

A Consumer Guide to Property Protection

Ten Important Facts
Homebuyers Should
Know About Professional
Land Surveys



1. What is a land survey?

A land survey is a report in the form of a map showing the location of a parcel of real property. The map will also show the location of visible improvements on and adjacent to the property.

2. Why are land surveys so important?

Prior to the closing on your new home purchase, a land survey provides important information to you as the buyer. The survey map will show the limits of the land you are purchasing and identify any conflicts in your deed. It will also allow you to see if improvements such as driveways, fences, walls or even dwellings encroach over the property lines. Any existing property corner markers found by the surveyor will also be shown on the map.

3. How is a land survey performed?

The land surveyor's responsibility is to locate on the ground the boundaries of the land described in the deed.

The surveyor also examines and maps various visible and apparent man-made and natural features as required for the purpose of the survey. Recorded deeds and maps are

investigated along with information and documentation supplied to the surveyor by the owner or title company. Additionally, extensive data gathering is performed at and around the site.

4. Why have I been asked if I want property markers set?

In the course of performing a survey in New Jersey, State law requires that a land surveyor place permanent markers at all property corners where none currently exist. You may sign a written waiver instructing the surveyor to omit this work.

5. Why should I not waive the marking of property corners?

Boundary lines shown on a survey map of the property may be difficult to locate accurately on the ground without markers denoting the corners of the property. Placing markers helps to avoid future disputes and enables you to identify the physical location of your property.

6. Who can do a land survey?

In New Jersey a land survey may only be performed and signed by a licensed Professional Land Surveyor.

7. What is required to become a Professional Land Surveyor?

To meet the qualifications for licensure in New Jersey, an individual must have a four-year college degree in Surveying, three years or more of practical experience, and pass a 16 hour written examination administered by the New Jersey Division of Consumer Affairs. Once licensed, the Professional Land Surveyor must obtain 24 hours of continuing education credits every two years to maintain active status.

8. How does a land survey help identify title to property?

Land surveys identify the record title lines of your property. The survey map shows the limits of the land that you are purchasing. A land survey certified to you provides critical information which, when used with title insurance, allows the buyer to make informed decisions and negotiate with the

seller to correct any defects prior to the purchase. A land survey prepared for you and certified to you and to your title company affords important protection against claims which may arise after the closing.

9. What is title insurance and how does a land survey expand its coverage?

Title insurance protects the mortgage lender and the property owner (if insured) against claims to the property such as a disputed property boundary line. Most mortgage lenders require the home buyer to purchase a title insurance policy in the lender's name. This is called a Lender's Policy.

Title insurance policies do not provide coverage for problems such as encroachments, easements and boundary line disputes which would be disclosed by a current certified survey. This is known as the Survey Exception. Mortgage lenders routinely require a Survey Endorsement to their loan policies which limits the scope of the Survey Exception to the specific problems disclosed by the survey. In other words, a Survey Endorsement provides coverage against possible undiscovered problems involving encroachments, easements and boundary line disputes.

To protect yourselves as home buyers you should insist on an Owner's Policy with a

Survey Endorsement based on a professionally prepared current land survey.

10. What can you do to protect the investment in your home?

Buying a home is usually the single largest purchase you will ever make! It makes sound financial sense as well as good common sense to protect this important asset. A land survey prepared by a licensed Professional Land Surveyor is a cornerstone of protection and preservation of home ownership. Remember, a Lender's Policy protects the bank but not the homeowner. As you make the major investment of purchasing a home you should insist on an Owner's Policy of Title Insurance with the Survey Endorsement and a current land survey certified to you.

Prepared for consumers by
**THE NEW JERSEY SOCIETY OF
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