

acreage contained within each such description. Such descriptions shall be made by specific reference to the names and addresses of the owners of all adjoining tracts or parcels of land as shown on the assessment records of the county in which such land is situated; and a metes and bounds description is not required in the application.

(iv) In cases where either type of warrant of resurvey is requested, a certified copy of the instruments by which the applicant acquired fee simple absolute title and, if such instruments do not contain a metes and bounds description of the land, a certified copy of the last instrument in the chain of title of such applicant which does contain such description.

(v) A statement that no person other than the applicant and those under whom he claims title has held and possessed the described land for twenty years next preceding the date of filing the application.

(vi) The name and address of the surveyor to whom the warrant is to be directed.

(vii) The name to be given to the tract to be surveyed and/or resurveyed if a patent is issued.

(viii) Any other information required by the Commissioner from time to time by rule.

(ix) A request for the issuance of one of the specific types of warrant referred to in subsection (a) and the issuance of a patent for the land described in the certificate returned upon such warrant.

(c) *Signature and verification; effect of certain interests.* An application shall be signed and verified by the affidavit of each person named as an applicant. An application for either form of warrant to resurvey shall be signed and verified by all persons entitled to a fee simple absolute interest in the property to be resurveyed. For purposes of a proceeding to obtain a patent, the existence of a mortgage or deed of trust or of easements, rights of way or similar interests for public utility purposes shall not be deemed to qualify the estate of an applicant; but no patent issued hereunder shall in any manner affect or impair such mortgage, deed of trust, easement, right of way, or other interest.

(d) *Death and substitution of applicant.* Upon the death of an applicant during any proceeding or upon assignment of his rights in the application, warrant, or certificate of survey or in the land embraced within the description contained in the application, the assignee, heir or devisee of such applicant may be substituted for the applicant at any stage in the proceeding. Request for substitution shall be made in writing, shall state the manner in which the person desiring substitution succeeded to the rights of the original applicant, shall contain the original or certified copies of all documents by which such succession of interest was effected, and shall contain an affidavit of the person desiring substitution of the truth and completeness of the request and of the original application. Upon the filing of such request, the person named therein shall be substituted as the applicant for all purposes in the proceeding.

(e) *Attorney.* Except as provided in subsections (c) and (d), any papers filed in any proceeding by an applicant may be filed by his attorney; and notice to an applicant may at all times be given to