DOT&PF Northern Region ROW Engineering
Property Description Format

The metes & bounds format will be the only description format used by Northern Region ROW Engineering on future projects unless otherwise directed. The lot & block description with reference to an attached parcel plat will no longer be produced. There are several reasons to limit our descriptions to the M&B format.

1. Consistency.
2. The M&B format provides a much better vehicle to clearly specify controlling calls.
3. The AGO requires M&B descriptions for condemnations.
3. Lending institutions and title agencies prefer the M&B format over our L&B format. This is in part due to the poor quality of the microfilmed graphics and in part to the difficulty in clearly showing the controlling elements on the parcel plat.

Metes & Bounds Guidelines

1. Although we will still produce parcel plats as an exhibit to the acquisition document, the M&B description should be sufficient to stand alone without the benefit of a plat.

2. Typically, every bearing and distance will have a controlling call along or to an adjoining boundary, a monument or otherwise defined point.

3. The following is an example of a metes and bounds legal description.

Description I.D.: The top of the first page will be labeled with the following information:

Example

Date, initials of preparer.....9*/20/96 - jfb*
Project No.....*RS-0310-3(5)/66567*
Project Name .....*Nome-Council Road MP 52-62*
Parcel No. - Owner.....*Parcel No. 5 - Jones Mining, Inc*.

Caption: - Identify the general location of the property being described:

Example

A parcel of land located within the _____ Quarter of Section _____, Township ____ (North/South), Range _____ (East/West), _____ Meridian, _____ Recording District, _____ Judicial District, State of Alaska, to wit:

-or-

A parcel of land located within Lot _____, Block_____, _____ Subdivison, file as plat No. _____, _____ Recording District, _____Judicial District, State of Alaska, to wit:

Body - Describes the specific parcel of land:

Examples of bearing (line) controlling calls:

THENCE (bearing) along (line controlling call) -

"the Westerly line of Section 23;"
"Northern right of way line of Project FM-0610-3(34), Farmer's Loop Road;"
"a line parallel with and offset 50.00 feet to the north of line 2-1 of U.S. Survey No. 3445;"

Examples of distance controlling calls:

THENCE (bearing) along (line controlling call), a distance of (distance) to (distance controlling call) -

"the southeast corner of Lot 3, Hillside Subdivision, filed as plat 93-23, FRD

the west line of Section _____ a distance of 2145.56 feet to the ordinary high water line of the Chena River;

THENCE along meanders of the ordinary high water line as follows:

S 36E 18' 57" E a distance of 57.13 feet;
S 23E 30' 00" E a distance of 125.54 feet;
S 12E 15' 30" E a distance of 200.36 feet;
S 28E 00' 00" W a distance of 306.58 feet to the point of intersection with the west line of said Section 23;

THENCE S 01° 33' 18" E along said west line of Section 23 a distance of 1820.19 feet, more or less, to the point of intersection with the existing northerly right of way line of Alaska Project No. S-044(3), said point being 55.43 feet left of and at right angles to approximate Centerline Station "O" 299+51.84 P.O.T. of Alaska Project No. RS- 0644(13);

B. **Stationing** - Two items of note in the previous course are worth mentioning. First, the use of the phrase "more or less" is meaningless. The Section line is tied to a record boundary, i.e. the right of way line, regardless of the distance to that boundary.

Whenever using "more or less," you strongly infer, from the evidence, a problem and are trying to alert attention to that problem. Be very critical of its usage. In this instance, it is preferable to have omitted the phrase. Second, the adjective "approximate" is used to describe the location of the centerline station. This is done in order to give a general location reference and to prioritize the controlling call of the Section line which is not fixed by the roadway centerline. However, the point of intersection with the right of way line is intended to be perpendicular to the centerline at a fixed offset distance.

THENCE S 89° 14' 42" E along said existing right of way line a distance of 79.18 feet to a point of curve, said being the southeast corner of Eagle's Lair Subdivision according to the plat filed January 2, 1947 as Instrument No. 47.123, records of the Fairbanks Recording District.

C. **Plat Reference** - Note reference to record title/plat.

THENCE southeasterly along a curve to the right having a central angle of 06° 56' 42", a radius of 5779.58 feet and an arc length of 700.56 feet to a point, said point being 43.46 feet left of and at right angles to Centerline Station "O" 307+26.52 P.T. of Alaska Project No. RS-0644(13) and the TRUE POINT OF BEGINNING.

D. **Curves** - In the previous course it is understood that the curve is tangential since the incoming and outgoing lines specify the curve requirements. Ordinarily this will be the most common situation. At least three parameters which define the curve must be included in the description so that all its elements may be calculated if necessary. Metes and bounds descriptions normally state central angle or delta, the radius distance and arc length. If a curve is non-tangential, statements must be included in the description as well as information which can be used to reestablish the curve. Please notice in previous description course that the centerline stationing is specific due to the right of way line being fixed by the roadway centerline. An example of a non-tangential curve description is given below:

THENCE N 75° 10' 42" E along said existing right of way line a distance of 79.18 feet:

THENCE southeasterly along a curve to the right and not tangent with the last described line, said curve has a radius of 5779.58 feet, a central angle of 06° 56' 42", an arc length of 700.56 feet and the chord of said curve bears S 86° 10' 31" E;

THENCE N 83° 15' 30" E along a line not tangent to said curve a distance of 300.56 feet;....

THENCE N 06° 35' 10" E along the northerly right of way line of Alaska Project No. RS-0644(13) a distance of 16.54 feet;

(Please be aware that it is unnecessary to state the obvious and use the phrase "to a point" at the end of a course description. The end of any line is a point. However, "to a point",

is very appropriate and is used when there is a direct tie that must be held. In this case the point becomes a controlling call.)

THENCE S 83° 24'50" E continuing along said northerly right of way line a distance of 788.99 feet to a point of curve, said point being 60.00 feet left of and at right angles to Centerline Station "O" 315+15.52 P.C. of Alaska Project No. RS-0644(13);

THENCE southeasterly along a curve to the right having a central angle of 47° 15' 01", a radius of 1014.93 feet and an arc length of 932.52 feet to a point, said point being 60.00 feet left of and at right angles to Centerline Station "O" 323+92.92 P.T., of Alaska Project No. RS- 0644(13);

(Note that in the previous two courses the critical piece of information given is the offset distances from centerline to the P.C. and P.T. stationing. The right of way line is thus shown to be concentric to the centerline. Mention of the centerline stations gives a location reference.)

THENCE S 30° 46' 12" E a distance of 500.33 feet to the southwest corner of a tract of land as described by the Warranty Deed recorded May 22, 1963 in Book 246 at Page 114, records of the Fairbanks Recording District.

E. **Boundary Reference** - Note reference to record title/plat.

THENCE S 01° 30' 45" W along a line 40.00 feet westerly of and parallel with the east line of said West Half of Section 23 a distance of 18.72 feet to the point of intersection with the northerly existing right of way line of Farmers Loop Road, Alaska Project No. S-0644(3);

(When using the term "parallel" to describe a line, the correct preposition to be used is <u>with</u>. It is important to know that you are never "parallel to" anything, you are only "parallel with" the object referenced.)

THENCE N 30° 46' 12" W along said northerly existing right of way line a distance of 502.53 feet to a point of curve;

THENCE northwesterly along a curve to the left having a central angle of 52° 20' 08", a radius of 1004.93 feet and an arc distance of 917.43 feet;

(It is recommended that when coursing along a record boundary such as an existing right of way line, only record information for that line be described with no mention to centerline stationing or offset.)

THENCE N 06° 53' 39" E a distance of 10.00 feet;

THENCE N 83° 06' 21" W a distance of 238.91 feet;

THENCE S 06° 53' 39" W a distance of 10.00 feet;

THENCE N 83° 06' 21" W a distance of 563.78 feet to the TRUE POINT OF BEGINNING.

(Never use the phrase "more or less" in the last course since the point of beginning is a mandatory call regardless of the bearing or distance.)

Containing ( ) square feet/acres [*Gross Area*], more or less, of which ( ) square feet/acres, more or less lie within the existing right of way of [*Name road if applicable*]. Said parcel is hereby conveyed to the State of Alaska, Department of Transportation and Public Facilities.

Miscellaneous Notes

For our purposes, these are the basic elements of a metes and bounds legal description. Some other considerations of convention when writing metes and bounds descriptions are:

1. It is preferable to describe lines in a clockwise direction.

2. The points from which you "Commence" and your "TRUE POINT OF BEGINNING" should be definite points, of a permanent nature (if at all possible) and are easily identifiable on a map.

3. If there are other parcels in the area described by metes and bounds descriptions, use the same point to "Commence" from in your description as was used in the other descriptions.

4. Verify that your metes and bounds description closes mathematically.

5. Above all, be sure that you are saying what you mean. Virtually every line should have some sort of controlling call.

6. If a plat is attached, be sure that there are sufficient references, ties, and dimensions on the plat such that the description can be tracked around the plat.

In conclusion, as stated earlier, no two individuals are likely to write the same description. However, if some standardized procedures are followed, much headache and confusion can be eliminated in just our niche of the universe. Who knows? Maybe in the future some soul whom has yet to be born will be grateful you have taken the pains to do it right.

LOT & BLOCK DESCRIPTIONS

Parcel No. ( )

All that part of the following described tract of land:

> Lot ( ), Block ( ) of ( ) Subdivision, filed as [*Instrument or Plat No.*] ( ) on [*Date*] ( ), Records of the Fairbanks Recording District, Fourth Judicial District, State of Alaska.

Which lies within the right of way lines of Alaska Project No. ( ) delineated as to said tract of land on the plat attached hereto and made a part hereof as page ( ) of this instrument and designated as parcel No. ( ).

Containing ( ) square feet [*Gross Area*], more or less, of which ( ) square feet, more or less lie within the existing right of way of [*Name road if applicable*]. Said parcel is hereby conveyed to the State of Alaska, Department of Transportation and Public Facilities.