

The Value of a Current Boundary Survey (and why it makes more than cents)

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Remember when

- beating the bounds was tradition?
- the seller and buyer walked the land to define the sale?
- handshakes were sufficient to close a deal?
- land was \$500/acre?
- development was not a dirty word and a developer was not the guy wearing the black hat?
- surveyor's equipment was a transit and steel tape?
- tape location maps satisfied most buyers' needs?

Back in the 'good ol' days', when the approval process was short and development costs were relatively low, a buyer and his attorney would often rely on old surveys and old deed descriptions for the conveyance of Real Property. After all, everyone knew where White's farm was when your deed called for "...bounded on the north by White's farm, on the east by Green's homestead..." Everyone knew that the "stake" or "stone pile" called for in the deed was the boundary corner and they knew exactly where it was located.

Today, as land costs continue to rise, environmental constraints seemingly continue to grow, neighborhood groups are more organized, and development approval times lengthen, the true area and condition of the buyer's property is now more than ever critically important to the success of a project. Remember White's farm? The Whites are probably long gone and there is a good chance that the farm has been fallow for some time. Gone too is the old tradition of "beating the bounds." That was when the boys were walked around the homestead boundaries and were stick-whipped at all the important corners. Boundaries were well remembered! How about that old deed that calls for "thence northerly, 20 chains and 15 links." What direction was that exactly? And did that chaining crew really pull that chain through the waist deep swamp?

More often than not, the ground rules include an important consideration for a property's yield. How many development units will the property allow and will the market bear the cost to create them? It becomes extremely important to developers to rely on a true acreage to plan for their potential yield.

Today's surveyors are utilizing modern technology both in the field and office to prepare their boundary and topographic mapping. While most surveyors routinely use electronic measuring instruments, many are also utilizing the Global Positioning System (GPS). Modern equipment produces better results by far.

At BME, our clients have experienced instances where a current boundary survey enabled the increase in yield simply through improved measuring capabilities. For example, when the proposed "old" deed calls for iron pipes at corners that measured "25 chains and 33 links" (1671.78') and a current measurement finds the pipes to actually be 1680.00', the increase in land area had an effect on the potential development yield. This example can also hold true for "older" surveys and deed descriptions prepared even as recently as the 1980's when most surveyors were still pulling a steel tape long distances, over the river and through the woods, gullies and swamps.

Field collection of data alone however, does not always make a correct survey. The surveyor's knowledge of case law, highway law, and town law can all have an affect on one of the most important bottom line issues; development units. By applying our knowledge and experience at BME, we have corrected mapped right-of-way widths; identified title conflicts; identified acquiesced boundaries, and all these examples led to an improved position for the client.

Your land and your time are both important considerations. Be sure you know exactly what you are purchasing and planning for. Be sure you know where the old boundary lines came from and how they were set, measured, described, memorialized and occupied, before you allow yourself to close with an old deed description. Remind yourself of the old adage "you get what you pay for."