

BOARD OF EXAMINERS FOR LAND SURVEYORS

June 30, 1998

The Board of Examiners for Land Surveyors convened at 9:00 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
James L. Brown, Secretary

Others present:

William P. Dorner
Myron R. Kauss
Doug Nichols, Leg. Fiscal Office
Kathy Martin

Public notice of this meeting was given by publication in *The Lincoln Star and Journal* on May 26, 1998.

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

Moved by Podany and seconded by Jordan that the minutes of the March 24, 1998 meeting be approved.

Voting Aye: Pettigrew, Podany, Proett, Jordan.

Motion carried.

Moved by Podany and seconded by Jordan that inasmuch as Travis P. Gray passed the reciprocity examination on June 29, 1998 and has completed the requirements for registration in Nebraska by reciprocity from North Carolina that he be granted registration under Certificate No. 556 effective July 1, 1998.

Voting Aye: Podany, Proett, Jordan, Pettigrew.

Motion carried.

The Board discussed the auditor's report.

The Chairman opened the Public Hearing at 9:20 A.M. and acknowledged the following individuals:

William P. Dorner
Myron R. Kauss

The Chairperson closed the public hearing at 10:30 A.M.

Moved by Podany and seconded by Jordan that the proposed Addendum B be amended as follows: under Preamble second paragraph certificate be changed to report; under Research and Investigation item D certificate be changed to report; under Drafting first paragraph certificate be changed to report; item G certificate be changed to report; in the caption certificate be changed to report; item H words certificate be changed to report and "the measurements shown on the certificate" be changed to "the measurements shown on it"; item I certificate be changed to report and item J certificate be changed to report.

Voting Aye: Proett, Jordan, Pettigrew, Podany.

Motion carried.

Moved by Pettigrew and seconded by Proett that the proposed Addendum B be amended and that under Research and Investigation "within the same block in urban situations and within the same section in rural situations" be stricken.

Voting Aye: Pettigrew.

Voting Nay: Jordan, Podany, Proett.

Motion not carried.

Moved by Podany and seconded by Jordan that the proposed Addendum B be amended as attached and that under Drafting item D remain intact.

Voting Aye: Pettigrew, Podany, Jordan.

Voting Nay: Proett.

Motion carried.

Moved by Podany and seconded by Jordan that the amended draft of Addendum B as attached be approved.

Voting Aye: Podany, Jordan.

Voting Nay: Pettigrew, Proett.

Motion not carried.

Moved by Pettigrew and seconded by Jordan that the report on the April 24 & 25, 1998 examinations be accepted and approved.

Voting Aye: Podany, Proett, Jordan, Pettigrew.

Motion carried.

Moved by Pettigrew and seconded by Podany that the following named applicants be granted registration effective July 1, 1998 under Class III provisions and assigned consecutive SIT numbers:

Robert L. Kephart, Jr.	SIT-159
Thaniel E. Monaco	SIT-160
Dennis P. Sullivan	SIT-161
Dennis G. Fenderson	SIT-162
Kevin L. True	SIT-163
Ted L. Gillham	SIT-164
Cory J. Gross	SIT-165

Voting Aye: Proett, Jordan, Pettigrew, Podany.

Motion carried.

Moved by Pettigrew and seconded by Jordan that the following named applicants be granted registration effective July 1, 1998 under Class I provisions and assigned consecutive LS numbers:

Ryan R. Lorenzen	LS-553
Ryan E. Dickinson	LS-554
Virgel D. Carr	LS-555

Voting Aye: Jordan, Pettigrew, Podany, Proett.

Motion carried.

Moved by Pettigrew and seconded by Podany that the following named applicants be allowed to retake the Nebraska two-hour examination on October 2, 1998:

Lee D. Wagner
Jeff Gibbs
William Knight

Voting Aye: Podany, Proett, Jordan, Pettigrew.

Motion carried.

Moved by Pettigrew 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 April 1, 1998 to June 30, 1998.....	438.43
Cornhusker Super 8 Motel, lodging for Pettigrew & Tagge March 24 th meeting.....	82.76
DAS-Div. of Communications, March telecommunications	1.55
DAS-Div. of Communications, April telecommunications	0.56
DAS-Materiel, February postage.....	22.80
DAS-Materiel, March postage.....	32.58
DAS-Materiel, April postage.....	32.41
DAS-Personnel, proctor for 9804 examinations.....	153.60
General Fund Reimbursement, 3 rd quarter 97/98.....	921.72
Kathy Martin, airfare to NCEES annual meeting.....	584.00
Kathy Martin, travel exp. central zone meeting & UPS exams.....	688.55
Journal-Star, notice of meeting and public hearing.....	29.75
Journal-Star, subscription	50.70
JP Cooke, LS seals.....	45.84
JP Cooke, LS seal.....	23.38
NCEES, Central Zone, registration for zone meeting	180.00
Office Depot, acrylic name plates	39.38

Voting Aye: Proett, Jordan, Pettigrew, Podany.

Motion carried.

Moved by Podany and seconded by Proett to suspend the rules and cast an unanimous ballot for Darold E. Tagge for Chairperson effective July 1, 1998.

Voting Aye: Jordan, Pettigrew, Podany, Proett.

Motion carried.

Moved by Podany and seconded by Jordan to suspend the rules and cast an unanimous ballot for Donald L. Pettigrew for Vice-Chairperson effective July 1, 1998.

Voting Aye: Podany, Proett, Jordan.

Abstaining: Pettigrew.

Motion carried.

Moved by Podany and seconded by Pettigrew that the Board go into executive session at 11:50 A.M. with James L. Brown and Kathy Martin present for the purpose of discussing Complaints 96-1 and 96-2.

Voting Aye: Podany, Proett, Jordan, Pettigrew.

Motion carried.

Moved by Podany and seconded by Pettigrew that the Board return to regular session at 12:00 P.M.

Voting Aye: Proett, Jordan, Pettigrew, Podany.

Motion carried.

Moved by Podany and seconded by Jordan that James L. Brown contact the defendant on Complaint 96-2 to identify the Board's position and to begin hearing proceeding no later than October 1, 1998.

Voting Aye: Jordan, Pettigrew, Podany, Proett.

Motion carried.

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

Voting Aye: Pettigrew, Podany, Proett, Jordan.

Motion carried.

The Board adjourned at 12:12 P.M.

James L. Brown, Secretary

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 report 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 Report 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 Report) 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 report:

Improvement Location Report

- H. A statement that the accompanying Improvement Location Report 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 report should not be used to establish any fence, structure, or other improvements. The report shall state whether the measurements shown on it are based on plat or deed information and verified as shown and that the Improvement Location Report represents only visible building improvements.
- I. The legal description of the parcel of land shall be included on the report.
- J. The Registered Land Surveyor shall sign, seal, and date the report.

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 Report:** 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 REPORT 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
