

CHAPTER

5

**UNDERSTANDING PROPERTY
LEGAL DESCRIPTIONS**



Understanding Property Legal Descriptions

Because we measure land in forest management, you need to be familiar with how property in the United States is commonly divided, measured, and described.

As early as 1626, laws were established in the American colonies for deed recording. These laws were used primarily to prevent the fraudulent transfer of land to escape creditors. By 1640 land transfers were often required to be recorded in colony records. Recorded property descriptions were often imprecise and included information about the surrounding landowners, creeks, streams, rocks, and features such as walls or roads.

This system of describing land location is called metes and bounds and was common for property located in a state that was one of the original thirteen colonies or in western states that were independent republics, such as Texas. Metes are the linear distances between two points and may include the compass or general direction in which the line runs. Bounds are other parts of the property description and may include information on how the property lays in relation to objects such as walls, roads, trees, etc.



Property deeds can be obtained from the probate office in the courthouse located in the same county as your forestland.



Property descriptions may also include portions of sections or information on physical features such as locations of roads or ditches.

A metes and bounds description might be something like the following:

Beginning at the white oak on the south bank of Little Sand Creek, and thence going 80 rods east on the conditional line between land owned by Mr. L. R. Hill and Mr. D. O. Ray, thence following the rock wall owned by Mr. E. A. Hussey south to the 24 inch diameter pine. Thence turning north 70 degrees west 100 rods to the rock pile on the west bank of the South Branch of Little Sand Creek and on the corner of L. P. Robinson's property. Thence follow the South Branch of Little Sand Creek north to the beginning point.

As early as 1626, deed recording laws were established in the American colonies to prevent fraudulent land transfers orchestrated to evade creditors.

Connecticut, Delaware, Georgia, Hawaii, Kentucky, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, and West Virginia are states that still use metes and bounds legal descriptions for land today.

In other parts of the United States, land is described using the General Land Office (GLO) system of land division, where property is divided into acres and fractions of acres and location is described using sections, townships, and ranges. The GLO township and range system was established in 1785 and has been used for property descriptions since.

Following are some of the definitions you need to know in order to interpret a legal description:

- **Acre.** An area of land that equals 43,560 square feet.
- **Township.** A geographic reference used to define property location for deeds and grants as established by the GLO. A survey township is nominally 6 by 6 miles square, or 23,040 acres. (figure 5.1)
- **Section.** Roughly square areas that encompass 640 acres each (1 mile by 1 mile). Sections are divided into sixteen 40-acre parcels, each referred to as forty. (figures 5.2 and 5.3)
- **Range.** The distance east or west from a referenced principal meridian in units of 6 miles.
- **Principal meridian.** A meridian line running through an arbitrary point chosen as a starting point for all sectionalized land within a given area.
- **Baseline.** A parallel of latitude, or approximately a parallel of latitude, running through an arbitrary point chosen as the starting point for all sectionalized land within a given area.

UNDERSTANDING LEGAL DESCRIPTIONS OF PROPERTY

Reading or reporting the legal description using the GLO township and range system can be a little confusing at first, but with some practice it can start to make sense. See video 5:1, *Reading Legal Descriptions*, on the Alabama Extension website at www.aces.edu/go/ForestInventoryBasics.

Legal descriptions are written from the smallest unit to the largest unit. That is, they read from the smallest part of the parcel, including the quarter sections, then the section number, then the township and the range. A parcel description for 40 acres might read as follows: *The Northwest 1/4 of the Northwest 1/4 of Section 10, Township 15 South, Range 3 East.*



Consult a legal professional if you have questions about your deed or are unsure of what you own.

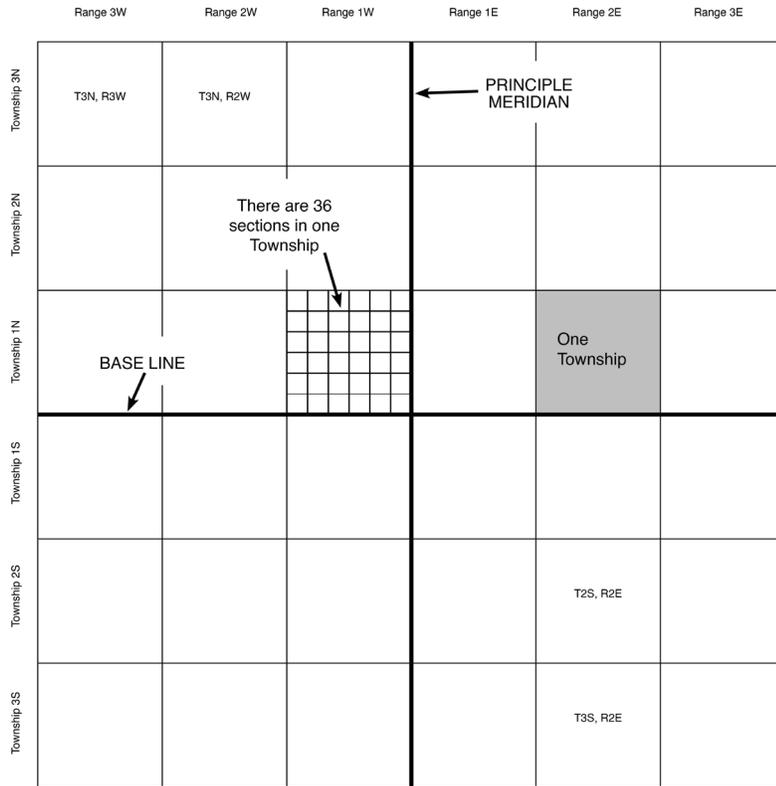
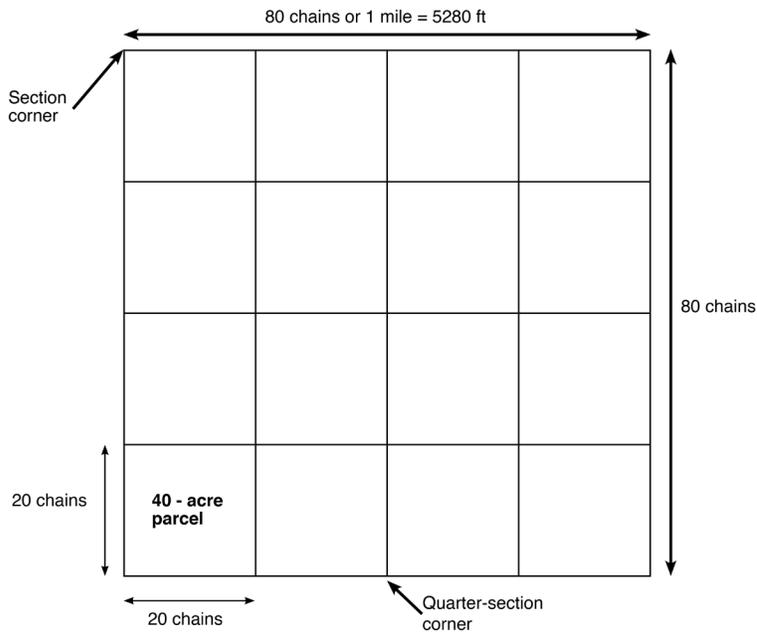


Figure 5.1. Example of how townships are numbered using the General Land Office (GLO) system of land division.

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

Figure 5.2. Example of how sections in a township are numbered using the General Land Office (GLO) system of land division.

Example section of 640 acres:



You can identify parcels of land by using quadrants of sections and portions of sections.

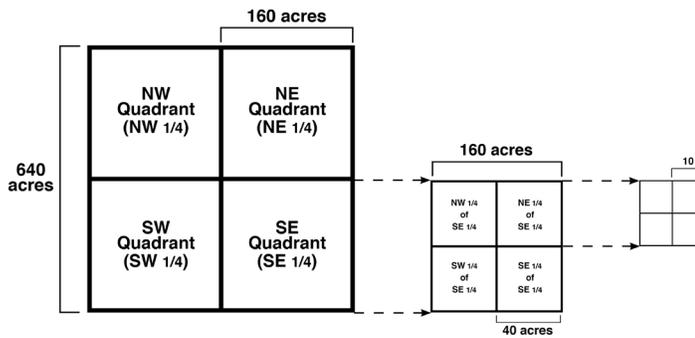


Figure 5.3. Example section of 640 acres using the General Land Office (GLO) system of land division.

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See figure 5.4. Using the GLO system of land division, answer the following:

1. What is the legal description of the black portion of the section?
2. What is the legal description of the gray portion of the section? Approximately how many acres should it be?
3. What is the legal description of the entire dotted portion of the section? Approximately how many acres should it be?

ANSWERS

1. *It is the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 8.*
2. *It is the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 8. The parcel is 40 acres.*
3. *It is the South $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of Section 8. The parcel is 80 acres.*

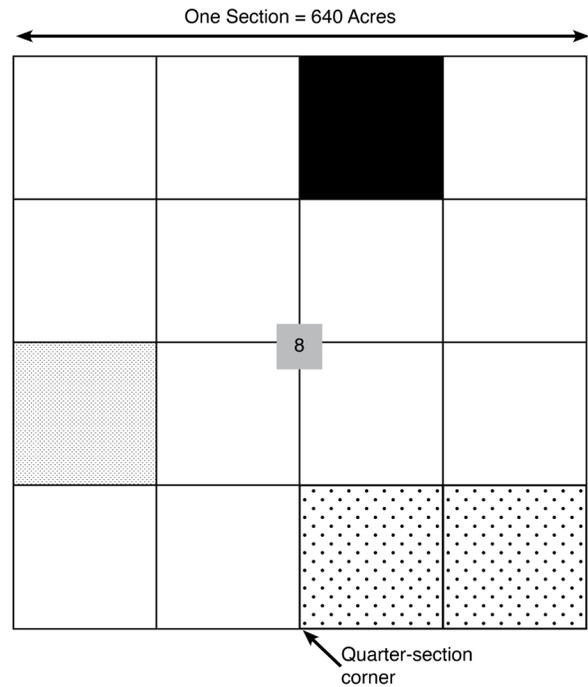


Figure 5.4. Sample GLO section.