



Understanding Surveys for Coverage on Owner's and Loan Policies

New Jersey N2K Hour

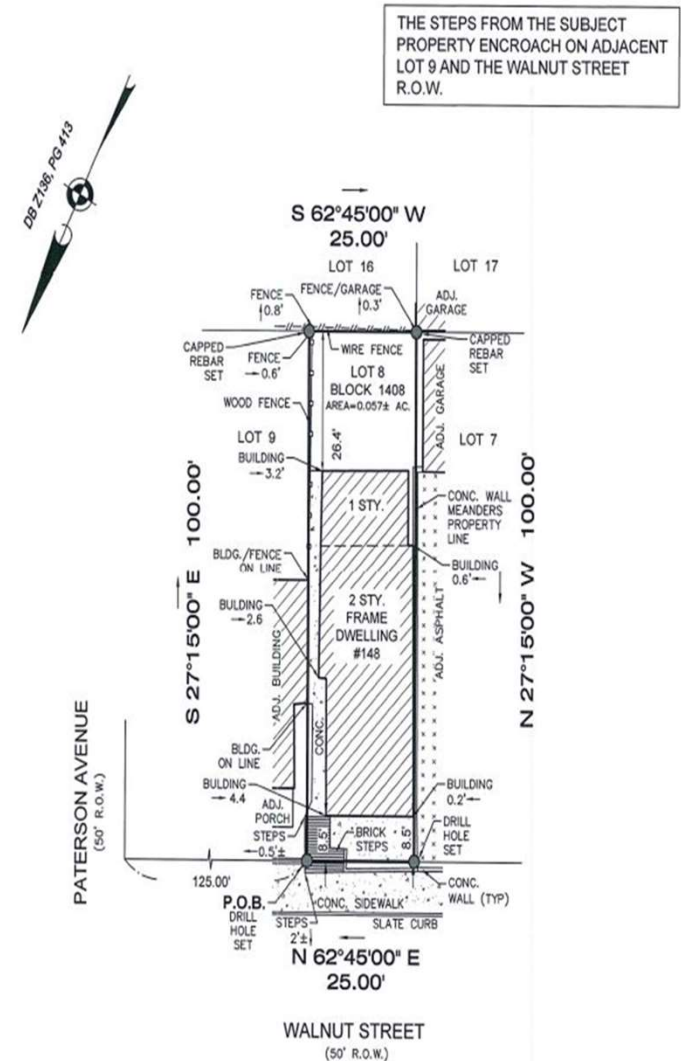
Presented By: Kevin Guyon, Esq.

Tuesday, December 16, 2025



What is a survey?

- A survey refers to the process of locating and measuring a property's boundary lines to determine the exact amount of land that a homeowner owns.
- A survey can also locate any easements and encroachments on a property, which are usually noted on the homeowner's chain of title.



Why do we need surveys?

The legal description for a given property may have changed over the years.

- e.g. Deed of Consolidation, filed subdivision, portion of the property was sold off.

The legal description from Vesting Deed may be an outdated description.

- Descriptions from filed plats or tax maps may no longer be applicable to the property.
- Typically, a metes and bounds legal description is preferable to insure, since it provides a precise measurement of the property's boundary lines.

How do we review surveys?

- When reviewing a survey, you should note the following steps:
 - Locate the north arrow. This arrow can usually be found at the top or bottom of the survey.
 - Compare the record legal description with the metes and bounds of the property on the survey.
 - Locate any easements or encroachments, all of which should be raised in your survey reading.
 - Locate the direct or indirect access to the property.
 - Always confirm that the survey is certified to a title company.

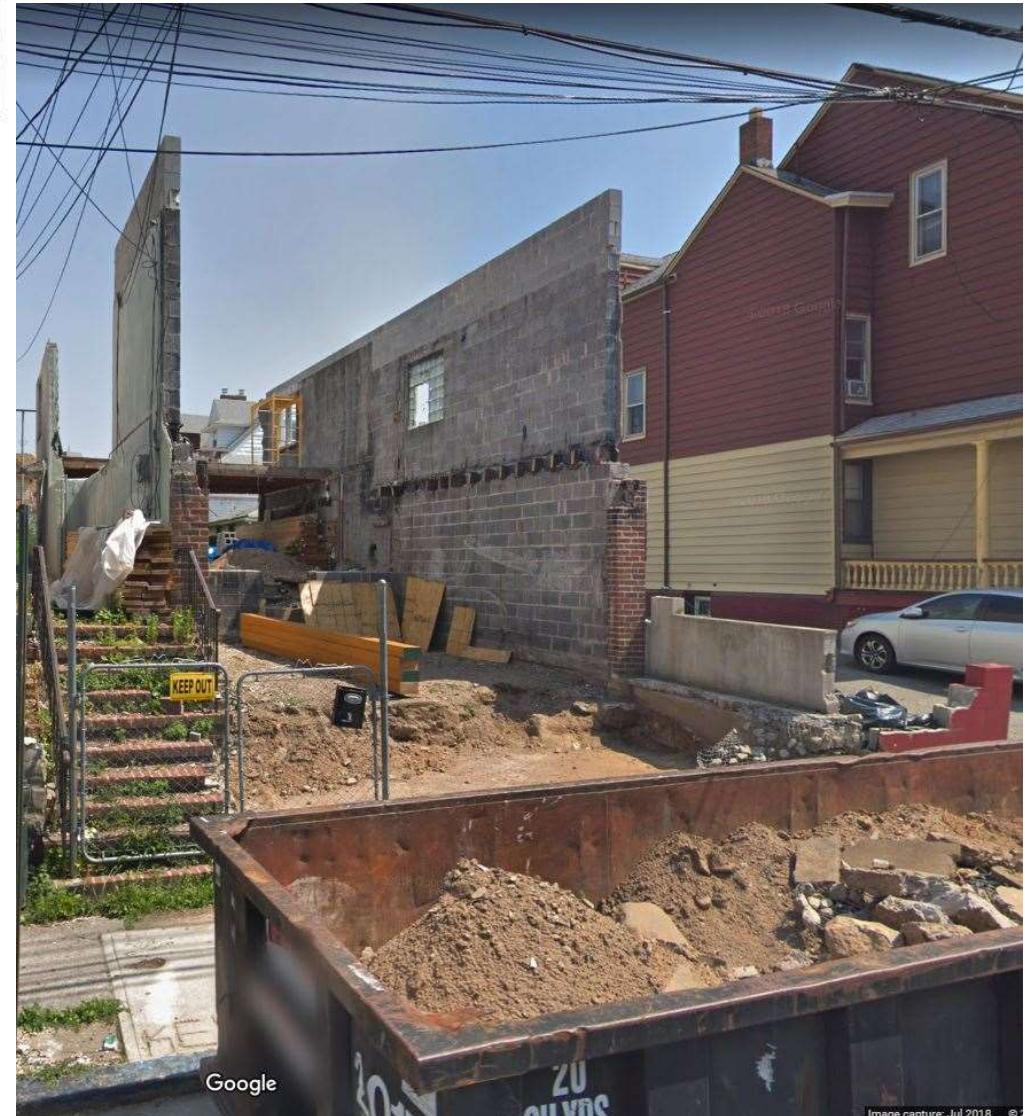
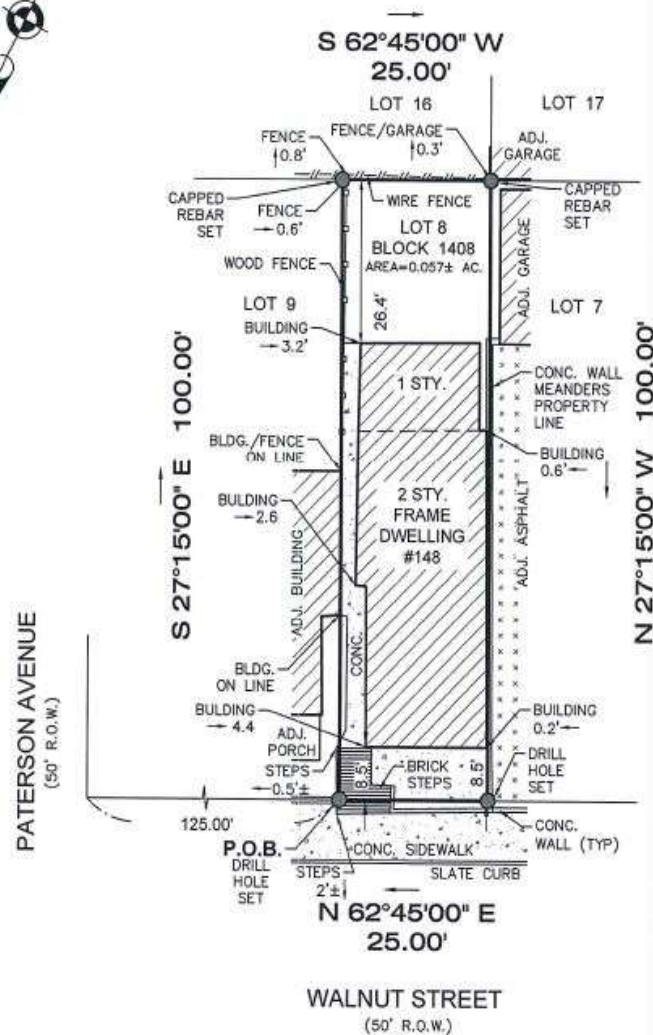
Can we rely on an existing survey?

- To save on costs for a new or updated survey, we may rely on an existing survey so long as the legal description for a property has not changed since the date of the last survey.
 - Affidavit of No Change to Survey from current owner.
 - Existing survey should be signed and sealed by the surveyor.
 - Existing survey must be certified to a title company in order for us to provide coverage based on the survey.
 - Contact your Underwriter for approval.

2022

2025

THE STEPS FROM THE SUBJECT PROPERTY ENCROACH ON ADJACENT LOT 9 AND THE WALNUT STREET R.O.W.



Types of Surveys – Boundary Survey

- Boundary survey
 - Often times will only include a legal description, the metes and bounds of the property, and a list of encroachments.
 - Surveyor has discretion as to what he/she wants to plot on the survey.
 - There are no requirements that the surveyor has to follow when issuing a boundary survey.
 - It must comply with **N.J.A.C. 13:40-5.1**, which sets minimum technical standards — bearings, distances, closure, monuments, signature/seal, etc.

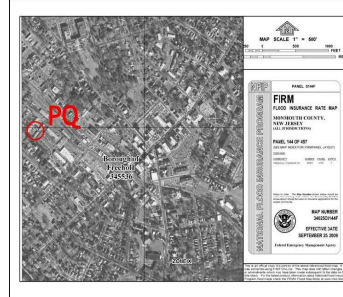
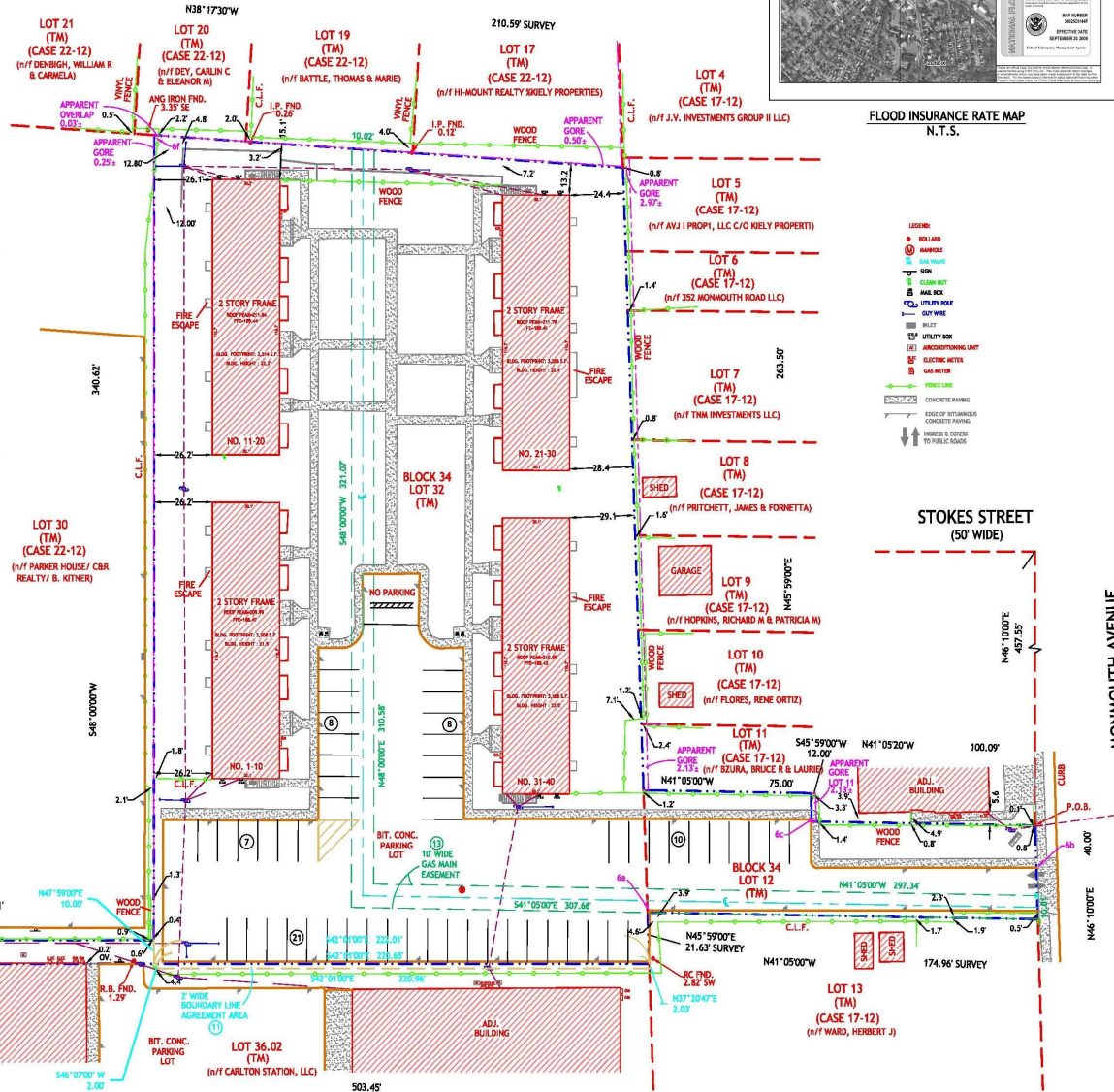
Types of Surveys - ALTA Survey

- Detailed survey performed by a registered licensed surveyor, prepared in accordance with the standards specified by (ALTA/NSPS) and meets the Minimum Standard Detail Requirements.
- Surveyor must follow the ALTA/NSPS requirements when issuing an ALTA survey.
- These requirements include plotting the boundaries of the property, the location of improvements on the subject property, including any and all structures, fences, utility lines, roads, etc., along with the location of any/all easements.

ADJACENT LOT	DEED REFERENCE	TO	DESCRIPTION	REMARKS
1-3	NA	NA	NA	ADJACENT LOT
4	NA	NA	NA	ADJACENT LOT
5	NA	NA	NA	ADJACENT LOT
6	NA	NA	NA	ADJACENT LOT
7	NA	NA	NA	ADJACENT LOT
8-10	NA	NA	NA	ADJACENT LOT
11	879-3440	LOT 36.02	BOUNDARY LINE AGREEMENT	SEE DRAWING
12	888-1028	DEED NOTES	UNPLESSABLE (PLANNED BY NOTED)	SEE DRAWING
13	3411-084	NA	1" WIDE GAS EASEMENT	SEE DRAWING
14	NA	NA	NA	UNPLESSABLE

ALTA NOTES:

- THE SURVEY CORRECTLY SHOWS THE LOCATION OF ALL BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS SITUATED ON THE PREMISES.
- GAS & ELECTRIC UTILITIES SERVING THE PREMISES ENTER THROUGH ADJOINING PUBLIC STREETS AND/OR EASEMENTS OF RECORD & THAT EXCEPT AS SHOWN THERE ARE NO VISIBLE EASEMENTS OR RIGHTS OF WAY ACROSS THE SAID PREMISES;
- THAT THE PROPERTY DESCRIBED HEREON IS THE SAME AS THE PROPERTY DESCRIBED IN A COMMITMENT FROM MADISON TITLE AGENCY, LLC AS AGENT FOR STEWART TITLE GUARANTY COMPANY COMMITMENT NO. WTAU-114281, DATED AUGUST 24, 2016, AND THAT ALL EASEMENTS, COVENANTS AND RESTRICTIONS REFERENCED IN SAID TITLE COMMITMENT, OR EASEMENTS WHICH THE UNDERSIGNED HAS BEEN ADVISED OR HAS KNOWLEDGE, HAVE BEEN PLOTTED HEREON OR OTHERWISE NOTED AS TO THEIR EFFECT ON THE SUBJECT PROPERTY.
- THE ACCOMPANYING SURVEY WAS MADE ON THE GROUND AND CORRECTLY SHOWS THE LOCATION OF ALL BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS SITUATED ON THE SUBJECT PROPERTY; THERE ARE NO VISIBLE ENCROACHMENTS ON THE SUBJECT PROPERTY (EXCEPT FOR MISLOCATION OF FENCING & CURBING) & NO ENCROACHMENTS ONTO ADJOINING PROPERTIES EXCEPT FOR MISLOCATION OF WALKWAYS, CURBING & FENCING AS DESCRIBED IN SCHEDULE B SECTION II ITEM 6 OF SAID TITLE POLICY SUMMARIZED BELOW):
 - CURBING AND PARKING AREA EXTEND BEYOND NORTHWESTERLY AND NORTHEASTERLY PROPERTY LINES
 - DRIVEWAY, WALKWAY AND CURBING EXTEND BEYOND NORTHWESTERLY PROPERTY LINE
 - WALKWAYS EXTENDS BEYOND SOUTHWESTERLY AND NORTHWESTERLY PROPERTY LINES
 - CURBING ON OR ALONG NORTHWESTERLY PROPERTY LINE
 - RIGHTS OF OTHERS BOTH PUBLIC AND PRIVATE IN AND TO OVERHEAD WIRES, GUY WIRES, MANHOLES, UTILITY POLES, UTILITY BOXES, SIGNS AND UTILITY VALVES ON OR CROSSING PROPERTY AND/OR PROPERTY LINES
 - MISLOCATION OF FENCES
 - APPARENT OVERLAPS AND GORES ALONG VARIOUS PROPERTY LINES
- SAID PROPERTY IS LOCATED BY GRAPHIC PLOTTING ONLY WITHIN AN AREA HAVING A ZONE DESIGNATION "ZONE 3" (AREAS OUTSIDE THE 100 YEAR FLOODPLAIN) ON FLOOD INSURANCE RATE MAP NO. 34025C0144F WITH A DATE OF IDENTIFICATION OF SEPTEMBER 25, 2009, FOR THE TOWNSHIP OF FREEHOLD, MONMOUTH COUNTY, NEW JERSEY, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PREMISES IS SITUATED;
- THE PROPERTY HAS FRONTAGE AND ACCESS TO MONMOUTH AVENUE WHICH IS A DULY DEDICATED PUBLIC ROW (ACCESS MAY BE LIMITED BY STATE, COUNTY & MUNICIPAL REGULATIONS).
- THERE ARE 54 REGULAR STRIPPED PARKING SPACES AND NO INDICATION OF HANDICAPPED PARKING SPACES OUTDOORS ON THE SAID LOT SHOWN HEREON.
- ALTA TABLE A ITEM 6A CLEARPOINT SERVICES IS NOT IN RECEIPT OF A ZONING REPORT.
- THERE IS NO OBSERVED EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS.
- THERE IS NO OBSERVED EVIDENCE ANY CHANGES IN STREET RIGHT OF WAY LINES, SITE USE AS A SOLID WASTE DUMP, SLUMP OR SANITARY LANDFILL AND CEMETERIES & BURIAL GROUNDS.
- THIS SURVEY DOES NOT PURPORT TO IDENTIFY, IF ANY, ENCROACHMENTS, WETLANDS, UTILITIES, SERVICE LINES OR STRUCTURES BELOW GROUND;
- PROPERTY SUBJECT TO DOCUMENTS OF RECORD; NO ATTEMPT WAS MADE TO DETERMINE IF ANY PORTION OF THIS PROPERTY IS CLAIMED BY THE STATE OF N.J. AS TIDELANDS;
- NO RESPONSIBILITY OR LIABILITY IS ASSUMED BY THE LAND SURVEYOR TO ANY OTHER PERSON NOT LISTED IN THE CERTIFICATION, WHETHER DIRECTLY OR INDIRECTLY, OR FOR ANY MATTER SET FORTH IN A SURVEY AFFIDAVIT;
- ONLY COPIES FROM THE ORIGINAL SURVEY MARKED WITH AN ORIGINAL PROFESSIONAL LAND SURVEYOR'S EMBOSSED SEAL SHALL BE CONSIDERED VALID COPIES;
- SIGNATURE AND EMBOSSED SEAL SIGNIFY THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE EXISTING CODE OF PRACTICE ADOPTED BY THE N.J. STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS;
- UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED PROFESSIONAL LAND SURVEYOR'S SEAL IS ILLEGAL AND PUNISHABLE BY LAW;
- OFFSETS SHOWN HEREON ARE NOT TO BE USED AS A BASIS FOR ANY CONSTRUCTION OF PERMANENT STRUCTURES I.E. BUILDINGS, SHEDS, FENCES, ETC.,



FLOOD INSURANCE RATE MAP
N.T.S.



VICINITY MAP
N.T.S.

DESCRIPTION:
BEING KNOWN AS LOTS 12 & 32 IN BLOCK 34 AS SHOWN ON THE OFFICIAL TAX MAP OF THE BOROUGH OF FREEHOLD, MONMOUTH COUNTY, NEW JERSEY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

- BEGINNING AT A POINT IN THE SOUTHEASTERN LINE OF MONMOUTH AVENUE (50' WIDE), SAID POINT BEING DISTANT 457.53' NORTHEASTERLY FROM THE INTERSECTION OF THE SAID LINE OF MONMOUTH AVENUE, WITH THE NORTHEASTERN LINE OF STOKES STREET (50' WIDE), SAID POINT BEING ALSO THE NORTHERLY CORNER OF LOT 11, THENCE FROM SAID BEGINNING POINT RUNNING:
 - ALONG THE SAID LINE OF MONMOUTH AVENUE, NORTH 46°10'00" EAST, 40.00' TO THE WESTERLY CORNER OF LOT 13, THENCE;
 - ALONG THE WESTERLY LINE OF THE SAID LOT, SOUTH 41°05'00" EAST, 174.96' TO A POINT, THENCE;
 - ALONG THE SOUTHEASTERN LINE OF LOT 13, NORTH 45°59'00" EAST, 21.63' TO THE WESTERLY CORNER OF LOT 36.02, THENCE;
 - ALONG THE SOUTHWESTERLY LINE OF THE SAID LOT, SOUTH 42°01'00" EAST, 503.45' TO THE NORTHERLY CORNER OF LOT 31, THENCE;
 - ALONG THE NORTHWESTERLY LINE OF THE SAID LOT, SOUTH 46°26'30" WEST, 10.00', TO THE EASTERN CORNER OF LOT 30, THENCE;
 - ALONG THE NORTHEASTERN LINE OF LOT 30, NORTH 42°01'00" WEST, 281.71', TO THE NORTHERLY CORNER OF THE SAID LOT, THENCE;
 - ALONG THE NORTHWESTERLY LINE OF THE SAID LOT, SOUTH 48°00'00" WEST, 340.62', TO THE NORTHEASTERN LINE OF LOT 20, THENCE;
 - ALONG THE NORTHEASTERN LINE OF LOTS 20, 19 & 17, NORTH 38°17'30" WEST, 210.59', TO A POINT, THENCE;
 - NORTH 45°59'00" EAST, 243.50', THENCE;
 - NORTH 41°05'00" WEST, 75.00', THENCE;
 - NORTH 45°59'00" EAST, 12.00', THENCE;
 - NORTH 41°05'00" WEST, 100.00', TO THE POINT AND PLACE OF BEGINNING.

TOGETHER WITH A 10.00' WIDE STRIP OF LAND, AND SUBJECT TO A BOUNDARY LINE AGREEMENT AS RECORDED IN THE MONMOUTH COUNTY CLERK'S OFFICE IN DEED BOOK 8179 PAGE 3840;

- BEGINNING AT A POINT, IN THE SOUTHWESTERLY LINE OF LOT 36.02, SAID POINT BEING DISTANT THE FOLLOWING FOUR COURSES FROM THE INTERSECTION OF THE SOUTHWESTERLY LINE OF MONMOUTH AVENUE (50' WIDE) WITH THE NORTHWESTERLY LINE OF STOKES STREET (50' WIDE):
 - ALONG SAID LINE OF MONMOUTH AVENUE, NORTH 46°10'00" EAST, 497.55', TO THE WESTERLY CORNER OF LOT 13, THENCE;
 - ALONG THE SOUTHWESTERLY LINE OF LOT 13, NORTH 41°05'00" WEST, 174.96', TO THE SOUTHERLY CORNER OF LOT 13, THENCE;
 - ALONG THE SOUTHEASTERN LINE OF THE SAID LOT, NORTH 45°59'00" EAST, 21.63', TO THE WESTERLY CORNER OF LOT 36.02, THENCE;
 - ALONG THE SOUTHWESTERLY LINE OF THE SAID LOT, SOUTH 42°01'00" EAST, 222.01', THENCE FROM SAID BEGINNING POINT RUNNING:

- ALONG THE SAID LINE, SOUTH 42°01'00" EAST, 282.09', TO THE NORTHERLY CORNER OF LOT 31, THENCE;
- ALONG THE NORTHWESTERLY LINE OF THE SAID LOT, SOUTH 46°26'30" WEST, 10.00', TO THE EASTERN CORNER OF LOT 30, THENCE;
- ALONG THE NORTHEASTERN LINE OF THE SAID LOT, NORTH 42°01'00" WEST, 281.71', TO THE NORTHERLY CORNER OF LOT 30, THENCE;
- THROUGH LOT 32, NORTH 47°59'00" EAST, 10.00', TO THE POINT OF BEGINNING

CONTAINS 2,821.743 S.F.

TOGETHER WITH A 2.00' WIDE STRIP OF LAND, AND SUBJECT TO A BOUNDARY LINE AGREEMENT AS RECORDED IN THE MONMOUTH COUNTY CLERK'S OFFICE IN DEED BOOK 8179 PAGE 3840;

BEGINNING AT A POINT, SAID POINT BEING THE EASTERN CORNER OF LOT 36.02, BLOCK 34, SAID POINT BEING DISTANT THE FOLLOWING THREE COURSES FROM THE INTERSECTION OF THE SOUTHWESTERLY LINE OF MONMOUTH AVENUE (50' WIDE) WITH THE NORTHWESTERLY LINE OF STOKES STREET (50' WIDE):

- ALONG SAID LINE OF MONMOUTH AVENUE, NORTH 46°10'00" EAST, 497.55', TO THE WESTERLY CORNER OF LOT 13, THENCE;
- ALONG THE SOUTHWESTERLY LINE OF LOT 13, NORTH 41°05'00" WEST, 174.96', TO THE SOUTHERLY CORNER OF LOT 13, THENCE;
- ALONG THE SOUTHEASTERN LINE OF THE SAID LOT, NORTH 45°59'00" EAST, 21.63', TO THE WESTERLY CORNER OF LOT 36.02, THENCE FROM SAID BEGINNING POINT RUNNING:

- ALONG THE DIVIDING LINE BETWEEN LOTS 13 & 36.02, NORTH 37°20'42" EAST, 2.03', TO A POINT, THENCE;
- THROUGH LOT 36.02, SOUTH 42°01'00" EAST, 220.96', TO A POINT, THENCE;
- SOUTH 46°07'00" WEST, 2.00', TO THE NORTHWESTERLY LINE OF LOT 32, THENCE;
- ALONG THE SAID LINE, NORTH 42°01'00" WEST, 220.65', TO THE POINT OF BEGINNING.

CONTAINS 441.474 S.F.

ALTA NOTES:

- LOT 21
(TM)
(CASE 22-12)
(n/f DENBIGH, WILLIAM R

APPARENT
OVERLAP
0.03'±

0.5'

APPARENT
GORE
0.25'±

12.80'

**LOT 30
(TM)
(CASE 22-12)**
(n/f PARKER HOUSE/ C&F
REALTY/ B. KITNER)

48°00'00"W

S42°01'00"E

1. THE SURVEY CORRECTLY SHOWS THE LOCATION OF ALL BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS SITUATED ON THE PREMISES.
2. GAS & ELECTRIC UTILITIES SERVING THE PREMISES ENTER THROUGH ADJOINING PUBLIC STREETS AND/OR EASEMENTS OF RECORD & THAT EXCEPT AS SHOWN THERE ARE NO VISIBLE EASEMENTS OR RIGHTS OF WAY ACROSS THE SAID PREMISES;
3. THAT THE PROPERTY DESCRIBED HEREON IS THE SAME AS THE PROPERTY DESCRIBED IN A COMMITMENT FROM MADISON TITLE AGENCY, LLC AS AGENT FOR STEWART TITLE GUARANTY COMPANY COMMITMENT NO. MTANJ-114281, DATED AUGUST 24, 2016, AND THAT ALL EASEMENTS, COVENANTS AND RESTRICTIONS REFERENCED IN SAID TITLE COMMITMENT, OR EASEMENTS WHICH THE UNDERSIGNED HAS BEEN ADVISED OR HAS KNOWLEDGE, HAVE BEEN PLOTTED HEREON OR OTHERWISE NOTED AS TO THEIR EFFECT ON THE SUBJECT PROPERTY.
4. THE ACCOMPANYING SURVEY WAS MADE ON THE GROUND AND CORRECTLY SHOWS THE LOCATION OF ALL BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS SITUATED ON THE SUBJECT PROPERTY; THERE ARE NO VISIBLE ENCROACHMENTS ON THE SUBJECT PROPERTY (EXCEPT FOR MISLOCATION OF FENCING & CURBING) & NO ENCROACHMENTS ONTO ADJOINING PROPERTIES (EXCEPT FOR MISLOCATION OF WALKWAYS. CURBING & FENCING AS DESCRIBED IN SCHEDULE B SECTION II ITEM 6 OF SAID TITLE POLICY SUMMARIZED BELOW)
 - a. CURBING AND PARKING AREA EXTEND BEYOND NORTHWESTERLY AND NORTHEASTERLY PROPERTY LINES
 - b. DRIVEWAY, WALKWAY AND CURBING EXTEND BEYOND NORTHWESTERLY PROPERTY LINE
 - c. WALKWAYS EXTENDS BEYOND SOUTHWESTERLY AND NORTHWESTERLY PROPERTY LINES
 - d. CURBING ON OR ALONG NORTHWESTERLY PROPERTY LINE
 - e. RIGHTS OF OTHERS BOTH PUBLIC AND PRIVATE IN AND TO OVERHEAD WIRES, GUY WIRES, MANHOLES, UTILITY POLES, UTILITY BOXES, SIGNS AND UTILITY VALVES ON OR CROSSING PROPERTY AND/OR PROPERTY LINES
 - f. MISLOCATION OF FENCES
 - g. APPARENT OVERLAPS AND GORES ALONG VARIOUS PROPERTY LINES
5. SAID PROPERTY IS LOCATED BY GRAPHIC PLOTTING ONLY WITHIN AN AREA HAVING A ZONE DESIGNATION "ZONE X" (AREAS OUTSIDE THE 100 YEAR FLOODPLAIN) ON FLOOD INSURANCE RATE MAP NO. 34025C0144F WITH A DATE OF IDENTIFICATION OF SEPTEMBER 25, 2009, FOR THE TOWNSHIP OF FREEHOLD, MONMOUTH COUNTY, NEW JERSEY, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PREMISES IS SITUATED;
6. THE PROPERTY HAS FRONTAGE AND ACCESS TO MONMOUTH AVENUE WHICH IS A DULY DEDICATED PUBLIC ROW (ACCESS MAY BE LIMITED BY STATE, COUNTY & MUNICIPAL REGULATIONS).
7. THERE ARE 54 REGULAR STRIPED PARKING SPACES AND NO INDICATION OF HANDICAPPED PARKING SPACES OUTDOORS ON THE SAID LOT SHOWN HEREON.
8. ALTA TABLE A ITEM 6A CLEARPOINT SERVICES IS NOT IN RECEIPT OF A ZONING REPORT.
9. THERE IS NO OBSERVED EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS.
10. THERE IS NO OBSERVED EVIDENCE ANY CHANGES IN STREET RIGHT OF WAY LINES, SITE USE AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL AND CEMETERIES & BURIAL GROUNDS.
11. THIS SURVEY DOES NOT PURPORT TO IDENTIFY, IF ANY, ENCROACHMENTS, WETLANDS, UTILITIES, SERVICE LINES OR STRUCTURES BELOW GROUND;
12. PROPERTY SUBJECT TO DOCUMENTS OF RECORD; NO ATTEMPT WAS MADE TO DETERMINE IF ANY PORTION OF THIS PROPERTY IS CLAIMED BY THE STATE OF N.J. AS TIDELANDS;
13. NO RESPONSIBILITY OR LIABILITY IS ASSUMED BY THE LAND SURVEYOR TO ANY OTHER PERSON NOT LISTED IN THE CERTIFICATION, WHETHER DIRECTLY OR INDIRECTLY, OR FOR ANY MATTER SET FORTH IN A SURVEY AFFIDAVIT.
14. ONLY COPIES FROM THE ORIGINAL SURVEY MARKED WITH AN ORIGINAL PROFESSIONAL LAND SURVEYORS EMBOSSED SEAL SHALL BE CONSIDERED VALID COPIES;
15. SIGNATURE AND EMBOSSED SEAL SIGNIFY THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE EXISTING CODE OF PRACTICE ADOPTED BY THE N.J. STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS;
16. UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED PROFESSIONAL LAND SURVEYOR'S SEAL IS ILLEGAL AND PUNISHABLE BY LAW;
17. OFFSETS SHOWN HEREON ARE NOT TO BE USED AS A BASIS FOR ANY CONSTRUCTION OF PERMANENT STRUCTURES I.E. BUILDINGS, SHEDS, FENCES, ETC..

CERTIFICATION



DESCRIPTION:
BEING KNOWN AS LOTS 12 & 32 IN BLOCK 34 AS SHOWN ON THE OFFICIAL TAX MAP OF THE
BOROUGH OF FREEHOLD, MONMOUTH COUNTY, NEW JERSEY AND BEING MORE
PARTICULARLY DESCRIBED AS FOLLOWS;

- BEGINNING AT A POINT IN THE SOUTHEASTELY LINE OF MONMOUTH AVENUE (50' WIDE), SAID POINT BEING DISTANT 457.35' NORTHEASTERLY FROM THE INTERSECTION OF THE SAID AVENUE AND THE WESTERLY LINE OF LOT 13, THENCE S 11° 13' 00" E ALONG THE SAID AVENUE (50' WIDE), SAID POINT BEING ALSO THE NORTHERLY CORNER OF LOT 11, THENCE FROM SAID BEGINNING POINT RUNNING;
1. ALONG THE SAID LINE OF MONMOUTH AVENUE, NORTH 46° 10'00" EAST, 40.00' TO THE WESTERLY CORNER OF LOT 13, THENCE;
2. ALONG THE WESTERLY LINE OF THE SAID LOT, SOUTH 41° 00'00" EAST, 174.96', TO A POINT, THENCE;
3. ALONG THE SOUTHEASTELY LINE OF LOT 13, NORTH 40° 59'00" EAST, 21.03', TO THE WESTERLY CORNER OF LOT 36.30, THENCE;
4. ALONG THE SOUTHWESTERLY LINE OF THE SAID LOT, SOUTH 42° 01'00" EAST, 303.45', TO THE NORTHERLY CORNER OF LOT 31, THENCE;
5. ALONG THE WESTERNMOST LINE OF THE SAID LOT, SOUTH 46° 26'30" WEST, 10.00', TO THE EASTERLY CORNER OF LOT 30, THENCE;
6. ALONG THE NORTHEASTELY LINE OF LOT 30, NORTH 42° 01'00" WEST, 281.71', TO THE WESTERLY CORNER OF LOT 29, THENCE;
7. ALONG THE NORTHWESTERLY LINE OF THE SAID LOT, SOUTH 48° 00'00" WEST, 340.62', TO THE NORTHEAST CORNER OF LOT 28, THENCE;
8. ALONG THE NORTHEASTELY LINE OF LOTS 25, 19 & 18, NORTH 38° 17'30" WEST, 210.59', TO A POINT, THENCE;
9. NORTH 45° 00'00" EAST, 263.30', THENCE;
10. NORTH 41° 00'00" WEST, 75.00', THENCE;
11. NORTH 45° 00'00" EAST, 75.00', THENCE;
12. NORTH 41° 02'00" WEST, 100.09', TO THE POINT AND PLACE OF BEGINNING.

TOGETHER WITH A 10.00' WIDE STRIP OF LAND, AND SUBJECT TO A BOUNDARY LINE AGREEMENT AS RECORDED IN THE MONMOUTH COUNTY CLERK'S OFFICE IN DEED BOOK 8179 PAGE 3840;

BEGINNING AT A POINT, IN THE SOUTHWESTERLY LINE OF LOT 36.02, SAID POINT BEING DISTANT THE FOLLOWING FOUR COURSES FROM THE INTERSECTION OF THE SOUTHWESTERLY LINE OF MONMOUTH AVENUE (50' WIDE) WITH THE NORTHWESTERLY LINE OF STOKES STREET (50' WIDE):

- A. ALONG SAID LINE OF MONMOUTH AVENUE, NORTH 46°10'00" EAST, 497.55', TO THE WESTERLY CORNER OF LOT 13, THENCE;
- B. ALONG THE SOUTHWESTERLY LINE OF LOT 13, NORTH 41°05'00" WEST, 174.96', TO THE SOUTHWESTLY CORNER OF LOT 13, THENCE;
- C. ALONG THE SOUTHEASTERLY LINE OF THE SAID LOT, NORTH 45°59'00" EAST, 21.63', TO THE WESTERLY CORNER OF LOT 36.02, THENCE;
- D. ALONG THE SOUTHWESTERLY LINE OF THE SAID LOT, SOUTH 42°01'00" EAST, 222.01', THENCE FROM SAID BEGINNING POINT RUNNING;

1. ALONG THE SAID LINE, SOUTH 42° 01'00" EAST, 282.09', TO THE NORTHERLY CORNER OF LOT 31, THENCE;
2. ALONG THE NORTHWESTERLY LINE OF THE SAID LOT, SOUTH 46° 26'30" WEST, 10.00', TO THE EASTERLY CORNER OF LOT 30, THENCE;
3. ALONG THE NORTHEASTERLY LINE OF THE SAID LOT, NORTH 42° 01'00" WEST, 281.71', TO THE NORTHERLY CORNER OF LOT 30, THENCE;
4. THROUGH LOT 32, NORTH 47° 59'00" EAST, 10.00', TO THE POINT OF BEGINNING

CONTAINS 2,821.743 S.F.

TOGETHER WITH A 2.00' WIDE STRIP OF LAND, AND SUBJECT TO A BOUNDARY LINE AGREEMENT AS RECORDED IN THE MONMOUTH COUNTY CLERK'S OFFICE IN DEED BOOK 8179 PAGE 3840:

- BEGINNING AT A POINT, SAID POINT BEING THE EASTERLY CORNER OF LOT 36.02, BLOCK 34, SAID POINT BEING DISTANT THE FOLLOWING THREE COURSES FROM THE INTERSECTION OF THE SOUTHWESTERLY LINE OF MONMOUTH AVENUE (50' WIDE) WITH THE NORTH-WESTERLY LINE OF STOKES STREET (50' WIDE):
- A. ALONG SAID LINE OF MONMOUTH AVENUE, NORTH 46°10'00" EAST, 497.53, TO THE WESTERLY CORNER OF LOT 13, THENCE;
 - B. ALONG THE SOUTHWESTERLY LINE OF LOT 13, NORTH 41°05'00" WEST, 174.96, TO THE SOUTHERLY CORNER OF LOT 13, THENCE;
 - C. ALONG THE SOUTHWESTERLY LINE OF LOT 13, NORTH 48°59'00" EAST, 21.63, TO THE WESTERLY CORNER OF LOT 36.02, THENCE FROM SAID BEGINNING POINT RUNNING
1. ALONG THE DIVIDING LINE BETWEEN LOTS 13 & 36.02, NORTH 37°22'48" EAST, 2.03, TO A POINT, THENCE;
 2. THROUGH LOT 36.02, SOUTH 42°01'00" EAST, 220.96, TO A POINT, THENCE;
 3. ALONG SAID LINE OF LOT 36.02, NORTH 10°15'00" WEST, 220.96, TO THE WESTERLY LINE OF STOKES STREET, THENCE;
 4. ALONG SAID LINE, SOUTH 42°01'00" WEST, 220.65 TO A POINT, THENCE;

CONTAINS 441,474 S.F.

Why is the legal description so important?

- Surveyors rely on a record legal description in order to plot the boundary lines of a property.
- Record v. As Surveyed Legal
 - Record legal description is usually taken from a Vesting Deed or filed map.
 - As surveyed legal description is the metes and bounds legal description which is plotted by the surveyor.
- If there are any discrepancies between the record legal and as surveyed legal, the title company may need to insure both legal descriptions in the event that the record legal is outdated or not precise enough for the public record.

Survey Coverage: the conflict between the survey covered risk No. 2(c), and the survey exception is Schedule BII:

- The ALTA 2021 policy forms contain a covered risk provision for circumstances affecting the Title that would be disclosed by an accurate and complete survey of the Land.
- Therefore, it is necessary for the examiner to address survey-related issues, so that survey coverage is not inadvertently provided by default.
- If no survey is presented, Schedule B should contain the general survey exception. If a survey is presented for “reading-in,” the policy should contain a survey endo.

What endorsements are considered survey related endorsements? The interplay between surveys and endorsements.

- NJ Survey Endorsement – Coverage for both Owner's and Loan policies. NJ Survey endorsement removes the general survey exception in Schedule BII.
- ALTA 28 – Series: Easement Damage/Enforced Removal
- ALTA 17 – Series: Access and Indirect Access
- ALTA 25 – Same as Survey
- ALTA 19 – Series: Contiguity
- ALTA 18 – Series: Tax Parcel
- ALTA 22 – Location

Easement Coverage – ALTA 28 Series

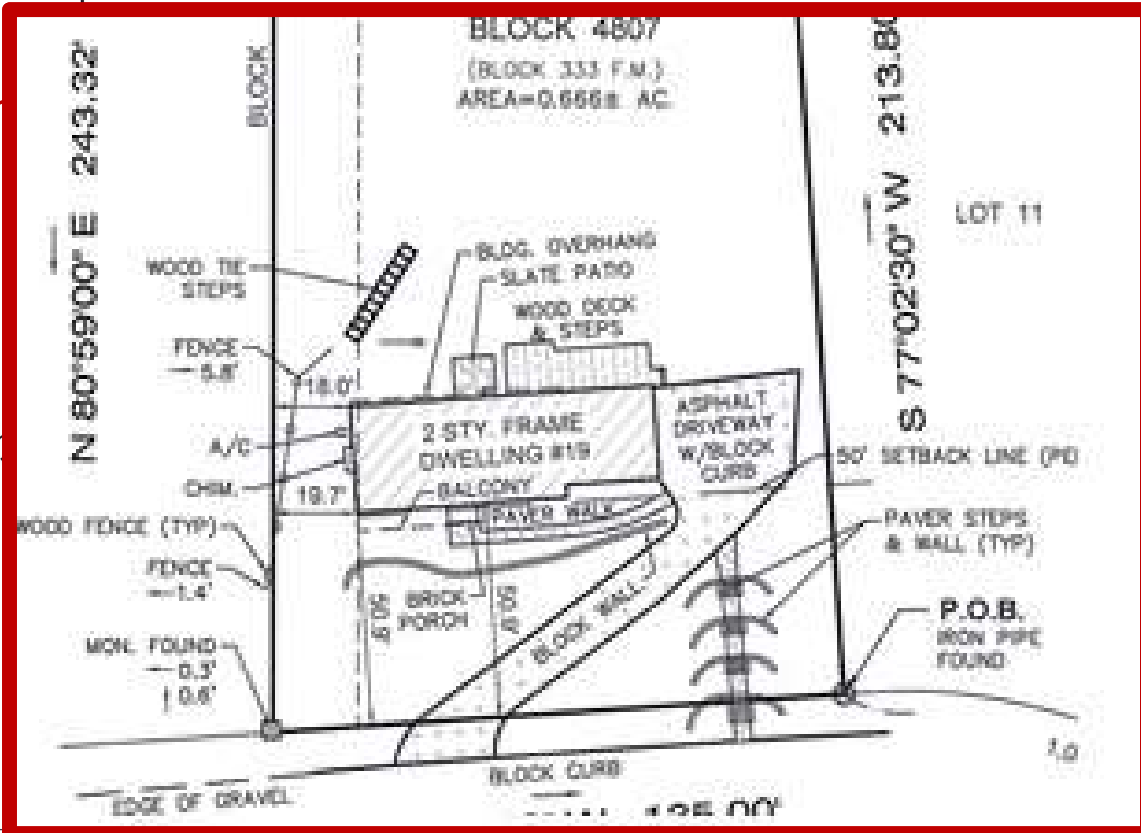
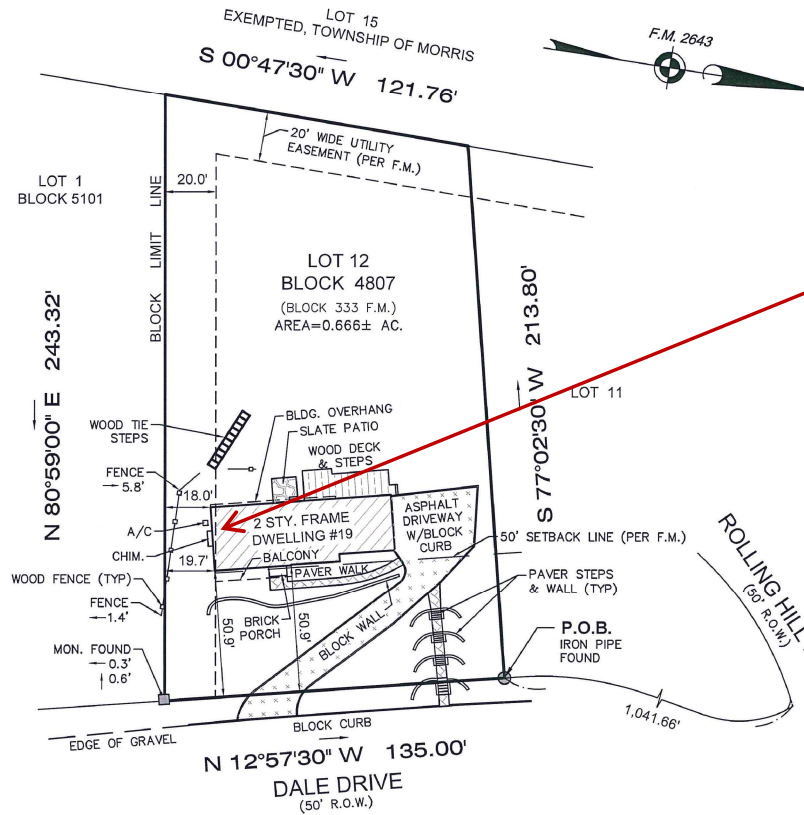
- The ALTA 28 series (can only be issued on loan policies in NJ)
- ALTA 28 (Easement Damage or Enforced Removal)
 - Provides coverage if an “existing” building shown on the survey encroaches upon a specific easement plotted on the survey or for any blanket easements.
 - If the surveyor includes a note that an easement is blanket in nature, we can include the easement on the ALTA 28 endorsement.

THE PROPERTY WAS SNOW COVERED AT THE TIME THE FIELD MEASUREMENTS WERE CONDUCTED. SITE PHYSICAL FEATURES MAY HAVE BEEN OMITTED.

DISCUSSION TOPIC:
SUBJECT DWELLING, STEPS, FENCE, AND WALL CROSS INTO UTILITY EASEMENT (PER F.M.)

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PREPARED FOR: [REDACTED]

TITLE INSURER: [REDACTED]

MORTGAGE HOLDER: [REDACTED]

BUYER'S ATTORNEY: [REDACTED]

Filed Map Reference:	Filed Map Block:	Filed Map Lot:	Filing Date:	Filed
FINAL MAP SECTION No. 4, JOCKEY HOLLOW TOP, TOWNSHIP OF MORRIS, MORRIS COUNTY, NJ	333	12	JAN. 19, 1966	2643

IMPORTANT NOTES, PLEASE REVIEW:

- I DECLARE THAT, TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF, THIS MAP OR PLAN MADE ON 2/21/19 BY ME OR UNDER MY DIRECT SUPERVISION IS IN ACCORDANCE WITH THE RULES AND REGULATIONS PROMULGATED BY THE STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS.
- THIS SURVEY DOES NOT PURPORT TO IDENTIFY BELOW GROUND ENCROACHMENTS, UTILITIES, SERVICES LINES OR STRUCTURES, WETLANDS, OR RIPARIAN RIGHTS. NO ATTEMPT WAS MADE TO DETERMINE IF ANY PORTION OF THE PROPERTY IS CLAIMED BY THE STATE OF NEW JERSEY AS TIDELANDS, ENVIRONMENTALLY SENSITIVE AREAS, IF ANY ARE NOT LOCATED BY THIS SURVEY.
- OFFSET DIMENSIONS FROM STRUCTURES TO PROPERTY LINES SHOWN HEREON ARE NOT TO BE USED TO REESTABLISH PROPERTY LINES.
- THIS SURVEY IS SUBJECT TO CONDITIONS WHICH AN ACCURATE TITLE SEARCH MIGHT DISCLOSE, SUBJECT TO RESTRICTIONS AND EASEMENTS RECORDED AND/OR UNRECORDED.
- BUILDING SETBACK LINES SHOWN HEREON ARE FROM RECORDED DEEDS AND FILED MAPS AND MAY NOT REFLECT CURRENT ZONING REQUIREMENTS.
- PROPERTY CORNERS HAVE NOT BEEN SET AS PER CONTRACTUAL AGREEMENT. (N.J.A.C. 13:40-5.1(d))

DB 21815, PG 600

CERTIFICATE OF AUTHORIZATION: 24GA28229800

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David J. von Steenburg

DAVID J. VON STEENBURG
PROFESSIONAL LAND SURVEYOR
N.J. LIC. No. 34500

SURVEY OF PROPERTY

LOT 12 BLOCK 4807

TOWNSHIP OF MORRISTOWN

COUNTY OF MORRIS NEW JERSEY

Scale: 1"=40' VS

Easement Coverage – ALTA 28 Series

- However, if an easement is not plottable, then further review is required before providing ALTA 28 coverage.
- An issue may arise if an easement runs underneath an existing building or if an existing building encroaches upon an existing easement.
- We must analyze the risk before issuing the endorsement for the specific easement, and the risk analysis also varies between a residential or commercial property.
- Please consult your underwriter for further assistance if such an issue should arise on your transaction.

Encroachment Coverage – ALTA 28 Series

- ALTA 28.1 (Encroachments – Boundaries and Easements)
 - Provides coverage to a lender for an “existing” building on the insured land that encroaches onto adjoining land, or an “existing” building on adjoining land that encroaches upon the insured land, or for an “existing” building that encroaches upon an easement.
 - Coverage under the ALTA 28.1 is much broader than the ALTA 28 – need to carefully analyze risk associated with encroachments on any existing improvements based on the survey.

Encroachment Coverage (cont.)

- ALTA 28.2 (Encroachments - Described Improvements)
 - This endorsement is slightly different than the ALTA 28.1, as the coverage is narrower in scope.
 - The ALTA 28.1 covers existing building improvements encroachments, but in the ALTA 28.2, the improvements need to be specifically itemized in the endorsement.
 - Some examples of itemized improvements can include a fence, shed, garage, patio, or canopy.
 - We can only issue either the ALTA 28.1 or ALTA 28.2 on a loan policy, not both.

Easements, Surveys, and Affirmative Coverage

- A survey is a great tool to learn a great deal about an easement.
- A survey (which shows the easement) is almost always necessary when contemplating affirmative insurance language.
 - Usually refer to encroachment or the use of the land.
- A review of both survey and the easement are necessary to determine what, if any, affirmative coverage can be provided.
- As always, you must contact your Underwriter before including any affirmative language for easements.

Other Endorsements to Consider

- ALTA 17 (Direct Access) and ALTA 17.1 (Indirect Access)
 - Does our property abut a public road or have direct access to the public road?
 - If there is no direct access, is there an easement which benefits our property for access to a public road (indirect access)?
- ALTA 19 series (Contiguity)
 - The survey must disclose that the parcel (ALTA 19.1) or parcels (ALTA 19.2) are contiguous in order for us to provide coverage.

Other Endorsements to Consider (cont.)

- ALTA 22 (Location)
 - Title companies do not insure property addresses. The surveyor is relied upon to provide an accurate street address for the property.
 - However, we can issue the Location endorsement if there is an existing building and street address disclosed on a survey.
 - The Location endorsement should not be issued for vacant land or land under development, since the improvements on the property may be subject to change after the date of policy.

Lender's Survey “Without Survey” Endorsement


- In NJ, we can issue this endorsement for loan policies only.
- Can be issued for both commercial and residential properties.
- Coverage is the same as that provided in the NJ Survey endorsement, in the event that there is no existing survey for the property.
- Other factors to consider when issuing the endorsement.
 - e.g. Search of the property on Google Earth; confirmation that there are no significant issues with the property as far as encumbrances on title.

Survey (Without Survey) for Condominiums and Co-Ops

- Can be issued for both Owner's and Loan policies.
 - Issued for only residential condominiums or co-operatives.
 - Coverage does not extend to common elements or non-contiguous limited common elements appurtenant to the unit.

Wrap-Up and Review

- Surveys can help identify significant issues with the property (encroachments, easements, access and entry).
- Surveys are typically required for extended coverage on policies.
- Know the difference between a boundary survey and ALTA survey – not all surveys are created equal.
- Always review the record and as surveyed legal description and make sure they conform with one another.
- Typically, you will need to review a survey in order to issue survey related endorsements.

A background photograph showing a group of people in a professional setting. A woman with dark hair, wearing a light-colored sleeveless top, is in the center, gesturing with her hands as if speaking. To her right, another woman with dark, curly hair, wearing a dark blue top, is smiling. In the foreground, the back of a person's head and shoulders are visible, looking towards the woman in the center. The background is slightly blurred, showing what appears to be a window or glass partition.

**Thank you for attending.
Please join us next
month for Water Rights
in NJ**

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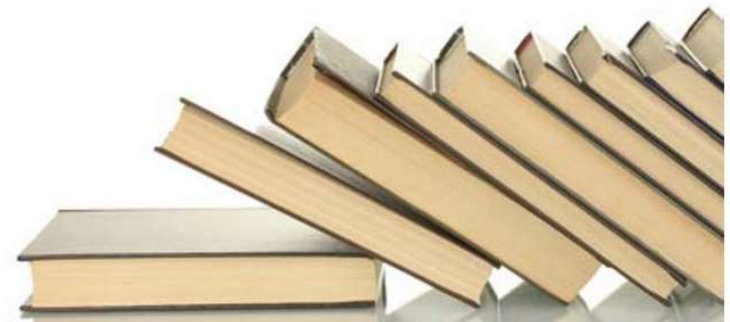
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