

Cuyahoga County Conveyance Standards

Effective: March 18, 2023

AS ADOPTED UNDER
[OHIO REVISED CODE \(ORC\) SECTION 319.203](#)

Introduction

Pursuant to Ohio Revised Code [319.203](#), the Cuyahoga County Fiscal Officer and the Cuyahoga County Engineer have adopted standards governing conveyances of real property in the County.

The following information has been provided by Cuyahoga County Fiscal Officer. You are cautioned not to rely upon the following information without having your attorney review your instrument of conveyance and contact Cuyahoga County Fiscal Officer to determine the current standards.

It is the purpose of these standards to provide Public or Private agencies as well as individuals with a comprehensive set of guidelines for the purpose of preparing and recording conveyances of real property in Cuyahoga County.

Furthermore, this document will provide a guide to the rules and regulations for the preparation and approval of survey plats and legal descriptions.

Said rules and regulations are adopted, in part, Ohio Revised Codes [315.251](#), [317.22](#), [319.203](#), [711.101](#), [2113.61](#), [5301.252](#), [5302.17](#), [5311.10](#) and Ohio Administrative Code [4733-37](#).

Said applicable codes as referred to from time to time herein, represent the current versions as of the date of this publication. Any subsequent revisions, changes or updates to said codes or any new codes that may be established, from time to time, may automatically be made part of this document.

- [Instrument Exhibits, and Sections within this Document](#)
- [SECTION 1](#)
Application of Transfer and Conveyance Rules
- [SECTION 2](#)
Special Transfers
- [SECTION 3](#)
Specific Requirements for all Documents of Transfer
- [SECTION 4](#)
Quality of Documents
- [SECTION 5](#)
Sufficiency of Description
- [SECTION 6](#)
Boundary Surveys
- [SECTION 7](#)
Breaks in the Chain of Title
- [SECTION 8](#)
Governmental Approval of Parcel Splits and Associated Plats
- [SECTION 9](#)
Transfer of Property in the name of a Trust

- [SECTION 10](#)
Land Split by Taxing District Boundaries
- [SECTION 11](#)
Requirements of Conveyance by the County Engineer
- [SECTION 12](#)
Requirements for Survey Plats by the County Engineer
- [SECTION 13](#)
Special Applications for Condominiums
- [SECTION 14](#)
Special Applications for Foreclosure, Forfeitures and Special Court Ordered Transfers
- [SECTION 15](#)
Air Rights Plats
-

INSTRUMENT EXHIBITS

- **Exhibit 1**
[DTE 100](#)
[Section 3\(F\)](#)
- **Exhibit 2**
[DTE100EX](#)
[Section 3\(F\)](#)
- **Exhibit 3**
Description Review Form
[Section 11\(G\)](#)
- **Exhibit 4**
Plat Review Form
[Section 12\(O\)](#)
- **Exhibit 5**
Cuyahoga County Electronic Recording Standards

Section 1 - Application of Transfer and Conveyance Rules

These rules apply to any transfer and conveyance of an interest in real property made by conveyance, partition, devise, vacation, descent, appropriation, court order, certificate of transfer, affidavit, or any other document, that would cause any of the following:

(A) Change in the Name of Owner(s) of Land

Any document that creates, transfers, or terminates any interest in land or mineral rights that would cause the County Auditor to change the name of the owner or any one of the owners, shall be presented to the County Fiscal Officer under [O.R.C. 319.20](#);

(B) Changes in Description

Any document that changes, corrects, or amends the description of any parcel of land shall be presented to the County Fiscal Officer under [O.R.C. 5713.02](#);

(C) Transfer of Interest that may affect True Value

Any document that creates, transfers, or terminates any interest in land that may affect the true value of a parcel for real property tax purposes shall be presented to the County Fiscal Officer under [O.R.C. 5713.03](#).

Section 2 - Special Transfers

The following are subject to special transfers:

(A) – Affidavits of Real Estate Inherited

A transfer under the law of descent and distribution shall be made pursuant to affidavit under [O.R.C. 317.22](#) or by a Certificate of Transfer issued by a probate court.

(B) - Transfer of Survivorship Interest

A transfer of a survivorship interest shall be made pursuant to [O.R.C. 5302.17](#), through an affidavit accompanied by a certified copy of a death certificate of the deceased joint tenant.

(C) - Transfer by Affidavit of Facts Relating to Title under O.R.C. 5301.252

A transfer of the name of the owner or any one of the owners may be made by affidavit pursuant to [O.R.C. 5301.252 \(B\)\(1\)](#). The correction of a legal description may be made by affidavit pursuant to [O.R.C. 5301.252 \(B\)\(4\)](#) and [\(B\)\(5\)](#). However, except in the case of the termination of a life estate, survivorship estate or transfer of condominium common area to established associations, no transfer shall be made by affidavit pursuant to [O.R.C. 5301.252 \(B\)\(2\)](#) and [\(B\)\(3\)](#).

(D) – Deeds In Lieu of Foreclosure

Exemptions under Letter 'B' on the DTE Form 100Ex shall include a notice of acceptance in the form of an affidavit from the bank or primary lender in addition to the mandatory affidavit of facts from the lender releasing the mortgagor from the debt.

(E) – Parcels Exempt from Permissive Conveyance Fee as assessed by [ORC 322.02\(A\)](#)

When transferring multiple parcels, any parcel exempt from the permissive fee defined in ORC 322.02(A) shall be conveyed on a separate instrument of transfer and DTE Form 100.

Section 3 - Specific Requirements for all Documents of Transfer

All documents transferring an interest in real property that are subject to [O.R.C. 319.20](#), including all court orders and certificates of transfer, shall contain the following:

(A) – Conveyance/Exempt Forms

No instruments will be transferred unless accompanied by a properly completed [DTE 100](#) (& Sales Verification Questionnaire) or [DTE 100EX](#) (& Exemption Verification Questionnaire) conveyance form. All numbered items on the DTE conveyance form shall be completed. The Fiscal Officer reserves the right to inspect any and all documents in connection with the submission of a conveyance to determine whether the transfer is entitled to exemption from conveyance fees and to verify sales information.

Specifically: Affidavits; trust documents; purchase agreements; settlement statements; HUD-1 statements; court orders; resolutions from corporate boards of directors; articles of incorporation; operating agreements; [IRS exemption certificates \(501 \(c\)\(3\)\)](#); estoppel affidavits; and or any form deemed necessary by the Fiscal Officer that sufficiently substantiates the claim of exemption or sufficiently verifies the sales information. An itemized breakdown of the amount listed in item 6 (e), as to the portion of total consideration paid for items other than real property, shall be submitted along with the Conveyance Fee Statement.

(B) – [Residential Rental Disclosure](#)

If question number Ten (10) on DTE Form 100 or question number Eight (8) on DTE Form 100Ex is checked "NO" on conveyances of Residential Property, a [rental disclosure form](#), or [rental registration exception form](#) shall accompany the conveyance.

(C) - [Reference to Prior Instrument of Record](#).

A reference to the volume and page or AFN of the record of the next proceeding recorded instrument by or through which the grantor claims title as required by [O.R.C. 5301.011](#);

(D) - Tax Mailing Address of Grantee.

A statement of the complete tax mailing address of the grantee or any one of the grantees, as required by [O.R.C. 319.20](#);

(E) - Identification of Interest Conveyed.

The grantor shall inform the County Fiscal Officer in writing whether the grantor is conveying less than the grantor's total current interest in the land by listing the percentage or fraction thereof of the grantor's interest in the real property being conveyed.

(F) - Instrument to Conform to Law.

All deeds and other instruments transferring an interest in Real Property shall conform to the laws of Ohio or to the law of the place where the instruments were executed regarding grantor's signatures.

(G) - Document of Transfer Shall Include Parcel Number and Address.

The document of transfer shall include the County Fiscal Officer's parcel number(s) of the land and the current site address of the property, if any. If no parcel number exists, a parcel number will be assigned prior to recording.

(H) - Grantor and Grantee Names.

All transfer documents shall contain the complete Grantor(s) and Grantee(s) names, and in the case of Corporate or Trust Names, the complete name(s) and a statement as to partnership designation and/or legal title of said Corporation or Trust.

(I) - Legal Description.

All documents of transfer shall contain a legal description formatted to and sufficient in form and detail to comply with the requirements mandated by [4733-37-06](#) and spelled out in Section 5 of this document. The reuse of legal descriptions from prior instruments are subject to the approval of the County Surveyor and may be designated for an updated survey and legal description upon the next conveyance.

(J) – Document Preparer Name

All documents of transfer shall contain the line "Prepared by" and shall include the complete name of the preparer and in the case of Corporate or Trust Names, the complete name of an individual preparer and a statement as to designation and/or legal title of same. As the preparation of deeds has been determined to be the practice of law by the Ohio Supreme Court; the preparer should either be a licensed attorney or the grantor acting as their own attorney. In the case of legal descriptions, plats, consolidations or splits, the complete name and license number of the Ohio Licensed Professional Surveyor.

(K) – Transfers of Land with Delinquent Real Property Taxes

Any document that creates, transfers, or terminates an interest in land or mineral rights that have been certified by the County Treasurer as delinquent for failure to pay Real Property Taxes as required by [ORC 323.12](#), must have either their DTE 100 or DTE 100EX stamped by the County Treasurer or a settlement statement is submitted reflecting that said delinquent amount has been held in escrow prior to transfer being processed.

(L) – Transfers to a Business Entity

Any transfer to or from a Business Entity, may require a copy of the Organizational Documents of each Business Entity privy to the transfer.

“Business Entity” for the purpose of these Conveyance & Transfer Standards, as well as the DTE 100, DTE 100EX, and any of their attachments and or schedules, means:

(1) A for profit corporation existing under the laws of this state or any other state;

(2) Any of the following organizations existing under the laws of this state, the United States, or any other state:

- (a) A business trust or association;
- (b) A real estate investment trust;
- (c) A common law trust;
- (d) An unincorporated business or for profit organization, including a general or limited partnership;
- (e) A limited liability company;
- (f) A nonprofit corporation.

“Organizational Documents” for the purpose of these Conveyance & Transfer Standards, as well as the DTE 100, DTE 100EX, and any of their attachments and or schedules, means:

- (1) For a general partnership or foreign general partnership, its partnership agreement;
- (2) For a limited partnership or foreign limited partnership, its certificate of limited partnership and partnership agreement;
- (3) For a limited liability limited partnership or foreign limited liability limited partnership, its certificate of limited partnership and partnership agreement;
- (4) For a limited liability company or foreign limited liability company, its articles of organization and operating agreement, or comparable records as provided in its governing statute;
- (5) For a business or statutory trust or foreign business or statutory trust, its trust instrument, or comparable records as provided in its governing statute;
- (6) For a for-profit corporation or foreign for-profit corporation, its articles of incorporation, regulations, and other agreements among its shareholders that are authorized by its governing statute, or comparable records as provided in its governing statute;
- (7) For a nonprofit corporation or foreign nonprofit corporation, its articles of incorporation, regulations, and other agreements that are authorized by its governing statute or comparable records as provided in its governing statute;
- (8) For a professional association, its articles of incorporation, regulations, and other agreements among its shareholders that are authorized by its governing statute, or comparable records as provided in its governing statute;
- (9) For any other entity, the basic records that create the entity, determine its internal governance, and determine the relations among the persons that own it, are members of it, or govern it.

Section 4 - Quality of Document

All documents transferring an interest in real property that are subject to [O.R.C. 319.20](#), including all court orders and certificates of transfer, shall contain the Following:

(A) - Original Required

The document of transfer shall have the original signature of the grantor or affiant, or an electronic signature as prescribed by statute. In most cases, a copy of a court order will be accepted, but the copy shall bear the signature of a judge and show on its face that it has been filed with the clerk of court or be a certified copy from the clerk of courts. In certain circumstances, wherein a court order is being submitted for recording by a county agency, a regular copy can be accepted for recording. Further exceptions are any transfers submitted electronically which are acceptable per [ORC 1306.06](#); [ORC 147.591](#); [ORC 147.60 thru 147.66](#). For further instruction see the Cuyahoga County Electronic Recording Standards.

(B) - Document Size

The maximum size for any instrument conveying title shall be 8.5 by 14 inches. The minimum size shall be 8.5 by 11 inches. All plat map should be printed on one of the following sizes (18" x 24" & 24" x 36") on paper or mylar unless submitted to the Cuyahoga County Electronic Recording Portal.

(C) - Text Size

No text on a document of transfer shall be less than a standard font 10 Arial Font or any other font equivalent in size, excluding preprinted wording on the standard document forms. Except for pre-printed text on the document that is considered standard and does not change.

(D) - Text Quality

No document of conveyance will be accepted for transfer that is written by hand excluding the signatures of the grantor(s); affiant(s) or Notary. All documents should be prepared using computer generated text meeting the font standard in Section 4(D). Electronic filings text quality is defined by the [Cuyahoga County Electronic Recording Standards](#).

(E) - Cut and Paste Documents

No document of transfer shall have cut and pasted text attached to said document.

(F) - Corrections to Document Text

Erasures of any kind on a document of transfer are not recommended. Rather, corrections should be made by lining through the incorrect passage and writing the correct passage above said text or noting the correction with an asterisk indicating the correction at the bottom of the page. Documents submitted for re-recording shall contain a note stating why the document is being re-recorded and should have any alterations clearly marked and initialed by the grantor or authorized party. No document of transfer will be accepted that was prepared on a previously altered or reproduced document.

(G) - Document Medium

All documents of transfer shall be on bonded 75g/square meter standard white paper or standard preprinted form paper of similar weight and size. No fax paper, onion skin or transparent mediums will be accepted.

(H) - Previous Recorded Exhibit Documents

Any document exhibit that is a reproduction of a previously recorded document shall be clearly legible, having large enough text to comply with item (C) and (D) above. A negative reproduction of said document would not be accepted. A previously recorded document will not be accepted as an exhibit for the sole purpose of describing the property being transferred. All legal descriptions shall be typewritten by the preparer and made a part of or exhibit of the body of the document being submitted.

(I) - Signatures

All signatures on a document of transfer shall be original, in black or (preferred) blue ink. No red ink will be permitted, as this color may not reproduce clearly. In the cases where electronic signatures are used and then printed, the electronic signature watermark may be a different color than the body text. Electronic Signatures are acceptable per [ORC 1306.06](#); [ORC 147.591](#); [ORC 147.60](#) thru [147.66](#). Further instructions or electronic submissions c

an be found in the Cuyahoga County Electronic Recording Standards.

(J) - Witnesses and Notary

The number and nature of witness signatures shall comply with minimum standards for such documents and the requirements of the state in which the instrument was executed. Notary seals shall be in permanent black ink or of the raised embossed crimped type. Electronic Notarial acts shall follow Ohio Administrative Code [111:6-1](#) and Ohio Revised Code sections: [1306.06](#); [ORC 147.591](#) & [ORC 147.60](#) thru [147.66](#). For technical direction, see the Cuyahoga County Electronic Recording Standards.

(K) - Pre-approval Policy

It is recommended that if a document is long, complicated, or the submitter is not sure if it will be accepted that they submit the document well in advance of recording for pre-approval.

Section 5 - Sufficiency of Description

(A) – Identification

The Description of land shall be sufficient to allow the County Fiscal Officer and County Engineer to identify the land that is being transferred. Typographical errors that do not affect the County Fiscal Officer or Engineer's ability to identify the property will be disregarded, but typographical errors that cannot be resolved will cause the rejection of the transfer.

(B) - Description of Tax Parcels

All documents that transfer an ownership interest in a tax parcel shall contain one of the following types of descriptions:

(1) Platted Lot

A platted lot as defined by [O.R.C. 711.01](#) shall be described by its lot number (or other alphanumeric designation), name of the subdivision and Volume and Page (or AFN), and area of parcel as plated and recorded.

(2) Condominium Unit

A condominium unit shall be described by its unit number or other designation and the name of the condominium project and volume and page as recorded as set forth in the declaration as required by [O.R.C. 5311.10](#).

(3) Metes and Bounds Descriptions

Each new tract of land that is not a platted lot or condominium unit shall be described by a metes and bounds description prepared in accordance with [O.A.C. 4733-37-06](#) minimum standards and the requirements set forth herein.

(C) Exceptions in Descriptions.

No transfer will be approved where the description contains more than three (3) exception pieces to any metes and bounds general description. An exception describes land that is included in the general description, but that is not being transferred and is excepted out and identified by a separate description of its own.

Section 6 - Boundary Surveys

(A) The requirements for a boundary survey as defined in O.A.C. [4733-37](#) must be established in accordance with [O.R.C. Section 315.251](#) as amended by Senate Bill 262.

(B) The survey plat and description must satisfy the minimum standards for boundary surveys promulgated by the Board of Registration for Professional Engineers and Surveyors pursuant to chapter [4733-37](#) of the Ohio Administrative Code and the standards established in [Section 11](#) enclosed herein.

(C) If, in the opinion of the County Engineer, the survey plat and description satisfy those standards, the County Fiscal Officer will accept the deed for transfer and a copy of the survey plat shall be filed with the Cuyahoga County Tax Map Department as a T.M. file.

(D) Appropriated Lands

In the case of appropriated lands, the fully executed plans signed by the appropriate municipal officials, county commissioners or O.D.O.T. officials shall constitute the minimum requirements for boundary surveys when said appropriation is taken in fee title. Said plans will be on file with the Tax Map Department as a T.M. file or with the County Engineer's Record Room as "Official Road Records".

(E) Rejection of previously recorded legal descriptions

A previously recorded description will not be accepted if:

1. It contains obvious errors such as missing courses or an improper point of commencement (POC). Proper POC's for descriptions are:
 - a. Original Lot, Tract or Township Corners.
 - b. Corners in recorded allotments (subdivision corners).
 - c. Any combinations of intersection of the following types of lines:
 - i. Centerline of public rights of way.
 - ii. Public Street right of way lines.
 - iii. Original Lot Line.
 2. The legal description, by the opinion of the Tax Map Department, does not match current records.
 3. The previously recorded document contains a legal description that has a "Survey Required" stamp on it.
 4. No handwritten descriptions are permitted.
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Section 7 - Breaks in the Chain of Title

Because the County Auditor needs to determine the ownership of each tract, lot, or parcel of real property and because the County Auditor maintains ownership history of each tax parcel, the following rules will apply:

(A) Grantor Is Not Prior Grantee

No transfer will be approved where a grantor is not a prior grantee, unless the document itself or an affidavit that satisfies the requirements of [O.R.C. 5301.252](#) is provided to the County Auditor that explains to the County Auditor's satisfaction why there is a break in the chain of title. The County Auditor may also require additional evidence when necessary to establish the correct ownership of the property.

(B) Quit Claim deeds

Occasionally quitclaim deeds are presented where the grantor is not the current owner of record. Deeds of this nature are transferred; the grantee's name is added but the owner of records name is not removed from the duplicate and a special notation is added referencing said transfer as a "Quit Claim."

(C) Minor Differences in Names

Differences in the name of the grantor and a prior grantee based upon the inclusion or omission of middle names or initials, or different versions of first names (i.e. Charles, Charley), or due to change in name, and similar differences of a minor nature, shall be explained in the document itself or an affidavit as required by [O.R.C. 5301.252\(B\)\(1\)](#).

Section 8 - Governmental Approval of Parcel Splits and Associated Plats

(A) Subdivision of Existing Parcel

Any transfer or conveyance that causes a tax parcel to be split into a new parcel of five acres or less, or leaves an existing parcel with five or less acres, or otherwise is required to be approved by the appropriate planning commission, must be so approved before it will be accepted by the County Auditor and County Engineer.

(B) Approval Signatures on Plat

Approval signatures must be by the current approved elected or appointed authority, in permanent ink on the appropriate line provided on the plat. Each line on the plat designated for this purpose shall have the signers name printed under the line for clarity. Any signature line on the plat that is left empty will be cause for rejection of the plat. The signing authorities vary per regulating body. It is incumbent on the submitting party to verify these requirements before submitting a plat for review.

(C) No Ownership Transfer by Plat

The County Auditor will not transfer (change the name of any owner of) any real property pursuant to a plat, except for in the case of Vacation Plats specific to roadways, alleys and public lands designated as transportation corridors. Vacation Plats address specific reversionary

rights back to the adjoining owners and failure to record said plats would cause a required survey of said lands unless the plat is recorded.

(D) No Consolidation or Assembly by Deed

Consolidation or assembly of parcels of land can only be performed by a Plat prepared by a licensed Land Surveyor in the State of Ohio. It is not possible to assemble land by deed or conveyance. All parcels must be contiguous to each other. A closable perimeter with complete course bearings, distances and curve data, if applicable, on all sides clearly shown on the plat is mandatory. A Consolidation or Assembly Plat must be based on a field survey unless the parcels are adjoining, unaltered sublots in a previously recorded subdivision, in this case, the Surveyor must state on the plat that the consolidation is based on record information. Perimeters that do not close will require a survey of said lands and a new legal to be written for the perimeter of said consolidated lands.

Section 9 - Transfers of Property in the Name of a Trust

(A) Upon the death, resignation, removal or other event terminating the appointment of a trustee of a trust, which trustee holds title to real property, the successor trustee or co-trustee shall present an affidavit to the County Auditor and file an affidavit with the County Recorder, in accordance with [ORC 5302.171](#). The affidavit shall include the following:

1. The name of the trustee who has ceased serving as trustee;
2. The name and address of any other trustee;
3. A reference to the deed or other instrument vesting title in the trustee;
4. A legal description of the real property in the trust;

(B) The need of an affidavit is not required if the original trust instrument names the trustees and successors and contains relevant facts pertaining to the succession of trustees, or if a memorandum of trust in compliance with [Section 5301.255](#) of the O.R.C. that contains relevant facts pertaining to the succession of trustees, is recorded in the Office of the County Recorder.

Section 10 - Land That Is Split By Taxing District Boundaries

(A) When a tract of land is described by a single metes and bounds description is located in more than one county, The Cuyahoga County Fiscal Officer shall consult with the County Auditor or Fiscal Officer of the other County to determine the treatment of the land for real property tax purposes.

(B) Any Parcel that is determined to lie within two or more taxing districts shall have a unique parcel ID assigned to represent each portion lying in each tax district. The assignment of multiple tax parcels identification numbers does not legally split the parcel as it is still legally described as one parcel. The various parcel identification numbers of a parcel assigned multiple numbers for tax district purposes can't be transferred independently, even for sheriff sales.

Section 11 - Requirements of Conveyance by the County Engineer

All new metes and bounds descriptions, and all plats of survey that support those descriptions, must incorporate the principles and minimum standards of good surveying, engineering and draftsmanship. They must also meet the "Minimum Standards for Boundary Surveys in the State of Ohio", as defined by [Section 4733-37](#) of the Ohio Administrative Code.

(A) Requirements for All Legal Descriptions for Recorded Lot(s) of Record

- (1) All instruments using an abbreviated legal of a platted lot, sometimes known as a "Sublot Description" or conveying a recorded lot or other designation in a municipality or recorded subdivided area must comply with item 1 of section 5(B) of this document.
- (2) Any area being conveyed in what is commonly known as an "Unrecorded Plat "or" Unrecorded Subdivision, must have an accurate metes and bounds description. Said unrecorded document must have sufficient survey control calls to monumentation allowing an accurate analysis and closure verification, otherwise a survey must be performed.

(B) Requirements for Existing Metes and Bounds Descriptions of Record

- (1) All existing metes and bounds descriptions of record will be checked by the County Engineer to verify and identify to the County Auditor the tax parcel(s) to be conveyed.
- (2) All existing metes and bounds descriptions of record must be described verbatim as witnessed by the instrument of previous record and transfer **VERIFICATION OF COMPLIANCE TO PREVIOUS CONVEYANCE MAY TAKE UP TO THREE (3) BUSINESS DAYS** and recording parties should take this requirement into consideration when preparing documents.
- (3) Any existing metes and bounds description which, since the previous conveyance, has been incorporated into a municipality or other political subdivision by means of annexation must be changed to reflect its new corporate location within the situate of the subject instrument of conveyance. There is no requirement for survey in this situation.
- (4) All instruments of conveyance attempting to convey the remainder or balance of an existing tax parcel(s) from which outlets or exceptions exist must incorporate the following requirements:
 - (a) Each out lot or exception of the original tract(s) must be described verbatim as witnessed by the previous conveyance of record.
 - (b) Each documented exception must refer to its recorded source if any, by which it can be verified.
 - (c) All instruments of conveyance using exceptions, as established in section [5\(C\)](#) enclosed herein, to convey the balance or remainder of a tax parcel(s) must incorporate a statement identifying the tax parcel(s) and district to be conveyed, and the current taxable area as set forth on the County Auditor's tax list for the subject conveyance. (i.e., it is the intent of this instrument to convey all of Tax Parcel(s) number and district, containing acreage or footage, as shown by the County Auditor's records)

(5) The County Engineer will make the necessary marginal notations on the instrument of conveyance, at the point of entry into the tax maps, to verify the tax parcel(s) to be conveyed.

(6) Legal descriptions may be submitted for pre-approval prior to the Creation of the final instrument of transfer

(C) Requirements for New Metes and Bounds Descriptions for Conveyance

(1) All new metes and bounds descriptions, not previously recorded must be prepared by an Ohio Registered Professional Surveyor and must be in compliance with Ohio Administrative Code, [Chapter 4733-37-06](#).

(2) In addition, the following items shall be required:

(a) The situate must denote the state, county and municipality or township, Original Lot, Section and/or Tract.

(b) The situate must denote the recorded title and deed reference as to the tract(s) of origination.

(c) All descriptions must be referenced to an established point of beginning such as centerline intersections of streets or roads or record section and or quarter section corners or lines, of recorded subdivision perimeter corners. Said point of beginning must be further established as a well-known, industry standard, permanent monument, such as an iron pin, pipe, railroad spike, or monument box of a design and style accepted by current County, State or municipal standards, whichever is applicable.

(d) Each course of a new metes and bounds description should be a separate paragraph, and all courses should be stated in a clockwise direction from the point of beginning to the point of termination for the subject description.

(e) Each course of a new metes and bounds description shall contain a bearing expressed in degrees, minutes and seconds and a distance recited in feet and the decimal parts thereof, from point of origination to a point of termination of each course.

(f) Each course shall contain the names of current adjoining owners together with the recorded Deed Book and Page or AFN of Official Record for each. When a course being described adjoins a recorded platted subdivision, a call for the Plat Book and page or AFN will suffice. When the adjoining land is a Gore Strip or previously unnumbered parcel, a full explanation and notation on the plat is required.

(g) Each course must show all other common lines such as centerline of roads, rivers, streams, quarter or half section lines, or any other pertinent common line or record or interest as witnessed by the survey for the conveyance.

(h) Any course of a new metes and bounds description which is a curve must contain the direction of the curve, (right or left), the radius (in feet and decimal parts thereof), the long chord bearing and distance, the central angle and the arc length.

(i) All references to roads, rivers, streams, railroads, etc. must use current or existing names of record. Old or original names, enclosed in brackets, may also be shown if pertinent and related to research for the survey or as a deed call on a description.

(j) All new metes and bounds descriptions must give the area contained within its perimeter in acres and calculated to a minimum of four decimal places, as required by the County Auditor. If the parcel is less than one acre, then the total calculated square footage is also required.

(k) Whenever a new metes and bounds description encompasses two or more taxing districts, or two or more tax parcels, a breakdown of total area must be recited for each tax district or parcel.

(l) All new metes and bounds descriptions will be subject to Computer verification as to the accuracy of the traverse closure. A minimum allowable traverse closure error of 1:10,000 over the area as described, with a maximum of 0.02 feet allowable in latitude and departure overall as spelled out in [O.A.C. 4733-37-04-B](#).

(D) Compliance with Items (A), (B) and (C) above shall be verified by submittal of the instrument to the County Fiscal Office Tax Map Department for the appropriate review and approval.

(E) Varying degrees of complexity in instruments submitted may require a more extensive review. Normally, the submitter should allow three, (3), business days for a standard instrument to be reviewed for the required compliance. Extremely large tracts of land or complex closures may require a more extensive review and the submitter is advised to submit these types of instruments as early as possible as to avoid delays at recording time.

(F) Upon submittal of a new legal description to the Tax Map Department, a Review and Approval form will be attached to it (see [Exhibit - 3](#)). The instrument is first checked for appropriate format and parcel numbers. Secondly the instrument is reviewed for compliance to the standards established herein by a qualified technician trained in surveying related issues. A closure verification sheet may be prepared and attached to the final review.

(G) Upon completion of the appropriate reviews, and all comments addressed and accounted for, the original of the instrument will be stamped.

"Legal Description complies with Cuyahoga County Conveyance Standards and is approved for Transfer".

Agent _____ Date _____

(H) No document of conveyance with a metes and bounds legal description will be processed by the County Fiscal Officer without the appropriate stamp, listed above, affixed to said instrument and the appropriate reviewing agent's signature thereon.

(I) The Basis of Bearing statement on all deed descriptions to be made of record within the Cuyahoga County offices should preferably be stated with reference to a deed of record, an official record, a plat of record or a road improvement plan of record along with the bearing used. The State Plane Coordinate System, the Cuyahoga Regional Geodetic System, (C.R.G.S.), NAD 27 or NAD 83, may also be used as a Basis of Bearing only if the control monuments used along with the bearing between them are denoted in the statement. Assumed bearings may be used provided there are no bearings shown of record. Examples of acceptable Basis of Bearing statements are available at the Office of the County Engineer.

Section 12 - Requirements for Survey Plats by the County Engineer

(A) All new plats of survey shall incorporate the principles and minimum standards of good surveying, engineering and draftsmanship, and shall meet the "Minimum Standards for Boundary Surveys in the State of Ohio" as defined by [Section 4733-37](#) of the Ohio Administrative Code.

(B) Any parcel, out lot or portion of a recorded lot or other designation shown on a plat, shall have an accurate, fully dimensioned image drawn to scale on the plat to enable the County Engineer and County Auditor to determine the accurate area of said parcel. If a balance or residue parcel is given a designation on a plat such as; "Parcel A" or "Sublot 2" etc., then that parcel will be considered as part of the survey and will require all the compliance items of [O.A.C. 4733-37](#).

(C) All new parcels shown on a plat shall be referenced to an established point of beginning such as centerline intersections of streets or roads or record section and or quarter section corners or lines, of a recorded subdivision perimeter corners. Said point of beginning shall be further established as a well-known, industry standard, permanent monument, such as an iron pin, pipe, railroad spike, or monument box of a design and style accepted by current County, State or municipal standards, whichever is applicable.

(D) Each course of a new parcel shown on a plat shall contain a bearing expressed in degrees, minutes and seconds and a distance recited in feet and the decimal parts thereof, from point of origination to a point of termination of each course.

(E) All new parcels shown on the plat shall show the names of the current owners of the subject parcels together with the recorded Deed Book and Page or AFN of the Official Record and the Permanent Parcel Number for each.

(F) All adjoining parcels shall show the current Auditor's Permanent Parcel Number, together with the recorded Deed Book and Page or AFN. If the adjoining parcel is a recorded platted lot then a call for the recorded plat Volume and Page or AFN will suffice. If the parcel number and owner information has changed due to the length of time between the research and field survey being performed and the time of submittal for review, the parcel numbers at the time of the survey will suffice.

(G) Each course shall show all other common lines such as centerline of roads, rivers, streams, quarter or half section lines, or any other pertinent common line or record interest as witnessed by the survey and used for establishment of the boundaries therein.

(H) Any course of a new parcel or a course tied to a new parcel which is a curve shall contain the direction of the curve, (right or left), the radius (in feet and decimal parts thereof), the long chord bearing and distance, the central angle and the arc length.

(I) All references to roads, rivers, streams, railroads, etc. shall use current or existing names of record. Old or original names, enclosed in brackets, may also be shown if pertinent and related to research for the survey or as a deed call on a description.

(J) All new surveyed parcels shown on the plat shall give the area contained within its perimeter in acres and calculated to a minimum of four decimal places, as required by the County Auditor. If the parcel is less than one acre, then the total calculated square footage is also required.

(K) Whenever a new parcel on a plat encompasses two or more taxing districts, or two or more tax parcels, a breakdown of total area shall be recited for each tax district or parcel.

(L) All new parcels will be subject to computer verification as to the accuracy of the traverse closure. A minimum allowable traverse closure error of 1:10,000 over the area as described, with a maximum of 0.02 feet allowable in latitude and departure overall as spelled out in [O.A.C. 4733-37-04-B](#). If permanent easements are fully dimensioned on the plat, they will be subject to closure verification.

(M) Quality of Document -

The County Engineer will approve no plat unless the plat presented to the County Engineer meets the following requirements:

1 - Original required -

If the plat is to be recorded, the plat must be an original drawing on vellum, mylar or paper. It must have the original signature(s) of the current owner of record, accepting such plat by appropriate acceptance clause. Excepting electronic submissions as prescribed in ORC 1306.06. Further instructions or electronic submissions can be found in the [Cuyahoga County Electronic Recording Standards](#).

2 - Document size -

The maximum size for any plat is 24 by 36 inches. The minimum size is 18 by 24 inches.

3- Text size -

No text on a plat shall be less than a standard "Arial" font 10 in size or any other font equivalent in size. This requirement includes handwritten plats and the only exception will be for the signatures shown thereon.

4- Text quality -

All typed or computer drafted text on a plat shall use Roman, Courier, Calibri or Arial type text fonts. Hand printed lettering must be completely legible.

5 - Cut and Paste on Plats -

No plat shall have cut and pasted text attached to said plat.

6 - Corrections shown on a plat -

Erasures of any kind on a plat are not recommended. Rather, corrections should be made by lining through the incorrect passage and writing the correct passage above said text or noting the correction with an asterisk indicating the correction at the bottom of the plat. The use of a revision block in the lower right-hand corner of the plat is also recommended. A revision block, when used, should contain the date, reason for the revision, and the initials of the reviser, at a minimum.

7 - Signatures -

All signatures on a plat must be the original, in black or blue ink. No red ink will be permitted, as this color may not reproduce clearly. Property owner signatures shall have the signers name printed under the signature line for clarity. Electronic Signatures are acceptable per ORC 1306.06. Further instructions or electronic submissions can be found in the [Cuyahoga County Electronic Recording Standards](#).

8 - Witnesses and Notary -

All Notary's witnessing the signatures of property owners' acceptance on a plat must comply with "[O.R.C. 147- "Notaries Public and Commissioners"](#) minimum standards. Notary seals must be in permanent black ink or of the raised embossed crimped type. Electronic notarial acts shall follow Ohio Administrative Code 111:06. For technical direction, see the [Cuyahoga County Electronic Recording Standards](#).

(N) Compliance with Items (A) through (M) above will be verified by submittal of the plat to the County Fiscal Office's Tax Map department for the appropriate review and approval.

(O) Varying degrees of complexity in plats and subdivisions submitted may require a more extensive review. Normally, the submitter should allow three (3) business days for a standard instrument to be reviewed for the required compliance. Extremely large tracts of land or complex closures may require a more extensive review and the submitter is advised to submit these types of instruments as early as possible as to avoid delays at recording time.

(P) Upon submittal of a new Plat or Subdivision to the Tax Map Department, a Review and Approval form will be attached to it. (See [Exhibit - 4](#)).

1 - The instrument is first checked for appropriate format and parcel numbers.

2 - Secondly the instrument is reviewed for compliance to the standards established herein by a qualified technician trained in surveying related issues.

3 - A closure verification is established. Note: A closure printout sheet may be prepared and attached to the final review.

4 - Verification of the appropriate governmental and/or municipal approvals that may be required is checked.

5 - Verification of the proper acceptance of the owners, witnesses and Notarization is checked for.

6 - When applicable, the acceptance of utility easements associated with the plat is verified.

(Q) Upon completion of the appropriate reviews, and all comments addressed and accounted for, the original of the instrument will be stamped.

"This Survey Plat complies with Cuyahoga County Conveyance Standards and is hereby approved".

Plat Vol. _____ Pg. _____

T.M. _____ Pg. _____

Agent Date

(R) No Map of Survey, Plat or Subdivision will be processed by the County Auditor without the appropriate stamp, listed above, affixed to said instrument and the appropriate reviewing agent's signature thereon.

(S) The Basis of Bearing statement on all plats should preferably be stated with reference to a deed of record, an official record, a plat of record or a road improvement plan of record along with the bearing used. The State Plane Coordinate System, the Cuyahoga Regional Geodetic System, (C.R.G.S.), NAD 27 or NAD 83, may also be used as a Basis of Bearing only if the control monuments used along with the bearing between them are denoted in the statement. Assumed bearings may be used provided there are no bearings of record readably available. Examples of acceptable Basis of Bearing statements are available at the Office of the County Engineer.

(T) Metric Measurements

(1) Each course of a new parcel on a plat and/or courses used to develop the plat prepared using the metric system shall include the following:

(a) Distances shall be recited in meters and decimal parts thereof, along with the equivalent distance in feet and decimal parts thereof enclosed in brackets (*),

(b) Bearings shall be expressed in degrees, minutes and seconds.

(c) Curves must contain the direction of the curve (right or left), as well as the radius, long chord and arc expressed in meters and decimal parts thereof, likewise the same dimensions shall be expressed in feet and decimal parts thereof in brackets, (*). The bearing of the long chord shall be expressed in degrees, minutes, and seconds.

(2) Area shall be expressed in hectares along with the equivalent area expressed in acres calculated to the third decimal place as required by the County Auditor.

(3) The U.S. Survey foot definition shall be used when converting between meters and feet. The conversion ratio of 39.37/12 is the U.S. Survey foot multiplier used to convert from meters to feet.

Section 13 - Special Applications for Condominiums

(A) All Condominium plats and associated declarations shall be prepared in accordance with [O.R.C. 5311 - "Condominium Property"](#).

(B) All Condominium plats will be subject to the same review process as conventional plats and the survey of the perimeter boundary of the overall Condominium development shall meet all the requirements of [O.A.C. 4733-37](#) and the requirements laid out in Section 11 enclosed herein.

(C) Individual Phases of a condominium shall have complete dimensional ties with bearings and distances back to the original perimeter survey.

(D) Phases of a condominium shall have complete dimensional ties with bearings and distances back to the original perimeter survey.

(E) Overlaps and shortages in closures of condominium phases are not permitted; all phases shall fit graphically and mathematically with each other.

(F) "Common Area" shall be defined as that area common to, and held in fee by, all members of the established Association as spelled out in the recorded declaration related to such development, or held in fee by the developer or owners of record, and as further described in [O.R.C. 5311.04](#)

(G) When the final phase of the development is completed and recorded, the established Common Area will be assigned a new Permanent Parcel Number. Multiple Common Areas that are not contiguous will also be assigned a new Permanent Parcel Number.

(H) Transference of interest into the association may be accomplished by affidavit as spelled out in Section 2-item (C) on page 5 enclosed herein.

(I) The percentage interest of each member of the association holding an interest in established Common Area of a condominium development should be clearly shown, in tabular form, on each phase as the development progresses.

(J) If garage units are established as separate parcels but are tied to and transferred with the associated unit, then both parcel numbers and legal description shall appear on the conveyance document.

(K) The legal description for a condominium unit and/or garage unit should only refer to the first phase that established the association and the current phase in which the conveyance is included.

(L) Adjustments to common walls and changes to condominium unit shapes and sizes will require a new filing of the Condominium Plat and Declaration.

Section 14 - Special Applications for Tax Foreclosures, Forfeitures and Special Court Ordered Transfers

(A) Documents relating to foreclosure and forfeiture include the following:

- 1.- Preliminary Judicial Report: prepared by a title company under contract with the County Prosecutor; provides full legal description and facts relating to title for property prior to foreclosure hearing.

2. - Order of Sale: document issued by Common Pleas Court and recorded with the Clerk of Courts, ordering the County Sheriff to sell a property for non-payment of delinquent real property taxes.

3.- Order of Forfeiture: documents issued by Common Pleas Court and recorded with the Clerk of Courts, forfeiting a property to the State of Ohio as a result of a parcel not being sold under the terms of the Order of Sale.

4. - County Sheriff's Deed: document transferring title of property sold at the Sheriffs Sale of Tax Delinquent Property to the purchaser of such property.

5. - County Auditor's Deed: document transferring title of property sold at the Auditor's Sale of Forfeited Land to the purchaser of such property.

(B) Foreclosures, forfeitures and Court Ordered Transfers occasionally have legal descriptions that do not meet all the requirements established in Section 5 and Section 11 enclosed herein.

(C) The nature of most foreclosure parcels tends to render them as small obscure, balance pieces that remain after other lands have been appropriated. They usually have relatively low value while being very expensive to survey.

(D) When a Meets and Bounds legal description, used in a foreclosure or Court Ordered document, does not meet the standards set-forth in Section 5 and 11, every effort shall be made by the writers of said legal to use the original full parcel legal description with the "three exception rule" applied. (See Section 5 - Paragraph C).

(E) If every effort to describe such parcels as discussed in (D) above has failed to produce a legal description that meets the criteria established in Section 5 and 11 enclosed herein, then the County Engineer shall attempt to verify the parcels true location and parcel number(s) by making a comparison to the current Tax Maps of Record. If the County Engineer can satisfactorily determine that the parcel can be defined on the Tax Maps, then the transfer will be approved with the stamp affixed to said legal description reading:

"Legal description approved for transfer. Future conveyances of this parcel(s) will require a new legal description based on an approved boundary survey"

(F) If the County Engineer, upon completion of the analysis of the legal description, as described in above, determines that the parcel is not clearly defined or is describing the wrong parcel, then the document shall be rejected for transfer and returned to the Court for corrections.

(G) To avoid rejection of transfers by the County, all Foreclosure, Forfeiture and Special Court ordered transfers should be submitted to the Tax Map Department as soon as practical so that a preliminary review of the legal description(s) can be performed.

Section 15 – Air Rights Plats

Air Rights Defined

An "Air Rights" parcel involves the conveyance of fee simple title to a three-dimensional space located at a precisely defined location.

(A) The Air Rights plat shall contain a full boundary survey of the property with building tied downs and shall bear the certified statement of a registered professional land surveyor.

(B) All Air Rights Plats shall contain a full metes and bounds description for each air rights parcel being created on the plat. The description shall include the vertical and horizontal representation of the air rights parcel.

(C) A reference benchmark shall be set at a prominent position within close proximity to the subject land being described. The reference benchmark shall also be shown and referenced to the boundary of the subject land on the plat of survey.

(D) All elevations shall be on the [North American Vertical Datum of 1988](#), also known as NAVD88, expressed in feet and decimal parts thereof and to the nearest hundredth of a foot. All elevations derived from Global Positioning System Technology shall also reference the geoid used. Each description of Air Rights Parcel shall contain notations of the intent for what each elevation represents (i.e. the top of the finished first floor).

(E) Each new Air Rights parcel shall have a parcel designation with brief description of the parcel.

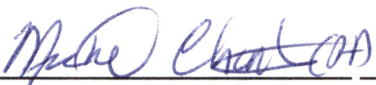
Examples are:

1. Parcel "A" Basement Parcel

2. Parcel "B" First Floor Parcel.

(D) Air Rights Parcels shall be created on commercial property only. See section 13 on Condominiums for Residential property.

In compliance with Chapter 315 et seq. and 319 et seq. of Revised Code of the State of Ohio we the undersigned, the duly appointed Fiscal Officer and Engineer of the County of Cuyahoga, State of Ohio, hereby adopt these Standards for the Approval of Plats and Legal Descriptions used in Real Property Conveyances. These standards will become effective ten days after both the Cuyahoga County Fiscal Officer & the Cuyahoga County Engineer approve them by affixing their Signatures.


Michael Chambers, CPA Date 3-6-23
Cuyahoga County Fiscal Officer

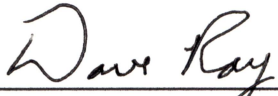

David Ray, P.E., P.S. Date 3-8-23
Cuyahoga County Engineer

Exhibit 1



Real Property Conveyance Fee Statement of Value and Receipt

DTE 100
Rev. 5/20

If exempt by Ohio Revised Code section 319.54(G)(3), use form DTE 100(EX).

TYPE OR PRINT ALL INFORMATION.

Type instrument	Tax list year	County number 18	Tax. dist. number	Date
-----------------	---------------	----------------------------	-------------------	------

Property located in _____ taxing district

Name on tax duplicate _____ Tax duplicate year _____

Acct. or permanent parcel no. _____ Map book _____ Page _____

Description Additional
Parcels: _____ Platted _____ Unplatted _____

Auditor's comments: Split _____ New plat _____ New improvements _____ Partial value _____
C.A.U.V _____ Building removed _____ Other _____

Grantee or Representative Must Complete All Questions in This Section. See instructions on reverse.

1. Grantor's name _____ Phone _____
2. Grantee's name _____ Phone _____
Grantee's address _____ City _____ State _____ Zip _____
3. Address of property _____ City _____ State _____ Zip _____
4. Tax billing address _____ City _____ State _____ Zip _____
5. Are there buildings on the land? Yes No If yes, check type:
1, 2 or 3 family dwelling Condominium Apartment: No. of units _____
Manufactured (mobile) home Farm buildings Other _____
If land is vacant, what is intended use? _____
6. Conditions of sale (check all that apply) Grantor is relative Part interest transfer Land contract
Trade Life estate Leased fee Leasehold Mineral rights reserved Gift
Grantor is mortgagee Other _____
7. a) New mortgage amount (if any).....\$ _____
b) Balance assumed (if any).....\$ _____
c) Cash (if any).....\$ _____
d) Total consideration (add lines 7a, 7b and 7c).....\$ _____ 0.00
e) Portion, if any, of total consideration paid for items other than real property.....\$ _____
f) Consideration for real property on which fee is to be paid (7d minus 7e).....\$ _____ 0.00
g) Name of mortgagee _____
h) Type of mortgage Conv. F.H.A. V.A. Other _____
i) If gift, in whole or part, estimated market value of real property.....\$ _____
8. Has the grantor indicated that this property is entitled to receive the senior citizen, disabled person or surviving spouse homestead exemption for the preceding or current tax year? Yes No If yes, complete form DTE 101.
9. Has the grantor indicated that this property qualified for current agricultural use valuation for the preceding or current tax year? Yes No If yes, complete form DTE 102.
10. Application for owner-occupancy (2.5% on qualified levies) reduction. (**Notice:** Failure to complete this application prohibits the owner from receiving this reduction until another proper and timely application is filed.) Will this property be grantee's principal residence by Jan. 1 of next year? Yes No If yes, is the property a multi-unit dwelling? Yes No
I declare under penalties of perjury that this statement has been examined by me and to the best of my knowledge and belief it is a true, correct and complete statement.

Signature of grantee or representative Date _____

Number
No. of Parcels
DTE Code No.
Neigh. Code
No. of Acres
Land Value
Bldg. Value
Total Value
DTE Use Only
DTE Use Only
DTE Use Only
DTE Use Only
Consideration
DTE Use Only Valid sale 1. Yes 2. No
Receipt Number

Receipt for Payment of Conveyance Fee

The conveyance fee required by Ohio Revised Code section (R.C.) 319.54(G)(3) and, if applicable, the fee required by R.C. 322. in the total amount of \$ _____ has been paid by _____ and received by the **CUYAHOGA** county auditor.

County auditor

Date



**Cuyahoga County Fiscal Department - Real Property Transfers
Sale Verification Questionnaire**

OFFICE USE ONLY	
Instrument #:	_____
Trans. Date:	_____
Verified by:	_____

PLEASE PRINT CLEARLY OR TYPE ALL RESPONSES

Parcel Number: _____ Prop Address: _____
 Sale Date: _____ Parcels in Sale: _____
 Sale Amount: _____

GRANTOR

Name _____
 Address _____
 City, State, Zip _____
 Phone _____
 Email _____

GRANTEE

Name _____
 Address _____
 City, State, Zip _____
 Phone _____
 Email _____

Please answer the following questions:

- Were there any special conditions affecting the sale?
 - Sale between family members.
 - Transfer between two affiliated businesses.
 - Auction Sale
 - Forced Sale or Sheriff's Sale
 - Sale involved a government agency or public utility.
 - Buyer is a religious or charitable organization.
 - Land contract or contract for deed.
 - Sale involves only a partial interest.
 - Sale includes trade or exchange of properties.
 - Sale by judicial order
 - NONE OF THE ABOVE**
- What was the use of the property at time of sale?
 - Single Family Residence Vacant Lot
 - Multifamily Residence Retail
 - Apartment Building Industrial
 - Other (Describe) _____
- Was property rented/leased at time of transfer? Yes No
- Does transfer include an existing business? Yes No

- If Grantee is a business entity, please provide contact information for the President, CEO, primary shareholder or managing member/partner:

Name: _____
 Phone: _____
 Email: _____
- Was any personal property (PP), such as furniture, equipment, machinery, livestock, business inventory, included in the sale price? Yes No
 Value of PP listed on Settlement Statement: \$ _____
If YES provide a copy of IRS Form 4562 - Depreciation Worksheet
- Have there been any recent changes to the property?
 - No Demolition
 - Addition(s) Renovations
 When was work completed? / / _____
 Estimated Cost of New Construction: \$ _____
- Does the grantee hold title to any adjoining property? Yes No
- Was an appraisal done on the property? Yes No
- Were any delinquent taxes assumed by the grantee?
 - No Yes - Amount: _____
- How was the property marketed? *(Check all that apply)*
 - Listed with Real Estate Agent Displayed "For Sale" sign
 - Advertised in Newspaper Word of Mouth

ACKNOWLEDGMENT

The undersigned acknowledges that the information provided to the Cuyahoga County Fiscal Office regarding this real estate transfer is truthful and completed to the best of their knowledge. All information obtained through this questionnaire will be used to determine whether or not this transaction is an arms-length, market based sale.

Printed Grantee's Name: _____ Phone _____
 Grantee's Signature: _____ Email _____

All information submitted to the County Fiscal Officer on this form will not be made available through any public facing web site or electronic portal available to the public through electronic access.

Instructions to Grantee or Representative for Completing Real Property Conveyance Fee Statement of Value

Complete lines 1 through 10 in box.

WARNING: All questions must be completed to the best of your knowledge to comply with Ohio Revised Code (R.C.) section 319.202. Persons willfully failing to comply or falsifying information are guilty of a misdemeanor of the first degree (R.C. section 319.99(B)). It is important that the information on this form be accurate as it will be used to determine whether all real property, including this property, is uniformly assessed for real property tax purposes.

Note: The county auditor has discretionary power under R.C. section 319.202(A) to request additional information in any form of documentation deemed necessary to verify the accuracy of the information provided by the grantee on the front of the form.

- Line 1** List grantor's name as shown in the deed or other instrument conveying this real property.
- Line 2** List grantee's name as shown in the deed or other instrument conveying this real property and the grantee's mailing address.
- Line 3** List address of property conveyed by street number and name.
- Line 4** List complete name and address to which tax bills are to be sent. **CAUTION:** Each property owner is responsible for paying the property taxes on time even if no tax bill is received.
- Line 5** If there are no buildings on the land conveyed, check "no." If there are buildings, check "yes" and the appropriate box that describes the type of buildings. If other, describe briefly the type of buildings, such as "office building."
- Line 6** Show any special condition of sale that would affect the consideration. If any of the special conditions noted are involved, check the appropriate box. Briefly describe other conditions in the space provided.
- Line 7**
- a) Enter amount of new mortgage on this property (if any).
 - b) Enter amount of the balance assumed on an existing mortgage (if any).
 - c) Enter cash paid for this property (if any).
 - d) Add lines 7a, 7b and 7c.
 - e) If any portion of the consideration reported on line 7d was paid for items other than real property, enter the portion of the consideration paid for those items.
 - f) Deduct line 7e from line 7d and enter the difference on this line.
 - g) List mortgagee or mortgagees (the party who advances the funds for a mortgage loan).
 - h) Check type of mortgage.
 - i) In the case of a gift, in whole or part, enter the estimated price that the real estate would bring in the open market.
- Line 8** If the grantor has indicated that the property to be conveyed will receive the senior citizen, disabled person or surviving spouse homestead exemption for a proceeding or current tax year under R.C. section 323.152(A), grantor must complete DTE 101 or submit a statement that complies with the provisions of R.C. section 319.202(A)(2), and the grantee must submit such form to the county auditor along with this statement.
- Line 9** If the grantor has indicated that the property to be conveyed qualified for current agricultural use valuation for the preceding or current tax year under R.C. section 5713.30, the grantor must complete DTE 102 or a statement that complies with R.C. section 319.202(B)(2), and the grantee must submit such form to the county auditor along with this statement.
- Line 10** Complete line 10 (application for owner-occupancy reduction on qualified levies) only if the parcel is used for residential purposes. To receive the owner-occupancy homestead tax reduction on qualified levies for next year, you must own and occupy your home as your principal place of residence (domicile) on Jan. 1 of that year. A homeowner and spouse may receive this reduction on only one home in Ohio. Failure to complete this application prohibits the owner from receiving this reduction until another proper and timely application is filed.

The real property conveyance fee is payable on the amount of money reported on either item 7f or 7i.

Exhibit 2

Reset

Statement of Reason for Exemption From Real Property Conveyance Fee

DTE 100 EX
Rev. 08.16
Page 2

Ohio Revised Code section 319.202 and 319.54(G)(3)

FOR COUNTY AUDITOR'S USE ONLY

FOR COUNTY AUDITOR'S USE ONLY			Date	Co. no.	Number
Instr.	Tax. district no.	Tax list	Land	Bldg.	Total

DTE code number _____ Split/new plat _____ Remarks _____
 Property located in _____ taxing district
 Name on tax duplicate _____ Tax duplicate year _____
 Acct. or permanent parcel no. _____ Map book _____ Page _____
 Description _____

The Following Must Be Completed by Grantee or His/Her Representative

Type or print all information. See instructions on reverse.

- Grantor's name _____ Phone _____
- Grantee's name _____ Phone _____
Grantee's address _____
- Address of property _____
- Tax billing address _____

5. No conveyance fees shall be charged because the real property is transferred:
- _____ a) to or from the United States, this state or any instrumentality, agency or political subdivision of the United States or this state.
 - _____ b) solely in order to provide or release security for a debt or obligation.
 - _____ c) to confirm or correct a deed previously executed and recorded.
 - _____ d) to evidence a gift, in any form, between husband and wife, or parent and child, or the spouse of either.
 - _____ e) on sale for delinquent taxes or assessments.
 - _____ f) pursuant to court order, to the extent that such transfer is not the result of a sale effected or completed pursuant to such order.
 - _____ g) pursuant to a reorganization of corporations or unincorporated associations or pursuant to the dissolution of a corporation, to the extent that the corporation conveys the property to a stockholder as a distribution in kind of the corporation's assets in exchange for the stockholder's shares in the dissolved corporation.
 - _____ h) by a subsidiary corporation to its parent corporation for no consideration, nominal consideration or in sole consideration of the cancellation or surrender of the subsidiary's stock.
 - _____ i) by lease, whether or not it extends to mineral or mineral rights, unless the lease is for a term of years renewable forever.
 - _____ j) when the value of the real property or interest in real property conveyed does not exceed \$100.
 - _____ k) of an occupied residential property being transferred to the builder of a new residence when the former residence is traded as part of the consideration for the new residence.
 - _____ l) to a grantee other than a dealer in real property, solely for the purpose of and as a step in, its prompt sale to others.
 - _____ m) to or from a person when no money or other valuable and tangible consideration readily convertible into money is paid or to be paid for the real estate and the transaction is not a gift.
 - _____ n) to an heir or devisee, between spouses or to a surviving spouse, from a person to himself and others, to a surviving tenant, or on the death of a registered owner.
 - _____ o) to a trustee acting on behalf of minor children of the deceased.
 - _____ p) of an easement or right-of-way when the value of the interest conveyed does not exceed \$1,000.
 - _____ q) of property sold to a surviving spouse pursuant to Ohio Revised Code section (R.C.) 2106.16.
 - _____ r) to or from an organization exempt from federal income under Internal Revenue Code section 501(c)(3), provided such transfer is without consideration and is in furtherance of the charitable or public purpose of such organization.
 - _____ s) among the heirs at law or devisees, including a surviving spouse of a common decedent, when no consideration in money is paid or to be paid for the real property.
 - _____ t) to a trustee of a trust, when the grantor of the trust has reserved an unlimited power to revoke the trust.
 - _____ u) to the grantor of a trust by a trustee of the trust, when the transfer is made to the grantor pursuant to the exercise of the grantor's power to revoke the trust or to withdraw trust assets.
 - _____ v) to the beneficiaries of a trust if the fee was paid on the transfer from the grantor of the trust to the trustee or pursuant to trust provisions that became irrevocable at the death of the grantor.
 - _____ w) to a corporation for incorporation into a sports facility constructed pursuant to R.C. section 307.696[307.69.6].
 - _____ x) between persons pursuant to R.C. section 5302.18.
 - _____ y) from a county land reutilization corporation organized under R.C. section 1724 to a third party.

6. Has the grantor indicated that this property is entitled to receive the senior citizen, disabled person or surviving spouse homestead exemption for the preceding or current year? Yes No If yes, complete form DTE 101.

7. Has the grantor indicated that this property is qualified for current agricultural use valuation for the preceding or current tax year? Yes No If yes, complete form DTE 102.

8. Application for owner-occupancy (2.5% on qualified levies) reduction. (Notice: Failure to complete this application prohibits the owner from receiving this reduction until another proper and timely application is filed.) Will this property be grantee's principal residence by Jan. 1 of next year? Yes No If yes, is the property a multi-unit dwelling? Yes No

I declare under penalties of perjury that this statement has been examined by me and to the best of my knowledge and belief it is a true, correct and complete statement.

Signature of grantee or representative _____

Date _____



Cuyahoga County Fiscal Department - Real Property Transfers

Exemption Verification Questionnaire

Information in support of Exemption from Ohio State conveyance tax. (R.C. 319.54(G)(3))

OFFICE USE ONLY

Instrument #:
Trans. Date:
Verified by:

PLEASE PRINT CLEARLY OR TYPE ALL RESPONSES

Parcel Number: Prop Address:
Sale Date: Parcels in Transfer:
Exemption Letter:

GRANTOR: Name, Address, City, State, Zip, Phone, Email
GRANTEE: Name, Address, City, State, Zip, Phone, Email

Please answer the following questions:

- 1. Please provide a detailed explanation as to why this transfer should be exempt from conveyance fees:
2. What was the use of the property at time of transfer?
3. Was property rented/leased at time of transfer?
4. Does transfer include an existing business?
5. If Grantee is a business entity, please provide contact information for the President, CEO, primary shareholder or managing member/partner:
6. Was any personal property (PP), such as furniture, equipment, machinery, livestock, business inventory, included in the sale price?
7. Have there been any recent changes to the property?
8. Does the grantee hold title to any adjoining property?
9. Was an appraisal done on the property?
10. Were any delinquent taxes assumed by the grantee?

ACKNOWLEDGMENT

The undersigned acknowledges that the information provided to the Cuyahoga County Fiscal Office regarding this real estate transfer is truthful and completed to the best of their knowledge. All information obtained through this questionnaire will be used to determine whether or not this transaction meets the requirements of the above statute to be exempted from Ohio conveyance tax.

Printed Grantee's Name: Phone
Grantee's Signature: Email

All information submitted to the County Fiscal Officer on this form will not be made available through any public facing web site or electronic portal available to the public through electronic access.

**Instructions to Grantee or Representative for
Completing Statement of Reason for Exemption From
Real Property Conveyance Fee, DTE 100EX**

Complete lines 1 through 8.

WARNING: All questions must be completed to the best of your knowledge to comply with Ohio Revised Code (R.C.) section 319.202. Persons willfully failing to comply or falsifying information are guilty of a misdemeanor of the first degree (R.C. section 319.99(B)).

- Line 1** List grantor's name as shown in the deed or other instrument conveying this real property.
- Line 2** List grantee's name as shown in the deed or other instrument conveying this real property and the grantee's mailing address.
- Line 3** List address of property conveyed by street number and name.
- Line 4** List complete name and address to which tax bills are to be sent. **CAUTION:** Each property owner is responsible for paying the property taxes on time even if no tax bill is received.
- Line 5** Check one of the exemptions – (a)-(y) – as appropriate. Keep in mind that a county auditor may inspect any and all documents in connection with the submission of a conveyance to determine whether the transfer is entitled to exemption. The auditor may exercise that discretionary power by requiring additional information in the form of affidavits, deeds, trust documents, purchase agreements, closing statements, court orders, resolutions from corporate boards of directors, articles of incorporation, Internal Revenue Service exemption certificates, or in any other form deemed necessary by the auditor that sufficiently substantiates the claim for exemption.
- Line 6** If the grantor has indicated that the property to be conveyed will receive the senior citizen, disabled person or surviving spouse homestead exemption for the preceding or current tax year under R.C. section 323.152(A), grantor must complete DTE 101 or submit a statement that complies with the provisions of R.C. section 319.202(A)(2), and the grantee must submit such form to the county auditor along with this statement.
- Line 7** If the grantor has indicated that the property to be conveyed was qualified for current agricultural use valuation for the preceding or current tax year under R.C. section 5713.30, the grantor must complete DTE 102 or a statement that complies with R.C. section 319.202(B)(2), and the grantee must submit such form to the county auditor along with this statement.
- Line 8** Complete line 8 (application for owner occupancy – 2½% reduction on qualified levies) only if the parcel is used for residential purposes. To receive the owner occupancy tax reduction for next year, you must own and occupy your home as your principal place of residence (domicile) on Jan. 1 of that year. A homeowner and spouse may receive this reduction on only one home in Ohio. Failure to complete this application prohibits the owner from receiving this reduction until another proper and timely application is filed.



Exhibit 3
PLAT REVIEW
CUYAHOGA COUNTY
TAX MAP DEPARTMENT

THIS REVIEW IS TO VERIFY COMPLIANCE WITH O.R.C. 4733-37 AND THE CURRENT CONVEYANCE STANDARD REQUIREMENTS FOR PLATS, SURVEYS AND LEGAL DESCRIPTIONS.

TITLE: _____

LOCATION MUNICIPALITY: _____

P.P.N.: _____

Streets: _____

Contact Name: _____ Phone: _____

Received in Tax Map: _____ By: _____

Preliminary Review Date: _____ Reviewing Agent: _____

APPROVED AS SUBMITTED By: _____ DATE: _____

APPROVED AS NOTED BY: _____ DATE: _____

1st. Submittal

2nd. Submittal

3rd. Submittal

- SEE MARKED UP PLAT

- SEE COMMENTS BELOW

Exhibit 4

This Legal Description Complies with
The Cuyahoga Transfer and
Conveyance Standards and is approved
for transfer

FEB 06

Agent

This Survey Plat complies with the
Cuyahoga County Transfer and Conveyance
Standards and is hereby approved.
Plat Vol. _____ Pg. _____
T.M. _____

Agent

Exhibit 5

Cuyahoga County Fiscal Officer's Electronic Recording Standards

Definitions:

As used in the following:

- (A) "County" means Cuyahoga County Ohio Recorder's Office.
- (B) "Company" includes title companies, mortgage bankers, full-service banks, attorneys, and other entities wishing to Electronically File with the Cuyahoga County Recorder's Office.
- (C) "Kofile" means software provider for the County.
- (D) "TIFF Image" means TIFF Group 4 image file format.
- (E) "PDF Image" means (Portable Document Format)

Cuyahoga County desires to offer recording of real property documents by receiving and transmitting documents electronically in substitution for conventional paper-based documents and to assure that transactions are not legally invalid or unenforceable as a result of the use of available electronic technologies for the mutual benefit of the parties of the transactions.

Electronic Recording is defined based on the model of automation and structure of the transaction. The models of automation that Cuyahoga County will accept are as follows:

- **Model 1:** Submitting organizations transmit scanned images of ink signed documents in PDF or TIFF image file format along with electronic indexing information to the county. The county performs an electronic examination of the imaged documents and indexing data, and then completes the recording process using the imaged copy and electronic indexing information. The electronic version of the recorded document is returned electronically to the submitting organization along with the electronic recording data. Model 1 eRecording does not include the use of digital signature technology. Users rely on the authentic "wet" signature and/or notary stamp/seal already applied to the document prior to the TIFF/PDF image being created.
- **Model 2:** Submitting organizations transmit documents which have been created, signed and notarized electronically along with the electronic indexing information. Electronic signatures must comply with Uniform Electronic Transaction Act (UETA), Ohio Revised Code 1306 and E-Sign specifications. The county performs an electronic examination of the imaged documents and indexing data, and then completes the recording process using the imaged copy and electronic indexing information. The electronic version of the recorded document is returned electronically to the submitting organization along with the electronic recording data.

Program Eligibility

Title Companies, Mortgage Bankers, Full-Service Banks, Attorneys, and other trusted entities may, submit real property records for electronic recording through Kofile's Vanguard Cloud System. Electronic Recording mandates a close working relationship as well as mutual trust between the County and the submitting entity. All parties of the Electronic Recording transaction desire to operate and maintain a secure recording system that safeguards parties to recordation from deceit, fraud, and forgery.

Participation in the Electronic Recording program is voluntary and the decision to do so is a business judgment. Individuals and organizations electing not to participate will receive service at the same level prevailing at the outset of the program. Companies must register and be approved by the County prior to submitting documents for processing.

There will be no additional fees or costs of any kind charged by Cuyahoga County for using the Electronic Recording option. Submitters are responsible for all conveyance, transfer & recording fees required by Ohio Revised Codes 317.32 & 319.54. Kofile Technologies will charge a \$5.00 convenience fee per receipt.

County Requirements

For each document, Cuyahoga County's specific document code will be provided along with the required indexing information. Cuyahoga County will reject and return any transactions that do not meet the document and indexing specifications required in the system.

Electronic Recordings will be accepted in the Cuyahoga County Fiscal Office between the hours of 8:30 a.m. and 4:00 p.m. Eastern Time. Electronic documents received after this time will be processed the following business day. Neither party shall be liable for any failure to perform processing of the transactions and documents where such failure is beyond the party's reasonable control, including, without limitation, any mechanical, electronic or communication failure which prevents the parties from transmitting or receiving the electronic recording transactions.

Documents are submitted to the Cuyahoga County Fiscal Office in "batches" A batch is a document or group of documents that are submitted as one transaction to the Cuyahoga County Recorder. If you submit more than one document in a batch and any of the documents are rejected, the submitter will have the option of authorizing the county to proceed processing the balance of the batch without the rejected document(s).

Plat Map filings should be submitted for pre-approval to the Surveying Department of the Fiscal Office in as a PDF document. After it is approved for closure, and it is confirmed that the plat meets all Cuyahoga County Conveyance Standards. The final version, signed by all parties as described under the above referenced Model 1 or 2, will be processed.

The Cuyahoga County eRecording program runs in a "real time" environment. This means that once we accept the document for recording, it is available to the public for viewing. You will receive confirmation that the document was recorded in our office after it has been accepted.

If we reject a document for recording, you will receive the document back unrecorded with an explanation for rejection.

Documents submitted to our office for electronic recording must meet the following:

- Names must be printed or typed on the document under the signature if the signature is illegible. (ORC 317.11)
- If the document is notarized in the State of Ohio, it must state who it was prepared by. (ORC 317.111)
- The entire document must be sufficiently legible to permit reproduction. (ORC 317.112)
- The document must be in English. If any part of the document is in a different language, it must be accompanied by an English translation. (ORC 317.113) Documents must be notarized and state the notary's name, state and commission expiration date.
- A current legal description of the real estate must be included with all transfer documents.
- Satisfactions of Mortgage and Assignments of Mortgage must include the book/page and/or AFN number of the mortgage it is relating to.
- Assignments must include the address of the Assignee. (ORC 5301.31)
- Documents are to be redacted of all personal identifying information, (ORC 149.45)

PLAT Recording Requirements

- All Plat Maps must be submitted (along with any associated deeds) by Company for prior approval by the County Surveyor.
- Company (Title company; Attorney; or Surveyor) will submit a PDF or TIFF file of the proposed Plat Map for review by the County Surveyor through the Kofile system.
- Once reviewed by the Fiscal Office Surveyor Department, the Company will be notified if any amendments or revisions are required. If revisions are necessary Company will re-submit revised updated file(s) for approval.
- Once approved, the Company can then submit the final signed .PDF version of the Plat Map for recording through the Kofile System.

Company Responsibilities

Company acknowledges that Electronic Recording permits them to prepare, sign and/or transmit documents in electronic formats and the documents shall be considered as the "original" record of the transaction in substitution for, and with the same intended effect as, paper documents.

By use of electronic or digital certificates to sign documents, Company intends to be bound by those electronic signatures affixed to any documents and such electronic signature shall have the same legal effect as if that signature was manually affixed to a paper version of the document.

By use of digital certificates to seal electronic files containing images of original paper or documents bearing manual signatures, Company shall recognize such sealed images for all purposes as fully as the original paper documents and shall be responsible for any failure by Users to comply with quality control procedures for assuring the accuracy and completeness of the electronic files.

The Company and or its employees attest to the accuracy and completeness of the electronic records and acknowledge responsibility for the content of the documents submitted through the Electronic Recording Program. Should a dispute or legal action arise concerning an electronic transaction, Cuyahoga County will be held harmless and not liable for any claims or damages.

Company is responsible for the costs of the system or services provided by Kofile or other third-party vendors that enable Company to meet the Electronic Recording Program requirements.

Third Party Provider Requirements

All third-party providers must work in conjunction with Cuyahoga County's eRecording Vendor. Cuyahoga County is currently using Kofile Technology.

Payment of Recording Fees

Electronic Fund Transfer system will be the method of payment. The County will collect conveyance & recording fees pursuant to Ohio Revised Code 317.32 & 319.54 utilizing the Kofile eRecording platform and the Account Clearing House (ACH) network which will deposit recording fees into the specified account with the Cuyahoga County Treasurer's Office on the following business day.

All ACH payment procedures and reports must be approved by the Cuyahoga County Fiscal Officer and the County's eRecording vendor.

General Understanding

The Company shall be solely liable for the information electronically transmitted by or on behalf of the Company and for any breach of security, fraud, or deceit as a result of Electronic Recording.

The Company shall be solely liable for any special, incidental, exemplary or consequential damages arising from or because of any delay, omission or error in the Electronic Recording transmission or receipt.

Any questions regarding eRecording in Cuyahoga County can be addressed to

Brian O'Malley, Administrator - (216) 443-7085 or bmomalley@cuyahogacounty.us.



CUYAHOGA COUNTY FISCAL OFFICE

TRANSFER & RECORDING DIVISION

2079 East 9th Street, Cleveland, Ohio 44115 * 216-443-7010

E-RECORDING APPLICATION

Automatic Withdrawal for Conveyance/Recording Fees

CUSTOMER INFORMATION

Company/Firm Name: _____

Authorized signer: _____

Address: _____ City: _____ Zip: _____

Office Phone: _____ Mobile Phone: _____

E-Mail Address: _____

National Insurance Provider Registry No: _____

Ohio Supreme Court Attorney Registration No: _____

FINANCIAL INSTITUTION INFORMATION

Name of Institution: _____

Routing No: _____

Account No: _____

I authorize Cuyahoga County Treasurer to instruct my financial institution to make automated conveyance and/or recording fee payments from the account cited above. I understand that I control my payments, and if at any time I decide to discontinue this payment service, I will notify the County Fiscal Officer in writing. I understand that if a payment is returned for non-sufficient funds or an automatic withdrawal is rejected by my banking institution for lack of funds, I am still obligated to pay the conveyance/recording fees owed for the processing of electronic recording submissions and will be subject to any and all collection methods permitted by Ohio law.

I understand that if any automatic withdrawal is rejected by my banking institution for lack of funds I shall be charged \$10.00 by the Cuyahoga County Treasurer.

Authorized Signer: _____ Date _____

COUNTY USE ONLY

Company in good standing with Ohio Secretary of State:

Company License current with Ohio Department of Insurance:

Attorney in good standing with Bar Association:

Bank status active with FDIC:

Surveyor in good standing

standing with Ohio Board

of Engineers & Surveyors:

Approved By: _____ Date: _____