

BOARD OF EXAMINERS FOR LAND SURVEYORS

March 24, 1998

The Board of Examiners for Land Surveyors convened at 9:05 A.M. at 555 N. Cotner Blvd., Lower Level, Lincoln, NE with the following members present:

Robert D. Proett, Chairperson  
Dennis D. Podany, Vice-Chairperson  
Sheryl K. Jordan  
Donald L. Pettigrew  
Darold E. Tagge  
James L. Brown, Secretary

Others present:

Jim Hawks, Pres. PSAN  
Greg Lovette, Pres. NE Mortgage Assn.  
Rich Butler, NE Mortgage Assn.  
Ann Monfore, K & M Land Surveying, Inc.  
Frederick Neid, Assistant Attorney General, arrived 1:05 P.M.  
Kathy Martin

Public notice of this meeting was given by publication in *The Lincoln Star and Journal* on February 17, 1998.

All items voted on were done so in the form of a roll call.

Moved by Podany and seconded by Tagge that the minutes of the December 8, 1997 meeting be approved.

Voting Aye: Pettigrew, Podany, Proett, Tagge, Jordan.

Motion carried.

The Chairman declared the discussion of the NCEES annual meeting an emergency and added it to the agenda.

Moved by Pettigrew and seconded by Podany that inasmuch as Bradley D. Peterson, LS-529 has met all the requirements that he be granted active registration.

Voting Aye: Podany, Proett, Tagge, Jordan, Pettigrew.

Motion carried.

Moved by Jordan and seconded by Tagge that inasmuch as Jerry D. Froese and John R. Shafer passed the reciprocity examination on February 20, 1998 and February 28, 1998 and have completed the requirements for registration in Nebraska by reciprocity from Kansas and South Dakota respectively that they be granted registration under Certificate No. LS-551 and LS-552.

Voting Aye: Proett, Tagge, Jordan, Pettigrew, Podany.

Motion carried.

The Chairman opened the Public Hearing at 9:10 A.M. and acknowledged the following individuals:

Jim Hawks  
Greg Lovette  
Ann Monfore

The Chairperson closed the public hearing at 10:20 A.M.

The Board discussed amendments to the proposed Addendum B.

The Board recessed at 12:05 P.M.

The Board reconvened at 1:08 P.M.

Moved by Podany and seconded by Jordan that the Board go into executive session at 1:09 P.M. with James L. Brown, Frederick Neid and Kathy Martin present for the purpose of discussing Complaint 96-1, Complaint 96-2 and Complaint 97-1.

Voting Aye: Tagge, Jordan, Pettigrew, Podany, Proett.

Motion carried.

Moved by Podany and seconded by Jordan that the Board return to regular session at 2:17 P.M.

Voting Aye: Jordan, Pettigrew, Podany, Proett, Tagge.

Motion carried.

Moved by Pettigrew and seconded by Podany that Complaint 97-1 be dismissed for lack of evidence.

Voting Aye: Pettigrew, Podany, Proett, Tagge, Jordan.

Motion carried.

Moved by Podany and seconded by Tagge that the Board go into executive session at 2:21 P.M. with James L. Brown and Kathy Martin present for the purpose of discussing applications for Class II, applications for Class III and applications for Class I.

Voting Aye: Podany, Proett, Tagge, Jordan, Pettigrew.

Motion carried.

Moved by Tagge and seconded by Jordan that the Board return to regular session at 4:40 P.M.

Voting Aye: Proett, Tagge, Jordan, Pettigrew, Podany.

Motion carried.

Moved by Podany and seconded by Tagge that the application of James L. Arens for registration by reciprocity from South Dakota be approved and that he be required to appear before the Secretary of the Board for an interview and land surveyor examination.

Voting Aye: Tagge, Jordan, Pettigrew, Podany, Proett.

Motion carried.

Moved by Podany and seconded by Tagge that the application of Thaniel Monaco be approved and that he be permitted to take the next surveyor-in-training examination.

Voting Aye: Jordan, Pettigrew, Podany, Proett, Tagge.

Motion carried.

Moved by Podany and seconded by Jordan that the application of Deryl D. Sorgenfrei be approved and that he be permitted to take the next surveyor-in-training examination.

Voting Aye: Pettigrew, Podany, Proett, Tagge, Jordan.

Motion carried.

Moved by Podany and seconded by Jordan that the application of Dennis G. Fenderson be approved and that he be permitted to take the next surveyor-in-training examination.

Voting Aye: Podany, Proett, Tagge, Jordan, Pettigrew.

Motion carried.

Moved by Podany and seconded by Jordan that the application of Kevin L. True be approved and that he be permitted to take the next surveyor-in-training examination.

Voting Aye: Proett, Tagge, Jordan, Pettigrew, Podany.

Motion carried.

Moved by Podany and seconded by Jordan that the application of Jamie L. Blodgett be approved and that he be permitted to take the next surveyor-in-training examination.

Voting Aye: Tagge, Jordan, Pettigrew, Podany, Proett.

Motion carried.

Moved by Podany and seconded by Jordan that the application of Ted L. Gillham be approved and that he be permitted to take the next surveyor-in-training examination.

Voting Aye: Jordan, Pettigrew, Podany, Proett, Tagge.

Motion carried.

Moved by Podany and seconded by Jordan that the application of Roger Hofts be approved and that he be permitted to take the next surveyor-in-training examination.

Voting Aye: Pettigrew, Podany, Proett, Jordan.

Voting Nay: Tagge

Motion carried.

Moved by Podany and seconded by Jordan that the application of Brent D. Cyboron be approved and that he be permitted to take the next surveyor-in-training examination.

Voting Aye: Podany, Proett, Tagge, Jordan, Pettigrew.

Motion carried.

Moved by Podany and seconded by Jordan that the application of Cory J. Gross be approved and that he be permitted to take the next surveyor-in-training examination.

Voting Aye: Proett, Tagge, Jordan, Pettigrew, Podany.

Motion carried.

Moved by Podany and seconded by Tagge that the application of Robert Nielsen be approved and that he be permitted to take the next surveyor-in-training examination.

Voting Nay: Tagge, Jordan, Pettigrew, Podany, Proett.

Motion not carried.

Moved by Podany and seconded by Tagge that the application of Albert G. Demuth be approved and that he be permitted to take the next surveyor-in-training examination.

Voting Aye: Jordan, Pettigrew, Podany, Proett, Tagge.

Motion carried.

Moved by Podany and seconded by Jordan that the application of Kent H. Anderson be approved and that he be permitted to take the next surveyor-in-training examination.

Voting Nay: Pettigrew, Podany, Proett, Tagge, Jordan.

Motion not carried.

Moved by Podany and seconded by Jordan that the application of Pete E. Brothers be approved and that he be permitted to take the next surveyor-in-training examination.

Voting Aye: Podany, Proett, Tagge, Jordan, Pettigrew.

Motion carried.

Moved by Podany and seconded by Jordan that the application of Ryan R. Lorenzen be approved and that he be permitted to take the next land surveyor examination.

Voting Aye: Proett, Tagge, Jordan, Pettigrew, Podany.

Motion carried.

Moved by Tagge and seconded by Jordan to defer action on the land surveyor application of Derek A. Beenblossom.

Voting Aye: Tagge, Jordan, Pettigrew, Podany, Proett.

Motion carried.

Moved by Tagge and seconded by Jordan that the application of Lee D. Wagner be approved and that he be permitted to take the next land surveyor examination.

Voting Aye: Jordan, Pettigrew, Podany, Proett, Tagge.

Motion carried.

Moved by Podany and seconded by Jordan that the application of Ryan E. Dickinson be approved and that he be permitted to take the next land surveyor examination.

Voting Aye: Pettigrew, Podany, Proett, Jordan.

Abstaining: Tagge.

Motion carried.

Moved by Tagge and seconded by Jordan that the application of Virgel D. Carr be approved and that he be permitted to take the next land surveyor examination.

Voting Aye: Podany, Proett, Tagge, Jordan, Pettigrew.

Motion carried.

Moved by Tagge and seconded by Jordan that the application of Jeff Gibbs be approved and that he be permitted to take the next land surveyor examination.

Voting Aye: Proett, Tagge, Jordan, Pettigrew, Podany.

Motion carried.

Moved by Tagge and seconded by Jordan to defer action on the land surveyor application of Terrance L. Rothanzl.

Voting Aye: Tagge.

Voting Nay: Jordan, Pettigrew, Podany, Proett,

Motion not carried.

Moved by Podany and seconded by Jordan that the application of Terrance L. Rothanzl be approved and that he be permitted to take the next land surveyor examination.

Voting Nay: Jordan, Pettigrew, Podany, Proett, Tagge.

Motion not carried.

Moved by Podany and seconded by Jordan that the application of William E. Knight be approved and that he be permitted to take the next land surveyor examination.

Voting Aye: Pettigrew, Podany, Tagge, Jordan.

Abstaining: Proett.

Motion carried.

Moved by Tagge and seconded by Jordan that the application of Todd L. Whitfield be approved and that he be permitted to take the next land surveyor examination.

Voting Aye: Podany, Tagge, Jordan, Pettigrew.

Abstaining: Proett.

Motion carried.

Moved by Podany and seconded by Jordan that the applications of Dennis P. Sullivan, Charles G. Lovell, Virgil H. Oligmueller, Paul W. Berning, Barton A. Brower, Philip D. Queen, Chad R. DeBusk, Robert L. Kephart, Jr. and Reinaldo Alcalde be approved conditional upon payment of the re-examination fee and that they be permitted to take the next surveyor-in-training examination.

Voting Aye: Proett, Tagge, Jordan, Pettigrew, Podany.

Motion carried.

Moved by Podany and seconded by Jordan that the Board go into executive session at 5:00 P.M. with James L. Brown and Kathy Martin present for the purpose of discussing Complaint 96-2.

Voting Aye: Tagge, Jordan, Pettigrew, Podany, Proett.

Motion carried.

Moved by Jordan and seconded by Tagge that the Board return to regular session at 5:15 P.M.

Voting Aye: Jordan, Pettigrew, Podany, Proett, Tagge.

Motion carried.

Moved by Tagge and seconded by Jordan that the charges for Complaint 96-2 be approved as attached.

Voting Aye: Pettigrew, Podany, Proett, Tagge, Jordan.

Motion carried.

Moved by Podany and seconded by Tagge that the Rules and Regulations be amended as attached.

Voting Aye: Podany, Tagge, Jordan.

Voting Nay: Proett, Pettigrew.

Motion carried.

Moved by Podany and seconded by Jordan that the following vouchers be approved:

Dennis D. Podany, travel expense.....	46.80
Donald L. Pettigrew, travel expense .....	233.80
Darold E. Tagge, travel expense.....	136.00
Board of Educ. Lands & Funds, rent 1/1/98 – 3/31/98.....	438.43
Cornhusker Super 8 Motel, lodging for Pettigrew & Tagge December 8 <sup>th</sup> meeting .....	82.76
DAS-Communications, January telecommunications.....	0.80
DAS-Materiel Div., November postage .....	27.11
DAS-Materiel Div., December postage .....	32.30
DAS-Materiel Div., January postage .....	135.11
Journal-Star, notice of meeting .....	8.18
Journal-Star, notice of meeting and public hearing.....	18.59
General Fund Reimbursement, 2 <sup>nd</sup> quarter 97/98.....	1,106.05
J. P. Cooke Co., rubber stamps.....	69.24
LOIS, statutes and Attorney General opinions.....	630.00
NCEES, 1998 membership fee.....	270.00

Voting Aye: Proett, Tagge, Jordan, Pettigrew, Podany.

Motion carried.

Moved by Tagge and seconded by Pettigrew that Dennis D. Podany and one staff person attend the NCEES annual meeting.

Voting Aye: Tagge, Jordan, Pettigrew, Proett.

Abstaining: Podany.

Motion carried.

Moved by Tagge and seconded by Podany that the meeting be adjourned.

Voting Aye: Jordan, Pettigrew, Podany, Proett, Tagge.

Motion carried.

The Board adjourned at 5:47 P.M.

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James L. Brown, Secretary

## STATEMENT OF CHARGES

Complaint Number 96-2

The Nebraska Board of Examiners for Land Surveyors hereby adopts and approves the following charges against Jack C. Fitch, L.S. 336, and orders that a hearing be held as provided in Nebraska Revised Statute § 81-8,123 (1943).

1. That Jack C. Fitch negligently and incompetently performed his duties as a land surveyor in violation of Nebraska Revised Statute § 81-8,123 (1943) in that he failed to file a record of survey in the office of the Nebraska Survey Record Repository for surveys he executed in the following instances:
  - (A). An irregular tract containing 14.5 acres, more or less, situated in the West  $\frac{1}{2}$  of Section 5, Township 17 North, Range 3 West of the 6<sup>th</sup> P.M. in Platte County Nebraska dated April 9, 1990.
  - (B). An irregular tract containing 2.5 acres, more or less, situated in the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 5, Township 17 North, Range 3 West of the 6<sup>th</sup> P.M. in Platte County Nebraska dated January 6, 1990.
2. That Jack C. Fitch negligently and incompetently performed his duties as a land surveyor in violation of Nebraska Revised Statute § 81-8,123 (1943) in that he executed a survey situated in the West  $\frac{1}{2}$  of Section 5, Township 17 North, Range 3 West of the 6<sup>th</sup> P.M. in Platte County Nebraska dated April 9, 1990 in which the county road right of way was not included in the description.
3. That Jack C. Fitch negligently and incompetently performed his duties as a land surveyor in violation of Nebraska Revised Statute § 81-8,123 (1943) in that he executed a survey situated in the West  $\frac{1}{2}$  of Section 5, Township 17 North, Range 3 West of the 6<sup>th</sup> P.M. in Platte County Nebraska dated April 9, 1990 in which the south line of the cemetery was not retraced as shown on the plat and described in the legal description.
4. That Jack C. Fitch negligently and incompetently performed his duties as a land surveyor in violation of Nebraska Revised Statute § 81-8,123 (1943) in that he executed surveys in which the north right of way line of State Highway #22 was not retraced as shown on the plat and/or as described in the legal description as shown in the following instances:
  - (A). An irregular tract containing 14.5 acres, more or less, situated in the West  $\frac{1}{2}$  of Section 5, Township 17 North, Range 3 West of the 6<sup>th</sup> P.M. in Platte County Nebraska dated April 9, 1990.
  - (B). an irregular tract containing 3.0 acres, more or less, located in the NW $\frac{1}{4}$  of Section 5, Township 17 North, Range 3 West of the 6<sup>th</sup> P.M. in Platte County Nebraska dated September 11, 1993.
  - (C). an irregular tract containing 2.5 acres, more or less, situated in the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 5, Township 17 North, Range 3 West of the 6<sup>th</sup> P.M. in Platte County Nebraska dated January 6, 1990.

5. That Jack C. Fitch negligently and incompetently performed his duties as a land surveyor in violation of Nebraska Revised Statute § 81-8,123 (1943) in that he executed a survey situated in the NW $\frac{1}{4}$  of Section 5, Township 17 North, Range 3 West of the 6th P.M. in Platte County Nebraska dated September 11, 1993 and July 21, 1996 in which there was no retracement of the south line of the NW $\frac{1}{4}$  of said Section 5. Said south line of the NW $\frac{1}{4}$  was referenced in the legal description but not defined in the record of survey.
6. That Jack C. Fitch negligently and incompetently performed his duties as a land surveyor in violation of Nebraska Revised Statute § 81-8,123 (1943) in that he executed a survey situated in the West  $\frac{1}{2}$  Section 5, Township 17 North, Range 3 West of the 6th P.M. in Platte County Nebraska dated April 9, 1990 in which the irregular tract described does not mathematically close by 29.4 feet.
7. That Jack C. Fitch negligently and incompetently performed his duties as a land surveyor in violation of Nebraska Revised Statute § 81-8,123 (1943) in that he executed a survey situated in the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 5, Township 17 North, Range 3 West of the 6th P.M. in Platte County Nebraska dated January 6, 1990 in which the east line of the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  was not retraced as called out in the legal description.
8. That Jack C. Fitch negligently and incompetently performed his duties as a land surveyor in violation of Nebraska Revised Statute § 81-8,123 (1943) in that he executed surveys of an irregular tract containing 3.0 acres, more or less, located in the NW $\frac{1}{4}$  of Section 5, Township 17 North, Range 3 West of the 6th P.M. in Platte County Nebraska dated September 11, 1993 and an irregular tract containing 2.5 acres, more or less, situated in the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 5, Township 17 North, Range 3 West of the 6th P.M. in Platte County Nebraska dated January 6, 1990 in which there is a six degree discrepancy between the two surveys.
9. That Jack C. Fitch negligently and incompetently performed his duties as a land surveyor in violation of Nebraska Revised Statute § 81-8,123 (1943) in that he filed surveys in the office of the Nebraska Survey Record Repository which did not contain a description of all corners found or set, as shown in the following instances:
  - (A). A tract of land situated in the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 23, Township 17 North, Range 2 West of the 6th P.M. in Platte County, Nebraska dated July 7, 1997
  - (B). Lots 1 & 2, Block 37, Halls Addition and Lot 8, Block 13, Halls 2<sup>nd</sup> Addition all to the City of Ainsworth, Brown County, Nebraska dated July 26, 1997
10. That Jack C. Fitch negligently and incompetently performed his duties as a land surveyor in violation of Nebraska Revised Statute § 81-8,123 (1943) in that he filed a survey in the office of the Nebraska Survey Record Repository of a tract of land generally described as a tract of land situated in the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 2, Township 17 North, Range 28 West of the 6th P.M., Logan County, Nebraska dated June 10, 1997 which did not contain plat or record distances as well as field measurements.

11. That Jack C. Fitch negligently and incompetently performed his duties as a land surveyor in violation of Nebraska Revised Statute § 81-8,123 (1943) in that he filed surveys in the office of the Nebraska Survey Record Repository which did not contain ties to all section corners, quarter corners, or quarter-quarter corners found or set, as shown in the following instances:
  - (A). Three tracts of land situated in the NW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 13, Township 21 North, Range 16 West of the 6th P.M., Garfield County Nebraska, dated June 7, 1997.
  - (B). Two tracts of land situated in the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  and in the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 34, Township 16 North, Range 1 East of the 6th P.M. Butler County Nebraska, dated June 3, 1997.

## Chapter - 2 - Application for Registration:

001. Application forms for registration as a land surveyor and surveyor-in-training may be obtained from the office of the Secretary of the Board of Examiners for Land Surveyors. Sec. 81-8,114

002. Applications must be received by the Secretary ninety days in advance of the examination date. Applications must be typed or neatly lettered in ink on forms prescribed and furnished by the Board. To be acceptable they must be filled out completely and in the detail required. Sec. 81-8,114

003. Prior to January 23, 1999 no application for registration as a land surveyor will be accepted unless it is accompanied by a check, draft or money order in the amount of \$100.00 made payable to the Secretary of the Board of Examiners for Land Surveyors. Effective January 23, 1999 application for registration as a land surveyor will be accepted unless it is accompanied by a check, draft or money order in the amount of \$140.00 made payable to the Secretary of the Board of Examiners for Land Surveyors. The fee shall be considered an application fee and shall not be returned to applicants who are unsuccessful for any reason. Sec. 81-8,118

004. Prior to January 23, 1999 no application for registration as a surveyor-in-training will be accepted unless it is accompanied by a check, draft or money order in the amount of \$75.00 made payable to the Secretary of the Board of Examiners for Land Surveyors. Effective January 23, 1999 no application for registration as a surveyor-in-training will be accepted unless it is accompanied by a check, draft or money order in the amount of \$100.00 made payable to the Secretary of the Board of Examiners for Land Surveyors. The fee shall be considered an application fee and shall not be returned to applicants who are unsuccessful for any reason. Sec. 81-8,109

005. All information received from references named by the applicant shall be held in confidence by the Board. No member of the Board shall be named as a reference. Sec. 81-8,109 and 81-8,118

006. An applicant shall not be admitted to the examination until satisfactory replies have been received from a minimum of 3 of his or her references. It is suggested that each applicant contact his or her references to avoid delay. Sec. 81-8,110.08

007. Application for inactive classification may be made by submitting a request in writing to the Secretary of the Board. Sec. 81-8,119.01

008. No application for inactive classification will be accepted unless it is accompanied by his or her personal seal or a sworn statement certifying its loss or destruction and a check, draft or money order in the amount of \$50.00 made payable to the Secretary of the Board of Examiners for Land Surveyors. The fee shall be considered an application fee and shall not be returned to applicants for any reason. Sec. 81-8,119.01

## Chapter - 9 - Disciplinary Actions:

001. The Board may revoke or suspend the registration of any land surveyor or place any land surveyor on probation when such land surveyor has been found guilty of: (1) fraud or deceit in obtaining a registration; (2) negligence or incompetency in the performance of his or her duties; (3) misconduct in the performance of his or her duties; or (4) failure to file a record of survey as provided in Section 81-8,122.01, R.R.S., 1943. Before the Board shall take such disciplinary action the applicant or registrant shall be given a hearing as provided in Section 81-8,124 to 81-8,125, R.R.S., 1943 conducted according to Chapter 11 and all other applicable rules and statutes. Sec. 81-8,122.01; 81-8,124 and 81-8,125

002. The Board may revoke the registration of any inactive registrant when such registrant has been found guilty of: (1) fraud or deceit in obtaining a registration; (2) negligence or incompetency in the performance of his or her duties while actively registered; (3) misconduct in the

performance of his or her duties while actively registered; (4) failure to file a record of survey as provided in Section 81-8,122.01, R.R.S., 1943 while actively registered; or (5) actively practicing land surveying while inactively registered. Before the Board shall take such disciplinary action, the applicant or registrant shall be given a hearing as provided in Section 81-8,124 to 81-8,125, R.R.S., 1943 conducted according to Chapter 11 and all other applicable rules and statutes. Sec. 81-8,119.01; 81-8,122.01; 81-8,124 and 81-8,125

003. The "Minimum Standards for Surveys" published, approved and recommended by the Professional Surveyors Association of Nebraska at its annual meeting in February 1989 is hereby made part of these rules and regulations as Addendum A. The "Minimum Standards for Improvement Location Surveys" is hereby made part of these rules and regulations as Addendum B. The Board in consideration of any action based upon negligence, incompetency or misconduct of any land surveyor or inactive registrant shall use these above noted addendums and all publications to which they refer. The use of these standards shall be the guideline for practice but shall not prevent the Board from using its collective experience and judgement to determine when negligence, incompetency or misconduct has occurred in any specific instance.

004. Any registered land surveyor or inactive land surveyor who received his or her registration based upon registration in another state shall be subject to disciplinary action based entirely upon actions taken by that state. In the event that said state revokes such registration the Board shall revoke the Nebraska registration. In the event that said state suspends such registration the Board shall suspend the Nebraska registration for a similar period. Any revocation or suspension implemented under this paragraph shall become effective 30 days after the action of the Board unless appealed by the registrant. In the event of an appeal the registrant shall be given a hearing conducted according to Chapter 11 and all other applicable rules and statutes. Sec. 81-8,124 and 81-8,125

#### Addendum B

##### Minimum Standards for Improvement Location Surveys

###### Preamble

These standards are intended to be the minimum requirements for improvement location surveys in the State of Nebraska.

An improvement location survey shall be defined as a survey which produces a certificate that shows the location of buildings with foundations actually located on the land covered by the legal description provided by the client. The improvement location survey is not a boundary survey as identified by Nebraska State Statute 81-8, 109.

###### Research and Investigation

- A. The Registered Land Surveyor shall use the description furnished by the client to perform the improvement location survey. If the Registered Land Surveyor determines the description to contain apparent incompleteness, insufficiencies, or be subject to junior/senior rights, the Registered Land Surveyor shall so advise the client that additional information will be required to complete the survey.
- B. After all necessary written documents, as furnished by the client, have been analyzed the survey shall be based on a field investigation of the property. The Registered Land Surveyor shall make a thorough search of physical monuments and analyze evidence of occupation. A minimum of two (2) monuments acceptable to the Registered Land Surveyor within the same block in urban situations and within the same section in rural situations, either found or re-established, shall be used.
- C. Monuments may be permanent and semi-permanent points such as, but not limited to, stones, axles, re-bars, crosses, and pipes. Fence lines, mowing lines, hedge rows, etc. are not considered acceptable monuments of the parcel of land. Appropriate survey

instrumentation and measuring equipment shall be utilized. The minimum shall be transit and/or measuring tapes.

- D. A Registered Land Surveyor in the State of Nebraska shall not provide to any party an Improvement Location Certificate unless in possession of a work order signed by the client as indication that he/she has been advised of the different types of surveys available and the scope of each.

#### Drafting

A sketch of the parcel of land (titled Improvement Location Certificate) shall be used in support of the improvement location survey and the following minimum standards shall be used.

- A. Parcel lines with the dimensions from the deed description or plat shall be shown.
- B. Major improvements (permanent structures) shall be shown with dimensions and descriptions (e.g., residences, garages, outbuildings with foundations).
- C. Major improvement locations shall be shown with dimensions to the parcel line, with two dimensions shown. Offsets shall be shown radial or perpendicular to the parcel line. The level of certainty of the measurements shall be so indicated in parenthesis after each dimension or by means of a general note. Example: 12.5' ( $\pm 0.5'$ ), 20' ( $\pm 1'$ )
- D. Monuments accepted shall be shown and described.
- E. Easements provided to the Registered Land Surveyor by the client shall be shown.
- F. A North arrow shall be shown.
- G. The following caption shall appear prominently on the certificate:

<b>Improvement Location Certificate</b>
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- H. A statement that the accompanying Improvement Location Certificate is a representation of the conditions that were found at the time of the improvement location survey and that the document does not constitute a boundary survey and is subject to any inaccuracies that a subsequent boundary survey may disclose. It shall state that the information shown on the certificate should not be used to establish any fence, structure, or other improvements. The certificate shall state whether the measurements shown on the certificate are based on plat or deed information and verified as shown and that the Improvement Location Certificate represents only visible building improvements.
- I. The legal description of the parcel of land shall be included on the certificate.
- J. The Registered Land Surveyor shall sign, seal, and date the certificate.

Work Order

Client: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_ Ordered By: \_\_\_\_\_

Common Address: \_\_\_\_\_

Legal Description: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Deliver \_\_\_\_\_ Copies to: \_\_\_\_\_

Anticipated closing date: \_\_\_\_\_ Need by date: \_\_\_\_\_

Is estimate of fee required prior to service? Yes \_\_\_\_\_ No \_\_\_\_\_

**Please read carefully and indicate the type of service you wish to order.**

\_\_\_ **Improvement Location Survey:** This is a minimum survey that shows the location of the buildings and foundations actually located on the land covered by the legal description proved by the client. This is NOT a boundary survey and is subject to any inaccuracies that a boundary survey may disclose. THE IMPROVEMENT LOCATION CERTIFICATE SHOULD NOT BE USED OR RELIED UPON FOR THE ESTABLISHMENT OF ANY FENCE, STRUCTURE OR OTHER IMPROVEMENTS.

\_\_\_ **Boundary and Improvement Location Survey:** A boundary survey of the parcel of land will be made in accordance with State Statutes and the corners of the parcel of land will be located and verified or re-established. The improvements on the parcel of land will be located and a check for encroachments onto or from the subject parcel of land will be made. This survey CAN be used for the construction of a fence, structure or other improvements.

\_\_\_ **ALTA (American Land Title Association) Survey:** This is the most comprehensive type of survey. It covers all the aspects of the boundary and improvement location survey together with the identification of any additional evidence of possession or use which could be adverse to the interests of the borrower.

We, the undersigned have read, understand and have indicated the type of survey to be performed.

\_\_\_\_\_  
Client

\_\_\_\_\_