

The original *Spice Girls*?

Man beaten to death with spice grinders

DHAKA, Bangladesh (AP) — Five women armed with heavy spice grinders and Iron rods surprised a sleeping man and beat him to death over a land dispute, a newspaper said Thursday. The women, aged 18 to 45, attacked the man in his hut near Dhaka late Wednesday and he died a few hours later, the newspaper Ittefaq said. Their family had been engaged in along-standing dispute with the man over about a half-acre of land, Ittefaq said.

A *Very* Basic Introduction to Boundary Law



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Land Surveyors Association of Washington
Conference
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Learning Objectives

Types of law; Boundary control
 How boundaries are created; Characteristics
 Where the Rules of Construction come from
 How gaps and overlaps are handled
 Description interpretation issues: Ambiguities;
 Controlling/informative terms
 Written intent conflicts

Just enough to be dangerous...



A ~60 slide Powerpoint can't make you an expert in boundary law.
 This material is a general overview with some caveats because it is in part based
 on common law.

Common law can vary between jurisdictions; as a practicing surveyor you must
 be familiar with its principles in your area.

Often there is no definitive solution to a re-establishment problem, only the
 "best" given the circumstances.

The answer to a boundary question is often "It depends..."

Changing evidence even a little can dramatically affect the conclusion.
 Research is key, including a title search back to parcel origins & parcel evidence.

Consider all reasonable alternatives and why they do or don't apply.

I. Law and Boundaries



A. Type of Law

1. Statutory

Constitution creates Legislature and grants it law making power.

Legislative bodies at

- Federal
- State
- Local

Statutes are written law



Legislature can create regulatory or administrative agency and give it rule making authority

- Narrower scope than legislature
- Rules have same authority as statutes

I. Law and Boundaries



A. Type of Law

2. Common Law

Rules, beliefs, and principles derived from long continued usage and customs (tradition), or judgments and decrees of judicial tribunals.

Based on consistent application.

- Use of pervious similar situations for decision framework.
- Quantity and quality of evidence is important.



Judicial common law

- Trial level courts (lowest level) decisions must be within framework of existing common law.
- It is created, affirmed, overturned at the appellate level (couts of appeals and supreme courts).

I. Law and Boundaries



B. Statute of Frauds

Contract must be in writing to be valid.

- All terms included
- Prevents contradiction by action or word
- Interested third parties can interpret



All states have a Statute of Frauds

Deed is a contract for property conveyance

- Description defines physical extent and rights transferred
- Written intent



States have statutes which identify required elements for a valid deed.

I. Law and Boundaries



C. Boundaries

Are either created or re-established

1. Creation

Controlled by statutory law.

Examples include:

- Subdivisions; Condominiums; Small land divisions, Cemeteries, etc

Regulations may define:

- Minimum lot sizes, maps, descriptions, monumentation, survey accuracies

USPLS: Federal level regulation

- Original Instruction letters
- 1855 - First Manual
- 2009 - Latest Manual
- Procedures, survey accuracies, monumentation, documentation, etc.

I. Law and Boundaries



C. Boundaries
Are either created or re-established

1. Creation

Corner

A legal entity with a specific location but without physical attributes (dimension and composition)

Boundaries connect corners; a corner is where a boundary changes direction or character.

A *monument* is physical evidence of a corner location.

To maintain boundary stability and integrity

- Where corners were originally placed is where they belong today
- Once created, a boundary exists in perpetuity unless removed by a legal process.
- Rights of adjoining sharing a boundary are established at boundary creation.

I. Law and Boundaries



C. Boundaries
Are either created or re-established

1. Re-Establishment

Re-establishment seeks to re-create a boundary in its original location.

A resurvey collects evidence and surveyor evaluates it to determine original corner locations.

Re-establishment is controlled by common law.

Provides evidence evaluation framework

Evidence quantity and quality are paramount.

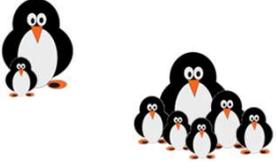
II. Parcel Creation Methods



A. Parentage

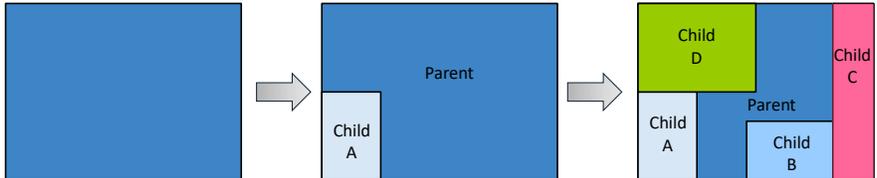
Parent-Child

- A child parcel is part of a parent parcel
- At least one new boundary
- Possible shared boundaries
- Multiple children, multiple new boundaries – how do they relate?



Family analogy

- Child inherits characteristics from parent
- Parent must provide for child



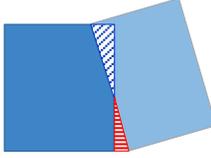
II. Parcel Creation Methods



A. Parentage

How boundaries are created affect:

- Description type
- How are gaps and overlaps handled



Boundary creation

- Establishes boundary once and forever.
- Creates adjoining relationship
- Location is “without error.”
- Creates evidence framework for later re-establishment.

Creation methods

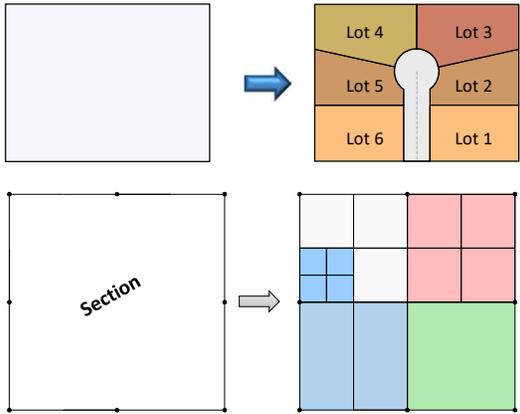
- Simultaneous
- Sequential
- Combination

II. Parcel Creation Methods

B. Processes

1. *Simultaneous*

Boundaries created at the same time by the same legal instrument.
Have equal standing - no Sr-Jr relationships.



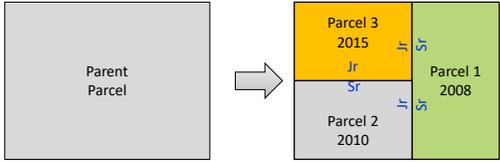
Description types
Lot and block
Aliquot part

II. Parcel Creation Methods

B. Processes

2. *Sequential*

New parcels created independently from same parent over time.
Earlier created boundaries have precedence (senior) over later created ones (junior).



Description types
Metes
Bounds
Metes and Bounds

II. Parcel Creation Methods



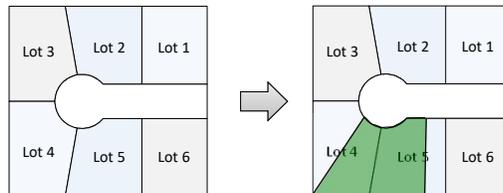
B. Processes

3. Combination

New parcels created by combination of simultaneous and sequential processes.

New boundaries can have characteristics of either or both.

Senior-junior standing may or may not exist



Description type
Quasi-metes and bounds;
"of"

New parcel is part of Lot 4
and part of Lot 5

III. Boundary Re-Establishment



A. Rules of Construction (RoC)

Evidence

Evidence framework established at original boundary creation.

Deed (written intent) and (possibly) physical monumentation.

Over time, evidence added and removed based on human and natural action.



Collateral evidence is secondary, often derived from original evidence.

Examples: fences, streets, replacement monument, parol, etc.

At boundary re-est, evidence may conflict - How to resolve?

III. Boundary Re-Establishment 

A. Rules of Construction (RoC)

Evaluation guide

	Right of possession (unwritten rights)	Matter of Title
	Senior right (in case of overlap)	
	Written intentions of the parties (description)	Matter of Survey
	Call for survey	
	Call for monuments; adjoiner	
	Direction/distance	
Area/Coordinates		



If elements conflict, RoC indicates their relative weight

- Not strict; guidelines
- Description wording can change order
- As can evidence type and character
- If higher elements are lost, lesser ones carry greater weight.

III. Boundary Re-Establishment 

B. Right of Possession: Unwritten Rights

Based on adjacent owners actions/inactions

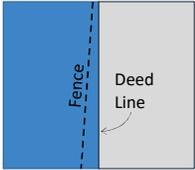
Ownership departs from description

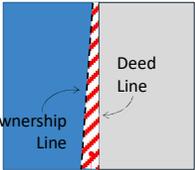
Doctrines

- Adverse possession
- Prescription
- Oral agreement
- Equitable estoppel
- Recognition and acquiescence

Ownership determined by courts

- Surveyor doesn't have authority
- Map deed and use (encroachment) lines





III. Boundary Re-Establishment



C. Senior Right: Gap or Overlap

Precedence establishment

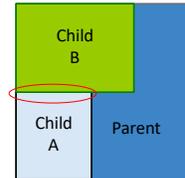
Once boundary is created, Sr-Jr relationship is established and doesn't change unless boundary is legally removed.

Is a **boundary** attribute, not an **owner** attribute

Child inherits parent's Sr-Jr standing along shared boundaries.

Parent is junior to children – parent must provide.

≥2 adjoining children from common parent-
overlap/gap potential



Resolution depends on how parcels are created

III. Boundary Re-Establishment



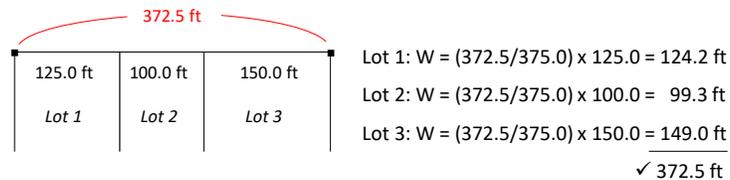
C. Senior Right: Gap or Overlap

1. Simultaneous

Parcel boundaries have equal standing: no sr-jr rights

Excess or deficiency proportioned between found original corners

Subdivision



USPLS

Single or Double Proportionate Measurement and variations.

III. Boundary Re-Establishment



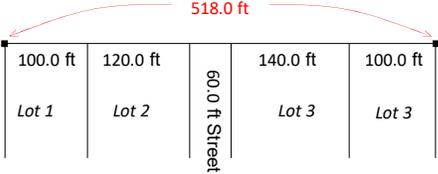
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C. Senior Right: Gap or Overlap

1. Simultaneous

Exception to proportionate distribution rule:

When there is a deficiency and one (or more) of the parcels affected is owned by the public; the public gets what was dedicated.



Record: 520.0
 Measured: 518.0
 Deficiency: 2.0

The Street gets its dedicated 60.0 feet
 That leaves 458.0 feet to distribute
 across the Lots

Lot 1: $100.0 \times (458.0 / 460.0) = 99.6$

Lot 2: $120.0 \times (458.0 / 460.0) = 119.5$

Lot 3: $140.0 \times (458.0 / 460.0) = 139.4$

Lot 4: $100.0 \times (458.0 / 460.0) = 99.6$

III. Boundary Re-Establishment



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C. Senior Right: Gap or Overlap

2. Sequential

Earlier created boundaries have higher standing than later boundaries

Parent Parcel

Parent
Remainder

Jr Sr A:2008

Parent
Remainder

Jr Sr A: 2008

B: 2010

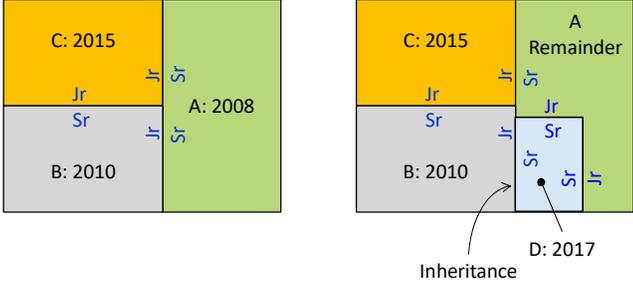
C: 2015

Jr Sr A: 2008

B: 2010

III. Boundary Re-Establishment 

C. Senior Right: Gap or Overlap
 2. *Sequential*
 Child inherits parent's sr-jr relationship along shared boundaries

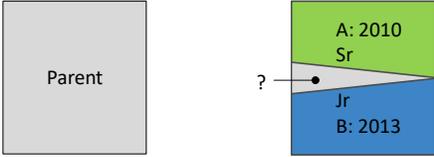


Parcel D description might call Parcel B as adjoiner **but** Parcel D is senior by inheritance.

III. Boundary Re-Establishment 

C. Senior Right: Gap or Overlap
 2. *Sequential*
 Along sr-jr boundaries:

- Sr parcel protected in case of an overlap - the junior parcel yields.
- If excess, then what happens with the gap?
 Touchy situation: Give to one parcel or other or split between?



III. Boundary Re-Establishment



C. Senior Right: Gap or Overlap

2. Sequential

A deed is a contract for land conveyance & must follow the same rules.

Determination of the intent of the contracting parties is to be accomplished by viewing the contract as a whole, the subject matter and objective of the contract, all the circumstances surrounding the making of the contract, the subsequent acts and conduct of the parties to the contract, and the reasonableness of respective interpretations advocated by the parties.

Stender v. Twin City Foods, Inc., 510 P. 2d 221 - Wash: Supreme Crt 1973

We also would decline to modify the express terms of a written contract agreed to by competent parties.

Willis v. Champlain Cable Corp., 748 P. 2d 621 - Wash: Supreme Crt 1988

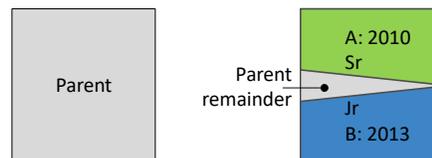
III. Boundary Re-Establishment



C. Senior Right: Gap or Overlap

2. Sequential

Strict interpretation: unconveyed gap is created



Pg. 425, *Brown's Boundary Control and Legal Principles*, 6th Ed

Gap is unconveyed

Pg. 337

Court opinions vary; generally:

if gap is large, it is unconveyed

if gap is small, it goes to *junior* owner

why the junior owner?

III. Boundary Re-Establishment



C. Senior Right: Gap or Overlap

2. Sequential

Strict interpretation: unconveyed gap is created

Pg. 203, *Illinois Boundary Law*, Jeff Lucas cites a few cases that grant gap to junior owner.

Not to be outdone, when considering a gap between a senior and junior owner:

The circuit court was of the opinion that it would be equitable to divide the 2.55-foot strip equally between the parties. Such division of land unintentionally omitted from conveyances of adjoining properties is somewhat analogous to the apportionment of discrepancies between the actual measurements of a subdivision and the measurements of the lots therein as shown by the recorded plat... Under the circumstances, we agree that the division made by the circuit court was fair and equitable.

Pavela v. Fliesz, 133 N.W.2d 244, 26 Wis.2d 710

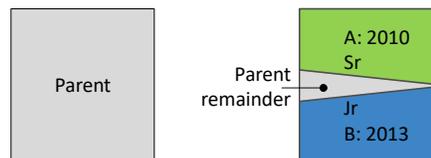
III. Boundary Re-Establishment



C. Senior Right: Gap or Overlap

2. Sequential

So the right answer is: It depends.



Note in the RoC it says “Senior right in the event of an overlap”

Does not address a gap.

Best way to treat:

Gap is a Matter of Title – depends on common law of jurisdiction

Overlap can be a Matter of Survey

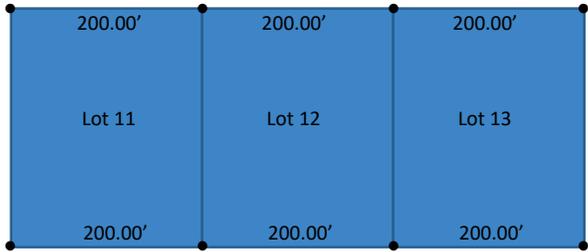
III. Boundary Re-Establishment

C. Senior Right: Gap or Overlap

3. *Combination*

Parcel boundaries may or may not have sr-jr relationships

Example:
Subdivision: simultaneous, no sr-jr relationships



The diagram shows three adjacent rectangular lots, Lot 11, Lot 12, and Lot 13, arranged horizontally. Each lot is 200.00' wide and 200.00' high. The boundaries between Lot 11 and Lot 12, and between Lot 12 and Lot 13, are shown as solid lines, indicating no sr-jr relationships.

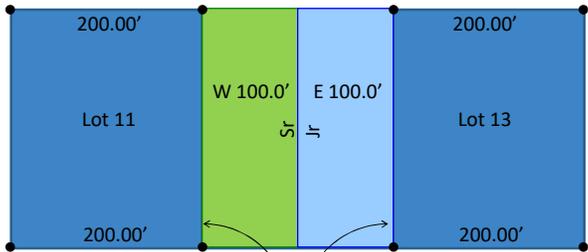
III. Boundary Re-Establishment

C. Senior Right: Gap or Overlap

3. *Combination*

Parcel boundaries may or may not have sr-jr relationships

Example:
Sequentially: "West 100.0 ft of Lot 12" later "East 100.0 ft of Lot 12"



The diagram shows three adjacent rectangular lots, Lot 11, Lot 12, and Lot 13, arranged horizontally. Lot 11 and Lot 13 are 200.00' wide and 200.00' high. Lot 12 is 100.00' wide and 200.00' high. The boundary between Lot 11 and Lot 12 is labeled "W 100.0' Jr" and the boundary between Lot 12 and Lot 13 is labeled "E 100.0' Sr". Arrows point to these lines with the text "No sr-jr relationships along these lines."

III. Boundary Re-Establishment

C. Senior Right: Gap or Overlap

3. *Combination*

Parcel boundaries may or may not have sr-jr relationships

Example:
 Sequentially: "West 100.0 ft of Lot 12" later "East 100.0 ft of Lot 12"

III. Boundary Re-Establishment

C. Senior Right: Gap or Overlap

3. *Combination*

Parcel boundaries may or may not have sr-jr relationships

Example:
 Sequentially: "West 100.0 ft of Lot 12" later "East 100.0 ft of Lot 12"

2.0' Remainer
 Same issue as sequential conveyances.

III. Boundary Re-Establishment 

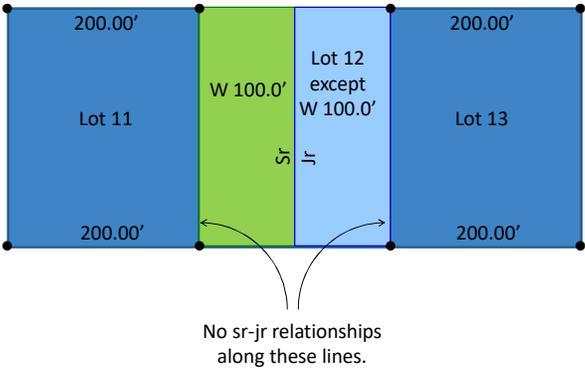
C. Senior Right: Gap or Overlap

3. *Combination*

Parcel boundaries may or may not have sr-jr relationships

Example:

Instead: "West 100.0 ft of Lot 12" later "Lot 12 except West 100.0 ft"



No sr-jr relationships along these lines.

III. Boundary Re-Establishment 

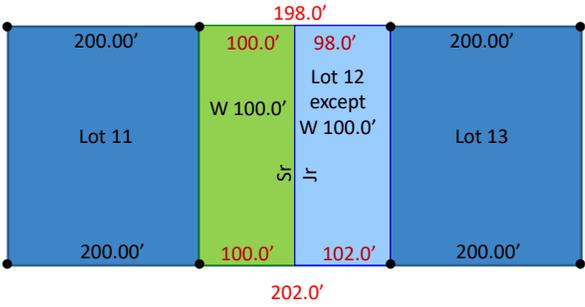
C. Senior Right: Gap or Overlap

3. *Combination*

Parcel boundaries may or may not have sr-jr relationships

Example:

Sequentially: "West 100.0 ft of Lot 12" later "East 100.0 ft of Lot 12"



III. Boundary Re-Establishment



D. Written Intent

1. Description

a. Description Interpretation

Simultaneous: references to map or plat

Unless errors on map, intent relatively clear

Sequential or Combination: *narrative* descriptions

Greater conflicts potential

- Archaic terms, “ancient” measurements

“Commencing at a point 20 rods 19 links North of a point that is 26 links East of the East side of the steel tube at the Northeast corner of the wagon bridge...” (1992)



- Written by non-surveyors

“Commencing at the West 1/4 corner of Section 9; thence N80° 29ft 17in. East, 2781.62 ft; thence S89° 11ft East, 177.84 ft;...” (1996)

Surveyor must follow common law principles to interpret & apply description

III. Boundary Re-Establishment



D. Written Intent

1. Description

b. Controlling and Informative Terms

Controlling: defines course termination and/or path

Key words: to, along, parallel, perpendicular, with, continuing...

Identify a condition

Informative: all other terms, help identify controlling term(s)



“..thence North 38 degrees West 139.6 feet **to** an iron stake...”

Go to and end at the iron stake (*to*);

Monument higher element, dist & dir yield if conflict.

“...thence southwesterly **along** said high water mark **to** an iron stake...”

Course follows topographic feature (*along*)

and ends at an iron stake (*to*);

III. Boundary Re-Establishment



D. Written Intent

1. Background

c. Ambiguities

(1) Extrinsic evidence

Physical and parol evidence outside the description.

Cannot be used to change description terms, only help explain.



(2) Ambiguity Types

Ambiguity: when something can be *reasonably* interpreted more than one way. Introduces confusion.

Common in descriptions written by non-surveyors.

III. Boundary Re-Establishment



D. Written Intent

1. Background

c. Ambiguities

(2) Ambiguity Types

(a) Latent

Hidden, not apparent until application.

"Commencing at a point $84 \frac{1}{4}^{\circ}$ East of the center of Section Seven (7); being station "A" having bearing tree viz; a black oak 14 inches in diameter, South 6° East 57 links distant, (said black oak being North $84 \frac{3}{4}^{\circ}$ East, $24 \frac{7}{25}$ rods of Stephen A. Thayer dwelling house),..." (1999)



May need extrinsic evidence to reconstruct location

III. Boundary Re-Establishment



D. Written Intent

1. Background

c. Ambiguities

(2) Ambiguity Types

(b) Patent

Obvious, immediately apparent

"... thence S55° 55ft 20in West, 15.36 ft;..." (1999)



Mistake in original contract.

Mistake must be found and applied where it occurred.

Correction instrument

III. Boundary Re-Establishment



D. Written Intent

2. Call for survey

Some boundary creations are based on survey and monumentation

USPLS: survey before sale

Subdivision plat: map and monument before sale

Survey & map are primary evidence of intent.

Typical for simultaneously created parcels.

3. Monuments and Corners

a. Monument v Corner

Corner: legal location; dimensionless

Monument: physical feature used to mark a corner

Monument is corner surrogate, if it controls



III. Boundary Re-Establishment



D. Written Intent

3. Monuments and Corners

a. What's the Diff?

Corner: dimensionless legal entity where boundary changes direction.

Monument: Physical object serves as evidence of a corner.

Corner surrogate if it controls

b. Monument

(1) To control over lesser elements, it must be

- Called in description
- Identifiable
- Undisturbed

Can control

- Direction and termination
- Direction only; termination controlled by higher element

(2) Accessories

When established at original monument placement, are considered part of the monument.



III. Boundary Re-Establishment



D. Written Intent

3. Monuments and Corners

c. Corners

(1) Disposition: Location certainty

- Existent (Found): position can be identified by original mon/acc or acceptable physical & parol evidence. Location is certain.
- Obliterated: no traces of original mon/acc, but position can be re-est beyond reasonable doubt using physical & parol evidence.
- Lost: Insufficient evidence to re-est beyond reasonable doubt. Must resort to measurements to surrounding corners.



III. Boundary Re-Establishment



D. Written Intent

3. Monuments and Corners

c. Corners

(2) Common Report

Location based on reputation

- Reasonable location
- Accepted by all affected parties
- Location can't be disproved

Avoid using this location justification. Based on unwritten rights.
Evidence collection and evaluation.



III. Boundary Re-Establishment



D. Written Intent

4. Measurements

a. Distance and Direction

Inferior to a controlling monument

Control if:

- Monuments not called
- Called monuments are lost

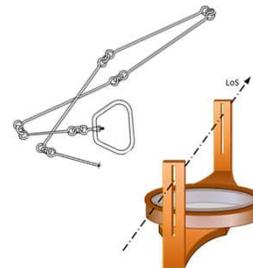
Direction basis? Can recreate in field?

How numbers are written convey magnitude and implied accuracy.

"North, 200 ft"

How close to north? Distance to 100 ft, 10 ft, 1 ft?

"...thence S88°16'52"W, 0.30 feet to the existing east line of Section 1, T5N, R9E; thence S00°18'01"W, 0.01 feet along said east line of Section 1;..." (2002)



III. Boundary Re-Establishment

LSAW
Land Surveyors' Association of Washington

D. Written Intent

4. *Measurements*

b. General directions

Informative term

A range of directions for each general one

“...to the northerly sideline of Maple Drive; thence easterly along said sideline...”

III. Boundary Re-Establishment

LSAW
Land Surveyors' Association of Washington

D. Written Intent

4. *Measurements*

c. What's a conflict?

Last two courses “... thence $S18^{\circ}20'W$, 283.2 ft to a 1/2-inch iron pin; thence 220 ft back to the point of beginning.”

All corners have been recovered until last one before POB.

No monument evidence at $S18^{\circ}20'W$, 283.2 ft, pt A.

1/2-inch iron pin at $S17^{\circ}50'10''W$, 285.72 ft, p B.

A & B ~3 ft apart.

POB to pt A is 220.5 ft, to pt B 224.52 ft.

Are dist and dir to pt B “too far” from record dir and dist?

Can lower elements control over higher elements?

Does pt A fit closing line better than pt B?

Is B-POB dist within the uncertainty of the 220 ft call?

How much must elements differ to conflict with each other?

Extrinsic evidence?

III. Boundary Re-Establishment

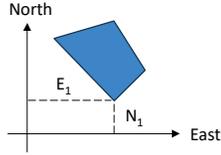


D. Written Intent

5. Area/Coordinates

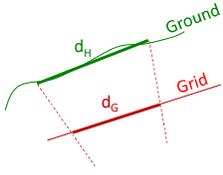
b. Coordinates

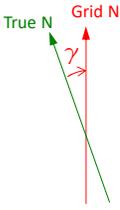
What about using grid coordinates?



Computed distance and direction between coordinates are not the same as ground-based measurements.

Projecting 3D Earth to 2D grid creates distance and direction distortions.





III. Boundary Re-Establishment



D. Written Intent

5. Area/Coordinates

b. Coordinates

Low Distortion Projections (LDP)

Minimize ground-grid distortions:

- Cover smaller areas
- Are closer to ground level



Zones	14
Max Distortion (ground to grid)	1/40,000



Zones	59
Max Distortion (ground to grid)	1/40,000 rural 1/50,000 urban

III. Boundary Re-Establishment 

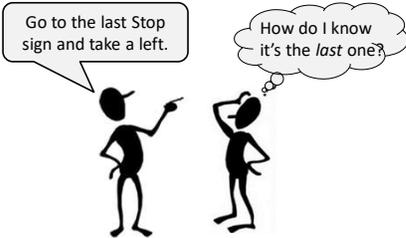
D. Written Intent

6. *More or less*

Indicates an element has unknown certainty.
 The element is informative
 Similar terms: *approximately, plus minus, ±, about*

"...thence running in an Easterly and Southeasterly direction along the South and Southwesterly line of private road that is used by the grantee herein a distance of about 28 rods; thence..." (2001)

Need extrinsic evidence



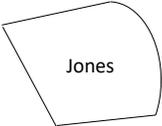
III. Boundary Re-Establishment 

D. Written Intent

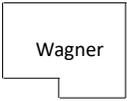
7. *Quasi Metes and Bounds (QM&B)*

Combination Conveyances QM&B description have their own issues:
 Easy to write and among the most ambiguous.

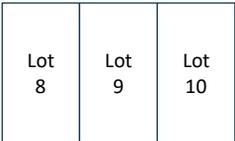
"...Easterly 100.0 ft of the Jones land..."



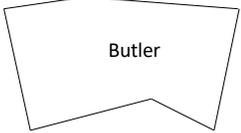
"...southerly 5000 sq ft of Wagner..."



"...northerly half of Lot 9 and 10..."



"...the northwesterly 1/4 acre of Butler..."



III. Boundary Re-Establishment

LSAW
Land Surveyors' Association of Washington

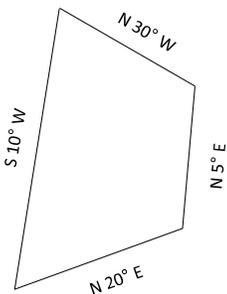
D. Written Intent

7. *Quasi Metes and Bounds (QM&B)*

Simple example

"Easterly 100 ft of Lot 7"

With no physical or parole evidence, how would the west line of the description be established?



III. Boundary Re-Establishment

LSAW
Land Surveyors' Association of Washington

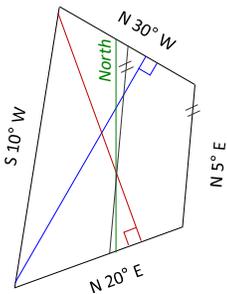
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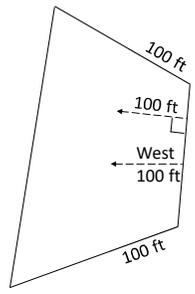
Simple example

"Easterly 100 ft of Lot 7"

With no physical or parole evidence, how would the west line of the description be established?



Possible line directions



Ways to measure 100 ft

III. Boundary Re-Establishment

LSAW
Land Surveyors' Association of Washington

D. Written Intent

7. *Quasi Metes and Bounds (QM&B)*

General Common law principles:

Create a child similar to the parent by creating a parallelogram - direction of the new boundary is parallel with the referenced parent boundary.

Where multiple interpretations exist, the one most benefiting the grantee, within reason, is used.

III. Boundary Re-Establishment

LSAW
Land Surveyors' Association of Washington

D. Written Intent

7. *Quasi Metes and Bounds (QM&B)*

Although a principle is useful only if it can be consistently applied, there can be situations where the description is too ambiguous.

Apply the principles to the "...Easterly 300 ft of..." where the easterly parent boundary is curved.

A parallel boundary is a concentric arc with a $500 - 300 = 250$ ft radius.

It doesn't intersect parent lines.

Creates a parent remainder island. Is that reasonable?

IV. Examples

A. Examples 1

The lots and street in the diagram below are in the same subdivision. Black numbers are record, red are contemporary measurements between found original corners. Is there any excess or deficiency and if so, how would you deal with it?

IV. Examples

B. Example 2

The owner of Parcel B subdivided his property into 6 lots and a dedicated street. On the last diagram black numbers are record, red are contemporary measurements between found original corners. What are the south line lengths of Lots 4-6?

Two issues:

1. 0.72' Overlap onto Parcel A
2. 1.00' deficiency along Lots 4-6

IV. Examples

B. Example 2

The owner of Parcel B subdivided his property into 6 lots and a dedicated street.
 On the last diagram black numbers are record, red are contemporary measurements between found original corners
 What are the south line lengths of Lots 4-6?

Two issues:

1. 0.72' Overlap onto Parcel A
2. 1.00' deficiency along Lots 4-6

The overlap only affects Lot 4.
 Can't distribute it into the others.
 The deficiency affects all three lots.

IV. Examples

C. Example 3

"...Beginning at a 1-inch diameter iron bar in the north line of the Pohl property;
 thence N10°20'E 241 ft to a 1/2-inch iron pin; thence N85°35'E 267 ft to a 1/2-inch iron pin; thence S18°45'W 283 ft; thence back to the point of beginning"
 First two courses found with no issues. Diagram shows third course situation.
 How to run in last two courses?
 Assume no extrinsic evidence available.

No monument found at S18°45'W 283 ft. This location is 1.3 ft S of Pohl's line.

1/2-inch iron pin found at S17°50'36"W 282.91 ft. Pin is 2.0 ft S of Pohl's line. Origin unknown.

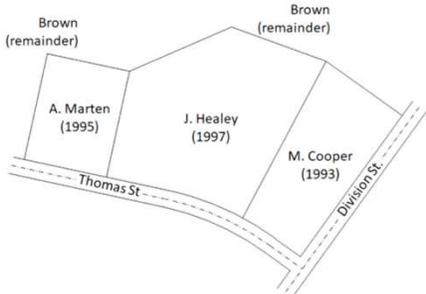
Distance between the two positions is ~2.5 ft.

IV. Examples



Land Surveyors' Association of Washington

D. Example 4



Brown (remainder)

A. Marten (1995)

J. Healey (1997)

M. Cooper (1993)

Thomas St

Division St

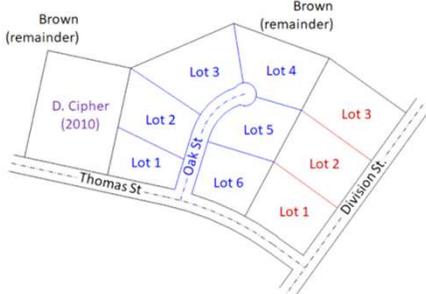
Brown owned a large rural property at the corner of Thomas and Division Streets, both public roads.

Over time, Brown created and sold off three parcels to Cooper, Marten, and Healey. Creation date for each is shown in parenthesis.

In 2001 Healey subdivided his parcel.

In 2007, Cooper subdivided his parcel.

In 2010 Marten sold his entire parcel to D. CIPHER.



Brown (remainder)

D. CIPHER (2010)

Lot 1, Lot 2, Lot 3, Lot 4, Lot 5, Lot 6

Lot 1, Lot 2, Lot 3

Thomas St

Oak St

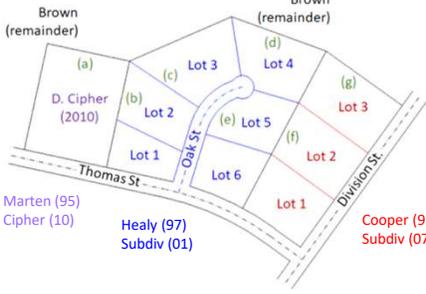
Division St

IV. Examples



Land Surveyors' Association of Washington

D. Example 4



Brown (remainder)

D. CIPHER (2010)

Lot 1, Lot 2, Lot 3, Lot 4, Lot 5, Lot 6

Lot 1, Lot 2, Lot 3

Thomas St

Oak St

Division St

Marten (95)
CIPHER (10)

Healy (97)
Subdiv (01)

Cooper (93)
Subdiv (07)

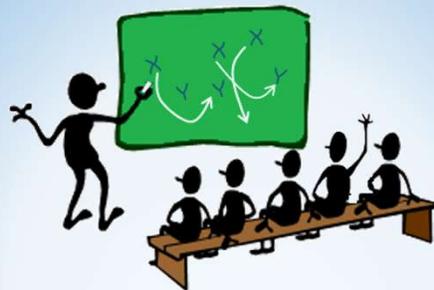
Which, if either, is the senior property along each of the following labeled lines? Circle your answer.

(a)	Brown	CIPHER
(b)	CIPHER	Lot 2
(c)	Lot 2	Lot 3
(d)	Brown	Lot 4
(e)	Lot 5	Oak St
(f)	Lot 2	Lot 5

Learning Objectives

Types of law; Boundary control
How boundaries are created; Characteristics
Where the Rules of Construction come from
How gaps and overlaps are handled
Description interpretation issues: Ambiguities;
Controlling/informative terms
Written intent conflicts

Questions?



That's It!

