

LAND SURVEY

LEGAL DESCRIPTIONS AND BOUNDARY LOCATIONS

California Department of Fish and Wildlife (CDFW) requests the following land survey products and specifications from Permittees (HM Land Acquisitions Checklist) and Bank Sponsors (Property Assessment and Warranty) to facilitate review of legal descriptions and boundary locations of land proposed for protection and to ensure the instruments required to transfer and/or protect the land (e.g., conservation easements and grant deeds) correctly describe the land in accordance with the Professional Land Surveyors' Act (California Business and Profession Code section 8700, *et seq.*):

1. Boundary/Improvements/Encumbrances (BIE) Map. Provide a digital (PDF) map (24-in x 36-in). Detail should show:

- a) Resolved Boundaries Based on Field Surveys. Record boundaries (i.e., a desktop survey) may be sufficient if enough county or city record deeds and maps exist to demonstrate the boundaries shown are without discrepancy and locatable. If the desktop survey method is accepted by the CDFW Licensed Land Surveyor, it must be accurately geolocated for digital submittal.
- b) Property Boundary. Even if a conservation easement will only restrict part of a property, provide the boundaries of the entire property with all encumbrances (e.g., easements, encroachments, etc.) affecting title plotted.
- c) Conservation Easement Boundary. All conservation easement boundaries and encumbrances (e.g., easements, encroachments, etc.) affecting title re-traced.
- d) Improvements. All improvements (e.g., buildings, roads, fences, etc.) located in relation to the boundaries and encumbrances.
- e) Access. Legal access to the conservation easement area from a public right of way. If the conservation easement, or portions of the conservation easement area, are not accessible from a public right of way, show record references for access rights legally sufficient to provide grantee and all third-party beneficiaries with access. May be shown on a separate exhibit and does not have to be survey grade.
- f) Stamped. Map must be stamped by a Licensed Land Surveyor per [BPC § 8726 \(a\) and 8761](#).

2. Legal Description. Exhibit A and/or B to the conservation easement, as applicable.

Exhibit A – Legal Description of Entire Property. If the legal description for Exhibit A refers to a record map (record of survey, parcel map, or subdivision map) or deed, include those references with the calculated acreage in the legal plat map. The legal description should match the legal description in the current preliminary title report.

Exhibit B – Legal Description of the Conservation Easement Area. If the conservation easement restricts a portion of a larger property, provide a metes and bounds legal description of the easement area with adjoiner and controlling calls, including calculated acreage. If the legal description for the easement area is not described by metes and bounds, then the plat map should show those resulting courses that will match the closure report of the conservation easement boundary.

- 3. Plat Map.** Plat map of the entire property showing all existing encroachments and encumbrances affecting said property. If the conservation easement will restrict a portion of a larger property, the plat map must show all existing encroachments and encumbrances affecting the conservation easement. Show bearings and distances, references and calls from the legal description(s), adjoiners, etc. Plat map must be able to be legibly plotted at 8-1/2x11 inches (PDF). Plat map must have the Licensed Land Surveyor's stamp and signature.
- 4. Traverse Closure Report.** The traverse closure report demonstrates the mathematical closure of the legal description and will show acceptable closure error (e.g., gaps). Applies when a Licensed Land Surveyor has prepared a legal description and plat map with their stamp and signature. Include all net parcels of the conservation easement area with precision and acreages stated.
- 5. Reference Materials.** All reference maps and deeds used to establish the boundary(ies) and create the legal description(s) and plat map(s).
- 6. CAD (computer aided design) File.** CAD file of the conservation easement area, preferably on the California State Plane Coordinate System.