

DEEDS

INTRODUCTION

Land surveying includes

1. Surveying operations involved in original surveys to locate and monument the boundaries of a property;
2. The preparation of a legal description of the limits of a property;
3. The preparation of a property map;
4. Re-surveys to recover and re-monument property corners;
5. Surveys in connection with the subdivision of a property into parcels of predetermined sizes and shapes;
6. Retracement surveys of property lines to re-establish lost or obliterated corners and to make ties to property lines and corners.

Land surveying is one of the oldest branches of surveying known to man, the principles of which have been passed down through the centuries. For this reason, the essentials of land surveying as practiced in various countries are similar in principle.

In the United States, land surveying is a survey conducted for the purpose of ascertaining the correct boundaries of real estate property for legal purposes. In accordance with the federal and state laws, the title to land property in the United States is transferred from one person to another by means of a written document, called a DEED. To constitute a valid transfer, a deed must meet a considerable number of legal requirements, some of which vary in different states. In all the states, however, a deed must contain an accurate description of the boundaries of the property. Examples of deeds are shown in Figure 1, Figure 2 and Figure 3.

Order No.
Escrow No.
Loan No.

566

WHEN RECORDED MAIL TO:

Earl De Heart Crawford
10248 Taylor Drive
Cherry Valley, California

RECEIVED FOR RECORD
AUG 10 1971
AT 9:00 O'CLOCK A.M.
As Agent of
WESTERN TITLE GUARANTY CO.
Approved in Official Capacity
of Riverside County, Cal. Home

W.H. Dalglish
FEB 25 1971

AUG 10 1971

MAIL TAX STATEMENTS TO:

Same as above

DOCUMENTARY TRANSFER TAX \$ 24.20

XX Computed on the consideration of value of property conveyed, OR
Computed on the consideration of value less liens or encumbrances
existing at time of sale.

1st Western Bank
Signature of Declarant or Agent determining tax - Firm Name

GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

John Feiling and Catharina Feiling, husband and wife

hereby GRANT(S) to

Earl De Heart Crawford and Billie Louise Crawford, husband and wife
as joint tenants.

the real property in the ~~Shawton~~ unincorporated area
County of Riverside State of California, described as

The Westerly 130 feet of the South half of Lot 5 in Block 3 Cherry
Valley West Addition, as shown by map on file in Book 6, Page 36
of Maps, Riverside County Records.
Excepting therefrom the Westerly 30 feet thereof as granted to the
County of Riverside for a Public Highway by Deed recorded March 3,
1922 in Book 557, Page 163, Riverside County Records.
Also excepting therefrom the Northerly 200 feet thereof.

SUBJECT TO THE FOLLOWING:

All general and special taxes for the fiscal year 1971-1972, now a
lien, but not yet due and payable.

Covenants, conditions, restrictions, reservations, rights, rights of way
and easements now of record.

Dated May 26, 1971
Federal Republic of Germany
Land Baden-Wuerttemberg
County of Karlsruhe
Consulate General of the
United States of America

John Feiling
Catharina Feiling

On June 2nd, 1971 Consul of the United States of America
before me, the undersigned, EXAMINED in and for said
State, personally appeared John Feiling and
Catharina Feiling
known to me to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged that
they executed the same.
WITNESS my hand and official seal.

Signature

IRVING H. LEVY
Consul of the United States of America

Form 800-80
of 1964 Edition
Rev. 11-68

MAIL TAX STATEMENTS AS DIRECTED ABOVE

Figure 1 – Grant Deed (California)

PLACE INTERNAL REVENUE STAMPS IN THIS SPACE

Joint Tenancy Grant Deed

(Individual)

L.R. 5.1

4399444
JOHN FEILING and CATHARINA FEILING, husband and wife
(GRANTOR - GRANTORS)
FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged.
Do Hereby Grant To ANTON MUMPER and ANNA MUMPER, husband and wife
As Joint Tenants
the real property in the
County of Riverside State of California, described as follows:

The Southerly 100 feet of the Northerly 200 feet of the Westerly 130 feet of the South one half of Lot 5, of Block 3, of Cherry Valley West Addition as shown by map on file in Book 6 page 36 of Maps, Records of Riverside County, California.

EXCEPTING THEREFROM the Westerly 30 feet thereof as granted to the County of Riverside for a public highway by Deed recorded March 3, 1922 in Book 557 page 163 of Deeds, Records of Riverside County, California.

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Dated May 11, 1961

John Feiling
John Feiling

Catharina Feiling
Catharina Feiling

STATE OF CALIFORNIA
COUNTY OF

RIVERSIDE

On MAY 11TH 1961
before me, CHESTER W. MANLEY,

a Notary Public in and for said County and State, personally appeared
JOHN FEILING
CATHARINA FEILING

known to me to be the person whose name is subscribed to the within instrument and acknowledged that THEY executed the same.

WITNESS my hand and official seal.

(Seal) Chester W. Manley
Notary Public in and for said County and State.

My Commission Expires
My Commission Expires October 2, 1962

WHEN RECORDED, PLEASE MAIL THIS INSTRUMENT TO

ORDER No. ESCROW No.

SPACE BELOW FOR RECORDER'S USE ONLY

RECEIVED FOR RECORD
MAY 25 1961
AT 9:00 O'CLOCK A.M.
AS DEPOSITED AT
FIRST AMERICAN TITLE COMPANY
MAY 25 1961
998FF No 4386

FEES \$ 3.00
Recorder

Figure 2 - Joint Tenancy Deed

Quitclaim Deed

this instrument dated May 12, 1959, for a valuable consideration,

ANTON MUMPER and ANNA MUMPER, husband & wife, as joint tenants

hereby REMISE, RELEASE AND FOREVER QUITCLAIM TO

JOHN FEILING and BATHARINA FEILING, husband & wife, as joint tenants.

The following described Real Property in the State of California, County of Riverside

The Southerly one-half of Lot 5 in Block 3 of CHERRY VALLEY WEST ADDITION,
as shown by map on file in Book 6 Page 36 of Maps, Records of Riverside County,
California EXCEPTING therefrom the Westerly 30 feet thereof as granted to the
County of Riverside by Deed recorded March 3, 1922 in Book 557 (page 163) of Deeds,
Records of Riverside County, California

777-6
3k

STATE OF CALIFORNIA
COUNTY OF Riverside

ss.

Anton Mumper
Anton Mumper

Anna Mumper
Anna Mumper

On May 15, 1959 before me,
the undersigned, a Notary Public in and for said County and
State, personally appeared

Anton Mumper
Anna Mumper

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

WITNESS my hand and Official Seal,

Notary Public in and for said County and State
Comm Exp 11/27/62

AFTER RECORDING, MAIL TO

Coachella Valley Savings & Loan Assn.
P.O. Box 11, Palm Springs, California

SPACE BELOW FOR RECORDERS USE ONLY

RECEIVED FOR RECORD
MAY 21 1959
AT 9:00 O'CLOCK A.M.
At the office of
PACIFIC COAST TITLE CO. OF RIV
Recorded in Office of Recorder

Dr. J. H. ...
John A. ...
FILE 6-202

Record No. 2740-L

Figure 3 - Quitclaim Deed

A right in real property appears in many forms. Outright ownership is called ownership in **FEE SIMPLE**. There are numerous lesser rights, such as **LEASEHOLD** (right to occupancy and use for a specified term) or **EASEMENT** (right to make certain specified use of property belonging to someone else). In all cases, a valid transfer of any type of right in real property usually involves an accurate description of the boundaries of the property.

The ownership of land is almost invariably linked with monuments defining the limits of the land. Many of the monuments placed to mark the boundaries of a property are moved or are destroyed by man, animals, insects, bacteria, or the elements. Factors both animate and inanimate are constantly at work revising and modifying the surface of the earth, and changes are continuous. Ancient Egyptians recognized this lack of permanence in survey marks. Monuments suffering destruction from flood action were quickly and accurately replaced. They placed them and related them to other marks in a network, making restoration a relatively simple matter.

In the early settlement of the United States, it was possible to enter an area, delineate a piece of land of any size with monuments, describe it and assume possession of it. Subsequently claimed parcels of land were related to the earlier monumented parcels and in turn were outlined with markers. The monuments eventually became the framework upon which the system of land location grew.

PROPERTY BOUNDARY DESCRIPTION:

A parcel of land may be described

1. by **METES AND BOUNDS**;
2. by giving the coordinates of the property corners with reference to the **STATE PLANE COORDINATES** systems;
3. by a deed reference to a description in a previously **RECORDED DEED**;
4. by references to block and individual property numbers appearing on a **RECORDED MAP**,
5. by reference to **SECTIONS** in the public land system.

METES AND BOUNDS: When a tract of land is defined by giving the bearings and lengths of all boundaries, it is described by **METES and BOUNDS**. This is an age-old method of describing land and forms the basis for the majority of deed descriptions in the eastern states of the United States and in many foreign lands. A good metes-and-bounds description starts at a point of beginning, which should be monumented and referenced by ties or distances from well-established monuments on the underlying survey framework. The bearing and length of each side is given in turn around the tract to close back on the point of beginning. The reference bearing may be true, magnetic, grid or assumed. Original surveys were performed on magnetic bearings, but surveys are never run on magnetic bearings today.

The monuments placed at each corner should be described to aid in their recovery in the future. Ties from corner monuments to witness points (trees, poles, boulders, ledges, or other semi-permanent or permanent objects) are always helpful in relocating corners, particularly where the

The determination of boundaries in the United States is often difficult because early surveyors often confined themselves to minimal description - that is, to a bare statement of the metes and bounds, courses and distance. Today, good practice requires that a land surveyor include all relevant information in his description.



"All that certain tract or parcel of land and premises, hereinafter particularly described, situate, lying and being in the Township of Maplewood in the County of Essex and State of New Jersey and constituting lot 2 shown on the revised map of the Taylor property in said township as filed in the Essex County Hall of Records on March 18, 1944.

Beginning at an iron pipe in the northwesterly line of Maplewood Avenue therein distant along same line four hundred and thirty-one feet and seventy-one one-hundredths of a foot northeasterly from a stone monument at the northerly corner of Beach Place and Maplewood Avenue; thence running, north forty-four degrees thirty-one and one-half minutes West along land of H.L. Coombs one hundred and fifty-six feet and thirty-two one-hundredths of a foot to an iron bar; thence turning and running, north forty-five degrees twenty-eight and one-half minutes East along land of S.M. Taylor eighty-seven feet to an iron bar; thence turning and running, south forty-four degrees and thirty-one and one-half minutes east along land of B.A. Toler one hundred and fifty-six feet and thirty-two one-hundredths of a foot to an iron bar in a northwesterly line of Maplewood avenue; thence turning and running, south forty-five degrees twenty-eight and one-half minutes West along said line of Maplewood Avenue eighty-seven feet to the point and place of beginning; all bearings being true and the lot containing a calculated area of thirteen thousand six hundred square feet. This description has been prepared from a survey made by R.F. Jones, Licensed Land Surveyor, New Jersey No. 4411, said survey being dated December 11, 1944."

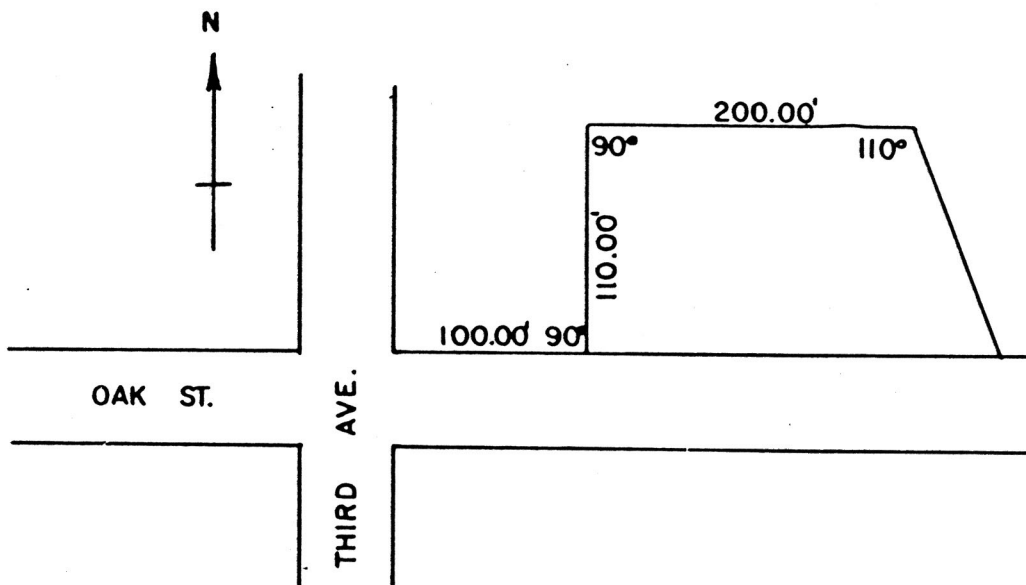


Figure 5 – Metes and Bounds Description

Another typical metes-and-bounds description is shown in Figure 5 and is as follows:

"Beginning at a point on the north line of Oak Street at a distance of 100.00 feet east of the east line of Third Avenue; thence at right angles northerly a distance of 110.00 feet; thence at right angles easterly a distance of 200.00 feet; thence on a true azimuth from the north of 160°00'00" to the northerly line of Oak Street; thence in a westerly direction along the northerly line of Oak Street to the point of beginning."

This was the method employed in the original thirteen states for the demarcation of tracts of land. Note that each course is specified as to direction, length, terminus, or some combination of these that clearly identifies the boundaries and makes retracement possible. Until 1785, this was the method in almost universal use for describing parcels of land.

BY PLANE COORDINATES

For many years, the triangulation and traverse monuments of various domestic and foreign survey agencies have been defined by their geographic positions; that is, by their latitudes and longitudes. Property corners might be fixed in position in the same way. The necessary computations are involved and too few land surveyors are sufficiently well versed in the theory of geodetic surveying for this method to attain widespread use. In recent years, state plane coordinate systems have been developed and used in many states. These grid systems involve relatively simple calculations and their use in describing parcels of land is increasing. Every state is now covered by a statewide coordinate system commonly called a STATE PLANE COORDINATE SYSTEM.

A property description by metes and bounds might include points located by coordinates as follows:

"Commencing at U.S. Coast and Geodetic Survey Monument "Bradley, Va", having coordinates $y = 75,647.13$ ft. and $x = 35,277.48$ ft, as based on the Virginia Coordinate System, North Zone, as are all the coordinates, bearings, and distances in this description; thence S36°30'E, 101.21 ft. to the intersection of Able Street and Baker Avenue, whose coordinates are $y = 75,565.77$ ft. and $x = 35,337.45$ ft, etc."

BY RECORD MONUMENTS AND ADJOINERS

A record monument, sometimes called a legal monument, is a monument referred to in a conveyance description and is often interpreted to mean a call for an adjoiner or abuttal property. A call for an adjoiner, such as a call "to the property of Daniels" requires obtaining and reading a copy of the adjoiner's conveyance to determine the adjoiner's true location. A call for an adjoiner is a call that has size and shape (is physical in this connotation), but the limits of the size and shape cannot be seen until marked by physical objects. No assurance exists that the visual objects are in their correct position until the adjoiner's conveyance is researched and located on the ground. To locate a natural or artificial monument, the surveyor goes into the field with research data and searches for the monument. To locate a record monument, the surveyor must first obtain a copy of the record describing the monument, then he must locate the boundaries in accordance with the record.

BY BLOCKS, TRACTS, OR SUBDIVISIONS

In many counties and municipalities, the land of the community is divided into subdivisions called blocks, tracts or subdivisions. Each of these subdivisions is further subdivided into lots. Blocks and tracts usually have numbers, while a subdivision usually has a name. Each lot within a block, tract, or subdivision usually has a number.

From data obtained in a tax map survey or cadastral survey, a map book is prepared which shows the location and boundaries of each major subdivision and of each of the lots it contains. The map book is filed in the county or city recorder's office and is used, in deeds or other instruments. For example a particular lot is described as: "Lot 73 of Tract 5417 as per map recorded in book 72, pages 16 and 17, in the office of the county/city recorder of (named) county/city"; or as "Lot 32 of Christopher Hills Subdivision as per, etc."

SECTIONS

As the country grew in size with the acquisition of lands by purchase and negotiation, the need for a uniform means of dividing it into logical shapes and sizes conducive to settlement became urgent. Several attempts were made in the north eastern states to divide large areas by means of a rational rectangular system prior to 1785. From these efforts, the United States Public Land Surveys System evolved, and most of the country beyond the limits of the original colonies was subdivided in this new manner. The basic pattern centered on a rectangular system of townships six miles square, each subdivided into 36 sections of about one square mile area per section. The sections were marked with corner monuments at mile intervals and at intermediate half-mile intervals. Maps were prepared and filed, and successive regions were opened for acquisition by pioneer settlers moving west. The survey of a large area by this system begins at an initial point and progresses in the four cardinal directions from it. The relationship between the location of the initial point and any area that is surveyed with the initial point's position as a start makes possible a universally understandable description. Figure 6 illustrates the method.

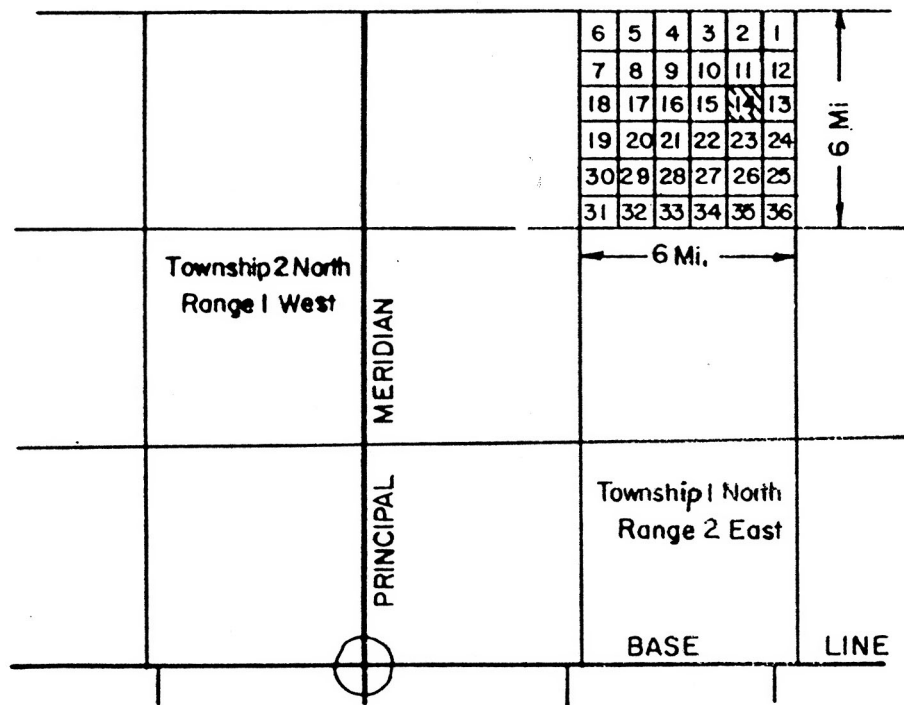


Figure 6 – Section Description

In California, three initial points have been established and are used. They are named San Bernardino, Humboldt, and Mount Diablo.

A description of the shaded section of land in Figure 6 would be: *"Section 14, Township 3 North, Range 2 East, San Bernardino Meridian."*

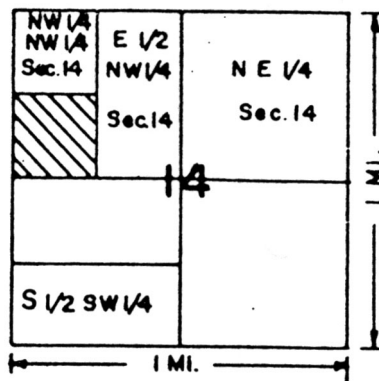


Figure 7 – Description of Part of Section

Figure 7 illustrates some of the basic principles involved in describing the subdivision of a section. A full description of the shaded area would be: *"The southwest quarter of the northwest quarter of Section 14, Township 3 North Range 2 East, San Bernardino Base and Meridian."*

United States Land Surveys developed into a very important means of land identification. The form in which records and plats are filed, the organization of the General Land Office, the types of monuments and reference points used, the degree of precision employed in establishing the markers, and the deviations from basic rules all form a very large body of information. It is essential that the well informed chief of party be thoroughly familiar with these matters.