For conveyance from Jones to Smith.)

A fractional part of the Southwest Quarter of Section 32, Township 38 North, Range 8 West of the 5th P.M. described as follows: Commencing at the Northeast Corner of the Southwest Quarter of said Section 32; thence North 88°30' West, 500.40 feet along the North line of said Southwest Quarter to the northwest corner of a parcel described in Phelps County Deed Records at Book 225, Page 12, the true point of beginning of the hereinafter described tract; Thence continuing North 88°30' West, 702.40 feet along the aforesaid North line of the Southwest Quarter to the easterly right of way of State Route 66; thence South 5°30' West, 825.00 feet, and, southerly, 433.0 feet along the arc of a curve, concave easterly with a radius of 1250.00 feet, all along said easterly right of way to the thread of Clear Creek; thence easterly down said thread of creek to a point that bears South 1°30' West from the southwest corner of the aforesaid Book 225, Page 12 parcel; thence departing said thread of creek North 1°30' East to said southwest corner of Book 225, Page 12 parcel; thence continuing North 1°30' East, 500.30 feet along the West line of said Book 225, Page 12 parcel to the true point of beginning. Per plat of Survey Number 890, dated September 29, 2023, by Accurate Surveying.