

SENATE BILL 2375

By Gardenhire

AN ACT to amend Tennessee Code Annotated, Title 8;
Title 35; Title 47, Chapter 10; Title 62, Chapter 18
and Title 66, relative to land surveyors.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 66, Chapter 5, Part 1, is amended by adding the following language as a new, appropriately designated section:

66-5-1__.

(a)

(1) Prior to the transfer of title to any interest in real property, a land surveyor shall review the property description contained within the will, deed, title insurance policy, abstract of title, or other transfer document in accordance with this section.

(2) The land surveyor shall attest, as evidenced by the land surveyor's professional seal and personal signature, in a written report to the quality of the property description, including the mathematical closure of the description. The land surveyor shall also attest to whether, in the land surveyor's professional opinion, the description may be retraced on the ground by a general property survey.

(3) The land surveyor shall certify in the report that the land surveyor has examined the property description contained in at least one (1) of the items listed/described in subdivision (a)(1).

(b) The land surveyor shall determine whether the real property description contained in any examined item listed in subsection (a), adequately describes or

contains appropriate information necessary to locate, relocate, or define the real property, after reviewing the applicable documentation that represents, depicts, displays, or describes the real property.

(c) The liability of a land surveyor acting under this section is limited to the cost of services provided to verify the property description.

(d) Nothing in this section shall be construed to require a land surveyor to perform a survey or other procedure or practice in acting in accordance with this section.

(e) Nothing in this section shall be construed to require a land surveyor to research the title or encumbrances on the property involved in any real property transfer.

(f) For purposes of this section, "land surveyor" means a person who is engaged in the practice of land surveying pursuant to title 62, chapter 18, part 1.

SECTION 2. This act shall take effect July 1, 2014, the public welfare requiring it.