



## ALTA/ACSM STANDARDS

When the *ACSM Bulletin* magazine was still in publication it included a column call “ALTA/ACSM Standards”. In the column, Gary Kent, who is Chair of both the NSPS ALTA/ACSM Committee and the joint ALTA/NSPS/Lenders Council Committee, responded to questions raised about some aspect of the standards. NSPS hopes to reinstate this column in *NSPS News & Views* on a regular (if not weekly) basis. Below is the first installment of this effort.

Please send questions/comments you may have about the standards to NSPS Executive Director Curt Sumner via email at [curtis.sumner@nsps.us.com](mailto:curtis.sumner@nsps.us.com).

### Question:

We are conducting a survey of a property that is currently bare ground with no improvements. We are designing a large apartment building along with other site improvements, and the lender is requesting that we show all the proposed improvements on an ALTA/ACSM Land Title Survey that they are currently requesting. They have listed this requirement as Item #22 on Table A. I am not sure how I would do this or if it's even allowed on an ALTA/ACSM Land Title Survey – can you help?

### Answer:

This is definitely allowed on an ALTA/ACSM Land Title Survey and would, in fact, fall under item 22. There is a relatively new ALTA endorsement available for owners and lenders (the 3.2 zoning endorsement) whereby the title company is insuring that certain zoning requirements will not be violated if the project is built in accordance with a particular site plan. That is likely why you are being asked. Surveyors will likely see such requests more frequently in the future and there is no problem at all. It is likely that in the next version of the standards (probably coming along in about 2016) the committees may add a new option under Table A item 6 to cover this endorsement. In any event, there are a few considerations and suggestions: (1) it might be logical for the surveyor to prepare an additional sheet of the survey showing only the proposed improvements – and labeled as such - so there is no confusion over what is existing and what is proposed, (2) the surveyor should very specifically identify the source of the proposed improvements that have been shown, (3) if proposed and existing improvements are shown on the same sheet, the surveyor should make it patently clear what is proposed and what is existing, (4) the surveyor should confirm exactly which of the proposed improvements the lender wants to see on the survey (“All of them” is not a very good answer and, in any case, is overkill when it comes to a 3.2 zoning endorsement), and (5) the surveyor should remember that there is time, money and liability involved in providing this information. Just sayin’.