

## **NEW 2011 ALTA/ACSM Standards - Summary of Significant Wording Changes between 2005 ALTA/ACSM Standards and the New 2011 ALTA/ACSM Standards**

The NSPS and ALTA committees on the ALTA/ACSM Standards reviewed over twenty pages of suggestions and comments on the 2005 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys and on early drafts of the 2011 version. The new 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys have now been adopted by ALTA and NSPS/ACSM and will become effective on February 23, 2011.

Notwithstanding the complete reformatting and reorganization represented by the 2011 standards, following are the highlights of the changes in wording from 2005 to 2011. References to "Sections" are to the sections in the 2011 draft standard.

An effort has been made to standardize wording in the standards with regard to:

a) The property being surveyed, which has, in the past, been referred to as the "premises," the "property," the "parcel," and the "tract." The 2011 standards use the term "the surveyed property," except where it is not appropriate (as in Section 4 where the property is not actually being surveyed yet, so it is referred to as "the property to be surveyed.")

b) The use of terms like visible, observed, observable, physical, etc. The 2011 standards use the term "observed in the process of conducting the survey" whenever possible and appropriate. There are a couple of places where that phrase was not quite appropriate, so other more appropriate wording was used.

A new sentence at the end of the 3<sup>rd</sup> paragraph of Section 1 defining what constitutes an ALTA/ACSM Land Title Survey.

Section 2 3<sup>rd</sup>, 4<sup>th</sup> and 5<sup>th</sup> sentences give surveyors guidance on non-standard types of properties.

Section 3.C Recognizes the existence of the normal standard of care.

Section 3.D. The ALTA/ACSM Standards have, in the past, not addressed the integrity of the boundary resolution directly.

Section 3.E. modifies and expands on the definition of Relative Positional Accuracy and changes the name to Relative Positional Precision. In addition, the committee is working with volunteers to develop a document that would not be part of the Standards per say, but that will be a reference for surveyors with respect to the measurement standards.

Section 4 expands on what documents are to be provided to the surveyor.

Section 5.B.iv Addresses the issue of access, beyond that addressed by Section 5.B.iii., by other than the apparent occupants of the property.

Section 5.D. The dimensions of buildings relative to property lines are to be expressed to a degree of precision based on the normal standard of care.

Section 5.G .ii. and 6.B.vi. There should be a relationship between the water feature located and how it is described in the relevant land description.

Section 6 The dimensioning of features shown on the survey has never been addressed in previous versions of the standards except with regard to building locations in the 2005 standards.

Section 6.B.i. 2<sup>nd</sup> and 3<sup>rd</sup> sentences suggest avoiding writing new descriptions.

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Section 6.B.v. Clarifying how the remainder of a parcel should be shown.

Section 6.B.vii. Addresses the resolution of junior/senior rights issues.

Section 6.B.x. Requires that title commitment information be identified on the plat or map.

Section 6.C.i. Requires that the width of on-site easements be shown on the survey.

Section 6.C.ii. Requires certain notes regarding easements be placed on the face of the plat or map.

Section 6.D.i. Requires a vicinity map (this used to be a Table A item).

Section 7 Certification requires date of field work and date of plat or map **AND** Introductory sentence requires that the plat or map “shall bear only the following certification, unaltered ...” (except as may be required by jurisdictional requirements pursuant to Section 3.B.).

Section 8 Allows digital copies in addition to, or in lieu of, hard copy prints.

Table A Introductory sentences: Eliminated comment about HUD items in Table A. Added sentence regarding design surveys.

Table A, Item 2 New item regarding addresses. Former Item 2 (vicinity map) now required under Section 6.D.i.

Table A, Item 5 Rewording clarifies this item.

Table A, Item 6 Bifurcated into 6(a) and 6(b). Requires that zoning information be provided by the title company.

Table A, Item 7b Former Item 7(b)2 has been deleted in favor of 7(b)3.

Table A, Item 10 Former Item 10 is now mandatory (see Sections 5.B.iii and 5.B.vii. New Items 10(a) and 10(b) are created from the last sentence of former paragraph 5(i) in the 2005 Standards.

Table A, Item 11 Qualifying sentences added to the end of Item 11.

Table A, Item 12 Examples of jurisdictional requirements are given.

Table A, Item 15 Reference to scanning changed to “airborne/mobile scanning.”

Table A, Item 16 and 17 Minor modifications to wording.

Table A, Item 19 New item regarding wetlands.

Table A, Item 20 New items regarding evidence of, and monumenting, offsite easements.

Table A, Item 21 Surveyor to obtain professional liability insurance and provide proof of same if requested.

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