

## Property Descriptions for Alaska Land Managers

- Developed 1998 with DCRA/DOT/IRWA/UA - First presented in Bethel
- Designed to focus less on computations than IRWA Course
- Relevancy

Gone with the Wind - "Do you mean to tell me, Katie Scarlett O'Hara, that Tara, that land doesn't mean anything to you? Why, land is the only thing in the world worth workin' for, worth fightin' for, worth dyin' for, because it's the only thing that lasts."

Agent Confidence - In the context of the acquisition agent, your job is to explain to the layperson the concept and process of appraising land, the purpose and need for the project, impacts to the remainder, relocation benefits, access, among other issues. If you stumble or constantly have to defer your response, the land owner might lose their confidence in your ability to accurately explain how the project will affect them. The same goes with property descriptions. You will need to be able to track the area of the taking line by line through a metes and bounds description and explain the elements within the description.

We don't expect you to whip out your laptop loaded with autocad and coordinate geometry software. Leave the math and graphics to the surveyors and engineers.

- Style

Many ways to describe property - Certain methods led themselves to certain shapes or types of land

Show books - many guides...avoid ambiguity...say what you mean

*A ceremony performed in medieval England that effected the transfer of land from one party to another.*

Livery of seisin was the dominant method of transferring land in England until 1536, and it continued to be legal until 1925. The term *livery of seisin* means simply "transfer of possession": *livery* means "delivery" and is from the Old French *livrer*, and *seisin* means "possession" and is from the Old French *saisir* or *seisir*. The concept behind livery of seisin, therefore, was the symbolic transfer of the possession of land. The entire ceremony of transfer was called feoffment with livery of seisin, with *feoffment* meaning "a gift," specifically a gift of a freehold interest in a parcel of land. The transferor was the feoffor, the transferee was the feoffee, and the land interest was the fief.

In the Middle Ages, a livery of seisin was essential to convey land from one party to another; without it no real right to land could be transferred. When performing the ceremony, the feoffor,

the feoffee, and their witnesses generally stood on the land itself, though it was permissible to stand within view of the land if the feoffee made an actual entry to the land while the feoffor was still alive. During the ceremony the feoffor spoke appropriate words declaring the gift, and then handed the feoffee an object representing that gift, such as dirt, turf, or a twig, or even a ring, a cross, or a knife. If a house was being transferred, the ring of the door might be exchanged.

In addition to delivering possession of the land, the feoffor needed to vacate the land. The feoffor's tenants and others living on the land were expelled, along with their possessions. In some cases, the feoffor performed a ceremony or gesture showing [Abandonment](#) of the land, such as by making a sign with the hands, jumping over a hedge, or throwing a rod to the feoffee.

A livery of seisin was sometimes accompanied by a deed, or charter of feoffment, written in Latin, which was used to call attention to the conveyance of land. This was often the case when the transfer in question had special political significance or when it involved complex boundaries. If a charter of feoffment existed, it was read during the livery of seisin. However, such a charter did not in itself serve as a means of transferring land; rather, it was used simply as evidence that a transfer had taken place. Its language was not "I hereby give" but "Know ye that I have given." A charter of feoffment by itself was not considered an agreement to transfer land, but had to be accompanied by a livery of seisin.

During the Anglo-Saxon period in England, before the Norman Conquest of 1066, the use of writing was rare, so few charters existed. After the Norman invasion, writing was used more often, but charters were still generally short and crude. Eventually, over a period of hundreds of years, the delivery of a charter or deed came to replace the delivery of dirt, twigs, or knives that had been used to convey land in the livery-ofseisin ceremonies.

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A portion of Lots One (1) Two (2) and Three (3), Block Twelve (12), TOWNSITE OF FAIRBANKS, according to the survey of said Townsite known as the L. S. Robe Map of 1909, reproduced by Karl Thiele, U. S. Surveyor-General in 1922; Records of the Fairbanks Recording District, Fourth Judicial District, State of Alaska, more particularly described as follows:

BEGINNING at the Northwest corner of Lot One (1) in said Block; THENCE North

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#### Rule 72 – Eminent Domain

(iv) a description of the property to be taken sufficient to identify and locate it;

Total Acquisitions we use the legal according to the title report

Partial Acquisitions we use a metes and bounds description

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