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Survey Requirement Language

Updated March 2021



TO: Licensed Professional Surveyor

**FROM: Legal Affairs Division
Michigan State Housing Development Authority**

**RE: SURVEY REQUIREMENTS/LANGUAGE TO BE INCORPORATED
ON SURVEY**

The paragraph below is to be incorporated, verbatim, on the survey you are preparing for submission to this Agency. You are to prepare an "ALTA/NSPS LAND TITLE SURVEY" in accordance with the Minimum Standard Detail Requirements jointly adopted in October 2020 by the American Land Title Association and the National Society of Professional Surveyors and effective February 23, 2021. The survey you prepare shall also include Item Nos. 1 - 4, 6(a) and (b), 7(a) and (b), 8 - 10, 11(a) and (b), 13, and 16 - 19 of Table A, Optional Survey Responsibilities and Specifications. With respect to Item 10, you should determine the relationship and location of any party walls affecting any existing structures. In addition, as Item No. 20(a), the surveyor shall hire a qualified specialist to conduct a field delineation of any wetlands that may be located on the property. The surveyor shall locate any delineation markers observed in the process of conducting the fieldwork and show them on the face of the plat or map. If no markers were observed, the surveyor shall so state.

The recorded legal description of the property to be surveyed, all recorded easements, servitudes and covenants affecting the property, and other documents of record will be provided to you by your client.

TO MSHDA, [name of title insurance company], and [name of client(s)]:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1 - 4, 6(a) and (b), 7(a) and (b), 8 - 10, 11(a) and (b), 13, and 16 - 19 of Table A thereof, and Item 20(a), as agreed to between the undersigned and MSHDA. The field work was completed on *[insert date]*.

Date of Map: _____

(signed) _____

(seal)

Printed Name: _____

Registration/License No. _____

SURVEYOR'S CERTIFICATE OF FACTS

TO: MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY

I CERTIFY, that on *(insert date original or first survey was prepared)* _____, 20____, I made an accurate Survey of the property standing in the name of *(insert name of property owner at time survey was prepared)* _____ and located at _____, in the City/Township of _____, _____ County, Michigan (the "Property"), and shown on the accompanying Survey entitled: _____.

I made a careful inspection of the Property and of the buildings and other improvements located on the Property *(delete if there are no buildings)* at the time of making such Survey, and again on *(insert date of last updated survey or delete if not applicable)* _____, 20____, and on such later inspection I found the Property to be in the possession of *(insert name of property owner at time survey was prepared)*: _____.

I further certify as to the existence or nonexistence of the following at the time of my latest inspection:

1. Rights of way, old highways or abandoned roads, lanes or driveways, drains, sewer or water pipes over and across the Property *(if none, so state)*: _____.

2. Springs, streams, rivers, ponds or lakes located on, bordering on or running through the Property *(if none, so state)*: _____.

3. Cemeteries or family burying grounds located on the Property *(if none, so state)*: _____.

4. Telephone, telegraph or electric power poles, wire or lines located on, over-hanging or crossing the Property that are not reflected in recorded easements or rights-of-way *(if none, so state)*: _____.

5. Disputed boundaries or encroachments *(if any buildings, projections or cornices or signs affixed to any buildings, fences or other indications of occupancy encroach upon adjoining properties or the like encroach upon the Property, specify all such encroachments or if none, so state)*: _____.

6. Observable evidence of earth moving work, building construction or building additions, alterations or repairs within recent months *(if so, identify; if none, so state)*: _____.

7. Changes in building or possession lines (if the Property is located in an incorporated area, specify as to any walls that are independent walls or party walls and identify all easements of support or "beam rights"; if the Property is located in an unincorporated area, report specifically how boundary lines are evidenced, such as by fences or otherwise; if none, so state):

8. Changes in street lines either completed or officially proposed (if none, so state):

9. Observable evidence of site use as a solid waste dump, sump or sanitary landfill (if none, so state):

10. Indications of recent street or sidewalk construction or repair? (if none, so state):

11. If any zoning or other municipal regulations affect the use of the Property, do the improvements on the Property and the use made of them appear to comply with the zoning or other municipal regulations? (if not known, so state):

The undersigned further certifies that there are no encroachments across the property except as are shown on the Survey; and that the Survey of the property discloses all of the easements and rights-of-way as set forth in [insert name of title company] Title Insurance Commitment/Policy No. [insert commitment/policy no.].

The undersigned or the firm by which he/she is employed is the named insured on a professional liability insurance policy in an amount of not less than \$____ that is currently in effect.

The undersigned acknowledges that any false pretense, including any false statement or representation; or the fraudulent obtaining of money, real or personal property; or the fraudulent use of an instrument, facility, article, or other valuable thing or service pursuant to his/her participation in any Michigan State Housing Development Authority program, is punishable by imprisonment for up to ten (10) years and/or by a fine up to \$15,000.00, or more, as permitted by MCL §125.1447.

Licensed Professional Surveyor

(Please affix seal)