WHY MAPS MATTER

Maps are tools for investigating property, not just locating it. A recorded plat may contain easements, conditions, restrictions, notes, and important information that cannot be seen from a tax map, aerial image, or an MLS listing. The goal is to identify, review, disclose, and investigate information that could materially affect a buyer's use or enjoyment of the property.

1. IDENTIFY THE PROPERTY AND ITS LEGAL DESCRIPTION

Begin with the most recent recorded vesting deed and the legal description. Ask: What is being conveyed?

- **PARCEL:** Often described by metes and bounds, section/township/range, or a city survey or lot/block description. The property may not be within a recorded subdivision.
- **SUBDIVISION LOT:** A lot created and shown on a recorded subdivision plat. The legal description typically refers to a lot and subdivision name.
- **PUD / PRUD:** Review the actual recorded plat and declarations to determine the ownership structure and applicable requirements. Real property is described as “lots”, just like a subdivision.
- **CONDOMINIUM UNIT:** A unit created through recorded condominium documents and a condominium plat; the unit has an interest in common areas as established by its governing documents.
- **“TOWNHOME”** describes a building style; it does not, by itself, determine whether the property is a subdivision lot, a condominium unit, or another form of ownership.

READ THE LEGAL DESCRIPTION. Do not assume that the property type or lot boundaries can be determined from the house's appearance, MLS property style, street address, or tax parcel number.

2. KNOW WHICH MAP YOU ARE LOOKING AT

- **DEDICATED / OFFICIAL RECORDED PLAT -** The plat approved and recorded with the county for a subdivision or condominium project, as applicable.
  May show lot or unit boundaries, road dedications, easements, common areas, rights-of-way, building restrictions, development conditions, and notes.
  Read ALL sheets, including narrative, dedication, general notes, legends, and lot-specific notes. Check for subsequent amended plats or other recorded instruments.
  Do not overlook plat notes on an older transaction or because a prior file or title report refers only to “matters shown on the plat.”
- **OWNERSHIP PLAT / TAX PLAT -** Used for county parcel identification, taxation, and ownership reference; often revised as parcels or ownership change.
  Useful for locating parcels and surrounding properties, but not a substitute for the original recorded subdivision or condominium plat.
  SURVEY / RECORD OF SURVEY - A surveyor's depiction or analysis of land, boundary evidence, measurements, improvements, or other survey matters.
  A filed survey is not necessarily a subdivision plat or a legal change of title or boundary.
- **GIS / AERIAL IMAGE -** A mapping display assembled from spatial data layers.
  Very useful for identifying features and questions to investigate.
  Digital property lines are approximate for screening purposes,
  An aerial image is not a legal boundary survey; GIS layers do not replace recorded instruments or qualified professional analysis. Surveyors often joke GIS stands for “Get It Surveyed”.

3. THE RECORDED PLAT IS A DISCLOSURE DOCUMENT

For a sale of a lot governed by Utah's Community Association Act or a unit governed by the Condominium Ownership Act to an independent third party, the seller/grantor must provide the buyer (1) the association's recorded governing documents and (2) a link or other access point to Utah's required HOA educational materials BEFORE CLOSING.

The applicable plat is part of the governing-document framework. These requirements apply regardless of association age. See Utah Code 57-8a-105.1 and 57-8-6.1; compare applicable contractual disclosures and the transaction's facts.Utah

HOA guidance: https://commerce.utah.gov/hoa/HOA
Lot sale guidance: https://commerce.utah.gov/hoa/community-buying-selling/
Condominium sale guidance: https://commerce.utah.gov/hoa/condo-buying-selling/

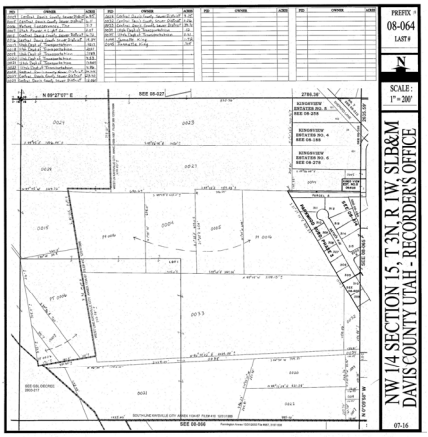
FOR EVERY PROPERTY: Review applicable purchase contract and seller disclosure forms and consider recorded plats as an important diligence source.

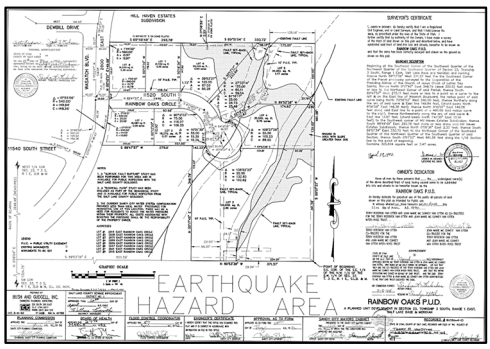
Do not confuse the statutory recorded-governing-document delivery requirement for covered HOA/condo sales with a blanket statement that Utah law imposes precisely the same delivery duty on every non-subdivided parcel or every sale. A disclosed issue may also require documentation or investigation beyond merely providing the plat.

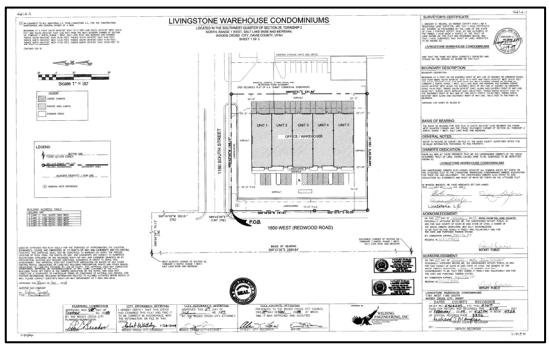
4. WHAT SHOULD AGENTS LOOK FOR ON AN OFFICIAL / RECORDED PLAT?

- Public utility easements, drainage and irrigation easements, sewer and access easements.
- Private lanes, road access, right-of-way dedications, temporary access, future roads.
- Building envelopes, setbacks, no-build areas, slope or grading restrictions.
- Flood-control corridors, floodplain or drainage notes.
- Geologic/earthquake hazards, fault setbacks, soils studies, rockfall, hillside restrictions.
- Agricultural or “right to farm” notices, nearby uses, nuisance disclosures.
- Water-system capacity or connection conditions; development approvals and special conditions.
- Common areas, limited common areas, shared driveways, maintenance responsibilities.
- Any reference to other recorded documents, engineering files, studies, or development agreements.

Parcels, Lots, Units







5. INTRODUCTION TO GIS (GEOGRAPHIC INFORMATION SYSTEMS)

GIS is a system for viewing different information layers tied to geographic locations. A single map may display parcel outlines, aerial photographs, land ownership, zoning, roads, drainage, flood zones, faults, and more. Turn layers on and off to ask better questions. Review the legend, source, date, scale, and any disclaimer.

HELPFUL WASHINGTON & IRON COUNTY RESOURCES

Washington County GIS Map Inventory – https://www.washco.utah.gov/departments/gis/map-inventory/ Choose GIS Viewer, Recorder's Viewer, Ownership Plat Maps, Public Works, or Aerial Photo Viewer.

Washington County Recorder / Surveyor – https://www.washco.utah.gov/departments/recorder/

Iron County GIS – https://ironcountyut.gov/it/gis

Iron County Recorder – https://ironcountyut.gov/recorders

Statewide Utah Parcel Map – https://parcels.utah.gov/

Utah Division of Water Resources Map – https://maps.waterrights.utah.gov/EsriMap/map.asp

GIS EXAMPLES FOR DUE DILIGENCE

- Existing road or visible access versus legally documented access.
- Lot shape versus improvements, setbacks, or easements.
- Nearby creeks, floodplain or drainage corridors.
- Zoning and land-use layers versus a buyer's intended use.
- Recent and older imagery for changes in grading, structures, roadways, or irrigation.
- Environmental and geologic layers as prompts for further inquiry.

6. OTHER GOVERNMENT MAPS WORTH KNOWING

FEMA Flood Map Service Center – https://msc.fema.gov/portal/search

Utah Geological Survey Hazards – https://hazards.geology.utah.gov/Utah

Fault Information – https://geology.utah.gov/hazards/earthquakes/utah-faults/

Utah Wetlands Mapping – https://wetlands.geology.utah.gov/

Federal Wetlands Mapper – https://www.fws.gov/program/national-wetlands-inventory/wetlands-mapper

USGS Historical Topographic Maps – https://ngmdb.usgs.gov/topoview/

MAP REVIEW REMINDERS

- The recorded plat may contain significant information absent from the tax plat and GIS.
- A map layer may be dated, incomplete, approximate, or intended only for general planning.
- Verify any concern through recorded documents or the relevant agency/professional.
- Keep map copies clear: download the source PDF or use the browser's Save as PDF, when available, rather than repeated printing and scanning.
- The purpose of diligence is not for agents to become surveyors, engineers, or water-right examiners. It is to recognize issues, ask informed questions, and facilitate accurate disclosures.

AGENT CHECKLIST

[ ] Recorded vesting deed and legal description.

[ ] Property type: parcel / lot / condominium unit

[ ] Applicable official plat (all pages & amendments)

[ ] HOA governing documents & educational link

[ ] County ownership/tax plat

[ ] Title report and significant recorded exceptions

[ ] County GIS layers and aerial imagery

[ ] Relevant surveys and adjoining recorded documents

[ ] Natural Hazards, access, & use concerns

[ ] Required Disclosures & legible supporting records

Utah Division of Water Resources – GIS Map

https://maps.waterrights.utah.gov/EsriMap/map.asp



The GIS/ESRI map search system from the Utah Division of Water Rights

The map search system is a fast and easy way to find water right information. Each area within the **Layers**, **Basemap**, **Search**, & **Tools** section provide valuable tools.

Layers

Click boxes with this section to activate the data layer

1. PLSS- Public Land Survey System lines with Sections/Township/Range areas
2. Parcels- Shows boundary overlay and parcel information like https://parcels.utah.gov/
3. Land Ownership- Shows land owned by federal, state, tribal & private leadership
4. Within the Show More Layers section
   - Canals
   - Quaternary Faults
   - Historical Imagery (UGS, USGS, USDA, et.)
5. Others

Basemap

Basemap imagery is available from ESRI, Google (including historical imagery), NAIP, Topographical, Relief Maps & Hydrography

Search

In addition to using the magnification tool, the search section allow inputs including :

1. Water Right Number
2. Address
3. County Parcel
4. PLSS Location
5. Latitude/Longitude
6. Others

Tools

- Location Lookup
- Measure (Distance and Area)
- Annotations (Point, Line, Area, Text, Number, Arrow)
- Print (View Options, Map Size, Dim Background)

Backman Title Services

Water Rights- Using the Online Map

Real Property Types – Distinctions between Parcels, Lots & Units

10-9a-103. Definitions.

Parcels: "Parcel" means any real property that is not a lot. ***(Including Metes & Bounds or City Survey)***

Lot: "Lot" means a tract of land, regardless of any label, that is created by and shown on a subdivision plat that has been recorded in the office of the county recorder. ***Subdivision, Cluster Subdivision, Planned Unit Development (PUD), Planned Residential Unit Development (PRUD)***

Lots are governed by the Community Association Act (57-8a-102)

57-8-3. Definitions

Units: (40) (a) **"Unit"** means a separate part of the property intended for any type of independent use, which is created by the recording of a declaration and a condominium plat that describes the unit boundaries. ***(Condominiums)***

(11) **"Condominium unit"** means a unit together with the undivided interest in the common areas and facilities appertaining to that unit.

Condominium units are governed by the Condominium Association Act (57-8-3 (5))

Common Area Definitions

Common Area Definition from Community Association Act (57-8a-102)

(5) "Common areas" means property that the association: (a) owns; (b) maintains; (c) repairs; or (d) administers.

Common area definition from the Condominium Association Act 57-8-3

(5) "Common areas and facilities" unless otherwise provided in the declaration or lawful amendments to the declaration means:

(a) the land included within the condominium project, whether leasehold or in fee simple; (b) the foundations, columns, girders, beams, supports, main walls, roofs, halls, corridors, lobbies, stairs, stairways, fire escapes, entrances, and exits of the building;

(c) the basements, yards, gardens, parking areas, and storage spaces; (d) the premises for lodging of janitors or persons in charge of the property; (e) installations of central services such as power, light, gas, hot and cold water, heating, refrigeration, air conditioning, and incinerating; (f) the elevators, tanks, pumps, motors, fans, compressors, ducts, and in general all apparatus and installations existing for common use; (g) such community and commercial facilities as may be provided for in the declaration; and (h) all other parts of the property necessary or convenient to its existence, maintenance, and safety, or normally in common use.

"Townhome" is a building style or zoning designation, not a property type

"Townhome" is primarily a building style or zoning designation rather than a distinct property type. It is important to understand that townhomes can be part of different property types such as subdivisions, planned unit developments (PUDs), or condominiums.

When trying to determine the real property type of a townhome or any property where the description doesn't explicitly indicate the type, there are a few ways to gather information:

1. Legal description on the last recorded vesting deed: By reviewing the legal description on the most recent vesting deed, you may find specific language or details that indicate the property type.
2. Dedicated/official plat: The dedicated or official plat of the development can provide valuable information. Pay attention to the title of the development, as it might indicate the property type. If not, reviewing the narrative section or dedication sections may provide further insights.
3. Covenants, Conditions, and Restrictions (CCRs) and bylaws: Reading the CCRs and bylaws associated with the property can often reveal the property type. Pay attention to the recitals and definitions sections, as they may explicitly state the property type or provide clues to help determine it.

By carefully examining these documents, you can gather information that will help you discern the property type, whether it's a townhome within a subdivision, a townhome in a PUD, or a townhome in a condominium development.