

Texas Veterans Land Mortgage Program



Survey and Legal Description Requirements for Texas Veterans Land Board Tracts

NOTE TO SELLER OR VETERAN: PLEASE FORWARD A COPY OF THESE REQUIREMENTS TO YOUR PROFESSIONAL LAND SURVEYOR WHEN ORDERING A NEW SURVEY OF THE PROPERTY TO BE FINANCED THROUGH THE VETERANS LAND BOARD (VLB) PROGRAM.

NOTICE TO SURVEYORS: All professional surveying services provided for use in the purchase of land through the VLB Land Program must fully comply with the current *Professional Land Surveying Practices Act and the Standards of Responsibility and Rules of Conduct, Professional and Technical Standards (Texas Administrative Code, Title 22, Part 29, Chapters 661 - 665)*. The VLB will not approve a survey that does not meet these requirements. General Land Office (GLO) survey staff can be reached at **512-463-3493** for questions regarding survey information review. No restrictions or copyright may be placed on the survey plat or metes and bounds description which would limit or prohibit the VLB or veteran purchaser from copying and/or using the plat and field notes in this transaction in any future transaction involving the surveyed tract and the VLB and veteran purchaser.

NOTICE TO VETERANS, SELLERS AND REAL ESTATE AGENTS: Under certain circumstances Texas statutes require the owner of a tract of land dividing said land into smaller parcels to follow a formal subdivision platting process. It is the responsibility of the owner/seller of the property to legally plat the property if required. If platting is required, the VLB must be provided with a copy of the final approved recorded plat. If the property is not in a recorded subdivision and will be described by field notes, it is recommended that you obtain written verification from the city/county that states that the property is not in violation of their subdivision requirements.

REQUIRED LEGAL DESCRIPTION OF THE TRACT AS FOLLOWS:

FIELD NOTES - A tract of land that is not all of a lot in a city/county approved and recorded subdivision must be described by a metes and bounds description (field notes). The description may be an original document or a copy; it must describe the subject tract being purchased; it must be legible; it must meet all *Professional Land Surveying Practices Act and the Standards of Responsibility and Rules of Conduct, Professional and Technical Standards (Texas Administrative Code, Title 22, Part 29, Chapters 661 - 665)* requirements and, it must bear the surveyor's signature and seal.

If there is a companion "survey plat" available, please include it with the field notes.

OR

LOT AND BLOCK - A lot/tract in a city/county approved and recorded subdivision shall be described by a Lot and Block, and either of the following provided:

1. A **full size, clearly legible, complete** copy of the recorded subdivision plat must be provided. The subdivision plat must be signed and sealed by the surveyor and/or engineer, and signed by the Commissioner's Court, County Clerk and Owner Also it must show the right-of-way dedication and all courses, distances and curve data for all lot lines for each lot. No significant deficiencies, errors, or ambiguities as to tract boundaries may exist on the recorded plat, or;

2. A **clearly legible, complete** copy of a Lot/Block survey plat must be provided. On the face of the survey plot there shall be a certification signed and sealed by the surveyor, proper reference to recorded Subdivision Plat i.e. lot/block, subdivision name and recording information, proper monumentation (found or set), street right-of-way and/or access noted and all courses, distances and curve data for all lot lines must be shown. No significant deficiencies, errors, or ambiguities as to lot boundaries may exist.

ACCESS EASEMENTS:

Easements necessary for access to/from the subject tract to/from a public road must be clearly shown on the subdivision plat together with the dedication of said easement(s) to the public or to the owners of lots/tracts in the subdivision. The width of the easement with its courses and distances must be shown.

If the tract is not in a recorded subdivision and does not abut/adjoin a public road, a perimeter metes and bounds or centerline description (field note) of an access easement must be provided.

For the purpose of these requirements, the term "public road" means any dedicated public roadway, designated to be within the county road system, state or federal highway, or City Street. The Access Easement description must contain the information cited previously in this document and:

- be a minimum of **60** feet wide or meet the county road width requirements for a public road, **whichever is greater**;
- connect with both the tract and a public road with specific references to each other in all descriptions;
- clearly define the designation of a public road;
- must be a document of record in county; and
- if multiple easements are used, each segment must connect with and contain the calls to the segment(s) to which it connects.

A right-of-way or access easement crossing a tract must be:

- described by metes and bounds in a manner that its location and acreage may be determined;
- referenced in the metes and bounds description of the subject tract or shown on the subdivision plat.

ADDITIONAL REQUIREMENTS:

- **The VLB will not approve a survey of a tract unless it contains at least one acre, excluding any portion beneath a dedicated public roadway or navigable waterway or is subject to frequent inundation or is otherwise unusable.** It is the responsibility of the veteran and the seller to ensure the tract meets this one-acre minimum.
- "Flag Lot" shaped tracts must contain 1.0 acres in the main body of the tract, excluding the "staff/pole"
- The mathematical closure of any survey plat or field note description shall be no less than 1:10,000. Essential curve data (i.e. chord bearing, chord, arc, and radius) must be supplied for closure calculations.
- Field notes, when required, must reference the parent deed in the chain of title and tie to a corner of the parent tract.
- The survey must also be acceptable to the title company.