

Purchasing Property? Get a Land Survey!

I received a call this past weekend from a friend of mine who purchased a “For Sale By Owner” home several years ago; she did not use a REALTOR®. She called to tell me she recently discovered the possibility that the boundaries of her property are not what were shown to her by the seller and that there might be some encroachment issues.

Unfortunately, this scenario is all too common—not only for those not represented by a REALTOR® but for those who, against their REALTOR’S® recommendation, decline to hire a licensed surveyor during the buyer’s inspection contingency period to verify the location of boundaries of the property. Purchasing a home is a big investment, not investing in a survey of the property could come back to cost homebuyers much more than it would have had they initially paid for a land survey; something my friend may find out with a large price tag attached. I hope it does not come to that.

Why is a survey needed? A survey is needed to alert buyers to encroachments, recover or set corner markers (monuments), and assist in the resolution of boundary disputes. And for the seller, it is important for them to disclose any known easements, right-of-ways, or encroachments associated with their property. Failure to disclose any of these items can have serious legal ramifications.

A land survey is completed by a licensed land surveyor or employees under the surveyor’s direct supervision. The basic land survey will describe, verify, map, and locate improvements on a parcel of land and (visually mark) corners and/or boundaries so they can be easily found (depending on terrain). Some surveys include the placement of monuments at the property corners. Generally, a land survey will locate on the ground what your deed describes on paper.

Don’t let the cost of a survey keep you from getting one—it is too important. We are fortunate to have skilled licensed surveyors in our area. The cost for their services is dependent upon several factors such as the type of survey required, the type of terrain, and the availability of existing records and monuments. It will also depend on whether or not you require a map of what survey work is done. Sometimes you may only need to have line stakes placed along the property line or corner monuments verified or reset.

The California Association of REALTORS® Statewide Buyer and Seller Advisory has this to say about easements and boundaries: “Buyer and Seller are advised that confirming the exact location of easements, shared or private driveways or roadways, and encroachments on or to the Property may be possible only by conducting a survey. There may be unrecorded easements, access rights, encroachments and other agreements affecting the Property that may not be disclosed by a survey. Representations regarding these items that are made in a Multiple Listing Service, advertisements, or plotted by a title company are often approximations, or based upon inaccurate or incomplete records. Brokers have not verified any such representations. If Buyer wants further information Buyer is advised and Broker recommends that Buyer hire a licensed surveyor during Buyer’s inspection contingency period. Brokers do not have expertise in this area.”

When your REALTOR® recommends a land survey, listen! I'm concerned that with the number of foreclosures and lower-priced properties on the market that many buyers, due to limited income, are foregoing the all-important survey. Please consider this a vital component to the home buying process.

There are many reasons to get a survey. Here is a summary of some of them:

- To protect the investment you are about to make.
- To make sure before you make a purchase that the deed describes the land being purchased.
- To determine if there are any encroachments.
- To be certain about easements such as utilities (drainage, sewer, power, water, etc.) or for egress/ingress.
- To know the exact property line dimensions, configuration, and the precise locations of all structures, driveways, fences, etc.
- To see a visual representation of exactly what you are buying or selling.
- To know the location of all trees and topography so the future building site or structure can be designed to fit the terrain/landscape.
- To know if any portion of the land is in a flood plain.
- Some lending institutions may require a current survey.

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