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Accuracy of land survey critical when buying property

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Land surveys are often overlooked, but an integral part of the property sales process. They depict the legal description of the property to be transferred. They can affirm that the parties understand the locations of the property's boundaries and any improvements that have been made.

By law, the land survey must be conducted by a licensed surveyor. Because title companies rely on surveys to detect certain title exceptions, it is imperative that precautions are taken to ensure their accuracy, says Peter J. Birnbaum, president and CEO of Attorneys' Title Guaranty Fund, Inc. (ATG).

"A real estate attorney can assist the buyer of property with making sure the surveyor accurately depicts the land to be purchased," he affirms.

Among the tasks that an attorney will undertake, the attorney will confirm the following:

- that the legal description of the property in the title commitment and survey match;
- that any easements, encroachments, and improvements are noted on the survey and have been examined to see if they are acceptable to the client;
- that it includes all the information that the parties requested.

While there are universal requirements for surveyors within every state, the actual prepared surveys can vary in name and description and from community to community, according to Birnbaum.

Through its 3,700 attorney-members, ATG strives to keep lawyers involved in real estate transactions for the benefit of the client. ATG is headquartered in Champaign and downtown Chicago and has offices in Mt. Prospect, Chicago (mid-north side), Homewood, Libertyville, Lombard, North Riverside, Oak Lawn, Wheaton and Belleville.