



Training notes from the woods & the classroom

September 2007

A Primer: Understanding Legal Descriptions *Knowing Where to Draw the Line*

Government survey teams preceded most settlers into the North American wilderness. Sometimes they were on horseback, sometimes on foot, the survey teams followed the explorers, traders, and trappers. They led the loggers and settlers into the wilderness. The surveyors used the English system of land description, a system that is still the basis for land description today.

Township and Range

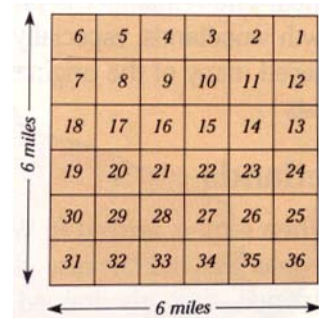
The original survey divided the state into a grid at 6-mile intervals. Each cell in the grid is identified by a township (T) number which signifies the distance north of the Illinois border. The 6- by 6-mile township cell is also identified by a range (R) number, indicating how far east or west it is of the fourth Principal Meridian (a north-south line from about Dubuque, Iowa to Hurley Wisconsin). A township identified as T20N, R10E is located 120 (20 x 6) miles north of the Illinois border and 60 (10 x 6) miles east of the fourth Principal Meridian line.

Not all townships are perfect squares with 6 miles on a side. Periodically, the surveyors had to correct for the earth's curvature. Human error also modified the grid's symmetry. Regardless of initial errors, all subsequent surveying is based on the original government survey.

Section

Each township is divided into 36 squares called sections. Each section contains 360 acres and measures 1 mile by 1 mile. The sections are numbered from one to 36, starting

in the northeast corner and following across and down as shown in the following figure.



This figure shows the numbering sequence of sections in a township.

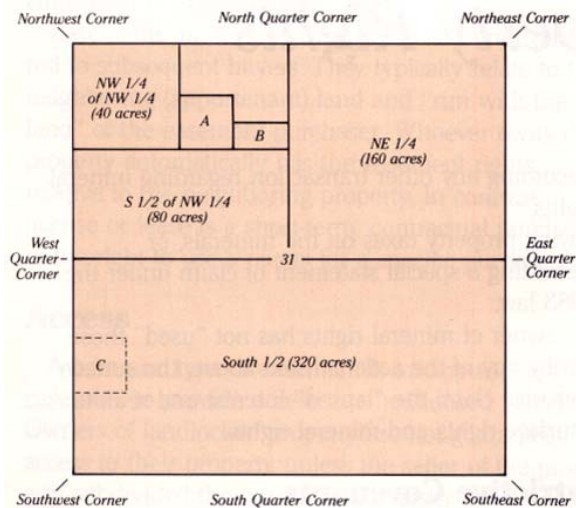
Subsection

Westerners typically measure land in terms of sections. Rural land is often bought and sold in smaller blocks, in partial sections. The most common unit of measurement is 40 acres or one-quarter of one-quarter of a section. Larger blocks can be described such as a half section (320 acres), a quarter section (160 acres) or half of a quarter section (80 acres).

A quarter quarter section can be divided into smaller subsections such as half of a quarter quarter (20 acres), a quarter of a quarter quarter (10 acres), half of a quarter quarter quarter (5 acres), or even a quarter of a quarter quarter quarter (2-1/2 acres).

The 10 acres in parcel A in the sample on the following page would be described as the southwest one-quarter of the northeast one-quarter of the northwest one-quarter, or abbreviated as SW 1/4, NE 1/4, NW 1/4. The full legal description for Parcel B is "South one-half of southeast one-quarter of northeast one-quarter of northwest one-quarter, Section

31, T20N, R10E: X County, Minnesota, five acres more or less.”



This figure shows Sample Section 31, Township 20 North, Range 10 East.

Parcels along a lake or large river could not be described as square blocks and were originally designated as government lots and identified by number. Odd parcels created by surveying errors along a township boundary were also sometimes called government lots. Because of the irregular nature of shorelines, government lots may come in any shape. As a result, lakeshore property owners usually do not have square-cornered property, while agricultural land owners usually do have the potential for square or rectangular fields.

Metes and Bounds

Parcels that do not conform to easy subsectioning are described from a known point. That reference point is typically a section corner or quarter corner. A metes and bounds description established a beginning point in reference to such a known point and then proceeds around the boundaries of the parcel by giving direction and distance until the description returns to the beginning point. A simple description for Parcel C in the figure, the square piece of land outlined in

dots, reads: “A parcel of land in Section 31, T20N, R10E, X County, Minnesota, more particularly described as follows: Commencing 1,000 feet north of the southwest corner along the east section line of said section, thence east 640 feet, thence north 540 feet, thence west 640 feet, thence south 640 feet along the west section line to the point of the beginning.”

Descriptions become more complicated if the boundaries run at angles or curve. A professional surveyor should be hired to measure and describe such boundaries. Modern surveyors use feet as the standard measure of distance. However, earlier surveyors used links (0.66 feet), rods (16.5 feet), chains (66 feet), and furlongs (660 feet), instead of feet. Many property histories contain a mix of old and new units of measurement.

Plats

The creation of several small lots requires a formal platting process. The process involves detailed surveying, numbering of each lot, and approval by state and local authorities. After a plat is approved by state and local authorities. After a plat is approved and recorded with the county register of deeds, it becomes the reference for future land transactions.

Abstract

An abstract is the legal history of a piece of property. The history usually begins with a patent conveying title from the United States government to a railroad, lumber company, land broker, or homesteader. The chronology indicates all subsequent transfers of legal rights and subdivision of the property. The county register of deeds or land description office is responsible for maintaining a duplicate set of documents in the courthouse for official reference.

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