## SIXTY-SIXTH ANNUAL REPORT

OF THE

## Nebraska State Board

OF EXAMINERS

FOR

## REGISTERED LAND SURVEYORS

TO

JIM PILLEN
GOVERNOR

FOR THE PERIOD JULY 1, 2022 TO JUNE 30, 2023

## BOARD OF EXAMINERS FOR LAND SURVEYORS

CASEY C. SHERLOCK Secretary

nbels.nebraska.gov



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### **Letter of Transmittal**

July 1, 2023

The Honorable Jim Pillen Governor of the State of Nebraska

Dear Governor Pillen:

We have the honor to submit to you herewith a report of the Board of Examiners for Land Surveyors for the period extending from July 1, 2022 to June 30, 2023 including a complete statement of receipts and expenditures of the Board together with a roster of the names and the business addresses of all land surveyors currently registered in Nebraska.

Respectfully submitted,

State Board of Examiners for Land Surveyors

Casey C Sherlock, Ex Officio Secretary

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## Nebraska State Board of Examiners for Land Surveyors

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## Members of the Nebraska State Board of Examiners for Land Surveyors

**Effective Date July 1, 2023** 

Jerry G. Hain(term expires 02/28/2024)	Chair
Virlyn S. Bolte	Vice-Chair
Mary L. Pro (term expires 02/28/2024)	Member
Dennis L. Whitfield	Member
Vacant	Member
Casey C. Sherlock	Ex-Officio Secretary



## **Mission Statement**

The mission of the State Board of Examiners for Land Surveyors is to enforce and administer the laws relating to the regulation of land surveying through licensing in Nebraska and to ensure the quality of land surveying in Nebraska for the protection of the public.

## Sixty-Sixth Annual Report to the Governor

During the period July 1, 2022 to June 30, 2023 the Nebraska State Board of Examiners for Land Surveyors held seven meetings. Examination and application fees for 14 land surveyors, 18 reciprocity, 3 reinstatements, 4 surveyor-in-training and 16 inactives were received.

During the period July 1, 2022 to June 30, 2023 an examination was given to those applicants who had qualified and the results are as follows:

- 4 Applicants took the PS exam and 3 passed
- 3 Applicants took the NE exam and 3 passed
- 16 Applicants took the FS exam and 9 passed

During the period July 1, 2022 to June 30, 2023 the reciprocal exam was given to those applicants who had qualified and the results are as follows:

- 11 Applicants took the exam and 9 passed
- 2 Applicants took the reciprocity retake exam and 2 passed

### Registration Summary - July 1, 2022 to June 30, 2023

- 327 Certificates of Registration in force July 1, 2022
- + 1 Certificate of Registration issued to NE Residents
- + 9 Certificates of Registration issued by reciprocity
- 0 Registrations reclassified as Active
- 16 Registrations reclassified as Inactive
- 1 Registration canceled
- 11 Registrations not renewing
- + 1 Registration reclassified as active (reinstated)
  - 310 Certificates of Registration in force June 30, 2023

## Inactive Registration Summary - July 1, 2022 to June 30, 2023

- 24 Inactive Registrations as of July 1, 2022
- + 16 Registrations reclassified as Inactive
- 8 Registrations not renewing
- 1 Registration canceled
  - 31 Inactive registrations as of June 30, 2023

Financial Statement (For period July 1, 2022 to June 30, 2023)

Cash Balance July 1, 2022 with \$60.75 Adjustm	ent\$ 64,163.33
RECEIPTS	
Application Fees Inactive Application Fees Registration Fees Certification Fees (SIT) Renewal Fees Penalties Limited Liability Company Application Interest on Investments	\$ 800.00 \$ 1,600.00 \$ 80.00 \$ 30,600.00 \$ 205.00 \$ 600.00
Total Receipts	\$ 37,101.10
EXPENDITURES	
Postage	\$ 389.44 \$ 655.91 \$ 5,471.46 \$ 119.00 \$ 265.45 \$ 2,260.00 \$ 270.00 \$ 336.00 \$ 4,012.00 \$ 2,600.00
Travel Expenses	
Total Expenditures	
Cash Balance June 30, 2023	\$ 80,481.94

## **Land Surveyors Regulation Act**

81-8,108. Land Surveying; Declaration of Policy; Prohibited Acts. In order to safeguard life, health, and property, any person practicing or offering to practice land surveying in this state shall submit evidence that he or she is qualified to practice and shall be registered as provided in the Land Surveyors Regulation Act. It shall be unlawful for any person to practice or to offer to practice land surveying in this state unless such person has been duly registered under the act.

**81-8,108.01. Land Surveyors Regulation Act; Act, How Cited.** Sections 81-8,108 to 81-8,127 shall be known and may be cited as the Land Surveyors Regulation Act.

81-8,109. Land Surveying; Definitions.

For purposes of the Land Surveyors Regulation Act, unless the context otherwise requires:

- Board or examining board means the State Board of Examiners for Land Surveyors;
- 2. Land surveyor means a person who engages in the practice of land surveying;
- 3. Surveyor-in-training means a person (a) who is a graduate in an approved surveying or engineering curriculum of four years or more or who has had four or more years of experience in surveying work of a character satisfactory to the examining board and (b) who has successfully passed the examination in the fundamental surveying subjects and has received from the examining board a certificate stating that that portion of the examination has been successfully passed. The fee for such certificate and for the renewal of such certificate shall be set by the examining board; and
- 4. Land surveying means the establishment or reestablishment of corners and boundaries and the location of lots, parcels, tracts, or divisions of land, which may include distance, direction, elevation, and acreage, and the correct determination and description of lots, parcels, tracts, or divisions of land for, but not limited to, any of the following purposes:
  - a. To furnish a legal description of any tract of land to be used in the preparation of deeds of conveyance when the description is not the same as the one in the deed of conveyance to the current owner or when bearings, distances, or measurements are needed to properly describe the tract being conveyed;
  - b. To furnish a legal description of any land surveyed to be used in the platting or subdividing of the land;

- c. To determine the amount of acreage contained in any land surveyed; or
- d. To furnish a topographic plat of a lot, parcel, tract, or division of land and locating natural and artificial features in the air, on the surface or subsurface of the earth, and on the beds or surface of bodies of water for the purpose of establishing the facts of size, area, shape, topography, and orientation of improved or unimproved real property and appurtenances to the real property.

81-8,110. Land Surveying; Board of Examiners; Duties.

An examining board shall be established for the purpose of examining, testing and interviewing persons aspiring to become registered to practice land surveying. The examining board shall be independent of all other examining boards and is established for the purpose of determining the ability of persons coming before it to practice land surveying.

## 81-8,110.01. Examining Board; Members; Terms; Qualifications; Removal; Vacancies.

- 1. The examining board shall consist of four members appointed by the Governor who are duly registered under the Land Surveyors Regulation Act to practice land surveying and one lay member appointed by the Governor who is of the age of legal majority and has been a resident of Nebraska for at least one year immediately prior to appointment to the examining board. Such lay member shall be a representative of consumer viewpoints.
- 2. The members of the examining board shall be appointed to five-year terms. Each member shall serve until the appointment and qualification of his or her successor. Each member appointed to the examining board shall receive a certificate of appointment from the Governor. Each member so appointed, prior to beginning his or her term, shall file with the Secretary of State the constitutional oath of office. The Governor may remove any member of the examining board for misconduct, incompetency, incapacity, or neglect of duty or upon conviction of a crime involving moral turpitude. Vacancies on the examining board, however created, shall be filled for the unexpired term of the member by appointment by the Governor;

81-8,110.02. Examining Board; Members; Residence; Qualifications. Each member of the examining board who is a registered land surveyor shall be a resident of the State of Nebraska for at least one year immediately preceding his or her appointment to the examining board, shall have been engaged in the active practice of the discipline for at least ten years, and shall have been in responsible charge of work for at least five years prior to his or her appointment to the examining board.

81-8,110.03. State Surveyor; Ex Officio Secretary of Examining Board. The State Surveyor shall be ex officio secretary of the examining board and of all committees appointed by the examining board.

81-8,110.04. Examining Board; Meetings.

The examining board shall hold as many meetings throughout each year as may be necessary to conduct the business of the examining board and to examine, within a reasonable time, the applicants seeking registration. An annual meeting of the examining board shall be held for the election of officers.

81-8,110.05. Examining Board; Meetings; Notice.

Notice of all meetings, including the annual meeting of the examining board, shall be in such manner as provided in the bylaws of the examining board.

81-8,110.06. Examining Board; Officers; Election; Duties.

The examining board shall elect from its membership at its annual meeting, officers for the coming year. The officers shall be a chairperson and a vice- chairperson. The duties of the chairperson shall be to preside at all meetings of the examining board. The vice-chairperson shall preside in the absence of the chairperson and shall, with the other officers, fulfill such other duties and obligations as provided in section 81-8,110.07 and the bylaws.

81-8,110.07. Examining Board; Secretary; Duties; Land Surveyor Examiner's Fund; Created; Purpose; Investment.

The secretary of the examining board shall receive and account for all money derived from the operation of the Land Surveyors Regulation Act and shall remit it to the State Treasurer for credit to the Land Surveyor Examiner's Fund, which fund is hereby created. This fund shall be continued from year to year. When appropriated by the Legislature, this fund shall be expended only for the purposes of the Land Surveyors Regulation Act. When not reappropriated for the succeeding biennium, the money in this fund shall not revert to the General Fund. The fund shall be paid out only upon vouchers approved by the examining board and upon warrants issued by the Director of Administrative Services and countersigned by the State Treasurer. The expenditures of the examining board shall be kept within the income collected and remitted to the State Treasurer by the examining board. Transfers may be made from the fund to the General Fund at the direction of the Legislature. Any money in the Land Surveyor Examiner's Fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

81-8,110.08. Examining Board; Rules and Regulations; Publication. The examining board shall make and adopt all bylaws and rules, not inconsistent with law, which are needed in performing its duties. Such rules shall be published in the roster of registrants as provided for in section 81-8,113.

81-8,110.11. Examining Board; Members; Expenses.

Each member of the examining board shall receive, when authorized, all necessary travel, meals, and lodging expenses incidental to the performance of his or her official duties or while attending national meetings or seminars as the official representative of the examining board as provided in sections 81-1174 to 81-1177 for state employees.

81-8,110.12. Examining Board; Seal; Adopt.

The examining board shall adopt and have an official seal, which shall be affixed to all registration and in-training certificates that are granted by the examining board. The dimensions of the seal shall be as provided in the bylaws.

81-8,110.13. Examining Board; Registration Certificate; Issuance; Replacement Certificate; When; Fee.

The examining board may issue a registration certificate or an intraining certificate to a qualified person. A new certificate of registration of a duly registered person may be issued to replace a certificate lost, destroyed, stolen, or mutilated, subject to the rules and regulations adopted by the examining board. A fee not to exceed fifty dollars shall be charged the applicant for the issuance of a new certificate to replace a previously issued certificate.

81-8,110.14. Examining Board; Record of Proceedings and Applications for Registration; Confidential.

The examining board shall keep a record of its proceedings and a record of all applications for registration. The information and data retained by the examining board in its files for individual applicants shall be considered as confidential. The records shall not be available to any applicant or the public for any reason.

81-8,110.15. Examining Board; Sue and Be Sued; Liability of Members. The examining board may sue or be sued as the examining board, and its members need not be named as parties. Members of the examining board shall not be personally liable, jointly or severally, for any act or acts committed in the performance of their official duties as examining board members, nor shall any examining board member be personally liable for any hearing costs or court costs which may accrue in any action by or against the examining board.

## 81-8,111. Code of Practice; Contents; Powers.

- 1. The Legislature hereby finds and declares that a code of practice established by the board by which land surveyors could govern their professional conduct would be beneficial to the state and would safeguard the life, health, and property of the citizens of this state. The code of practice shall include provisions on
  - a. Professional competence;
  - b. Conflict of interest;

- c. Full disclosure of financial interest;
- d. Full disclosure of matters affecting public safety, health, and welfare;
- e. Compliance with laws;
- f. Professional conduct and good character standards; and
- g. Practice of land surveying.
- The board may adopt and promulgate rules and regulations to establish a code of practice.
- 3. The board may publish commentaries regarding the code of practice. The commentaries shall explain the meaning of interpretations given to the code by the board.

81-8,113. Examining Board; Record of Proceedings; Roster of Surveyors. The examining board shall keep a complete record of all its proceedings which, together with all other records and files of the examining board, shall be filed in the office of the State Surveyor. A roster showing the names and places of business of all registered land surveyors shall be prepared by the secretary of the examining board each year. Copies of this roster shall be sent to all persons so registered and shall be furnished to the public on request.

81-8,114. Land Surveying; Application for Registration.

Applications for registration shall be on forms prescribed and furnished by the examining board and shall be filed with the secretary of the examining board. Such applications shall contain a statement, made under oath, showing the applicant's education and detailed summary of his or her technical work, the applicant's social security number, and such other information as the examining board shall require.

81-8,115. Land Surveying; Examination of Applicants.

The applicant for registration must pass an examination administered by the examining board which covers generally the matters confronting land surveyors as provided in the rules and bylaws.

## 81-8,117. Land Surveying; Eligibility for Registration; Requirements.

- 1. No person shall be eligible for registration unless:
  - a. He or she has successfully passed an examination, designed to determine his or her proficiency and qualification to engage in the practice of land surveying. No applicant shall be entitled to take such examination until he or she shows the necessary practical experience in land surveying work; and

- b. He or she (i) has not less than six years of surveying experience of which five years must be as defined in subdivision (4) of section 81-8,109, and three of such five years must have been in a responsible position as a subordinate to a licensed land surveyor, or (ii) has graduated, after a course of not less than four years in surveying, engineering, or other approved curriculum, with proportionate credit for lesser time, from a school or college approved by the examining board as of satisfactory standing and has an additional two years of practice in a responsible position.
- 2. For purposes of this section, responsible position means a position that requires initiative, skill, and independent judgment and does not include the position of chainman, rodman, instrument person, ordinary drafter, or other position performing routine work.

81-8,118. Land Surveying; Application and Registration Fees; Failure to Pay Fees, Effect.

To pay the expense of the operation and enforcement of the Land Surveyors Regulation Act, the examining board shall establish application and registration fees. Total application and registration fees shall not exceed two hundred dollars and shall be in addition to the examination fee which shall be set to recover the costs of the examination and its administration. The board may direct applicants to pay the examination fee directly to a third party who has contracted to administer the examination. At the time the application for registration is submitted the board shall collect from the applicant a nonrefundable application fee. If the applicant successfully qualifies by examination, he or she shall be registered until April 1 of the immediately following odd-numbered year upon payment of a registration fee as set forth in the rules or regulations. After the issuance of a certificate of registration, a biennial fee of not less than five nor more than one hundred fifty dollars, as the examining board shall direct, shall be due and payable on or before January 1 of each odd-numbered year. Failure to remit biennial fees when due shall automatically cancel the registration effective the immediately following April 1, but otherwise the registration shall remain in full force and effect continuously from the date of issuance, unless suspended or revoked by the examining board for just cause. A registration which has been canceled for failure to pay the biennial fee when due may be reinstated within one year, but the biennial fee shall be increased ten percent for each month or fraction of a month that payment is delayed. Nothing in this section shall prevent the examining board from suspending or revoking any registration for just cause.

## 81-8,119.01 Certificate of Registration; Renewal; Professional Development Requirements; Inactive Status.

1. As a condition for renewal of a certificate of registration issued pursuant to the Land Surveyors Regulation Act, a certificate holder who has previously renewed his or her registration shall be required to successfully complete thirty hours of professional development within the preceding two calendar years. Any certificate holder who

completes in excess of thirty hours of professional development within the preceding two calendar years may have the excess, not to exceed fifteen hours, applied to the requirement for the next biennium.

- 2. The examining board shall not renew the certificate of registration of any certificate holder who has failed to complete the professional development requirements pursuant to subsection (1) of this section, unless he or she can show good cause why he or she was unable to comply with such requirements. If the examining board determines that good cause was shown, the examining board shall permit the registered surveyor to make up all outstanding required hours of professional development.
- 3. A certificate holder may at any time prior to the termination of his or her registration request to be classified as inactive. Such inactive registrations may be maintained by payment of a biennial fee of not less than five nor more than fifty dollars as determined by the examining board. Holders of inactive certificates of registration shall not be required to complete professional development as required in subsection (1) of this section. Holders of inactive certificates shall not practice land surveying. If the examining board determines that an inactive registrant has actively practiced land surveying, the examining board may immediately revoke his or her certificate of registration.
- 4. A holder of an inactive certificate of registration may return his or her certificate to an active registration to practice land surveying by the applicant electing to either:
  - a. Complete one and one-half the biennial requirement for professional development. Such requirement shall be satisfied as set forth in the rules or bylaws; or
  - b. Take such examination as the examining board deems necessary to determine his or her qualifications. Such examination shall cover areas designed to demonstrate the applicant's proficiency in current methods of land surveying practice.
- 5. Additionally he or she shall pay the biennial fee as required in section 81-8,118.

81-8,119.02. Professional Development Programs; Rules and Regulations. The examining board shall adopt and promulgate such administrative procedures and rules and regulations as are necessary for the effective delivery and certification of all programs of professional development required in section 81-8,119.01.

## 81-8,120. Land Surveying; Nonresident; Registration; Fee; Service of Process.

A nonresident of this state who is registered as a land surveyor in another state may be registered under the Land Surveyors Regulation Act by filing an application with the secretary of the examining board and making payment to the examining board of a fee in the sum of not less than twenty-five dollars and not more than one hundred fifty dollars as set forth in the rules or bylaws. The applicant shall be required to take such examinations as the examining board deems necessary to determine his or her qualifications, but in any event he or she shall be required to pass an examination of not less than four hours' duration which shall include questions on laws, procedures, and practices pertaining to the practice of land surveying in this state. Before a nonresident of this state is registered under the Land Surveyors Regulation Act, he or she shall first file a written consent that actions and suits at law may be commenced against him or her in any county of this state in which any cause of action may arise because of any survey commenced or conducted by such nonresident surveyor or his or her agent or employees in such county.

81-8,121. Land Surveying; Registered Land Surveyor; Rights and Privileges; Seal.

The issuance of a certificate of registration by the examining board shall be evidence that the person named therein is entitled to all rights and privileges of a registered land surveyor and that the recipient thereof is admitted to the practice of land surveying in this state while the certificate remains unsuspended, unrevoked, or unexpired. The examining board shall provide for each person registered a seal bearing the registrant's name and the legend Registered Land Surveyor. Plats, reports, and field notes issued by a registered land surveyor may be stamped with his or her seal or a facsimile thereof which is approved by the examining board during the life of his or her certificate. It shall be unlawful for any one to stamp or seal any documents with a seal or facsimile thereof after the certificate of the registrant named thereon has been suspended or revoked or has expired.

81-8,122. Land Survey; Where Filed.

When the county shall receive an official copy of a survey from a registered land surveyor or from the survey record repository established pursuant to section 84- 412, such copy shall be placed on file in the office of the county surveyor in the county where the land is located. If no regular office is maintained in the county courthouse for the county surveyor, it shall be placed on file in the office of the county clerk.

81-8,122.01. Land Survey; Filing; Contents.

Whenever a survey has been executed by a land surveyor who is registered under the Land Surveyors Regulation Act, a record of such survey bearing the signature and seal of the land surveyor shall be filed in the survey record repository established pursuant to section 84-412 if such survey meets applicable regulations. Surveys which are within the corporate limits of a city with a population in excess of fifteen thousand inhabitants as determined by the most recent federal decennial census

or the most recent revised certified count by the United States Bureau of the Census and do not reference, recover, retrace, or reestablish the original government corners or lines or do not create a new subdivision are not required to be filed in the survey record repository but shall be filed in the county surveyor's office in the county where the land is located if they meet applicable regulations. If no regular office is maintained in the county courthouse for the county surveyor, it shall be filed in the survey record repository. The record of survey shall be filed within ninety days after the completion of the survey, or within any extension of time granted by the office in which it is required to be filed for reasonable cause, and shall consist of the following minimum data:

- 1. plat of the tract surveyed,
- 2. legal description of the tract surveyed,
- 3. description of all corners found,
- 4. description of all corners set,
- 5. ties to any section corners, quarter corners, or quarter-quarter corners found or set,
- 6. plat or record distances as well as field measurements, and
- 7. date of completion of survey.

The record of survey so filed shall become an official record of survey, and shall be presumptive evidence of the facts stated therein, unless the land surveyor filing the survey shall be interested in the same. Plats or maps which are prepared only for the purpose of showing the location of improvements on existing lots, which are not represented as surveys or land surveys and no corners are established or reestablished, shall be specifically exempt from all requirements of this section.

81-8,122.02. Survey; Failure to File Record; Effect.

Any registered land surveyor who fails to file a record of survey as provided in section 81-8,122.01 shall be reported to the examining board which shall take whatever action, as provided in section 81-8,123, that it deems appropriate.

81-8,123. Land Surveying; Complaint; Probation, Suspension, or Revocation of Registration; Grounds.

The examining board may, upon its own motion, and shall, upon the sworn complaint in writing of any person, investigate the actions of any land surveyor. It shall have the power to place any land surveyor on probation or to revoke or suspend any registration under the Land Surveyors Regulation Act when the land surveyor has been found guilty of any of the following practices: (1) Fraud or deceit in obtaining a registration; (2) negligence or incompetency in the performance of his or her duties.

81-8,124. Land Surveyor; Suspension or Revocation of Registration; Hearing; Notice.

Before the examining board revokes or suspends the registration of any land surveyor, it shall give the registrant a hearing on the matter and shall, at least twenty days prior to the date set for the hearing, notify such registrant in writing. Such notice shall contain an exact statement of the charges against the land surveyor and the date and place of hearing. Such registrant shall be heard in person or by counsel before an examiner appointed by the examining board in reference to such charges. Such notice may be served by delivering it personally to the registrant or by sending it by either registered or certified mail addressed to his or her last-known business address as shown by his or her registration.

81-8,125. Land Surveyor; Suspension or Revocation of Registration; Hearing; Attendance of Witnesses; Record; Findings; Order; Effect. The examiner shall have power to compel the attendance of witnesses and to administer oaths and shall take testimony and proof concerning the charges stated in the complaint. A complete record shall be made of all testimony taken and evidence received at such hearing, which record shall be filed with the secretary of the examining board. The examiner conducting such hearing shall make in writing complete findings and recommendations to the examining board. Thereafter, the examining board shall, in writing officially signed by all members concurring therein, make its findings, determination, and order in the matter. If the examining board finds that the registrant has been guilty of any of the practices set forth in section 81-8,123, the land surveyor shall be placed on probation or his or her registration shall be revoked or suspended. As a condition of probation the examining board may restrict the land surveyor's scope of practice or require supervision of the land surveyor's practice.

81-8,126. Act; Applicability.

The Land Surveyors Regulation Act shall not apply to (1) any land surveyor working for the United States Government while performing his or her duties as an employee of the government, (2) any person employed as an assistant to a land surveyor registered under the act, or (3) any professional engineer or person working under the direct supervision of a professional engineer licensed under the Engineers and Architects Regulation Act doing work which does not involve the location, description, establishment, or reestablishment of property corners or property lines or work which does not create descriptions, definitions, or areas for transfer of an estate in real property.

81-8,127. Land Surveying; Unlawful Practice or Use of Title; Penalty. Any person, firm, partnership, limited liability company, corporation, or joint- stock association who or which practices or offers to practice land surveying or uses the title of land surveyor in this state without being registered or any person not registered under the Land Surveyors Regulation Act who fails to file a copy of the plat and field notes as provided in section 81-8,122 shall be deemed guilty of a Class III misdemeanor.

## BY-LAWS of the Nebraska State Board of Examiners for Land Surveyors

**Section 1.** The organization of the Board and its duties are as set forth in the Law. In all matters not specifically covered by the Law the functions of the Chairperson, Vice-Chairperson and Secretary are those commonly recognized as pertaining to these offices. The term of the Chairperson and Vice-Chairperson shall be annual from July 1 until June 30.

**Section 2.** Headquarters: The official mailing address of the Board shall be the Office of the Nebraska State Surveyor, who is by law the Secretary of the Board. The officers shall be free to carry on their duties in such places as may be designated by the Board.

**Section 3.** Meetings: Meetings of the Board may be held at any suitable place as set forth in the call for such meetings.

The regular Annual Meeting shall be held in the month of June at the call of the Chairperson or Secretary. The Chairperson and Vice—Chairperson shall be elected at the Annual meeting and their terms of office shall begin on the following July 1.

Meetings, other than the Annual Meeting, may be called at any time by the Chairperson, Secretary or by any two members of the Board. Three members shall constitute a quorum. Calls for such meetings shall be issued in writing at least ten (10) days before the time of the meeting.

**Section 4**. Order of Business: The business of the Board at its regular meetings shall be conducted in the same order as the current agenda. The Chairman, Secretary or the Board on its own motion may at any time change the order of business when an emergency exists or it is necessary to comply with a stated time published on the agenda.

**Section 5.** Records: In addition to the records, etc., prescribed by the Law, the Secretary shall keep such additional records as the business of the Board may require.

**Section 6.** Committees: The work of the Board may be assigned to special committees appointed by the Chairperson at the discretion of the Board.

**Section 7.** Seals and Certificates: The Board shall have an official seal which shall be as follows: An embossed circular seal 1-7/8 inches in diameter, consisting of two concentric circles, the outer being 1-7/8 inches in diameter and the inner being 1-1/4 inches in diameter. The space between the two circles shall contain the words "Nebraska State Board of Examiners for Land Surveyors", and the inner circle shall contain the official seal of the State of Nebraska. This seal shall be used on all certificates given and any other official business the Chairperson, Secretary or the Board on its own motion determines appropriate.

Each registered Land Surveyor shall be given an individual seal as prescribed by law which shall be in strict accordance with the design as accepted by the Board.

Certificates issued to applicants for registration shall be in accordance with the law and in a form prescribed by the Board which shall contain the following information: Name of the applicant, serial number assigned to the registrant and date of issuance. It shall bear the affixed seal of the Board and the signature of the Chairperson and the Secretary.

Each registered Land Surveyor shall also be given a suitable pocket card, to be provided by the Board, which shall contain substantially the same information as shown on the certificate. Such card shall bear the signature of the Secretary and shall also have a space for the signature of the registrant. A similar biennial card will be issued by the Board to applicants who have successfully completed all requirements for renewal.

Such registrations issued during the months of April, in odd numbered years, through June, in even numbered years, shall be in full force and effect for the remainder of the biennium in which they were issued. Registrations issued during the months of July, in even numbered years, through March, in odd numbered years, shall be in full force and effect for the remainder of the biennium in which they were issued and the next full biennium. Provided, nothing in this Section shall prevent the Board from canceling or suspending registrations pursuant to other Sections and the Statutes of the State of Nebraska. Each inactive registrant shall be allowed to retain his or her certificate but shall be required to return his or her personal seal to the Secretary of the Board before inactive registration shall be granted.

Inactive registrants shall not receive a biennial pocket card.

**Section 8.** Examinations: Examinations shall be conducted as prescribed in the law, at such time and place as the Board may designate, and in accordance with such rules and regulations as the Board may decide upon. Notice of examinations shall be published at least six months in advance of such examinations.

**Section 9.** Fees: Fees shall be as prescribed in the Rules and Regulations.

**Section 10**. By-Laws and Amendments: These By-Laws shall be in full force and effect from and after their adoption by a majority vote of the Board at any regular meeting.

These By-Laws and any rules and regulations of the Board may be amended at any time by the Board in compliance with the statutes governing the administrative agencies of the State of Nebraska, Chapter 84, Article 9, of the Revised Statutes of the State of Nebraska as amended.

# Rules and Regulations Title 234 - NAC - Nebraska State Board of Examiners for Land Surveyors

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## **Rules and Regulations**

Title 234 - NAC - Board of Examiners for Land Surveyors - Agency 62

### **Chapter – 1 – General Provisions:**

001. Professional Land Surveyor or registrant means any person authorized to practice Land Surveying in the State of Nebraska who holds a current active registration with the State Board of Examiners for Land Surveyors.

002. Examining Board means the Nebraska State Board of Examiners for Land Surveyors.

002.01. A quorum of three members of the Examining Board is required for Board actions.

002.02. The office of the Examining Board is located within the office of the Nebraska State Surveyor. All correspondence and filings should be addressed to "The State Board of Examiners for Land Surveyors" or delivered to this office during normal business hours. When a specified date or time of compliance falls on any Saturday, Sunday, or legal holiday, the deadline will be the next succeeding working day.

003. Adoption of the Attorney General's Model Rules.

003.01. The Examining Board has adopted Title 53, Nebraska Administrative Code, Chapters 1 through 4 of the Nebraska Department of Justice, also known as the Attorney General's Model Rules, and has incorporated them into these regulations.

003.01.01. Procedures governing Negotiated Rulemaking will be in accordance with Title 53, Nebraska Administrative Code, Chapter 1.

003.01.02. Procedures governing Petitioning for Rulemaking will be in accordance with Title 53, Nebraska Administrative Code, Chapter 2.

003.01.03. Procedures governing Declaratory Rulings will be in accordance with Title 53, Nebraska Administrative Code, Chapter 3.

003.01.04. Procedures governing Hearings in Contested Cases Before an Agency will be in accordance with Title 53, Nebraska Administrative Code, Chapter 4.

### Chapter - 2 - Classes of Applicants:

001. Class 1 applicant includes all applicants applying for registration as a professional land surveyor under section 81-8,117 who may be eligible for examination on the basis of having a current surveyor-intraining certificate issued in Nebraska or any other state which maintains standards equal to or greater than those of the State of Nebraska.

002. Class 2 applicant includes all applicants, who may be residents or nonresidents of the State of Nebraska applying for registration as a professional land surveyor under section 81-8,120 who are currently registered in another state, which maintains standards equal to or greater than those of the State of Nebraska.

003. Class 3 applicant includes all applicants applying for a surveyor-intraining certificate under section 81-8,109, (3).

004. Class 4 applicant includes all active registrants applying for inactive registration under section 81-8,119.01.

### **Chapter – 3 – Fees and Application for Registration:**

001. Fees.

001.01 The fee schedule and methods of payment will be set by the Examining Board consistent with statutory authorization.

001.02 All fees are non-refundable.

### 002. Application forms.

002.01. Class 1, 2, 3, or 4 application forms are available in electronic, paper, or other format as may be prescribed by the Examining Board and, when fully completed with all necessary details, are filed with the Secretary of the Examining Board.

002.01. No application for Class 1, 2, 3, or 4 registration will be accepted unless it is accompanied by the appropriate application fee as set forth in the fee schedule and made payable to the Board of Examiners for Land Surveyors. All fees are considered application fees and will not be returned to applicants who are unsuccessful for any reason.

003. All information received from references named by the applicant will be held in confidence by the Examining Board. No member of the Examining Board can be named or utilized as a reference.

004. In order for an application to be considered by the Examining Board, a minimum of 3 satisfactory replies from references must be received by the Examining Board. It is suggested that each applicant contact their references to avoid delay.

005. Application for inactive registration may be made by submitting a request in writing to the Examining Board.

006. Application for reinstatement of a canceled registration may be made by submitting the appropriate application form, late fees and renewal fee to the Examining Board.

### **Chapter - 4 - Examinations:**

001. Examinations will be conducted as prescribed by the Land Surveyors Regulation Act, at such times and places as the Examining Board may designate. The Examining Board on its own motion and/or the Secretary of the Examining Board will conduct the examination in a manner which provides security, harmony, reduces the risk of plagiarism and is not in conflict with these rules.

002. All applications are considered to be a part of the examination and registration process. Each applicant must show to the satisfaction of the Examining Board that the applicant meets at least the minimum requirements set forth in the Land Surveyors Regulation Act before they will be admitted to any examination. Failure to meet the minimum requirements of these sections of the Act shall be interpreted as if it were a failure in the examination with retention of the application fee. However, the Examining Board may table consideration of an application for 1 year wherein the applicant has an experience deficiency of less than 1 year, or other valid reason, and without causing forfeiture of the application fee. Any applicant which has been denied registration as a professional land surveyor in Nebraska due to failure of the examination may be required by the Examining Board to show proof of completion of 15 hours of professional development as defined in Chapter 8, paragraph 002, subparagraphs 002.06, 002.08, 002.10, and/or 002.11 before any new application is approved.

003. Upon receipt of an application and the application fee, the Secretary of the Examining Board will acknowledge the application and advise the applicant that the routine of making the necessary investigations will be followed and that the applicant will be notified whether the applicant is approved by the Examining Board to take the examination.

004. A postponement of an examination or reexamination may be granted to any applicant once for each application. Any individual who has received a postponement for either an examination or reexamination is not eligible for postponement a second time and will be required to submit a new application for approval by the Examining Board. If an applicant wishes to postpone an examination the applicant will notify the Secretary of the Examining Board to that effect a minimum of one week prior to the date of said examination. Failure to notify the Secretary of the Examining Board as prescribed and failure to appear for the scheduled examination will be counted as a failure of the examination.

005. The examinations required for registration as a professional land surveyor are the Principles and Practice of surveying exam (PS exam) administered by the National Council of Examiners for Engineering and Surveying (NCEES) and the Nebraska State Specific examination administered by the Secretary of the Examining Board.

006. The examination required for registration as a surveyor-in-training is the Fundamentals of Surveying exam (FS exam) administered by the National Council of Examiners for Engineering and Surveying (NCEES).

- 007. Each applicant will include a digest of training and experience. No applicant is eligible for examination until they have the minimum experience required by the Land Surveyors Regulation Act.
- 008. Each applicant may be called before the Examining Board and/or the Secretary of the Examining Board for a personal interview.
- 009. Successful applicants will have passed the relevant examination to qualify for registration. The examination grade is certified by the National Council of Examiners for Engineers and Surveyors (NCEES) and/or the Secretary of the Examining Board. The Secretary of the Examining Board will report to the Examining Board the examination results. Upon receipt of the report, the Examining Board will determine which applicants have passed the examination.
- 010. If an applicant fails to qualify for registration due to failure of the examination, the applicant may be re-examined once at the discretion of the Examining Board without submitting a new application.
- 011. Upon notification by the Examining Board that an applicant has passed the examination, the applicant will submit the appropriate registration fee as set forth in the fee schedule and made payable to the Board of Examiners for Land Surveyors.
- 012. The Secretary of the Examining Board will send a pre-exam takehome questionnaire relative to surveying laws in Nebraska to all applicants for registration by reciprocity and such applicants are required to submit the completed questionnaire to the Secretary of the Examining Board prior to testing. The Secretary of the Examining Board administers the Nebraska State Specific examination and interviews all applicants for registration by reciprocity. The interview and examination are required to be completed within 2 years after notification of approval by the Examining Board.
- olia. The Examining Board may require the holder of an inactive registration applying for active registration to complete the same examination as a surveyor-in-training applying for registration as a professional land surveyor or the Examining Board may waive the written portion of the examination by allowing the applicant to demonstrate proficiency in land surveying by providing proof of professional development. Proof of professional development includes completing 45 Professional Development Hours (PDHs) as defined in Chapter 8 of these rules. All PDHs will need to be obtained during the actual time the applicant's registration has been inactive. The PDHs will be reported on the form provided by the Examining Board and the applicant will need to provide supporting documentation. Any PDHs which are used to apply for active registration are to be used for that purpose exclusively and will not count in any other capacity in these rules.
- 014. When an applicant is rejected for any reason, the unsuccessful applicant will be notified as such by the Secretary of the Examining Board.

### **Chapter - 5 - Certificate of Registration:**

001. When the Examining Board has determined that an applicant for registration by examination has satisfied the registration requirements set forth herein, the Examining Board will issue a certificate of registration and an official seal containing the professional land surveyor's full name and registration number.

002. Upon application, accompanied by a full statement of the circumstances of loss or destruction of the original, a duplicate registration certificate may be issued at the discretion of the Chairperson and/or Secretary of the Examining Board. The fee for issuing a duplicate registration certificate is as set forth in the fee schedule and made payable to the Board of Examiners for Land Surveyors.

003. The duplicate certificate issued will bear the same name and number as the original.

004. A replacement certificate and seal may be requested from the Examining Board in the event of a legal name change of the registrant. The registrant will need to submit documentation supporting the legal name change, will be responsible to pay for all costs incurred necessary to obtain a replacement seal and will be charged the same fee for a new certificate as when a duplicate certificate is issued.

### Chapter - 6 - The Registered Professional Land Surveyor's Seal:

001. Use of the Seal.

001.01. Each person registered as a professional land surveyor will be issued a rubber stamp seal and a digital seal by the Examining Board. The professional land surveyor may use any seal issued by the Examining Board. In the absence of legibility, the seal is invalid.

001.02. The purpose of the seal is to assist in identification of the professional land surveyor responsible for work performed under the authority of the Land Surveyors Regulation Act.

001.03. The responsible professional land surveyor shall identify all work that they have prepared, as well as all work that has been prepared under their direct supervision.

001.04. All specifications, reports, studies, plats, surveys, and any other documents prepared by a professional land surveyor under the authority of the Land Surveyors Regulation Act, should be signed and sealed on the title page or the first page of the document by the individual professional land surveyor responsible for the work. Two or more professional land surveyors may affix their signatures and seals to the document provided it is designated by a statement, surveyor's certificate, or note the specific subject matter for which each is responsible.

001.05. No seal shall be valid unless accompanied by a signature next to or signed across the face of the seal with the professional land surveyor's name and the date on which the document was signed.

001.06. Documents clearly marked as "Draft" or "Preliminary" prepared for submission and review do not require the professional's seal, signature, and date, including documents prepared for a client or governmental agency.

001.07. Professional land surveyors are responsible for providing adequate security over their seal and signature wherever it appears, regardless of whether the seal and signature is produced electronically or by other means.

### 002. Direct Supervision of Work

In order to exercise full professional knowledge of and control over work, a registered professional land surveyor in direct supervision of land surveying work must have ordinary and direct oversight and guidance of a subordinate performing land surveying work including client survey requirements at the time the work occurs, and the supervisor/registrant's acceptance of responsibility for the work.

002.01. Have and exercise the authority to review and to change, reject, or approve both the work in progress and the final work product, through a continuous process of examination, evaluation, communication, and direction throughout the development of the work.

002.02. Be personally aware of the project's scope, needs, parameters, limitations, and special requirements.

002.03. Be capable of answering questions relevant to the land surveying decisions made as part of the services provided, in sufficient detail to demonstrate knowledge of and proficiency in the work.

002.04. Be reasonably satisfied with the product of the services rendered and accept full responsibility for the work.

002.05. Requires at a minimum that the supervisor and the subordinate are employed by the same entity/employer. The Examining Board has final authority regarding the determination of whether technical documents were actually prepared under the direct supervision of a registrant.

## 003. Preliminary and Final Plats

003.01. Preliminary plats must be prepared by a professional land surveyor, but are not required to be signed, sealed, or certified.

003.02. Final plats must be prepared, signed, sealed, and certified by a professional land surveyor. If, however, the final plat contains public works features such as paving, sewers, water lines, or other engineering work, such work will need to be prepared and certified by both a professional land surveyor and a professional engineer. Activities defined as land surveying by the Land Surveyors Regulation Act shown upon a final plat are the responsibility of a professional land surveyor. Physical details defined as creative work in engineering sciences by the Engineers and Architects Regulation Act, are the responsibility of a professional engineer.

### **Chapter - 7 - Professional Development:**

001. As a condition for renewal of a Certificate of Registration for the Practice of Land Surveying in Nebraska, all actively registered professional land surveyors are required to successfully complete 30 hours of professional development within the preceding 2 calendar years. Any certificate holder who completes in excess of 30 hours of professional development within the preceding 2 calendar years may have the excess, not to exceed 15 hours, applied to the next biennium. All Professional Development Hours (PDHs) must be obtained during the time the professional land surveyor's registration has been active. Professional Development Hours specifically for compliance with paragraph 008. of this chapter and/or paragraph 013. of Chapter 4 will not apply to the biennial conditions for renewal and will only be counted toward those specific purposes exclusively.

002. Professional Development Hours (PDHs) are credited based upon the following list:

002.01. The active full-time teaching of land surveying as defined by the Land Surveyors Regulation Act, at the college level within the immediately preceding 2 calendar years shall be counted as 3 PDHs per calendar year. Partial fulfillment of a calendar year in this rule will not be counted. Maximum credit of 6 PDHs in this category in any renewal period.

002.02. Membership in a local, regional, state or national society which is directly related to the practice of land surveying shall be counted as 1 PDH per society per calendar year with a maximum credit of 4 PDHs in this category in any renewal period.

002.03. Serving as a member of a board or commission which has as its primary duty the registration and review of professional land surveyors, such as a state board of registration, shall be counted as 1 PDH per calendar year.

002.04. Serving as a member of a committee of a board or commission which has as its primary duty the preparation and grading of written tests which are given for the purpose of determining the proficiency of an applicant for registration as a professional land surveyor shall be counted as 5 PDHs per calendar year.

002.05. Organizing a conference or seminar with a duration of a minimum of 4 hours which is directly related to land surveying shall be counted as 1.5 PDHs per conference or seminar.

002.06. Attendance at a workshop, conference, or seminar which is directly related to land surveying shall be counted as 1 PDH per actual hour of attendance. "Attendance at" includes participation on a live interactive video conference. Such sessions must be certified by the sponsoring organization, planned in advance, and a record maintained describing the content.

002.07. Teaching at a workshop, conference, or seminar which is directly related to land surveying shall be counted as 2 PDHs per actual hour of teaching time, not to include any preparation time.

002.08. College level courses directly related to land surveying shall be counted as 30 PDHs per credit hour.

002.09. Non-college level extension or correspondence courses which are directly related to land surveying shall be counted as 15 PDHs per credit hour.

002.10. Publication of and/or presentation at a technical meeting of a professional paper, authored by the writer or presenter, directly related to land surveying shall be counted as 5 PDHs per professional paper. The maximum allowable under this paragraph is 15 PDHs in any renewal period.

002.11. Completion of "on-line" correspondence, televised, videotaped, audiotaped and other non-interactive or pre-recorded short courses/tutorials shall be counted as 1 PDH per actual hour of attendance. An exam is required for completion unless attendance is documented. The maximum allowable under this paragraph is 15 PDHs in any renewal period.

002.12. Completion of a minimum of 2 hours of Professional Development in an ethics course or a course on the Nebraska Land Surveyors Regulation Act is required for each renewal period. This course may be "on-line" or in person and is counted toward any previously established maximum described above.

003. Each registrant applying for renewal is required to submit a statement of their PDHs obtained in the period defined in this chapter in paragraph 001. Should the registrant desire to have any excess PDHs applied to the requirement for the next biennium it shall be so stated in the space provided on said form. If the Examining Board should, for any reason, deny or modify the registrant's request for carry-over, the Secretary of the Examining Board will notify the registrant of such action on or before the immediately following April 15th. The registrant's renewal application is to be submitted on a form provided by the Examining Board, containing a statement, signed by the registrant, which certifies the correctness thereof. Such statement will be included on the registrant's request for renewal.

004. The Secretary of the Examining Board will randomly select from the list of potential renewal registrants each biennium a percentage, determined by the Examining Board, to be audited for compliance with paragraph 001. All applicants who have received extensions to complete PDHs in the prior renewal period are automatically added to the audit list. The Examining Board may select for audit any biennial renewal not received on or before January 1st of each odd-numbered year.

005. Any registrant who has submitted a correctly completed renewal application as required in paragraph 003., has met all other requirements, and whose name does not appear on the audit list defined in paragraph 004., may be granted registration renewal by the Secretary of the Examining Board.

006. When a registrant whose number appears on the audit list applies for renewal, the Secretary of the Examining Board will obtain documentation from the registrant showing a detailed accounting of the various PDHs claimed by the registrant, review the documentation, and attempt to verify the PDHs shown on the documentation provided by the registrant. Upon completion of the review, the Secretary of the Examining Board will prepare a recommendation to the Examining Board stating whether the registrant's PDHs meet the requirements of paragraph 001. and 002.

007. The Examining Board will review all documentation and the Secretary of the Examining Board's recommendations of all registrants shown on the audit list. If the Examining Board determines the registrant has met the requirements, the registrant may be granted renewal of their registration. If the Examining Board determines the registrant has not met the requirements, the registrant's registration will not be renewed. Any registrant denied registration by renewal will be notified by the Secretary of the Examining Board.

008. Any registrant not having obtained the necessary minimum PDH's applying for registration renewal, may request an extension at the time of application for renewal. A valid request is received by the Secretary of the Examining Board prior to the end of the registration biennium and shows good cause as to why the registrant was unable to comply with the biennial renewal regulations described in this chapter. An invalid request for an extension is a request received after the end of the registration biennium and is not eligible for consideration of an extension. The request for an extension will include the reason for the request and any relevant documentation supporting the request. The Examining Board may take into consideration such reasons as extensive travel outside the United States, extended illness of the registrant or immediate family members, or the death of an immediate family member. All valid extension requests are ruled on by the Examining Board and the decision of the Examining Board is final. Invalid extension requests will be automatically denied by the Secretary of the Examining Board.

009. Any registrant denied renewal pursuant to this chapter, may contest said ruling by filing an appeal within 30 days of denial by the Examining Board. Appellants may be allowed a hearing as prescribed in Chapter 11. Such hearing will be determined at the convenience of the Examining Board and will be held within 90 days of the receipt of the appeal by the Examining Board. The decision of the Examining Board on all such appeals is final. The current registration of the appellant shall be extended during the appeal process and will run from the date of filing of the appeal until the Examining Board reaches a final decision.

### Chapter - 8 - Biennial Renewal:

001. The registration biennium begins on April 1st of odd numbered years and continues until April 1st of odd numbered years.

002. Prior to November 1st of each even numbered year, the Secretary of the Examining Board will notify all persons currently registered under the Land Surveyors Regulation Act of the current renewal requirements. This notice will include the current biennial fee as set forth in the fee schedule and the form for the reporting of Professional Development Hours.

003. Any registrant applying for renewal must return the Application for Renewal, Professional Development Form and the appropriate fee as set forth in the fee schedule to be received by the Office of the Secretary of the Examining Board on or before January 1st of each odd numbered year.

004. Biennial renewal does not apply to the registration renewal of surveyor-in-training certificates.

005. Upon receipt of the appropriate renewal fee set forth in the fee schedule made payable to the Board of Examiners for Land Surveyors, compliance with all applicable rules, and approval of the Examining Board, the Secretary of the Examining Board will issue a "Renewal of Registration" pocket card to each registrant whose registration is in full force. Such renewal will be for the next biennium unless canceled, suspended or revoked by the Examining Board. The biennial fee is considered an application fee and will not be returned to applicants who are unsuccessful for any reason.

006. Any registration which has not been renewed for the next biennium will be canceled on April 1st immediately following. The Secretary of the Examining Board will immediately remove said registrant from the active roster and within 15 days, notify said registrant of the cancellation of their registration.

007. Any registrant so canceled may, on or after April 2nd, reinstate the registration by submitting the Application for Reinstatement of Registration, Professional Development Hours Form, proof of Professional Development Hours, and the appropriate fees. The fee for reinstatement is the same as the biennial renewal fee plus a delinquent fee as set forth in the fee schedule. Upon receipt of the Application for Reinstatement of Registration, Professional Development Hours Form, proof of Professional Development Hours, and the appropriate fees, the Examining Board will consider reinstatement of said registration for the remainder of the biennium at its next regularly scheduled meeting.

008. Inactive registrants may apply for renewal of inactive registrations by submitting an inactive registration renewal form. Inactive registrants who do not submit an inactive registration renewal form by April 1 of each odd numbered year will be canceled. Inactive registrants are not required to submit proof of Professional Development Hours.

009. Upon receipt of the appropriate renewal fee set forth in the fee schedule and made payable to the Board of Examiners for Land Surveyors, compliance with all applicable rules, and approval of the Examining Board, the registration of each inactive registrant will be renewed. Such renewal is for the next biennium unless canceled or revoked by the Examining Board. The biennial fee is considered an application fee and will not be returned to applicants who are unsuccessful for any reason.

### **Chapter - 9 - Code of Practice:**

In order to establish and maintain a high standard of integrity, skills and practice in the profession of land surveying and to safeguard life, health and property, the following code of practice shall be binding upon every person registered as a professional land surveyor in this state. The use of this Code of Practice is the guideline for practice, but will not prevent the Examining Board from using its collective experience and judgment to determine when negligence, incompetency or misconduct has occurred in any specific instance.

### 001. Obligation to the Public

001.01. The registrant, in practicing land surveying, shall be cognizant that their first and foremost responsibility is to the public welfare and act with reasonable care and competence while applying technical knowledge and skill ordinarily applied by professional land surveyors of good standing to safeguard life, health and property of the public.

001.02. The registrant shall approve and seal only those surveys and related documents that conform to the Land Surveyors Regulation Act, Title 234, Nebraska Administrative Code Rules and Regulations, Minimum Standards for Land Surveys in Nebraska, and any other applicable laws within the State of Nebraska.

001.03. The registrant shall notify their employer or client and such other authority as may be appropriate when the registrant's professional judgment is overruled under circumstances where the life, health and property of the public is endangered.

001.04. The registrant shall not knowingly violate any state or federal criminal law in the conduct of their professional practice.

001.05. The registrant shall comply with the laws and rules governing their professional practice in any United States jurisdiction.

001.06. The registrant shall not engage in conduct involving fraud or wanton disregard of the rights of others.

001.07. The registrant shall not engage in grossly immoral or dishonorable conduct which would provide evidence of unfitness to perform the tasks required by clients or would provide evidence of a degree of proficiency which is not sufficient to safeguard life, health and property of the public.

001.08. The registrant possessing knowledge of a violation of these rules and state statutes by another registrant shall report such knowledge to the Examining Board.

### 002. Obligation to Employers and Clients

002.01. The registrant shall undertake to perform professional services only when the registrant, together with those whom the registrant may engage as consultants, is qualified by education, training, and experience in the specific technical areas involved.

002.02. The registrant shall accurately represent to a prospective or existing client or employer their qualifications and the scope of their responsibility in connection with work for which the registrant is claiming credit.

002.03. The registrant shall make full prior disclosures to a prospective or existing client or employer of any conflicts of interest or other circumstances which could influence or appear to influence the registrant's judgment or quality of service.

002.04. The registrant shall not affix their signature or seal to any work pertaining to any technical discipline or specialty in which the registrant lacks lawful registration, education, experience or competence.

002.05. The registrant shall not affix their signature or seal to any work not prepared by the registrant nor to any work not prepared under the registrant's direct supervision without thorough technical review by the registrant.

002.06. The registrant will not offer any gift or monetary payment to a government official, prospective client, existing client, past or present employer with the intent of influencing judgment in connection with any project in which the registrant is interested or has had interest.

## 003. Obligation to other Registrants

003.01. The registrant shall not misrepresent their qualifications or allow the misrepresentation of their qualifications, their associates' qualifications, or their academic or professional qualifications. The registrant shall not misrepresent or exaggerate their degree of responsibility in prior assignments nor the complexity of said assignments. Presentations regarding solicitation of employment or business shall not misrepresent pertinent facts concerning employers, employees, associates, joint ventures, or past accomplishments.

003.02. The registrant shall not deliberately make a materially false statement or deliberately fail to disclose accurately and completely a material fact requested in connection with their application for registration or renewal or otherwise requested by the Examining Board.

003.03. The registrant shall not assist the application for registration of a person known by the registrant to be unqualified in respect to education, training, experience, or character.

003.04 The registrant shall notify the Examining Board within 30 days if the registrant has been disciplined in another state with a reprimand, censure, suspension, temporary suspension, probation, revocation, voluntary surrender or refusal to renew a registration.

#### **Chapter - 10 - Enforcement:**

001. Initial Review of Complaints and Compliance Issues

001.01. When a complaint is received by the Examining Board in which a professional land surveyor is alleged to have violated the Land Surveyors Regulation Act, or if the Examining Board becomes aware of a compliance issue that may constitute a violation of the Act, the Examining Board may refer the complaint or compliance issue to a committee and/or an investigator, or may consider the complaint or compliance issue without such referral. The Chairperson may appoint a committee and/or an investigator to investigate the active or inactive registered professional land surveyor upon a motion of the Examining Board.

001.02. The committee and/or investigator will make a recommendation to the Examining Board as to:

001.02.01. Whether the matter should be dismissed for lack of probable cause; or 001.02.02. Whether there is probable cause that a violation of the Act has occurred; or

001.02.03. Whether further investigation is required in order to determine whether there is probable cause.

001.03 Upon receipt of a recommendation or upon consideration by the Examining Board, the Examining Board will determine whether there is probable cause and, if so, whether an informal or a formal process should be undertaken to resolve the matter. If the Examining Board finds there is no probable cause, the complaint may be dismissed.

001.03.01. The Board may make a determination on probable cause with or without having requested a response from the respondent.

001.04. A complaint or compliance issue against any professional land surveyor may be brought in the name of the Examining Board. If any member of the Examining Board discovers a probable violation of the Act, the member may bring it to the Examining Board's attention.

#### 002. Informal Process

The Examining Board may utilize an informal process as described below in lieu of, or as a prerequisite for, entering into a formal legal process.

002.01. The respondent is entitled to copies of the complaint and all information upon which the probable cause determination was made.

002.02. The Examining Board and the respondent may reach an agreement as to the terms of the resolution of the matter without the respondent's appearance before the Examining Board.

002.03. If an agreement is not reached without the appearance of the respondent, the respondent will be requested in writing to appear before the Examining Board for an informal discussion of the matter.

002.03.01 The Examining Board may, but need not, request any other party involved in the complaint to appear along with the respondent. Such appearance is voluntary and cannot be compelled.

002.03.02 Copies of the documents referred to in Rule 002.01 shall be provided to the respondent no later than the time the request to appear is made.

002.04. At the scheduled meeting with the Examining Board, the Chairperson shall clearly state to the party or parties that the meeting is informal and that no individuals or organizations will be giving up their rights to due process by participating in the informal process.

002.05. The Examining Board may request that a respondent or any other party or parties provide materials, documents, or exhibits prior to the informal hearing to facilitate the discussion with the Examining Board.

002.06. The matter will be resolved if the Examining Board and the respondent can reach terms of mutual agreement on the issues, and a consent agreement or other such document is executed on those terms. Acceptable terms may include, but are not limited to, a requirement for additional professional education, limitations on practice, revision of land surveys, or modification of survey practice.

002.07. The Examining Board may separate issues within a complaint into those that can be resolved with an informal process from those that must be resolved under a formal process.

002.08. The respondent's participation in the informal process is voluntary, not mandatory.

#### 003. Formal Process

003.01. The procedure for hearings in matters not resolved by informal process shall be in accordance with Title 53, Nebraska Administrative Code, Chapter 4 of the Nebraska Department of Justice.

003.01.01. The formal process shall be initiated by the filing of a petition in accordance with the Nebraska Administrative Code. The Board's receipt of a complaint does not constitute initiation of a formal process.

003.02. Any person aggrieved by a final decision in a formal process is entitled to judicial review under the Administrative Procedures Act, or resort to such other means of review as may be provided by law.

#### **Chapter - 11 - Disciplinary Actions:**

001. The Examining Board may revoke or suspend the registration of any actively or inactively registered professional land surveyor or place any professional land surveyor on probation when such professional land surveyor has been found guilty of: (1) fraud or deceit in obtaining a registration; (2) negligence or incompetency in the performance of their duties; (3) misconduct in the performance of their duties; (4) failure to file a record of survey as provided in section 81-8,122.01; or (5) actively practicing land surveying while inactively registered. Before the Examining Board takes such disciplinary action, the applicant or registrant shall be given a hearing conducted in accordance with applicable rules, regulations, and statutes.

002. The "Minimum Standards for Land Surveys in Nebraska" are hereby made part of these rules and regulations as Chapter 12. The "Minimum Standards for Improvement Location Reports" are hereby made part of these rules and regulations as Chapter 13. The Examining Board, in consideration of any action based upon negligence, incompetency or misconduct of any professional land surveyor or inactive registrant, will use these above noted "Minimum Standards" and all publications to which they refer for reference. The use of these standards will be the guideline for practice but, will not prevent the Examining Board from using its collective experience and judgment to determine when negligence, incompetency or misconduct has occurred in any specific instance.

003. Any actively or inactively registered professional land surveyor who received their 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 Examining Board shall revoke the Nebraska registration. In the event that said state suspends such registration, the Examining 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 Examining Board unless appealed by the registrant. In the event of an appeal, the registrant shall be given a hearing conducted in accordance with applicable rules, regulations, and statutes.

### Chapter - 12 - Minimum Standards for Land Surveys in Nebraska:

### (A) Preface

These Minimum Standards were duly adopted by the State Board of Examiners for Land Surveyors and have been incorporated into the Rules and Regulations. It is the intent of these Minimum Standards to provide the professional land surveyors and the public with a realistic and prudent standard necessary in the performance of a land survey.

These written standards are established to define the minimum level of performance which is acceptable for land surveys in the State of Nebraska.

## (B) Scope

The Minimum Standards of this section are the guidelines which shall apply to every land survey performed in the State of Nebraska, except where higher standards for land surveys are prescribed by statute, administrative rule or ordinance, then such higher standards shall govern.

- 1. When a land survey involves certain corners or lines of the Public Land Survey System (PLSS) that are covered under the most recent edition of the "Manual of Surveying Instructions for the Survey of the Public Lands of the United States" prepared by the United States Department of the Interior, Bureau of Land Management, Cadastral Survey, then the most recent rules or instructions for these particular surveys shall apply.
- 2. When a land survey involves certain corners or lines covered by instructions issued by the State Surveyor, then the rules or instructions for these particular surveys shall apply.
- 3. When a professional land surveyor is engaged by client contract under the current "Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys", then the rules or instructions for these particular surveys shall apply.
- 4. A professional land surveyor may be required to perform land survey work at a higher standard by their client when agreed upon by a written contract agreement.

## (C) Definitions

Any term not specifically defined herein shall be as defined in the most current publication of the "Definitions of Surveying and Associated Terms" as published by the American Congress on Surveying and Mapping (ACSM) now merged with the National Society of Professional Surveyors. For the purpose of this section, all the definitions listed that differ from any other source are to be interpreted as written herein.

- "Land Surveying" Activities as defined in The Land Surveyors
  Regulation Act, Nebraska Revised Statute, §81-8,109, as amended.
  Under this definition are included two general types of surveys.
  - a. An "Original Survey" is where a survey is made and a new description is created from such survey. The Original Survey establishes boundary lines within a tract of land which has previously existed as one unit or parcel, and a line or lines of a parcel or tract is described and monumented for the first time.
  - b. "Resurvey" or "Retracement Survey" is where an existing recorded description is retraced. A Retracement Survey follows the footsteps of the original professional land surveyor, locating the boundary lines and corners which have been established by the Original Survey.

    Appropriate procedures must be used in each case.
- 2. "Control Survey" A survey that utilizes and/or establishes primary monuments that form the basis of control, both horizontally and vertically, from which subordinate surveys are referenced into and adjusted. These surveys may include, but are not limited to, route alignments, photogrammetry, topographic mapping and boundary surveys. The positions of the monuments within a control survey provide the standard of accuracy from which subsequent and subordinate surveys are governed.
- 3. "Responsible Charge" A position that requires initiative skill and independent judgment of the observations, measurements, and descriptions involved in land surveying work. This term excludes chainman, rodman, instrument person, ordinary drafter and others doing routine work. Responsible Charge does not include the obligation of financial liability.
- 4. "Direct Supervision" Refer to Chapter 6, Section 002. for the definition of Direct Supervision.
- 5. "Subordinate" Any person directly supervised or managed by a professional land surveyor and employed by the same entity/ employer who assists the professional land surveyor in the practice of land surveying without assuming the legal responsibility for such work.
- 6. "Plat" or "Survey Map"- Any graphic representation of the survey.
- 7. "Minimum Standard" The minimum level of performance that is acceptable.
- 8. "Public Land Survey System (PLSS)" The surveying method developed and used in Nebraska to subdivide land in the public domain into section, township, and range, platted and approved by the General Land Office of the United States of America.

- 9. "Linear Error of Closure" Computed as the square root of the sum of the squares of the error in the north and east coordinates.
- 10. "Relative Error of Closure" Computed as the value of the total length of the perimeter of the survey divided by the linear error of closure and expressed as a ratio of one (1) part in 'N' parts.
- 11. "Client" The person with whom the contract for work is made. This may or may not be the title owner of the property.
- 12. "Legal Description" A written description usually contained in an act of conveyance, judgment of possession, or recognized by law as to the definite location of a property by metes and bounds or by reference to government surveys, aliquot parts, government lots, coordinate systems or recorded maps; a description which is sufficient to locate the property without oral testimony.
- 13. "Metes and Bounds Description" A description of a parcel of land by reference to course and distances around the tract, and/or by reference to natural and/or artificial monuments.
- 14. "Encroachment" Any structure or obstruction which intrudes upon, invades into the space of, or trespasses upon the property of another.
- 15. "Corner" A point on a land boundary at which two or more boundary lines meet or at the end of a single line. It is not the same as a monument, which refers to the physical evidence at the corner's location on the ground.
- 16. "Monument" A physical object or structure which marks the location of a corner or other survey point. In public land surveys, the term corner is employed to denote a point determined by the surveying process, whereas the monument is the physical object installed, or structure erected, to mark the corner point upon the earth's surface. Monument and corner are not synonymous, although the two terms have often been used in the same sense.
- 17. "Natural Monuments" Objects which are the work of nature, such as streams, rivers, ponds, lakes, bays, trees, rock outcroppings, and other definitive topographic features.
- 18. "Artificial Monuments" Relatively permanent objects used to identify the location of a corner. These monuments shall retain a stable and distinctive location and shall be of sufficient size and composition to resist the deteriorating forces of nature, such as, roads, ditches, fences, buildings, power poles, or any other manmade features.

- 19. "Bench Mark" An identified stable point, natural or artificial, for which there is a known elevation referenced to an assumed, local, state or national datum plane.
- 20. "Positional Accuracy" The difference between the actual position of a monument on the ground and the position as reported by measurements on the plat or map.
- 21. "Positional Tolerance" The distance that any monument may be mislocated in relation to any other monument cited in the survey.
- 22. "Parol Evidence" Evidence gathered by testimony of witnesses. A witness who gives written or verbal testimony concerning positive knowledge of the location of an original monument prior to its destruction is said to give "parol evidence".

## (D) Legal Description

A written description usually contained in an act of conveyance, judgment of possession, or recognized by law as to the definite location of a property by metes and bounds or by reference to government surveys, aliquot parts, government lots, coordinate systems or recorded maps; a description which is sufficient to locate the property without oral testimony.

- 1. Public Land Survey System (PLSS) descriptions shall contain government lot or quarter-quarter section and/or quarter section along with section, township, range, principal meridian, city (where applicable), county, and state.
- Tax lots, irregular tracts, etcetera, with a record description shall be referenced to the Public Land Survey System (PLSS) as listed in "1" above.
- 3. Subdivisions shall be referenced as in "1" or "2" above and shall contain such further identifiers as lots and/or blocks, where applicable. A resurvey within a recorded subdivision shall contain the lot and/or block number (where applicable), subdivision name (as titled on original recorded plat), city, county, and state, and where recorded (if necessary) and the term replat (where applicable). The common term "Addition" is often a part of the name of a subdivision and is often confused with the legal term "Subdivision".
- 4. Metes and Bounds surveys shall contain sufficient identifiers and dimensions to enable the description to be plotted and retraced and be referenced to corners of record as in "1", "2" or "3" above.
- 5. Three dimensional descriptions shall contain the items called for in "4" above and also contain elevations referenced to a bench mark of a defined datum. The vertical datum shall reference a defined national, state, or local datum and shall be clearly identified on the plat.

6. Condominium descriptions shall be as defined in the "Condominium Property Act", set forth in Nebraska Revised Statutes, Sections 76-801 through 76-894, as amended.

## (E) Research and Investigation

Research of background data shall be conducted prior to beginning the survey. The professional land surveyor shall analyze the data and determine the most logical procedure to follow in conducting the survey. Background data shall consist of, but is not limited to, existing field notes, plats, deeds and ownership records. The professional land surveyor shall list upon the plat the background data used in determining the results of the survey when the facts are questionable, debatable, complex, require additional explanation or not easily understood.

#### (F) Conduct of Survey

The professional land surveyor shall, personally or under their direct supervision, perform a survey consisting of, but not limited to, the following items:

- 1. Search thoroughly for necessary controlling monuments and other physical evidence. If recorded or unrecorded monuments are not used, the professional land surveyor must indicate the reason they were not used during the course of the survey.
- 2. Evaluate the evidence.
- 3. Investigate possible parol evidence that could support the positions of obliterated monuments and record the necessary statements (signed and dated if possible).
- 4. Cooperate with appropriate public officials, such as officials of the state, county, city, natural resources district, public power, etc.
- 5. Take the necessary measurements to verify found evidence.
- Make sufficient check measurements and computations to satisfactorily verify that the work is correct as shown upon the plat.
- 7. In the event of the discovery of a relevant disagreement with the work of another professional land surveyor, the present land surveyor shall contact the previous land surveyor, if possible, and attempt to resolve the disagreement.
- 8. Apply the proper theory of reestablishment of corners in accordance with the Nebraska State Statutes, the most recent edition of the "Manual of Surveying Instructions for the Survey of the Public Lands of the United States", instructions issued by the State Surveyor under authority of the Board of Educational Lands and Funds, and legal precedent.

- 9. Set all monuments as required to complete the survey. The professional land surveyor must make a thorough search for existing monuments, both recorded and unrecorded, before establishing a new position for a corner. The professional land surveyor shall accurately show all the data such as angles, bearings, and distances to calculated points that are needed to show how the positions for the established monuments were determined. These may include, but are not limited to, PLSS corners, block corners, right-of-way lines, and meander lines. In situations where construction activities make it impractical to set corners on a Plat or Certificate of Survey at the time of recording said document, the professional land surveyor shall set the monuments within 60 days from the end of construction and/or in accordance with rules defined by local jurisdictions.
- 10. Retain all pertinent information, measurements and observations made in the field during the course of the survey in an appropriate and retrievable form, and in a manner that is intelligible to another professional land surveyor.

#### (G) Plat or Certificate of Survey

The client shall be furnished a record of the survey which shall show and identify the following information:

- Those items required by the Land Surveyors Regulation Act, Nebraska Revised Statutes, Sections 81-8,108 through 81-8,127, inclusive, as amended.
- 2. A description and physical characteristics of all found and/or set monuments shall be described accurately.
- 3. North arrow and scale.
- 4. Basis of bearing or assumed bearing. When the direction of a line is used to establish any course on the boundary of a survey or used to compute the area, the direction of the line shall be made a part of the plat of survey and shown by angle or bearing or azimuth with a reference given for the bearing or azimuth system.
- 5. Curved lines shall include sufficient data necessary to compute and plot the curve.
- 6. When coordinates are shown on the drawing, such as those relating to the Nebraska State Plane Grid Coordinates, Universal Transverse Mercator, or any modified or local coordinate system, then the following information shall be included:
  - The datum on which the coordinates are based.
  - b. The zone(s) if applicable.

- c. Modifications or adjustment factors, such as scale factor, shift or transformation.
- d. The source data of the coordinates.
- 7. When necessary, adjoining parcels may be identified by description or their permanent filing record reference and any gaps or overlaps shall be identified and dimensioned.
- 8. Easements of record shall be accurately shown upon the plat and survey (where applicable) and referenced by book and page, when requested by the client.
- 9. Data sufficient to indicate the theory that was applied in finalizing the location of the corners and any data at variance with this theory. Such data should be sufficient so a competent professional land surveyor can make a straightforward retracement.
- 10. The date of the completion of the survey.
  - a. Nebraska Revised Statute 81-8,122.01 requires that "The record of survey shall be filed within ninety days after the completion of the survey", therefore; the date of the completion of the survey shall be defined as such in the following situations:
    - i. New Subdivision The date of the completion of the survey shall be defined as being the date the final plat is filed with the Register of Deeds of the county.
    - ii. ALTA Land Title Survey The date of the completion of the survey shall be defined as being the date the final survey plat is printed, signed and delivered to the client.
    - iii. For all other surveys including but not limited to, easements, platted lot retracements, metes and bounds, section subdivision, or any other survey of land or property, the date of the completion of the survey shall be the date signed and sealed by the professional land surveyor.
- 11. Surveyor's Certificate. A certification by the professional land surveyor shall contain:
  - a. A statement of the professional land surveyor's authority to perform the survey.
  - b. That the professional land surveyor personally or under the professional land surveyor's direct supervision performed the land survey.

c. A statement that the survey was made in accordance with the laws applying to land surveying within the State of Nebraska in effect at the time of the survey.

A <u>sample</u> of a Surveyor's Certificate is located in Appendix II.

12. The professional land surveyor's signature, official seal issued by the State Board of Examiners for Land Surveyors, and the date signed.

#### (H) Monumentation

- The professional land surveyor shall establish, reestablish, or confirm the location of found permanent monuments at each corner or end point on the boundary lines of the parcel or line(s) being surveyed.
- 2. The professional land surveyor should avoid placing another monument near the same location of a previously established existing monument marking the same corner if the previous monument is believed to be in its original location. The present professional land surveyor must use good judgment to analyze the procedure of the previous professional land surveyor and consider the era and methods in which the previous monument was placed. The distance and direction between corner locations should be considered when attempting to establish another monument at the same location. If the present professional land surveyor places another monument near the location of an existing monument, the professional land surveyor must clearly identify and reference on the plat the discrepancy by angle and/or distance and indicate the reason for not accepting a previously placed monument.
- 3. Monuments shall be solidly placed and substantially free from movement. In such cases where the placement of a permanent monument at the true corner is impractical because of circumstances such as instability or likelihood to be destroyed, the professional land surveyor shall set a corner accessory monument and show its relationship by dimension to the true corner on the plat.
  - a. Witness Corner (WC): Is a monument used where the boundary corner position cannot be permanently established. This monumented survey point is set on the surveyed boundary line, or a prolongation thereof, and it may be stamped and shall be identified as "WC" on the plat.

- b. Reference Monument (RM): Is a monument used where a corner position is impractical to monument directly, or a witness corner cannot be set as described above. The professional land surveyor shall set at least two Reference Monuments. These monuments are not set on the boundary lines or prolongation thereof, and they may be stamped and shall be identified as "RM" on the plat.
- 4. Any monument set shall be constructed of material capable of being detected by commonly used magnetic locators.
  - a. These monuments shall consist of a minimum:
    - i. Iron pipe with a minimal inside diameter of one-half (1/2) inch, and minimum length of twenty-four (24) inches.
    - ii. Steel rod or steel reinforcing rod with a minimal outside diameter of one-half (1/2) inch and minimum length of twenty-four (24) inches.
  - b. An identification accessory, such as a cap, tag, washer, etc., bearing the registration number of the professional land surveyor responsible for the establishment of the monument, shall be affixed securely to the top of each monument. The professional land surveyor shall not place an identification accessory upon a found monument or remove the identification accessory of another professional land surveyor.
  - c. When extenuating circumstances dictate, the professional land surveyor may use such monuments as an embossed nail or a nail with an embossed washer or tag which has a probability of permanence. All monuments shall bear the registration number of the professional land surveyor responsible for the establishment or perpetuation of the monument, including perpetuated government corners.
  - d. Where a corner or a line falls on or within a wall, column line or other physical feature and the placement of a monument is not feasible, the wall, column line or other physical feature shall become the monument by reference thereto, or a Witness Corner may be set as described in Section H.3(a)hereof.
- 5. All corners of the Public Land Survey System (PLSS) shall be monumented and perpetuated in accordance with Nebraska Revised Statutes 23-1907 and 23-1908.

- 6. All Section, Quarter, and Quarter-Quarter corners of the Public Land Survey System (PLSS), established and perpetuated as necessary for the completion of the survey, shall have a minimum of three (3) reference ties, with a horizontally measured distance, recorded to 0.01 foot and accurate to 0.10 foot. If using the minimum three (3) reference ties, each shall be in different 90° quadrants. The purpose of reference ties is to reestablish the corner if lost or obliterated. In situations where physical objects are not readily available upon which to place ties, the professional land surveyor should establish reference monument ties of a suitable, stable, and identifiable material of a different physical characteristic from the monument at the corner point. The professional land surveyor should refer to the instructions issued by the State Surveyor under the authority of the Board of Educational Lands and Funds. Additional references to any substantial natural or man-made features within the vicinity of the perpetuated corner should be called for in addition to the three (3) reference ties required.
- 7. The maximum allowable reference tie distances should be 200 feet. Measurements taken by EDM total station or GPS may also include the interior angle measured between all the recorded reference ties. GPS measurements should only be used when both the corner monument and the reference tie can be physically occupied.

## (I) Priority of Calls

The "Priority of Calls" is a standard set of guidelines to be followed by professional land surveyors. When considered or applied they can assist the professional land surveyor in creating new parcels of land or in retracing previously created parcels of land. They can assist the attorney in litigating disputes as to the title and boundaries of land.

- 1. Lines actually run on the ground by the creating professional land surveyor.
  - a. Includes corners established, monuments set and lines marked at the time of the survey. This assumes the professional land surveyor placed the original line where the parties intended it.
- 2. Calls for Natural Monuments.
  - a. These monuments are the least likely to be moved. Regardless of distance or angle called for in the deed, when the deed calls to this monument it is interpreted that the intent of the parties was to go to this monument and it is controlling.
- 3. Calls for Artificial Monuments.
  - a. These are calls to monuments that have been set by someone or created by man-made means. Artificial monuments may be concrete, rebar, iron pipes, fence corners, etc. For example, iron pins found are controlling, not the distance.

- 4. Calls for adjoining parcels that are senior in title.
  - a. These are calls that identify adjoiners in the survey and called for in the descriptions. These are bounds descriptions. These lines were previously established and control, regardless of the bearings and distances.
- 5. Calls for Bearings and Distances.
  - a. If no monuments are called for or found and if there are no calls for adjoining owners, the bearings and distances will control. In Nebraska, distances control before bearings.
- 6. Calls for Area.
  - a. This has historically been the last priority for a call in a deed. Typically, the area is a calculation based upon the measured lines and therefore it is a derivative of a higher priority feature within the legal description.
- (J) Perpetuation of the Land Survey Plat
- 1. The professional land surveyor shall file a record of all land surveys in accordance with the Land Surveyors Regulation Act.
- 2. Copies of the records of the survey and other plats provided to the client along with field notes and pertinent data shall be retained and maintained in a retrievable manner by the professional land surveyor and/or their employer/entity for a period of not less than 10 years.

## (K) Technical Minimums

- 1. The professional land surveyor shall determine the appropriate accuracy and make the required measurements necessary to adequately relate the positions of all apparent evidence pertinent to the boundary of the property. In no case shall the accuracy standard have a relative positional tolerance of more than 0.25 feet, plus 100 parts per million (PPM) with the accuracy given at the 95 percent confidence level. The closure and accuracy chart is located in Appendix I.
- 2. Positional Accuracy Specification and Positional Tolerances.

If radial survey methods, global positioning systems (GPS) or other acceptable technologies or procedures are used to locate or establish points on the boundary survey, the professional land surveyor shall apply acceptable surveying procedures in order to assure that the allowable positional accuracy and/or positional tolerance of such points are not exceeded.

### **Chapter – 13 – Minimum Standards for Improvement Location Reports:**

#### (A) Preface

These standards are the minimum requirements for Improvement Location Reports in the State of Nebraska.

An Improvement Location Report is not represented as a survey or land survey, but rather a report in the form of a plat or map which shows the location of topographic features actually located in a spatial relationship to a tract of land defined by an existing legal description provided by a client. The Improvement Location Report may include the activities of land surveying defined in Nebraska Revised Statute, §81-8,109(4)(d), as amended.

## (B) Research and Investigation

- 1. The professional land surveyor uses the description furnished by the client to perform the Improvement Location Report. If the professional land surveyor determines the description is incomplete, insufficient, or subject to junior/senior rights, the professional land surveyor will advise the client that additional information will be necessary to complete the Improvement Location Report. The professional land surveyor should advise the client that an Improvement Location Report may not be sufficient and that a land survey will be necessary.
- 2. After all necessary written documents as furnished by the client have been analyzed by the professional land surveyor, the report shall be based on a field investigation of the property. The professional land surveyor shall make a thorough search for physical monuments and analyze evidence of occupation. A minimum of two (2) monuments, acceptable to the professional 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.
- 3. Monuments may be permanent or semi-permanent points such as those commonly recognized by a professional land surveyor including, but not limited to, stones, axles, rebars, crosses, or pipes. Fence lines, mowing lines, hedge rows, etc. are not considered acceptable monuments or representations of the legal boundaries of a tract of land for purposes of defining the boundary of the tract in the improvement location report. Appropriate survey instrumentation and measuring equipment shall be utilized.
- 4. A professional land surveyor registered in the State of Nebraska should not provide to any party an Improvement Location Report unless in possession of a work order signed by the client as an indication that they have been advised of the difference between an improvement location report and a land survey, and the scope of each.

#### (C) Drafting

A document titled "Improvement Location Report" with a sketch of the location and spatial relationship of improvements to the tract of land as located, shall include the following minimum information:

- Lot or boundary lines with the dimensions from the deed description or recorded plat and any measured distances between found monuments.
- 2. Major improvements, such as permanent structures, with dimensions and descriptions (e.g., residences, garages, outbuildings with foundations, etc.).
- 3. Major improvements spatially located on the tract with dimensions to the lot or boundary lines, with two dimensions in opposite directions shown for each object.
- 4. Distances are to be shown radial or perpendicular to the lot or boundary line.
- 5. The level of certainty of the measurements indicated by the significant digits of each dimension or by means of a general note. Examples:7.25' (±0.05'), 12.5' (±0.5'), 20' (±1')
- 6. Monuments accepted and described.
- 7. Easements provided to the professional land surveyor by the client.
- 8. A north arrow and scale.
- 9. A statement that the accompanying Improvement Location Report is a representation of the conditions that were found at the time of the field investigation and that the document does not constitute a land survey and is subject to any inaccuracies that a subsequent land survey may disclose.
- 10. A statement that the information shown on the Improvement Location Report may not be used to establish any fence, structure, or other improvements.
- 11. A statement whether the parcel dimensions shown are based on plat or deed information and those verified by measurement as shown.
- 12. A statement that the Improvement Location Report represents only visible improvements.
- 13. The legal description of the tract of land included on the report.
- 14. The professional land surveyor's signature, seal, and date of the report.

## <u>Appendix I</u>

		Remarks and Formula		
Unadjusted Closure (maximum allowable)	1:10,000	Traverse Loop or between Control Monuments (closed traverse)		
Angular Closure (maximum allowable)	25"√N	N = Number of Angles in Traverse (closed traverse)		
Accuracy of Bearing	± 20 Sec.	In Relation to Source (closed traverse, radial or GPS)		
Linear Distances Accurate to: (maximum allowable)	0.05 ft + ± 0.1 ft per 1,000 ft	Applies when the distance is not part of a Closed Traverse (radial or GPS)		
Positional Tolerance and Positional Accuracy of any Monument (maximum)	0.1' + 100 PPM	PPM = Parts Per Million (closed traverse, radial or GPS)		
Calculation of area - accurate	0.01	To 1 acre		
and carried to nearest	0.01	To 10 acres		
(decimal place) of an acre	0.10	To 100 acres		
(closed traverse, radial or GPS)	0.10	To 1,000 acres		
Elevations for Boundaries Controlled by Lakes, Contours, Rivers, etc. Accurate to:	0.4 ft.	Based on Accepted Local Datum (closed traverse, radial or GPS)		
Location of Improvements, Structures, Paving, etc.	± 0.5 ft.	(closed traverse, radial or GPS)		
Adjusted Mathematical Closure to Survey (Minimum)	1:50,000	(closed traverse, radial or GPS)		

## <u>Appendix II</u>

Sample Surveyor's Certificate:				
<u>Surveyor's Certificate</u>				
I,(Your Name), Nebraska Registered Land Surveyor No, duly registered under the Land Surveyor's Regulation Act, do hereby state that I have performed a survey of the land depicted on the accompanying plat; that said plat is a true delineation of said survey performed personally or under my direct supervision; that said survey was made with reference to known and recorded monuments marked as shown and to the best of my knowledge and belief is true, correct and in accordance with the Land Surveyors Regulation Act in effect at the time of this survey.				
(Your Signature) Date: (Your Name-Printed)				
Nebr. Reg. L.S. No. XXX				
The Surveyor's Certificate may contain other such information as the professional land surveyor deems necessary, including but not limited to, client name, client address, property owner name, property address, date of the completion of the fieldwork, or party chief.				

## **Work Order**

Client: _				Date:	
_			(	Ordered By:	
Commo	on Address:				
Legal De	escription:				
_					
_					
Deliver:	Co	pies:	Ne	ed by Date:	
Anticipa	ated closing da	te:			
				No	
Please	read carefully	y and indicate the	type of serv	vice you wish to ord	der.
	This is a min foundations description subject to an THE IMPROVEN OR OTHER IN A boundary State Statute verified or reparcel of land	actually located of provided by the clay inaccuracies the VEMENT LOCATION FOR THE ESTANDENTS.  Ind Improvement Location survey of the parties and the corners electablished. The end a check for end	at shows the conthe land of the land of the land of the land was of the parcel of the	ill be made in acco el of land will be lo ents on the parcel o s onto or from the s AN be used for the	urvey and is close. ISED OR TRUCTURE ordance with ocated and of land will subject
survey	ALTA (Amer This is the n of the bound identificatio could be adv	ican Land Title As nost comprehensi lary and improven n of any additiona verse to the interes	ssociation) Solve type of sument locational evidence of the bo	Survey: urvey. It covers all n survey together of possession or us	with the se which
Client					

No. Name Business Add			dres
		- A -	
LS 458	Aitken, Timothy J	612 Indian St., St. Paul, NE	6887
LS 680		11704 E. Laketowne Dr., Albertville, MN	5530
LS 630	Andrist, Jai	201 E. 2nd , Grand Island, NE	6880
LS 558		1306 W. 31st., Yankton, SD	5707
		– B –	
LS 834	Badtke, Christopher R	3433 Oakwood Hills Pkwy., Eau Claire, WI	5470
LS 711	Baker, Shane	3552 Farnam St., Omaha, NE	6813
LS 746	Balcome, Bryan T	610 Fillmore St., Alexandria, MN	5630
LS 669		6501 E. Belleview Ave., Ste. 300, Englewood, CO	8011
LS 702		125 Colorado Ave., Montrose, CO	8140
LS 744		3501 - 104th St., Urbandale, IA	5032
LS 407		9275 CR 27, Blair, NE	6800
LS 799		818 S. Beltline Hwy. East, Scottsbluff, NE	6936
LS 570			6850
LS 837			4210
LS 536		2424 - 14th St., PO Box 1677, Columbus, NE	6860
LS 691		15100 S 84th St., Papillion, NE	6804
LS 679		123 Martin Luther King Jr. Blvd., Tulsa, OK	7410
LS 718		1109 Douglas Ave., Yankton, SD	5707
LS 755			6870
LS 660	Bernard Darun		7307
LS 535			6852
LS 721		444 Cherrycreek Kd., Blug. C, Elifcolli, NE	5026
LS 497		PO Box 565, Columbus, NE	6860
LS 795			6884
LS 763		3825 N. Shiloh Dr., Fayetteville, AR	7270
LS 610		PO Box 173, Central City, NE	6882
LS 825			6830
LS 631			6837
LS 766		1937 N. Chestnut St., Wahoo, NE	6806
LS 438		PO Box 344, Scribner, NE	6805
LS 603		30601 CR 17, Mitchell, NE	6935
LS 736	Boyd, Shawn I	515 West Ave., Holdrege, NE	6894
LS 749		10205 Westheimer Rd., Ste. 100, Houston, TX	7704
LS 708		1202 Willowdale Rd., Yankton, SD	5707
LS 706		2365 Haggerty Rd. South, Canton, MI	4818
LS 586		PO Box 565, Columbus, NE	6860
LS 611		108 E. 2nd St., Valparaiso, NE	6806
LS 845	•	8620 Wolff Ct., Westminster, CO	8003
LS 641		601 P St., Ste. 200, Lincoln, NE	6850
LS 841		3100 S. Gessner, Ste. 400, Houston, TX	7706
LS 828		481 Winscott Rd., Ste. 200, Benbrook, TX	7612
LS 696		1044 N. 115th St., Omaha, NE	6815
LS 838		550 S. 24th St. West, Ste. 201, Billings, MT	5910
LS 454		601 P St., Lincoln, NE	6850
LS 511		870 S-B Rd., Morrill, NE	6935
100/2		4060 Bryant Irvin Rd., Ft. Worth, TX	7610
LS 843	Diyan, Nobert W		7010

No.	Name Business Ac		ldress			
	- C -					
LS 818	Campbell, Dylan	600 S. State St., Milford, NE	68405			
LS 644			68117			
LS 306		5111 S. 111th St., Omaha, NE	68137			
LS 693	•		68154			
LS 761			68317			
LS 502			68317			
LS 609		10700 Stagecoach Rd., Hickman, NE	68372			
LS 618		426 N. Broadway, Wahoo, NE	68066			
LS 647			69001			
LS 786		PO Box 1970, Rapid City, SD	57709			
LS 655		5127 Leavenworth St., Omaha, NE	68106			
LS 849		1270 S. Derby Lane , North Sioux City, SD	57049			
LS 727	Cyboron, Brent D	1811 W. 2nd St., Ste.280, Grand Island, NE	68803			
		- D -				
LS 826	Daharsh, Jeffry L	14225 Dayton Cir., Ste. 15, Omaha, NE	68137			
LS 814	Dawson, Roger	16909 S. Maple Dr., Kellyville, OK	74036			
LS 751		115 MacKenan Dr., Cary, NC	27511			
LS 632		5001 South 14th, Lincoln, NE	68512			
LS 833	•	10617 Burt Cir., Omaha, NE	68114			
LS 670		14700 W. 114th Ter., Lenexa, KS	66215			
LS 791			80021			
LS 668		635 2nd St. SE, Milaca, MN	56353			
LS 554		302 Diamond Springs Trail, Ogallala, NE	69153			
LS 441	Dietz Wayne	500 E. Walnut, PO Box 473, Orleans, NE	68966			
LS 672		1111 Central Ave., Kearney, NE	68847			
LS 503			33544			
LS 524		PO Box 713, Beatrice, NE	68310			
LS 292		811 W. 10th St., Lexington, NE	68850			
LS 507			68154			
LS 507		PO Box 81, Alliance, NE	69301			
	,,	– E –				
LS 464	Edwards, Bonita		69103			
LS 540	,	825 M St., Ste. 100, Lincoln, NE	68508			
LS 445		3552 Farnam St., Omaha, NE	68131			
LS 808		5975 S. Quebec St., Ste. 200, Centennial, CO	80111			
25 505	250,444,7414,657,744,444,444	- F -	00111			
15 649	Farley, LaDay, W		7/102			
LS 648 LS 726			74103 68848			
LS 654			68510			
LS 810			44718			
LS 835			52632			
LS 588		1937 N. Chestnut St., Wahoo, NE	68066			
LS 782	•	640 5th Ave., Council Bluffs, IA	51501			
LS 778			68066			
LS 606		211 E. 14th St., Sioux Falls, SD	57104			
LS 525			68116			
LS 490		2858 Sprague St., Omaha, NE	68111			
LS 592		18058 Honeysuckle Dr., Elkhorn, NE	68022			
LS 551			66675			
LS 682	Fryc, Stacey	601 P St., Ste. 200, Lincoln, NE	68508			

No.	Name Business Addr					
	- G -					
LS 600	Geier. Michael G	1751 Madison Ave., Council Bluffs, IA	51503			
LS 576		7033 Cole Rd., Colden, NY	14033			
LS 567		15505 W. Maple Rd., Omaha, NE	68116			
LS 731	•		69345			
LS 759	-	PO Box 429, Bloomfield, NE	68718			
LS 704		308 W. 3rd St., Ste. 1, Grand Island, NE	68801			
LS 717			68822			
LS 633		PO Box 273, Aurora, NE	68818			
LS 598			72712			
LS 556			80917			
LS 781		9001 State Line Rd., Ste. 200, Kansas City, MO	64114			
LS 619			68122			
LS 783		PO Box 37, Kenesaw, NE	68956			
LS 764		PO Box 297, Hammond, WI	54015			
L3 7 0 4	Gustaison, Jason M		34013			
		– H –				
LS 362		282 Longfellow Cir., Wahoo, NE	68066			
LS 840		7177 Opportunity Rd., San Diego, CA	92111			
LS 803		2750 S. Wadsworth Blvd., Ste C-202, Denver, CO	80227			
LS 382		2607 College Dr., Blair, NE	68008			
LS 491		108 W. 4th St., Valentine, NE	69201			
LS 790	Harris, Jerremy P	11479 S. Pine Dr., Parker, CO	80134			
LS 787		10909 Mill Valley Rd., Ste.100, Omaha, NE	68154			
LS 453	Hawks, James W	3121 W. Philip Ave., North Platte, NE	69101			
LS 673	Hays, Christopher C	160 N. Polk St., Osceola, NE	68651			
LS 620	Headlee, Warren	14710 W. Dodge Rd., Omaha, NE	68154			
LS 604	Headley, Jason	10909 Mill Valley Rd., Ste.100, Omaha, NE	68154			
LS 361	Heiden, Rex	402 Strickler St., Waco, NE	68460			
LS 815	Helms, Lewis	650 E. Garden Dr., Windsor, CO	80550			
LS 373	Hill, Ronald	3330 7th Ave., Council Bluffs, IA	51501			
LS 681	Hillmer, Nicholas	13605 - 1st Ave. North, Ste. 100, Plymouth, MN	55441			
LS 823		6312 S. Fiddlers Green Cir., Ste. 300N, Greenwood Village, CO	80111			
LS 830		1252 Commerce Dr., Laramie, WY	82070			
LS 739		7900 E. Union Ave., Ste. 550, Denver, CO	80237			
LS 492		5308 Parklane Dr., Ste. 3, PO Box 905, Kearney, NE	68848			
LS 587		16856 Browne St., Omaha, NE	68116			
LS 674		201 E. 2nd St., Grand Island, NE	68801			
LS 769	Hyde, Steven J	10033 MLK St. N., Ste. 200, St. Petersburg, FL	33716			
		- I -				
LS 571	Imus, Cevin C		82716			
LS 789		1751 Madison Ave., Council Bluffs, IA	51503			
		<b>–</b> J <b>–</b>				
LS 634	Jacobsen, Joel S	7525 N. 101st. St., Omaha, NE	68122			
LS 842	Janisse, James		78216			
LS 776		1205 1st St., Aurora, NE	68818			
LS 403		10830 E. 45th, Ste. 405, Tulsa, OK	74146			
LS 773			57104			
LS 762			50501			
LS 844			58854			
LS 756		11213 Davenport St., Ste. 200, Omaha, NE	68154			
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No.	Name Business Addres		
		- J-cont -	
LS 615	Johannes, Mark S	3253 W. Carefree Cir., Colorado Springs, CO	80917
LS 813		1455 Sherman Rd., Hiawatha, IA	52233
LS 794		1224 Fern Ridge Pkwy, Ste. 105, St. Louis, MO	63141
LS 429		1909 Vicki Lane, Ste. 100, Norfolk, NE	68701
LS 420		346 Main St., Plattsmouth, NE	68048
LS 621		73051 - 617 Ave., Tecumseh, NE	68450
		– K –	
LS 752	Kearney, Ryan L	24 Fort Missoula Rd., Missoula, MT	59804
LS 809		6317 East 111th Place, Tulsa, OK	74137
LS 512			57078
LS 839		1900 Medical Arts Ave. S., Ste. 100, Sartell, MN	56377
LS 848			68516
LS 483	Kerr Billy		68516
LS 847		4055 International Plz., Ste. 460, Fort Worth, TX	76109
LS 595		8535 Exec. Woods Dr., Ste. 200, Lincoln, NE	68512
LS 622		12572 CR 3, Nickerson, NE	68044
LS 627	•	221 Circle Dr., Maitland, FL	32751
LS 566		221 Circle Di., Mattand, FE	68154
			64131
LS 772			68154
LS 496			
LS 545			80534
LS 798			58503
LS 448		2837 W. Hwy. 6, Hastings, NE	68901
LS 827		14225 Dayton Cir., Ste. 15, Omaha, NE	68137
LS 774 LS 658		6 E. 6th , Lawrence, KS116 W. 69th St., Ste. 200, Sioux Falls, SD	66044 57108
20 030	Rammer, Robert &	- L -	3.100
			E4406
LS 709			51106
LS 589		1270 S. Derby Lane, North Sioux City, SD	57049
LS 546		Phelps Co. Courthouse, PO Box 404, Holdrege, NE	68949
LS 707		1900 Medical Arts Ave. S., Ste. 100, Sartell, MN	56377
LS 850	Lawson, Jeremy	PO Box 10189, Russellville, AR	72812
LS 793		9801 Renner Blvd., Lenexa, KS	66219
LS 678		5970 Greenwood Village Blvd., Greenwood Village, CO	80111
LS 574		640 Fifth Ave., Council Bluffs, IA	51501
LS 770			82801
LS 602		517 W. 5th St., Ste. 102, Pueblo, CO	81003
LS 553	Lorenzen, Ryan	85649 Hwy. 35, Wakefield, NE	68784
LS 314	Loth, Lyle	601 Old Cheney Rd., Lincoln, NE	68512
LS 635	Lovell, Charles G	1411 W. St. German St., Ste. 204, St. Cloud, MN	56301
LS 722		6950 S. Tucson Way, Unit C, Centennial, CO	80112
LS 462	Lynam, Thomas A	1222 Cork Dr., Papillion, NE	68046
		- M -	
LS 725	Magnuson, Darryl E	2611 Gabel Rd., Billings, MT	59102
LS 440		4535 Normal Blvd., Ste. 101, Lincoln, NE	68506
LS 560		12700 W. Dodge Rd., Omaha, NE	68154
LS 498		14710 W. Dodge Rd., Ste. 100, Omaha, NE	68154
LS 729		4784 Frederick Blvd., St. Joseph, MO	64506
LS 661		PO Box 446, Edgemont, SD	57735

No.	No. Name Business Ad		
		- M-cont -	
LS 530	McLaughlin, Steven R	239 W. College St. #7, Bolivar, MO	6561
LS 594	McLaury, Kim L	118 W. Main St., Elk Point, SD	5702
LS 580		3000 SE Grimes Blvd., Ste. 800, Grimes, IA	5011
LS 605		8901 S. 154th St., Omaha, NE	6813
LS 804	Meaike, Tarron	1751 Madison Ave., Council Bluffs, IA	5150
LS 820		2615 Aviation Dr., Sheridan, WY	8280
LS 699		45246 SD Hwy 44, Parker, SD	5705
LS 543		PO Box 27, Central City, NE	6882
LS 767		810 New Hwy. 68, Ste. 8, Sweetwater, TN	3782
LS 468		22415 N. 16th St., Phoenix, AZ	8502
LS 784		60 Riverfront Dr., Omaha, NE	6810
LS 623		1707 Dakota Ave., South Sioux City, NE	6877
LS 651		8300 E. Maplewood Ave., Ste. 300, Greenwood Village, CO	8011
LS 597		4806 Vue Du Lac Pl., Manhattan, KS	6650
_S 460	Mordhorst, Douglas J	703 Douglas St., Sioux City, IA	5110
		-N-	
LS 475	Neef, David	10836 Old Mill Rd., Omaha, NE	6815
LS 701	Nelson, Roger D	7500 Jefferson NE, Albuquerque, NM	8710
LS 805	Neumiller, Bradley D	6080 Enterprise Dr., Casper, WY	8260
		- o -	
_S 796		1237 Country Club Dr., Sidney, NE	6916
LS 734		O Greenwood Plaza Blvd., Ste. 111, Greenwood Village, CO	8011
LS 765	O'Toole, Ryan M	11213 Davenport St., Ste. 200, Omaha, NE	6811
		– P –	
LS 667		3090 Premiere Pkwy., Ste. 600, Duluth, GA	3009
LS 760		1937 N. Chestnut St., Wahoo, NE	6806
_S 446		2000 Q St., Ste. 500, Lincoln, NE	6850
_S 806	Payne, James L		631
_S 656		2323 Dixon St., Des Moines, IA	5031
_S 504		555 N. Cotner Blvd., LL, Lincoln, NE	6850
_S 650		605 Broadway St., Marysville, KS	6650
_S 754	Peters, Scott A	121 S. Pine St., Ste. 5, Grand Island, NE	6880
_S 305		230 N. Main St., Valentine, NE	6920
_S 831	Phipps, Nicholas	525 S. Main St., Ste. 600, Tulsa, OK	7410
_S 851	Poppenga, Joseph		5710
S 698	Portwood, Brian	7500 NE. 41st St., Vancouver, WA	9866
_S 671	Powers, James M	1917 S. Harvard Ave., Oklahoma City, OK	7312
_S 614	Pugh, William E	2615 Aviation Dr., Sheridan, WY	8280
		– R –	
LS 792			6870
_S 695			6851
_S 624		85774 US Hwy. 281, O'Neill, NE	6876
_S 742		936 Grant St., Blair, NE	6800
LS 713		825 M St., Ste. 100, Lincoln, NE	6850
_S 684		3021 Gardenia Way, Superior, CO	8002
LS 819	Riggs, Ray L	1598 Imperial Center, Ste. 2007, West Plains, MO	6577
LS 663	Ripp, Jacob H	PO Box 25, Stromsburg, NE	6866

No.	Name Business Addre		
		- R-cont -	
LS 625	Robinson, Timothy J	821 CR S, Fremont, NE	68025
LS 800		324 Garfield St. South, Cambridge, MN	55008
LS 771			80534
LS 607		2111 S. 67th St., Ste. 200, Omaha, NE	68106
LS 780		2245 Texas Dr., Ste. 200, Sugar Land, TX	77479
		-s-	
LS 735		1937 N. Chestnut St., Wahoo, NE	68066
LS 608		10909 Mill Valley Rd., Ste. 100, Omaha, NE	68154
LS 582		1503 Legend Trail Dr., Unit B, Lawrence, KS	66047
LS 785		818 S. Beltline Hwy. East, Scottsbluff, NE	69361
LS 846		1401 21st Avenue North, Fargo, ND	58102
LS 391		1021 Central Ave., Room 204, Nebraska City, NE	68410
LS 312		1004 Norfolk Ave., PO Box 1324, Norfolk, NE	68701
LS 811		14710 W. Dodge Rd., Ste. 100, Omaha, NE	68154
LS 550	Schulz, Terry L	133 W. Washington St., PO Box 218, West Point, NE	68788
LS 689	Seery, Nicholas	2406 Hwy. 32, Oakland, NE	68045
LS 534	Serafin, Jeffrey J	1220 Cessna Cir., Lincoln, NE	68527
LS 697	Shanks, Loren K		80620
LS 515	Sharp, Michael	15100 S. 84th St., Papillion, NE	68046
LS 636		555 N. Cotner Blvd., LL, Lincoln, NE	68505
LS 471	Sherrill, David J	316 N. Main St., Edwardsville, IL	62025
LS 750	Shevel, J. Scott	1274 600th St., Storm Lake, IA	50588
LS 832		1904 W. Grand Pkwy. North, Katy, TX	77449
LS 775	Siedschlag, Nicholas	PO Box 751, Elkhorn, NE	68022
LS 657		PO Box 429, Bloomfield, NE	68718
LS 437	Smith, Lloyd	108 W. 4th St., PO Box 50, Valentine, NE	69201
LS 565	Smith, Michael J	10836 Old Mill Rd., Omaha, NE	68154
LS 626	Snow, Trenton D	1309 Central Ave., Kearney, NE	68847
LS 836	Spears, Michael	216 W. 6th, Stillwater, OK	74074
LS 743	Staroscik, Kurt M	1414 - 15th St., Columbus, NE	68602
LS 485	Stevenson, Douglas J	701 - 4th Ave., Ste. 2C, PO Box 885, Holdrege, NE	68949
LS 520		700 N. Washington St., Rm. G, Lexington, NE	68850
LS 797	Sudbeck, Monte	2000 S. Colorado Blvd, Tower One, Ste. 6000, Denver, CO	80222
LS 562	Sullivan, Dennis P	818 S. Beltline Hwy. East, Scottsbluff, NE	69361
LS 489	Svoboda, Marvin L	1937 N. Chestnut St., Wahoo, NE	68066
LS 523	Swanson, David L	3949 Cedarwood Ln., Johnstown, CO	80534
LS 821	Swingley, Ryan C	8673 Bash St., Indianapolis, IN	46040
		- T -	
LS 812	Terry, Don	403 Washington St., McCook, NE	69001
LS 480	Terry, James E	21925 Greenview Rd., Council Bluffs, IA	51503
LS 757	Thomas, William R	701 O St., Lincoln, NE	68508
LS 758	Thompson III, John	53575 CR NN, Wray, CO	80758
LS 637	Thompson, Jason	13057 W. Center Rd., Ste. 4, Omaha, NE	68144
LS 397	Thomsen, Gene	4600 S. 52nd St., Lincoln, NE	68516
LS 593	Thomson, Daniel	601 P St., Lincoln, NE	68508
LS 542	Tichy, Robert M	63264 - 709 Rd., Humboldt, NE	68376
LS 741			86409
LS 365	Tinkham, Gary	1555 Colfax St., Blair, NE	68008
LS 692	Tinkham, Matthew	14710 W. Dodge Rd., Ste. 100, Omaha, NE	68154
LS 455		1 Driftwood Dr., Columbus, NE	68601
LS 817	Trentmann, Eric	20 Allen Ave., Ste. 200, St. Louis, MO	63119

No.	Name Business Addr			
		– V –		
LS 748		1408 20th Ave, SW, Ste. 6, Minot, ND	58703	
LS 505	Van Fleet, Larry	4604 S. 154th Cir., Omaha, NE	68137 68106	
LS 653		2111 S. 67th St., Ste. 200, Omaha, NE		
LS 716		6501 E. Belleview Ave., Ste. 300, Englewood, CO	80111	
LS 465		2502 30th St., Moline, IL	61265	
LS 500	Vetick, Joseph	1414 - 15th St., Box 499, Columbus, NE	68602	
LS 579	Von Dollen, John W		68154	
		- w -		
LS 557	Wagner, Lee D	PO Box 339, Grand Island, NE	68802	
LS 724	Wamre, Ross	108 4th St. NW, Little Falls, MN	56345	
LS 687	Warner, Alan	5613 DTC Parkway, Ste. 1100, Greenwood Village, CO	80111	
LS 308	Warner, James	10836 Old Mill Rd., Omaha, NE	68112	
LS 676	Weber, Corey	140 E. 19th Ave., Ste. 600, Denver, CO	80203	
LS 807	Weers, Tyler	2000 Q St., Ste. 500, Lincoln, NE	68503	
LS 801			57702	
LS 474	Wessel, Steven J	14701 Ernst St., Bennington, NE	68007	
LS 409	Wheeler Jr., Wayne	6314 S. 17th St., Omaha, NE	68107	
LS 510	White, Jr., William A	3552 Farnam St., Omaha, NE	68131	
LS 449			68123	
LS 561	Whitfield, Todd	14710 W. Dodge Rd., Ste. 100, Omaha, NE	68154	
LS 802	Whitlock, Joe	801 N. Phillips Ave., Ste. 100, Sioux Falls, SD	57104	
LS 572	Wiegert, Bryan	2705 N. Main St., Omaha, NE	68022	
LS 590		401 - 1800th St., Panama, IA	51562	
LS 816	Winchester, Denver	3825 N. Shiloh Dr., Fayetteville, AR	72703	
LS 381	Wininger, Jesse W	PO Box 790, Warsaw, MO	65355	
LS 710	Wittstock, Jerome C	2130 70th St., Balsam Lake, WI	54810	
LS 638		PO Box 713, Beatrice, NE	68310	
LS 408		109 S. Popular Ave., PO Box 217, Rosalie, NE	68055	
		- Y -		
LS 768	Yates, Dean	2627 CR 4690, Kennard, TX	75847	
LS 829	Yentes, Brian L	s, Brian L7525 N. 101st. St., Omaha, NE		
LS 640	Young, John B	8680A N. Green Hills Rd., Kansas City, MO	64154	
		– Z –		
LS 824		1097 Monroe St., St. Charles, IA	50240	

Land Surveyor rosters are continuously updated.
Check online for current rosters.
nbels.nebraska.gov/lsalpha.html

# Roster of Registered Land Surveyors Listed by Number

292	Donnelson, Gary	504	Penry, Jerold F
305	Pettigrew, Donald	505	Van Fleet, Larry
306	Carrell, Clarence	507	Dorner, Chris E
308	Warner, James	510	White, Jr., William A
312	Schroeder, LaVern F	511	Brush, Donald
314	Loth, Lyle	512	Kennedy, Brett R
361	Heiden, Rex	515	Sharp, Michael
362	Hain, Jerry G	520	Streit, Mark A
365	Tinkham, Gary	522	Dubs, Jay L
373	Hill, Ronald	523	Swanson, David L
381	Wininger, Jesse W	524	Doering, David J
382	Hansen, Richard	525	Franklin, Fred M
391	Schmitz, David	530	McLaughlin, Steven R
397	Thomsen, Gene	534	Serafin, Jeffrey J
403	Jeffries, Sr., Jerry	535	Berry, John V
407	Beal, Matt	536	Benck, Brian D
	•		-
408	Wheeler Ir Worns	540	Egger, John R
409	Wheeler Jr., Wayne	542	Tichy, Robert M
420	Jordan, Charles	543	Meyer, Michael
429	Johnson, Richard C	545	Kohl, Frank A
437	Smith, Lloyd	546	Langenberg, Brian
438	Boschult, Clark	550	Schulz, Terry L
440	Malone, Jayme M	551	Froese, Jerry D
441	Dietz, Wayne	553	Lorenzen, Ryan
445	Ehrhart, Mark E	554	Dickinson, Ryan E
446	Parr, Steven	556	Gray, Travis P
448	Krueger, Thomas L	557	Wagner, Lee D
449	Whitfield, Dennis	558	Arens, James L
453	Hawks, James W	560	Marsh, Chad
454	Bruggeman, Thomas	561	Whitfield, Todd
455	Tremel, Thomas	562	Sullivan, Dennis P
458	Aitken, Timothy J	565	Smith, Michael J
460	Mordhorst, Douglas J	566	Knight, William E
462	Lynam, Thomas A	567	Gibbs, Jeff
464	Edwards, Bonita	570	Beenblossom, Derek A
465	Varner, David M	571	Imus, Cevin C
468	Miller, Dale E	572	Wiegert, Bryan
471	Sherrill, David J	574	Leisinger, Jonathan M
474	Wessel, Steven J	576	Genzel, Jeffrey A
475	Neef, David	579	Von Dollen, John W
480	Terry, James E	580	McMurphy, Mark
483	Kerr, Billy	582	Schaffer, David J
485	Stevenson, Douglas J	586	Breuer, Eric M
489	Svoboda, Marvin L	587	Humphries, Stephen L
490	Frecks, Michael R	588	Foral, Brian J
491	Hanson, Timothy A	589	Lamprecht, Timothy
492	Humphrey, Mitchell W	590	Wilke, Dean
495	Roberts, Steve	592	Fredrickson, Mark W
496	Koenig, Ronald M	593	Thomson, Daniel
497	Birkel, Lynn D	594	McLaury, Kim L
498	Martinez, Danny	595	Kingman, Richard
500	Vetick, Joseph	597	Monaco, Thaniel E
502	Catlett, Thomas	598	Gray, C. Ed
503	Dodd, Stephen	600	Geier, Michael G
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# Roster of Registered Land Surveyors Listed by Number

602	Leverington, Jr., Robert E	674	Hurt, Jesse E
603	Bosse', Scott M	676	Weber, Corey
604	Headley, Jason	678	Lee, Vernen
605	McNaney, Steven	679	Bennett, Ronald
606	Fowlds, Brian	680	Anderson, David
607	Rothanzl, Terry L	681	Hillmer, Nicholas
608	Schaben, Eric A	682	Fryc, Stacey
609	Catt, Kyle E	684	Rickard, Robert
610	Blodgett, Jamie	687	Warner, Alan
611	Brightenburg, Karen D	689	Seery, Nicholas
614	Pugh, William E	691	Bender, Jeremy M
615	Johannes, Mark S	692	Tinkham, Matthew
618	Charles, Jeremy	693	Carrell, Jon
619	Gross, Cory J	695	Raphael, Marc J
620	Headlee, Warren	696	Bruckner, Anthony L
621	Jorgensen, Brent	697	Shanks, Loren K
622	Kirk, Patrick W	698	Portwood, Brian
623	Miller, Grant	699	Meyer, Eric
624	Rasmussen, Steven L	701	Nelson, Roger D
625	Robinson, Timothy J	702	Barrett, Nicholas
626	Snow, Trenton D	704	Goertzen, Adam J
627	Klinkenborg, Derek	706	Braun, Beth A
630	Andrist, Jai	707	Latzke, Jason R
631	Bolte, Virlyn S	708	Brandt, John L
632	DeBusk, Chad R	709	Lamberton, David A
633	Grabowski, Paul F	710	Wittstock, Jerome C
634	Jacobsen, Joel S	711	Baker, Shane
635	Lovell, Charles G	713	Reinke, Cory L
636	Sherlock, Casey C	716	VanRaemdonck, Nathan A
637	Thompson, Jason	717	Gormley, Jay D
638	Witulski, Chris	718	Benson, Brian
640	Young, John B	721	Berting, Murray B
641	Broeker, Andrew	722	Lugo, Jesus
644	Caniglia, Michael T	724	Wamre, Ross
647	Clifford, Scott	725	Magnuson, Darryl E
648	Farley, LeRoy W	726	Feusner, Jeremy D
650	Peschel, Robert A	727	Cyboron, Brent D
651	Miller, Mark A	728	Butler, Jack A
653	Van Voltenberg, Steve M	729	McAdams, R. Curtis C
654	Fiala, Dean	731	Gilbert, Carl
655	Conway, Timothy J	734	Oswald, L. Brad
656	Pelds, Aivars L	735	Sather, Joseph A
657	Skroch, Michael	736	Boyd, Shawn T
658	Kummer, Robert D	739	Hummel, Philipp
660	Bernard, Daryn	741	Timblin, Michael F
661	McBride, John	742	Rector, Randell R
663	Ripp, Jacob H	743	Staroscik, Kurt M
667	Pakalnis, Frank	744	Baumhover, Richard H
668	Delles, Warren L	746	Balcome, Bryan T
669	Barr, Mathew	748	Van Dyke, Robert K
670	Dedrick, Kenneth J	749	Brady, Don
671	Powers, James M	750	Shevel, J. Scott
672	Dixon, Chad	751	Dayton, Benjamin
673	Hays, Christopher C	752	Kearney, Ryan L

Listed by Number

754	Peters, Scott A	804	Meaike, Tarron
755	Benson, Brian	805	Neumiller, Bradley D
756	Jensen, Noah	806	Payne, James L
757	Thomas, William R	807	Weers, Tyler
758	Thompson III, John	808	Estrada, Andres H
759	Gobel, Timothy	809	Keller, John
760	Panning, Troy	810	Fish, Timothy L
761	Catlett, Paul A	811	Schulte, Christopher L
762	Jensen, Justin S	812	Terry, Don
763	Blew, Buckley	813	Johnson, Jay A
764	Gustafson, Jason M	814	Dawson, Roger
765	O'Toole, Ryan M	815	Helms, Lewis
766	Borchers, Joshua D	816	Winchester, Denver
767	Mickeliunas, Eric	817	Trentmann, Eric
768	Yates, Dean	818	Campbell, Dylan
769	Hyde, Steven J	819	Riggs, Ray L
770	Levanen, Jason D	820	Meinecke, Gregory R
771	Roselles, Reade	821	Swingley, Ryan C
772	Knight, William E	823	Howe, Douglas
773	Jensen, Brian J	824	Zimmerman II, Stephen
774	Kubota, Jeffrey A	825	Boden, Jeff
775	Siedschlag, Nicholas	826	Daharsh, Jeffry L
776	Jasnowski, Evan A	827	Krumbach, Brent D
778	Fouts, Matthew A	828	Brown, Michael
780	Rowe, Terry	829	Yentes, Brian L
781	Gregory, Kellan M	830	Huffman, Kenneth
782	Forsythe, David E	831	Phipps, Nicholas
783	Grummert, Joshua E	832	Shultz, Neil
784	Miller, Darren B	833	Decker, Samuel
785	Schilz, Gregg M	834	Badtke, Christopher R
786	Collins, Jon C	835	Flood, Kevin
787	Haverkamp, Brian L	836	Spears, Michael
789	Irlmeier, Jacob	837	Begley, Jordan
790	Harris, Jerremy P	838	Bruckner, John
791	DeGraff, Paul E	839	Kern, Michael
792	Rames, Steven D	840	Hajda, Timothy
793	Lay, Michael	841	Brooks, Jr., Thomas
794	Johnson, Mark E	842	Janisse, James
795	Blackmore, Stanley	843	Bryan, Robert W
796	O'Malley, Christopher	844	Jensen, Nicholas R
797	Sudbeck, Monte	845	Brinker, Chase
798	Kohler, Robert	846	Schlieman, James
799	Beaudette, Dustin L	847	Kiefer, Simon
800	Roddy, Kyle J	848	Kerr, Adam
801	Weidensee, Derek J	849	Corbridge, Chase
802	Whitlock, Joe	850 951	Lawson, Jeremy
803	Handl, Aaron J	851	Poppenga, Joseph

Land Surveyor rosters are continuously updated.
Check online for current rosters.
nbels.nebraska.gov/lsnum.html

## **Roster of Surveyors-In-Training**

No.	Name	Business Ad	ldress
SIT 51	Lind-Olson, Douglas A	7620 Vine St., Lincoln, NE	68505
SIT 73			68803
SIT 76		PO Box 8175, Omaha, NE	68108
SIT 94	·	10617 Burt Cir., Omaha, NE	68114
SIT 99		709 Bell St., Beatrice, NE	68310
SIT 114		2716 S. Folsom, Lincoln, NE	68522
SIT 129		624 S. 51st, Lincoln, NE	68510
		6024 Rainbow Cir., Lincoln, NE	68516
		1044 N. 115th St., Ste. 300, Omaha, NE	68154
	<b>3</b> ·		68883
SIT 179	Ferguson, Travis	1028 Rill Ct., Riverton, WY	82501
		1555 Colfax St., Blair, NE	68008
		1428 N. J St., Broken Bow, NE	68822
		1348 Chandler Rd., Omaha, NE	68138
		315 Crestridge Ave., Colorado Springs, CO	80906
		12700 W. Dodge Rd., Omaha, NE	68154
		1210 Golden Gate Dr., Ste. 1130, Papillion, NE	68046
		2705 N. Main St., Omaha, NE	68022
		5331 Wilshire Blvd., Lincoln, NE	68504
		720 Sioux St., Osceola, NE	68651
		313 W. 15th St., Scottsbluff, NE	69361
		2436 N. 48th, Lincoln, NE	68504
		38633 Ravenwood Rd., McCook, NE	69001
		PO Box 27009, Omaha, NE	68127
		3431 Aviation Rd., Lincoln, NE	68524
		4030 Bayberry Dr., Melbourne, FL	32901
		7737 Hamilton St., Omaha, NE	68114
		101 Bon Homme Ave., Crofton, NE	68730
	•	2110 Maple St., Atlantic, IA	50022
		12100 West Center Rd., Ste. 803, Omaha, NE	681644
		10909 Mill Valley Rd., Ste. 100, Omaha, NE	68154
		11213 Davenport St., Ste. 200, Omaha, NE	68154
		142 W. 11th St., Wahoo, NE	68066
		832 Beach Rd., Belvedere, CA	94920
		201 E. 2nd St., Grand Island, NE	68801
SIT 282	Poole, Joseph J	14760 Bailie St., Waverly, NE	68462
SIT 285	Nekuda, Evan J	14225 Dayton Circle, Ste. 15, Omaha, NE	68137
		5017 N. 96th St., Omaha, NE	68134
SIT 290	Johnson, Walker R	1551 S. Cotner Blvd., Lincoln, NE	68506
SIT 291		18812 Birch Ave, Omaha, NE	68136
			68801
		2750 CR 21, Bennington, NE	68007
	· · · · · · · · · · · · · · · · · · ·	301 B Ave., Axtell, NE	68924
		1005 E. 2nd St., Fremont, NE	68025
		8110 S. 151st St., Omaha, NE	69138
SIT 297		2000 Q St., Ste. 500, Lincoln, NE	68503
SIT 298		7525 N. 101st St., Omaha, NE	68154
SIT 299	- · · · · · · · · · · · · · · · · · · ·		68788
SIT 300			68502
		14710 W. Dodge Rd., Ste. 100, Omaha, NE	68154
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nbels.nebraska.gov/sitroster.html

## **Roster of Inactive Land Surveyors**

No			Name
	No.		
		392	Anderson, James
	LS	309	Austin, Louis
	LS	688	Barton, Richard F
	LS	461	Beenblossom, Victor A
	LS	779	Belt, Jeffery
	LS	705	Boldman, Craig S
	LS	665	Brundage, Lance W
	LS	788	Chervek, James R
	LS	519	Curd, Alan M
	LS	484	Davison, Rodney
	LS	573	DeDecker, Michael
	LS	677	Graham, Larry D
	LS	463	Heese, Robert
	LS	487	Heinly, Calvin
	LS	645	Hicks, Kevin
	LS	506	Katt, Duane A
	LS	521	Kennedy, Kent
	LS	410	Lovell, Lee
	LS	666	Lynch, James E
	LS	443	Minarick, Ann
	LS	479	Reitz, Harry
	LS	383	Ronkar, Richard
	LS	428	Schroeder, Kenneth
	LS	642	Sperling, Dana L
	LS	547	Sumpter, Carl
	LS	544	Teten, Ronald E
	LS	585	True, Kevin L
	LS	683	Walton, Samuel
	LS	686	Wathen, James H
	LS	720	Yenglin, Lyle E
	LS	452	Zieman, Dennis

# Nebraska State Board of Examiners for Land Surveyors - Fee Schedule

## **APPLICATION FEES**

\$40.00	Land Surveyor Application
\$40.00	Reciprocity Land Surveyor Exam Application
\$40.00	Surveyor-in-Training Application
\$40.00	Application for Reinstatement of Canceled Registration
\$50.00	Active to Inactive Registration Application
\$40.00	Inactive to Active Registration Application
	REGISTRATION FEES
\$100.00	Land Surveyor Registration
\$100.00	Reciprocity Land Surveyor Registration
\$20.00	Surveyor-in-Training Certificate
\$25.00	Limited Liability Company (LLC) Certificate
	Professional Service Certificate of Registration
\$50.00	Duplicate Certificate of Registration
\$100.00	Land Surveyor Registration Reactivation for Inactive to Active Registration
\$220.00	Land Surveyor Registration for Reinstatement of Canceled Registration
	BIENNIAL REGISTRATION RENEWAL FEES
\$100.00	Biennial Land Surveyor Registration Renewal Late fee of \$10 per month beginning January
\$50.00	Biennial Inactive Land Surveyor Registration Renewal Late fee \$5 per month beginning January

All fees are non-refundable

As of 7/1/2023