

SIXTY-EIGHTH ANNUAL REPORT

OF THE

NEBRASKA STATE BOARD

OF EXAMINERS

FOR

LAND SURVEYORS

TO

JIM PILLEN
GOVERNOR

FOR THE PERIOD
JULY 1, 2024 TO JUNE 30, 2025

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BOARD OF EXAMINERS FOR LAND SURVEYORS

CASEY C. SHERLOCK
Secretary

nbels.nebraska.gov



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Lincoln, Nebraska 68505-2353

402.471.2566

Letter of Transmittal

July 1, 2025

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, 2024 to June 30, 2025 including a complete statement of receipts and expenditures of the Board together with a roster of the names of all land surveyors currently licensed in Nebraska.

Respectfully submitted,

State Board of Examiners for Land Surveyors

A handwritten signature in black ink that reads "Casey C. Sherlock". The signature is fluid and cursive, with the first letters of each word being capitalized and prominent.

Casey C. Sherlock, Ex Officio Secretary

Table of Contents

Letter of Transmittal.....	3
Members of the Board	5
Annual Report to the Governor	6
Financial Statement	7
Land Surveyors Regulation Act.....	8
The Nebraska Survey Record Repository	22
The Nebraska Plane Coordinate System Act.....	23
County Surveyor.....	25
Preservation of Landmarks or Corners of Land Surveys	32
Bylaws	33
Rules and Regulations	35
Minimum Standards for Land Surveys	56
Minimum Standards for Improvement Location Reports	67
Rosters.....	72
Fee Schedule	81

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, 2025

Jeremy D. Feusner Chairperson
(term expires 02/28/2025)

Thomas A. Tremel..... Vice-Chairperson
(term expires 02/28/2029)

Virlyn S. Bolte Member
(term expires 02/28/2028)

Mary L. Pro Lay Member
(term expires 02/28/2029)

Dennis L. Whitfield Member
(term expires 02/28/2027)

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-Eighth Annual Report to the Governor

During the period July 1, 2024 to June 30, 2025 the Nebraska State Board of Examiners for Land Surveyors held 8 meetings. Examination and application fees for 5 Land Surveyors, 16 Reciprocity, 8 Reinstatements, 6 Surveyor-in-Training and 2 Inactives were received.

During the period July 1, 2024 to June 30, 2025 an examination was given to those applicants who had qualified and the results are as follows:

- 6 Applicants took the PS exam and 3 passed
- 2 Applicants took the NE exam and 2 passed
- 0 Applicants took the NE exam retake and 0 passed
- 20 Applicants took the FS exam and 10 passed

During the period July 1, 2024 to June 30, 2025 the reciprocal exam was given to those applicants who had qualified and the results are as follows:

- 3 Applicants took the exam and 3 passed
- 0 Applicants took the reciprocity retake exam and 0 passed

Lisensure Summary - July 1, 2024 to June 30, 2025

319 Certificates of License in force July 1, 2024

- + 4 Certificates of License issued to NE Residents
- + 4 Certificates of License issued by Reciprocity
- 0 Licenses reclassified as Active
- 14 Licenses reclassified as Inactive
- 3 Licenses canceled
- 0 Licenses surrendered
- 30 Licenses not renewing
- + 5 Licenses reclassified as Active (reinstated)

285 Certificates of License in force June 30, 2025

Inactive Lisensure Summary - July 1, 2024 to June 30, 2025

31 Inactive Licenses as of July 1, 2024

- + 14 Licenses reclassified as Inactive
- 13 Licenses not renewing
- 1 Licenses canceled

31 Inactive Licenses as of June 30, 2025

Surveyor-in-Training Summary - July 1, 2024 to June 30, 2025

52 Surveyor-in-Training (SIT) as of July 1, 2024

- + 5 Certificates of License issued
- 4 Reclassified as LS

53 Surveyor-in-Training (SIT) as of June 30, 2025

Financial Statement

(For period July 1, 2024 to June 30, 2025)

Cash Balance July 1, 2024 \$ 67,308.12

RECEIPTS

Application Fees \$ 1,400.00
Inactive Application Fees \$ 100.00
License Fees \$ 1,680.00
Certification Fees (SIT)..... \$ 100.00
Renewal Fees \$ 30,200.00
Penalties \$ 850.00
Limited Liability Company Applications..... \$ 575.00
Certificate of Authorizations..... \$ 3,100.00
Interest on Investments \$ 2,378.27

Total Receipts..... \$ 40,383.27

EXPENDITURES

Postage \$ 2,933.71
Printing \$ 166.53
Printing Annual Reports \$ 985.28
Administrative Services..... \$ 7,813.53
Accounting/Auditing/Purchasing Services..... \$ 131.00
Database Updates \$ 3,960.00
Dues and Subscriptions \$ 208.48
Supplies \$ 557.64
Rent \$ 2,329.00
L.S. Seals \$ 2,201.50
Office of CIO Web Hosting \$ 308.00
NCEES Membership Fee..... \$ 2,600.00
Travel Expenses \$ 3,559.80

Total Expenditures \$ (27,754.47)

Cash Balance June 30, 2025 \$ 79,936.92

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 licensed 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 licensed 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:

1. Board or examining board means the State Board of Examiners for Land Surveyors;
2. 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;
 - 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;
 - e. To conduct a control survey; or
 - f. To provide improvement location reports;
3. Land surveyor means a person who engages in the practice of land surveying;
4. Professional land surveyor means a land surveyor who is licensed by the board to engage in the professional practice of land surveying in Nebraska; and
5. 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.

81-8,110. - Land surveying; examining board; duties.

1. An examining board shall be established for the purpose of administering the Land Surveyors Regulation Act. The examining board shall be independent of all other examining boards.
2. The board shall enforce the Land Surveyors Regulation Act and the rules and regulations adopted and promulgated pursuant to the act. If any person violates the act, any rule or regulation under the act, or any decision or order of the board, upon the request of the board the Attorney General or the appropriate county attorney shall file an action for the enforcement of the act, rule or regulation, or decision or order and for injunctive relief, if appropriate, in the district court.

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 licensed 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 professional 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 licensure. 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 re-appropriated 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 professional land surveyors 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 licenses 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; license; issuance; replacement license, when; fee.

The examining board may issue a license or an in-training certificate to a qualified person. A new license may be issued to replace a lost, destroyed, stolen, or mutilated license, 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 replacement license.

81-8,110.14. - Examining board; record of proceedings and applications for licensure; confidential.

The examining board shall keep a record of its proceedings and a record of all applications for licensure. The information and data retained by the examining board in its files for individual applicants shall be considered confidential records and shall not be disclosed 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; board; powers.

1. The Legislature hereby finds and declares that a code of practice established by the board by which professional 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.
2. 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 professional land 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 professional land surveyors shall be prepared by the secretary of the examining board each year. Copies of this roster shall be sent to all professional land surveyors and shall be furnished to the public on request.

81-8,114. - Land surveying; application for licensure.

Applications for licensure 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 licensure 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 licensure; requirements.

1. No person shall be eligible for a license unless:
 - a. He or she has successfully passed an examination, designed to determine his or her proficiency and qualification to engage in the professional 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 (2) of section 81-8,109, and three of such five years must have been in a responsible position as a subordinate to a professional 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 license fees; examination fee; failure to pay fees, effect.

1. To pay the expense of the operation and enforcement of the Land Surveyors Regulation Act, the examining board shall establish application and license fees. Total application and license 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 a license 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 licensed until April 1 of the immediately following odd-numbered year upon payment of a license fee as set forth in the rules or regulations. After the issuance of a license, 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 license effective the immediately following April 1, but otherwise the license 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 license 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 license for just cause.

2. Any person holding a certificate of registration under the Land Surveyors Regulation Act as of September 1, 2024, shall be deemed to be duly licensed under the act until the expiration of such certificate.

81-8,119.01. - License; renewal; professional development requirements; inactive status.

1. As a condition for renewal of a license issued pursuant to the Land Surveyors Regulation Act, a licensee who has previously renewed his or her license shall be required to successfully complete thirty hours of professional development within the preceding two calendar years. Any licensee 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 license of any licensee 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 professional land surveyor to make up all outstanding required hours of professional development.
3. A licensee may at any time prior to the termination of his or her license request to be classified as inactive. Such inactive licenses 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 licenses shall not be required to complete professional development as required in subsection (1) of this section. Holders of inactive licenses shall not practice land surveying. If the examining board determines that an inactive licensee has actively practiced land surveying, the examining board may immediately revoke his or her license.
4. A holder of an inactive license may return his or her license to an active license 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.

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; license; fee; service of process.

A nonresident of this state who is licensed as a professional land surveyor in another state may be licensed 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 licensed 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; professional land surveyor; rights and privileges; seal.

The issuance of a license by the examining board shall be evidence that the person named therein is entitled to all rights and privileges of a professional land surveyor and that the recipient thereof is admitted to the practice of land surveying in this state while the license remains unsuspended, unrevoked, or unexpired. The examining board shall provide for each person licensed a seal bearing the licensee's name and the legend Professional Land Surveyor. Plats, reports, and field notes

issued by a professional 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 license. It shall be unlawful for anyone to stamp or seal any documents with a seal or facsimile thereof after the license of the licensee named thereon has been suspended or revoked or has expired.

81-8,121.01. - Land surveying; entry upon land; authorized; liability for damages.

1. A professional land surveyor, any person assisting a professional land surveyor, or a surveyor-in-training may:
 - a. Enter public or private lands or waterways in this state, except for buildings, for the purpose of making a land survey;
 - b. Investigate, recover, establish, reestablish, rehabilitate, perpetuate, or use evidence of a boundary location;
 - c. Locate, relocate, use, install, perpetuate, or replace a survey monument; and
 - d. Use any equipment that is required for the purpose of making a land survey.
2. A vehicle used for land surveying shall be marked on the exterior with the name of the professional land surveyor or the firm which employs such professional land surveyor.
3. Any professional land surveyor, person assisting a professional land surveyor, or surveyor-in-training who enters onto private property shall be liable for any actual damages done to such property by such professional land surveyor, person assisting such professional land surveyor, or surveyor-in-training, including damages done to crops. By such entry he or she shall forfeit any and all claims against the owner or tenant of the private property for damages or injury done to his or her person or equipment while on the private property, unless such damages or injuries are caused by the intentional conduct of such owner or tenant.

81-8,121.02. - Land surveying; organizational practice; certificate of authorization; application; fee; renewal.

1. An individual licensed under the Land Surveyors Regulation Act may practice or offer to practice the profession of land surveying through an organization if the criteria for organizational practice established by the board are met and the organization has been issued a certificate of authorization by the board.
2. An organization applying for a certificate of authorization shall designate at least one professional land surveyor as the person in responsible charge of any practice of land surveying by the

organization. One who renders only occasional professional services for an organization may not be designated as being in responsible charge of the professional activities of an organization under this section.

3. To obtain a certificate of authorization, an application shall be filed with the board. The application shall contain the name and license number of each individual designated as in responsible charge and licensed to practice land surveying in Nebraska.
4. Applications for a certificate of authorization shall be made on a form prescribed and furnished by the board.
5. The certificate of authorization fee for organizations shall be established by the board and shall accompany the application. The fee shall not exceed three hundred dollars for the initial application.
6. An organization shall notify the board of any changes in the status of any individual designated as in responsible charge within thirty days after the effective date of the change.
7. An organization is not relieved of responsibility for the conduct or acts of its agents, employees, officers, or partners by reason of its compliance with this section. An individual practicing land surveying is not relieved of responsibility for services performed by reason of employment or any other relationship with an organization holding a certificate of authorization.
8. The Secretary of State shall not issue a certificate of authority to do business in the state to an applicant or issue a registration of name in the state to an organization which intends to engage in the practice of land surveying unless the board has issued the applicant a certificate of authorization or a letter indicating the eligibility of the applicant to receive a certificate or to register the name.
9. The Secretary of State shall not register any trade name or service mark which includes the words land surveyor or land surveying, or any modification or derivative of such words, in an applicant's firm name or logotype unless the board has issued the applicant a certificate of authorization or a letter indicating the eligibility of the applicant to register the trade name or service mark.
10. An organization may engage in the practice of land surveying for itself without obtaining a certificate of authorization.
11. A certificate of authorization shall expire on a date established by the board and become invalid after that date unless renewed. The board shall notify every organization holding a certificate of authorization under the act of the date of the expiration of the certificate of authorization and the amount of the fee required for renewal. The notice shall be provided at least one month in advance of the date of the expiration to the organization at the last-known

address on file with the board. Only valid certificates may be renewed prior to expiration. Renewal fees shall not exceed two hundred dollars per year.

12. The board may issue a new certificate of authorization to replace any lost, destroyed, or mutilated certificate.

81-8,122. - Land survey; where filed.

When the county shall receive an official copy of a survey from a professional 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 a county-owned building for the county surveyor, it shall be placed on file in the office of the county clerk.

81-8,122.01. - Land survey; official record of survey; filing; contents.

1. Whenever a survey has been executed by a professional land surveyor who is licensed under the Land Surveyors Regulation Act, a record of such survey bearing the signature and seal of the professional land surveyor shall become an official record of survey and shall be presumptive evidence of the facts stated therein, unless the professional land surveyor executing the survey has a personal interest in such survey.
2. Surveys performed in accordance with the definition of land surveying described in subdivisions (2)(a), (b), and (c) of section 81-8,109 including, but not limited to, a new subdivision, subdivision replat, administrative subdivision, lot split, American Land Title Association and National Society of Professional Surveyors land title survey, irregular tract survey, or any survey which references the United States Public Land Survey System shall be filed in the survey record repository established pursuant to section 84-412.
3. Surveys of an existing lot or lots of an existing subdivision created pursuant to section 19-921 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 which do not create a new legal description shall be filed in either the survey record repository or in the county survey records in the county where the land is located pursuant to section 23-1911.
4. 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: (a) A graphic representation of the survey; (b) a legal description of the tract

surveyed; (c) a description of all corners found; (d) a description of all corners set; (e) ties to any section corners, quarter corners, or quarter-quarter corners found or set; (f) plat or record distances as well as field measurements; and (g) the date of completion of the survey.

5. Control surveys, improvement location reports, topographic plats, or maps prepared pursuant to subdivision (2)(d) or (e) of section 81-8,109 only for the purpose of showing the location of improvements on existing lots, which are not represented as boundary surveys or land surveys that include a statement of reference to a boundary survey filed of record, and in which no corners are found, established, or reestablished, shall be specifically exempt from all requirements of this section.

81-8,122.02. - Land survey; failure to file record; effect.

Any professional 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 the board deems appropriate.

81-8,123. - Professional land surveyor; complaint; investigation; disciplinary actions.

1. The examining board may, upon its own motion, and shall, upon the sworn complaint in writing of any person, investigate the actions of any professional land surveyor.
2. The board, after a hearing as provided in section 81-8,124, and upon proof satisfactory to the board, may determine by a majority vote that any person or organization has violated the Land Surveyors Regulation Act or any rules and regulations adopted and promulgated under the act.
3. Upon a finding that a person or organization has committed a violation, one or more of the following actions may be taken against such person or organization upon a majority vote of the board
 - a. Issuance of censure or reprimand;
 - b. Suspension of judgment;
 - c. Placement of the offender on probation;
 - d. Placement of a limitation or limitations on a licensee and upon the right of the licensee to practice the profession to such extent, scope, or type of practice for such time and under such conditions as are found necessary and proper;
 - e. Imposition of a civil penalty not to exceed ten thousand dollars for each offense. The amount of the penalty shall be based on the severity of the violation;

- f. Entry of an order of revocation, suspension, or cancellation of the license;
 - g. Issuance of a cease and desist order;
 - h. Imposition of costs as in an ordinary civil action in the district court, which may include reasonable attorney's fees and hearing officer fees incurred by the board and the expenses of any investigation undertaken by the board; or
 - i. Dismissal of the action.
4. The board may take into account suitable evidence of reform when determining appropriate action.
5. Civil penalties collected under subdivision (3)(e) of this section shall be remitted to the State Treasurer for distribution in accordance with Article VII, section 5, of the Constitution of Nebraska. All costs collected under subdivision (3)(h) of this section shall be remitted to the State Treasurer for credit to the Land Surveyor Examiner's Fund.

81-8,124. - Professional land surveyor; disciplinary action; hearing; notice.

Before the examining board takes any disciplinary action against any professional land surveyor, it shall give the licensee a hearing on the matter and shall, at least twenty days prior to the date set for the hearing, notify such licensee in writing. Such notice shall contain an exact statement of the charges against the professional land surveyor and the date and place of hearing. The licensee 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 licensee or by sending it by either registered or certified mail addressed to the licensee's last-known business address as shown by the professional land surveyor's license.

81-8,125. - Professional land surveyor; disciplinary action; 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 professional land surveyor has violated the Land Surveyors Regulation Act or any rules and regulations adopted and promulgated under the act, he or she shall be

placed on probation or his or her license shall be revoked or suspended. As a condition of probation the examining board may restrict the professional land surveyor's scope of practice or require supervision of the professional 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 professional land surveyor licensed 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.

1. Except as provided in sections 81-8,121.01 and 81-8,126, an individual shall not directly or indirectly engage in the practice of land surveying in the state or use the title professional land surveyor or display or use any words, letters, figures, titles, sign, card, advertisement, or other symbol or device indicating or tending to indicate that he or she is a professional land surveyor or is practicing land surveying unless he or she is licensed under the Land Surveyors Regulation Act. A licensee shall not aid or abet any person not licensed under the act in the practice of land surveying.
2. 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 professional land surveyor or land surveyor, or any modification or derivative of such words, in its name or form of business activity in this state except as authorized in the Land Surveyors Regulation Act shall be deemed guilty of a Class I misdemeanor for the first offense and a Class IV felony for the second or any subsequent offense.

The Nebraska Survey Record Repository

84-412. - Survey record repository; established.

The State Surveyor shall establish a survey record repository in the city of Lincoln. The State Surveyor shall employ all individuals necessary to staff such repository and may, with the approval of the Board of Educational Lands and Funds, set the salaries of such employees.81-8,108.01. Land Surveyors Regulation Act; act, how cited.

84-413. - Survey record repository; duties.

The survey record repository shall:

1. Microfilm, index, and file the surveying records of all surveys completed after July 17, 1982, which are filed pursuant to sections 81-8,121 to 81-8,122.01;
2. Provide a copy of survey records to the county in which the survey was conducted. Such copy shall be transmitted to the county within thirty days of its receipt by the repository and at no cost to the county;
3. As funds become available from the fees collected pursuant to this section, and at no cost to the counties, request records of all surveys completed prior to July 17, 1982, from the counties and incorporate such records into the repository's files;
4. Collect a fee not to exceed five dollars for each survey filed with the repository by a professional land surveyor, except that no fee shall be charged for filing surveys pursuant to section 23-1911 when the work is requested by the county and when no fees for the survey are received by the county surveyor or the county from any other persons;
5. Collect a fee not to exceed five dollars for each search of the repository's files required by any person;
6. Charge a fee for the reproduction of material equal to the cost of such reproduction; and
7. Provide information to any person upon request and payment of the appropriate fee.

84-414. - Survey Record Repository Fund; created; use; investment.

The State Surveyor, under the direction of the Board of Educational Lands and Funds, shall receive and account for all money derived from the operation of the survey record repository pursuant to sections 84-412 and 84-413, and shall pay such money to the State Treasurer, who shall credit it to the Survey Record Repository Fund which is hereby created. When appropriated by the Legislature, this fund shall be expended only for the purposes of sections 84-412 and 84-413, except that transfers may be made from the fund to the General Fund at the direction of the Legislature. All money in the Survey Record Repository 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.

84-415. - Survey record repository; funding; fees.

No expense for developing or maintaining the survey record repository shall be paid for by funds from the General Fund. The fees for records, searches, and other services related to the repository's files shall be set so that all costs of the survey record repository are paid by the persons requesting such records, searches, or other services.

The Nebraska Plane Coordinate System Act

76-2501. - Act, how cited.

Sections 76-2501 to 76-2506 shall be known and may be cited as the Nebraska Plane Coordinate System Act.

76-2502. - Nebraska Plane Coordinate System, defined.

1. For purposes of the Nebraska Plane Coordinate System Act, Nebraska Plane Coordinate System means the system of plane coordinates for designating the geographic position of points on, within, or above the surface of the earth, within the State of Nebraska, defined or located in reference to the National Spatial Reference System, or its successors, which have been established by the National Ocean Service/National Geodetic Survey, or its successors, for defining and stating the geographic positions or locations of points on the surface of the earth, within the State of Nebraska; and
2. For purposes of more precisely defining the Nebraska Plane Coordinate System, it shall be the most recent system of plane coordinates adopted by the Geographic Information Systems Council, supported and published by the National Geodetic Survey, based on the National Spatial Reference System, and known as the State Plane Coordinate System, for defining and stating the geographic positions or locations of points within the State of Nebraska.

76-2503. - Plane coordinate values.

The plane coordinate values for a point on the earth's surface used to express the geographic position or location of such point of the Nebraska Plane Coordinate System shall consist of two distances expressed in feet and decimals of a foot or meters and decimals of a meter when using the Nebraska Plane Coordinate System. When the values are expressed in feet, a definition of one foot equals 0.3048 meters exactly must be used. One of the distances, to be known as the "northing or y-coordinate", shall give the position in a north-and-south direction. The other, to be known as the "easting or x-coordinate", shall give the position in an east-and-west direction.

76-2504. - Plane coordinates; recording; waiver.

No coordinate or coordinates based on the Nebraska Plane Coordinate System purporting to define the position of a point on a land boundary shall be presented to be recorded in any public land record, plat, easement, exhibit, certified corner record, or deed record unless such coordinate or coordinates are accompanied by a description of the horizontal datum, realization, and methodology used and published within the same document. The State Surveyor may grant a waiver of the requirements of this section upon submission of evidence that the standards of accuracy and specifications used exceed the requirements of this section.

76-2505. - Use of term; restriction.

1. The use of the term "Nebraska Plane Coordinate System" on any map, report, survey, or other document shall be limited to coordinates based upon the Nebraska Plane Coordinate System.
2. The provisions of the Nebraska Plane Coordinate System Act shall not be construed to prohibit the appropriate use of other geodetic reference networks.

76-2506. - Tracts of land; how described.

1. Descriptions of tracts of land by reference to subdivisions, lines or corners of the United States Public Land Survey System or other original pertinent surveys, are recognized as the basic and prevailing method for describing tracts of land. Whenever coordinates of the Nebraska Plane Coordinate System are used in descriptions of tracts of land, they shall be construed as being supplementary to such descriptions. In the event of any conflict, coordinates of the Nebraska Plane Coordinate System shall not determine the issue, but may be used as collateral facts to show additional evidence.
2. Descriptions of tracts of land shall not be described entirely by coordinates of the Nebraska Plane Coordinate System or any other plane coordinate system.
3. Nothing in this section requires a purchaser, mortgagee, or insurer of real property to rely on a land description, any part of which depends exclusively upon the Nebraska Plane Coordinate System.

County Surveyor

23-1901. - County surveyor; county engineer; qualifications; powers and duties.

1. It shall be the duty of the county surveyor to make or cause to be made all surveys within his or her county that the county surveyor may be called upon to make and record the same.
2. In all counties having a population of at least one hundred thousand inhabitants but less than one hundred fifty thousand inhabitants, the county surveyor shall be ex officio county engineer and shall be either a professional engineer as provided in the Engineers and Architects Regulation Act or a professional land surveyor as provided in the Land Surveyors Regulation Act or both. In such counties, the office of surveyor shall be full time.
In counties having a population of one hundred fifty thousand inhabitants or more, a county engineer shall be a professional engineer as provided in the act and shall be elected as provided in section 32-526.
3. The county engineer or ex officio county engineer shall:
 - a. Prepare all plans, specifications, and detail drawings for the use of the county in advertising and letting all contracts for the building and repair of bridges, culverts, and all public improvements upon the roads;
 - b. Make estimates of the cost of all such contemplated public improvements, make estimates of all material required for such public improvements, inspect the material and have the same measured and ascertained, and report to the county board whether the same is in accordance with its requirements;
 - c. Superintend the construction of all such public improvements and inspect and require that the same shall be done according to contract;
 - d. Make estimates of the cost of all labor and material which shall be necessary for the construction of all bridges and improvements upon public highways, inspect all of the work and materials placed in any such public improvements, and make a report in writing to the county board with a statement in regard to whether the same comply with the plans, specifications, and detail drawings of the county board prepared for such work or improvements and under which the contract was let; and
 - e. Have charge and general supervision of work or improvements authorized by the county board, inspect all materials, direct the work, and make a report of each piece of work to the county board.
The county engineer or surveyor shall also have such other and further powers as are necessarily incident to the general powers granted.
4. The county surveyor shall prepare and file the required annual inventory statement of county personal property in his or her custody or possession as provided in sections 23-346 to 23-350.

5. In counties having a population of one hundred fifty thousand inhabitants or more, the county engineer shall appoint a full-time county surveyor. The county surveyor shall perform all the duties prescribed in sections 23-1901 to 23-1913 and any other duties assigned to him or her by the county engineer. The county surveyor shall be a professional land surveyor as provided in the Land Surveyors Regulation Act.

23-1901.01. - County surveyor; residency; appointment; when; qualifications; term.

1. A person need not be a resident of the county when he or she files for election as county surveyor, but if elected as county surveyor, such person shall reside in a county for which he or she holds office.
2. In a county having a population of less than one hundred fifty thousand inhabitants in which the voters have voted against the election of a county surveyor pursuant to section 32-525 or in which no county surveyor has been elected and qualified, the county board of such county shall appoint a competent professional land surveyor who is licensed pursuant to the Land Surveyors Regulation Act either on a full-time or part-time basis to such office. In making such appointment, the county board shall negotiate a contract with the surveyor, such contract shall specify the responsibility of the appointee to carry out the statutory duties of the office of county surveyor and shall specify the compensation of the surveyor for the performance of such duties, which compensation shall not be subject to section 33-116. A county surveyor appointed under this subsection shall serve the same term as that of an elected surveyor.
3. A person appointed to the office of county surveyor in any county shall not be required to reside in the county of appointment.

23-1901.02. - County surveyor; deputy; appointment; oath; duties.

The county surveyor may appoint a deputy for whose acts he or she will be responsible. The surveyor may not appoint the county treasurer, sheriff, register of deeds, or clerk as deputy.

In counties having a population of one hundred thousand but less than one hundred fifty thousand, if the county surveyor is a professional engineer, he or she shall appoint as deputy a professional land surveyor or, if the county surveyor is a professional land surveyor, he or she shall appoint as deputy a professional engineer. This requirement shall not apply if the county surveyor is both a professional engineer and a professional land surveyor.

The appointment shall be in writing and revocable in writing by the surveyor. Both the appointment and revocation shall be filed and kept in the office of the county clerk.

The deputy shall take the same oath as the surveyor which shall be endorsed upon and filed with the certificate of appointment. The surveyor may require a bond of the deputy.

In the absence or disability of the surveyor, the deputy shall perform the duties of the surveyor pertaining to the office, but when the surveyor is required to act in conjunction with or in place of another officer, the deputy cannot act in the surveyor's place.

23-1903. - Witnesses; attendance and testimony; power to compel; fees.

The county surveyor or his deputy, in the performance of his official duties, shall have the power to summon and compel the attendance of witnesses before him, to testify respecting the location and identification of any line or corner. When any such witness testifies to any material fact, his testimony must be reduced to writing and subscribed by him and made a matter of record. The county surveyor and his deputy are hereby authorized and empowered to administer oaths and affirmations to any person appearing as a witness before them. But the testimony as provided for herein shall never be used as evidence in any action involving corners or boundary lines, except for the purpose of impeachment. Each witness shall be entitled to the same fees allowed in county court.

23-1904. - Surveyor's certificate; use as evidence; effect.

The certificate of the county surveyor of any survey made by him of any lands in the county shall be presumptive evidence of the facts stated therein, unless such surveyor shall be interested in the same.

23-1905. - Surveyor; interest; disqualification; who may act.

Whenever a survey of any lands or lots is required, in which the county surveyor is interested, such survey may be made by the surveyor of another county in like manner and to the same effect as though such survey had been made by the surveyor of the county where the land is situated. The surveyor doing the work shall record the field notes of said survey in the official record of surveys of the county wherein the land is situated.

23-1906. - Trespass; exemption from liability.

The county surveyor in the performance of his official duties, shall not be liable to prosecution for trespass.

23-1907. - Original corners; perpetuation.

It shall be the duty of the county surveyor in surveys made by him or her to perpetuate all original corners not at the time well marked, and all corners or angles that he or she may establish or reestablish, in a permanent manner by setting monuments containing ferromagnetic material, according to the instructions of the State Surveyor.

23-1908. - Corners; establishment and restoration; rules governing.

The boundaries of the public lands established by the duly appointed government surveyors, when approved by the Surveyor General and accepted by the government, are unchangeable, and the corners established thereon by them shall be held and considered as the true corners which they were intended to represent, and the restoration of lines and corners of such surveys and the division of sections into their legal subdivisions shall be in accordance with the laws of the United States, the circular of instructions of the United States Department of the Interior, Bureau of Land Management, on the restoration of lost and obliterated section corners and quarter corners, and the circular of instructions to the county surveyors by the State Surveyor under authority of the Board of Educational Lands and Funds. The county

surveyor is hereby authorized to restore lost and obliterated corners of original surveys and to establish the subdivisional corners of sections in accordance with the provisions of this section and section 23-1907. Any professional land surveyor licensed under the Land Surveyors Regulation Act is hereby authorized to establish any corner not monumented in the original government surveys in accordance with the provisions of this section and section 23-1907. Subdivision shall be executed according to the plan indicated by the original field notes and plats of surveys and governed by the original and legally restored corners. The survey of the subdivisional lines of sections in violation of this section shall be absolutely void.

Annotations:

This section provides that the restoration of lines and corners of original government surveys shall be in accordance with the laws of the United States and the circular of instructions of the U.S. Department of the Interior, Bureau of Land Management. The circular of instructions of the U.S. Department of the Interior provides that in restoring lines of a survey the purpose is not to correct the original survey, but to determine where the corner was established in the beginning; that an existent corner is one whose position can be located by an acceptable survey record, including testimony of witnesses who have a dependable knowledge of the original location; and that an obliterated corner's location may be recovered if proved beyond a reasonable doubt by unquestionable testimony. *State v. Jarchow*, 219 Neb. 88, 362 N.W.2d 19 (1985).

Government monuments, if found, will control as to location of section corners and subsequent surveys. *Runkle v. Welty*, 86 Neb. 680, 126 N.W. 139 (1910).

Government monuments or corners will control course and distance and government plats and field notes are competent evidence. *Peterson v. Skjelver*, 43 Neb. 663, 62 N.W. 43 (1895).

23-1909. - Subdivisions; petition for survey; expense.

Whenever a majority of the owners of any section or quarter section of land, which has not been subdivided into its legal subdivisions, or owners of a major portion thereof, desire to have said land subdivided, they may petition the county surveyor to make such survey, who, after giving at least ten days' notice to all such owners residing within the county, shall proceed to make the survey. The expense thereof shall be borne by all the owners in proportion to the work done for each, to be apportioned by the surveyor.

23-1910. - Field books; contents.

Each county surveyor shall procure, at the expense of the county, suitable memorandum field books for his or her use in the field. He or she shall enter in such field books, as the work progresses, all the details necessary to make up a complete record of each survey. The field books are to be properly indexed and kept on file as a part of the records of his or her office.

23-1911. - Surveys; records; contents; available to public.

The county surveyor shall record all surveys, for permanent purposes, made by him or her, as required by sections 81-8,121 to 81-8,122.02. Such

record shall set forth the names of the persons making the application for the survey, for whom the work was done, and a statement showing it to be an official county survey or resurvey. The official records, other plats, and field notes of the county surveyor's office shall be deemed and considered public records. Any agent or authority of the United States, the State Surveyor or any deputy state surveyor of Nebraska, or any professional land surveyor licensed pursuant to the Land Surveyors Regulation Act shall at all times, within reasonable office or business hours, have free access to the surveys, field notes, maps, charts, records, and other papers as provided for in sections 23-1901 to 23-1913. In all counties, where no regular office is maintained in a county-owned building for the county surveyor of that county, the county clerk shall be custodian of the official record of surveys and all other permanent records pertaining to the office of county surveyor.

Annotations

An agreement as to boundary line is binding upon all parties having notice, though it may not be true line. *Lynch v. Egan*, 67 Neb. 541, 93 N.W. 775 (1903); *Egan v. Light*, 4 Neb. Unof. 127, 93 N.W. 859 (1903).

Where, on a line of the same survey and between remote corners, there is a variance between the measurement of the length of the whole line and the length of the line called for, excess or deficiency should be distributed equally unless one of the quarter sections is fractional, in which latter case excess is distributed proportionately. *Brooks v. Stanley*, 66 Neb. 826, 92 N.W. 1013 (1902).

In determining lines, testimony of party who located the line from government monuments then in existence is preferable to surveyor's testimony, who subsequently located a different line. *Baty v. Elrod*, 66 Neb. 735, 92 N.W. 1032 (1903), affirmed on rehearing 66 Neb. 744, 97 N.W. 343 (1903).

Government corners, if ascertained, will control all other surveys; if lost, they may be established by witnesses; if no witnesses, government field notes will control. *Clark v. Thornburg*, 66 Neb. 717, 92 N.W. 1056 (1902).

Government corners control field notes at time of survey and also field notes, courses, and distances of subsequent survey; as to lost corners, field notes will control. *Knoll v. Randolph*, 3 Neb. Unof. 599, 92 N.W. 195 (1902).

Surveyor need not follow original order of survey and his location of section corner will not be rejected in absence of proof of mistake or error. *Shrake v. Laflin*, 3 Neb. Unof. 489, 92 N.W. 184 (1902).

23-1913. - Records; transfer to successor; violation; penalty.

When the term of any county surveyor shall expire or he shall resign or be removed, he shall deliver to his successor all books, maps, plats, diagrams, and papers pertaining to his office, and all correspondence with the Department of the Interior at Washington, D.C., and state officials pertaining to surveys in his county. Any county surveyor who, on the expiration of his term of office, or on his resignation or removal, shall neglect, for the period of thirty days after his successor shall be elected or appointed, and qualified, to deliver all such books, maps, plats, diagrams, papers, and correspondence aforesaid, or any executor or administrator of any deceased county surveyor, who shall neglect for

the space of thirty days to deliver to such successor all such books, maps, plats, diagrams, papers, and correspondence aforesaid, which shall come into his hands, shall forfeit and pay into the county treasury a sum not less than ten and not more than fifty dollars, and a similar sum for each thirty days thereafter during which he shall so neglect to deliver the same as aforesaid. If no successor has been elected or appointed and qualified, then they shall be delivered to the county clerk.

32-525. - County surveyor; election; when required; terms; qualifications; question of electing county surveyor; county board; powers; form of ballot; partisan ballot.

(1) Except as provided in section 22-417 and except for counties which vote not to elect the county surveyor as provided in subsection (2) or (4) of this section, a county surveyor on either a full-time or part-time basis, as determined by the county board in accordance with section 23-1901, shall be elected in each county having a population of less than one hundred fifty thousand inhabitants at the statewide general election in 1990 and each four years thereafter.

(2)(a) Except as provided in section 22-417 and in subsection (3) of this section, in each county having a population of less than one hundred fifty thousand inhabitants, the question of electing a county surveyor in the county shall be submitted to the registered voters of the county at the statewide general election in 2020. The form of submission upon the ballot shall be as follows: For election of county surveyor; Against election of county surveyor.

(b) If a majority of the votes cast on the question are against the election of a county surveyor in such county, the office of county surveyor shall cease as an elected office with the expiration of the term of the incumbent or shall remain as it exists if no elected official holds that office. In such counties, the office shall be filled as provided in subsection (2) of section 23-1901.01.

(c) If a majority of the votes cast on the question are in favor of the election of a county surveyor, the office shall continue to be elected as provided in subsection (1) of this section or, if no elected county surveyor is in office, a county surveyor shall be elected at the next statewide general election as provided in subsection (1) of this section.

(3) If a county having a population of less than one hundred fifty thousand inhabitants has an elected county surveyor in office on January 1, 2020, the county board may, prior to February 1, 2020, following a public hearing, adopt a resolution to continue to elect the county surveyor for the county and not to submit the question pursuant to subsection (2) of this section.

(4)(a) Beginning in 2021, in each county having a population of less than one hundred fifty thousand inhabitants, the county board shall submit the question of electing a county surveyor in the county to the registered voters of the county at the next statewide general election if (i) the county board, by majority vote of all the members of the county board, adopts a resolution on or before September 1 prior to the next statewide general election to submit the question to the voters or (ii) a petition conforming to section 32-628 asking for the submission of the question to the voters is presented to the election commissioner or county clerk on or before September 1 prior to the next statewide

general election signed by at least ten percent of the registered voters of the county. The election commissioner or county clerk shall verify the signatures pursuant to section 32-631 and place the question on the ballot if he or she determines that at least ten percent of the registered voters of the county have signed the petition.

(b) The form of submission upon the ballot shall be as follows: For election of county surveyor; Against election of county surveyor.

(c) If a majority of the votes cast on the question are against the election of a county surveyor in such county, the office of county surveyor shall cease as an elected office with the expiration of the term of the incumbent or shall remain as it exists if no elected official holds that office. In such counties, the office shall be filled as provided in subsection (2) of section 23-1901.01.

(d) If a majority of the votes cast on the question are in favor of the election of a county surveyor, the office shall continue to be elected as provided in subsection (1) of this section or, if no elected county surveyor is in office, a county surveyor shall be elected at the next statewide general election as provided in subsection (1) of this section.

(5) The term of the county surveyor shall be four years or until his or her successor is elected and qualified. The county surveyor shall meet the qualifications found in sections 23-1901 and 23-1901.01. The county surveyor shall be elected on the partisan ballot.

33-116. - County surveyor; compensation; fees; mileage; equipment furnished.

Each county surveyor shall be entitled to receive the following fees: (1) For all services rendered to the county or state, a daily rate as determined by the county board; and (2) for each mile actually and necessarily traveled in going to and from work, the rate allowed by the provisions of section 81-1176. All expense of necessary assistants in the performance of the above work, the fees of witnesses, and material used for perpetuation and reestablishing lost exterior section and quarter corners necessary for the survey shall be paid for by the county and the remainder of the cost of the survey shall be paid for by the parties for whom the work may be done. All necessary equipment, conveyance, and repairs to such equipment, required in the performance of the duties of the office, shall be furnished such surveyor at the expense of the county, except that in any county with a population of less than one hundred thousand the county board may, in its discretion, allow the county surveyor a salary fixed pursuant to section 23-1114, payable monthly, by warrant drawn on the general fund of the county. All fees received by surveyors so receiving a salary may, with the authorization of the county board, be retained by the surveyor, but in the absence of such authorization all such fees shall be turned over to the county treasurer monthly for credit to the county general fund.

Annotations

An agreement by a county surveyor to perform services required of him for a less compensation than that fixed by law is contrary to public policy and void. *Hansen v. Cheyenne County*, 139 Neb. 484, 297 N.W. 902 (1941); *Fitch v. Cass County*, 139 Neb. 483, 297 N.W. 905 (1941).

Preservation of Landmarks or Corners of Land Surveys

34-201. - Preservation during construction and other work.

It shall be the duty of every individual or corporation engaged either directly or indirectly in the construction of any irrigation ditch, drainage ditch, railroad, side track or spur track, or any other construction, or in any other activity whatsoever, that endangers or may endanger or may cause the loss or destruction of any landmark or corner of land surveys or boundaries, to employ the county surveyor of the county wherein they are situated to properly perpetuate or witness said landmarks and corners according to law.

34-202. - Failure to protect; liability for damages.

Any individual or corporation who shall fail to protect such landmarks or corners shall be responsible for all damage that may accrue to the party injured by reason of such loss or destruction.

39-1708. - Corner markers; perpetuation; duty of county board; notice of destruction.

It shall be the duty of the county board of each county to cause to be perpetuated the existing corners of land surveys along the public roads and highways where such corners are liable to destruction, either by public travel or construction or maintenance. The board shall cause to be established witness corners in at least two directions and cause such work to be recorded after the manner of other surveys. It shall be the duty of every person supervising the construction, improvement or maintenance of the public roads or highways, to notify the county surveyor of the destruction of any corners of land surveys. If there is no county surveyor in the county, then such notice shall be given to the county board.

39-1709. - Corner markers; loss or destruction; report to county board; liability for failure to report.

Any person having knowledge of the loss or destruction of a corner marker of a land survey, who shall fail or neglect to report the same in writing as provided in section 39-1708 shall be liable for the expense of the resurvey and restoration of such corner, and for any damage sustained by landowners by reason of such failure or neglect.

Bylaws of the Nebraska State Board of Examiners for Land Surveyors

Section 1. The organization of the Nebraska State Board of Examiners for Land Surveyors (Board) and its duties are as set forth in the Land Surveyors Regulation Act (Act).

In all matters not specifically covered by the Act, the functions of the Chairperson, Vice-Chairperson, and Ex Officio Secretary of the Board (Secretary) are those commonly recognized as pertaining to these offices. The term of the Chairperson and Vice-Chairperson shall be annually 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 the Act, the Ex Officio 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 May or June at the call of the Chairperson or Secretary. The Chairperson and Vice-Chairperson shall be elected at the Annual Meeting and their terms 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 Chairperson, Secretary, or the Board on its own motion may at any time change the order of business when an emergency exists, or to accommodate a guest or witness, as it is necessary to comply with a slated time published on the agenda.

Section 5. Records: In addition to the records, etc., prescribed by the Act, 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, 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 within the inner circle, the seal of the State of Nebraska. This seal shall be used on all certificates given and on any other

official business the Chairperson, Secretary, or the Board on its own motion determines appropriate.

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

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

Each licensed Professional 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 a card shall bear the signature of the Secretary and shall also have a space for the signature of the licensee. A similar pocket card will be issued by the Board to applicants who have successfully completed all requirements for renewal.

Such licenses 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. Licenses 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 licenses pursuant to other Sections and the Statutes of the State of Nebraska. Each inactive licensee shall be allowed to retain his or her certificate, and shall not be required to return his or her personal seal to the Secretary of the Board.

Section 8. Examinations: Examinations shall be conducted as prescribed in the Act at such time and place as the Board may designate and in accordance with such Rules and Regulations as the Board may decide upon.

Section 9. Bylaws and Amendments: These Bylaws shall be in full force and in effect from and after their adoption by a majority vote of the Board at any regular meeting.

These Bylaws 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 Procedures Act of agencies of the State of Nebraska.

Rules and Regulations

Title 234 - NAC - Nebraska State Board of Examiners for Land Surveyors

Table of Contents

<u>Chapter #</u>	<u>Chapter Title</u>	<u>Page</u>	<u>Code</u>
1	General Provisions	36	(1) 001 - 003
2	Classes of Applicants	37	(2) 001 - 004
3	Fees and Application for Registration	38	(3) 001 - 006
4	Examinations	39	(4) 001 - 014
5	Certificate of Registration	41	(5) 001 - 004
6	The Registered Professional Land Surveyor's Seal	42	(6) 001 - 003
7	Professional Development	44	(7) 001 - 009
8	Biennial Renewal	47	(8) 001 - 009
9	Code of Practice	49	(9) 001 - 003
10	Enforcement	52	(10) 001 - 003
11	Disciplinary Actions	55	(11) 001 - 003
12	Minimum Standards for Land Surveys in Nebraska	56	(12) A - K
13	Minimum Standards for Improvement Location Reports	67	(13) A - C
Appendix I	Closure and Accuracy Standard Chart	69	(13) K.1
Appendix II	Sample Surveyors Certificate	70	(13) G.11
	Work Order	71	

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-in-training 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-in-training 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 take-home 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.

013. 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 inactive 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 inactive 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 inactive 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.

1. "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 man-made 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.
2. Tax lots, irregular tracts, et cetera, 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.
6. 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:

1. 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:
 - a. 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 sample 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

1. 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:

1. 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' ($\pm 0.05'$), 12.5' ($\pm 0.5'$), 20' ($\pm 1'$)
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.

Appendix I

		Remarks and Formula
Unadjusted Closure (maximum allowable)	1:10,000	Traverse Loop or between Control Monuments (closed traverse)
Angular Closure (maximum allowable)	$25''\sqrt{N}$	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 and carried to nearest _____ (decimal place) of an acre (closed traverse, radial or GPS)	0.01	To 1 acre
	0.01	To 10 acres
	0.10	To 100 acres
	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)

Appendix II

Sample Surveyor's Certificate:

Surveyor's Certificate

I, (Your Name), Nebraska Professional Land Surveyor No. , duly licensed 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)
(Your Name-Printed)

Date: _____

Nebr. P.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: _____

Common Address: _____

Legal Description: _____

Deliver: _____ Copies: _____ Need by Date: _____

Anticipated closing date: _____

Is estimate of fee required prior to service? Yes _____ No _____

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

_____ **Improvement Location Report:**

This is a minimum survey that shows the location of the buildings and foundations actually located on the land covered by the legal description provided by the client. This is NOT a boundary survey and is subject to any inaccuracies that a boundary survey may disclose.

THE IMPROVEMENT LOCATION REPORT SHOULD NOT BE USED OR RELIED UPON FOR THE ESTABLISHMENT OF ANY FENCE, STRUCTURE OR OTHER IMPROVEMENTS.

_____ **Boundary and Improvement Location Survey:**

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

_____ **ALTA (American Land Title Association) Survey:**

This is the most comprehensive type of survey. It covers all the aspects of the boundary and improvement location survey together with the identification of any additional evidence of possession or use which could be adverse to the interests of the borrower.

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

Client

Roster of Professional Land Surveyors

PLS No.	Name	City, State	PLS No.	Name	City, State
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— A —

458	Aitken, Timothy J.	St Paul, NE
680	Anderson, David G	Albertville, MN
630	Andrist, Jai J	Grand Island, NE
558	Arens, James L	Yankton, SD

— B —

834	Badtke, Christopher	Eau Claire, WI
711	Baker, Shane	Omaha, NE
702	Barrett, Nicholas	Montrose, CO
744	Baumhover, Richard H	Urbandale, IA
799	Beaudette, Dustin L	Scottsbluff, NE
570	Beenblossom, Derek A	Martell, NE
837	Begley, Jordan	Richmond, KY
536	Benck, Brian D	Columbus, NE
691	Bender, Jeremy M	Papillion, NE
679	Bennett, Ronald W	Tulsa, OK
718	Benson, Brian	Yankton, SD
755	Benson, Brian J	Wahoo, NE
660	Bernard, Daryn M	Norman, OK
535	Berry, John V	Lincoln, NE
721	Berting, Murray B	West Des Moines, IA
497	Birkel, Lynn D	Columbus, NE
795	Blackmore, Stanley P	Kearney, NE
610	Blodgett, Jamie L	Central City, NE
825	Boden, Jeff	Auburn, NE
631	Bolte, Virlyn S	Henderson, NE
766	Borchers, Joshua D	Wahoo, NE
438	Boschult, Clark A	Scribner, NE
603	Bossé, Scott M	Mitchell, NE
736	Boyd, Shawn T	Kearney, NE
749	Brady, Don M	West Monroe, LA
708	Brandt, John L	Yankton, SD
706	Braun, Beth	Canton, MI
586	Breuer, Eric M	Norfolk, NE
611	Brightenburg, Karen D	Lincoln, NE
641	Broeker, Andrew L	Lincoln, NE
841	Brooks, Jr., Thomas W	Ruston, LA
852	Brown, Bryan A	Shelton, NE
828	Brown, Michael B	Benbrook, TX
869	Browne, Grainger	Lincoln, NE
696	Bruckner, Anthony L	Omaha, NE
511	Brush, Donald A	Morrill, NE
843	Bryan, Robert W	Golden, CO
728	Butler, Jack	Springfield, MO

— C —

818	Campbell, Dylan	Lincoln, NE
644	Caniglia, Michael	Omaha, NE
306	Carrell, Clarence R	Omaha, NE
693	Carrell, Jon L	Omaha, NE
761	Catlett, Paul A	Bennet, NE
502	Catlett, Thomas B	Bennet, NE
609	Catt, Kyle E	Lincoln, NE
618	Charles, Jeremy	Wahoo, NE
647	Clifford, Scott S	McCook, NE
786	Collins, Jon	Rapid City, SD
655	Conway, Timothy J	Omaha, NE
849	Corbridge, Chase J	Johnstown, CO
866	Crotts, Clayton	Oklahoma City, OK
727	Cyboron, Brent D	Grand Island, NE

— D —

826	Daharsh, Jeffry L	Omaha, NE
814	Dawson, Roger D	Tulsa, OK
751	Dayton, Benjamin	Cary, NC
632	DeBusk, Chad R	Lincoln, NE
833	Decker, Samuel D	Omaha, NE
670	Dedrick, Kenneth J	Lenexa, KS
791	DeGraff, Paul E	Broomfield, CO
668	Delles, Warren L	St. Paul, MN
554	Dickinson, Ryan E	Ogallala, NE
441	Dietz, Wayne M	Orleans, NE
853	Dimon, Jeffrey	Council Bluffs, IA
672	Dixon, Chad	Kearney, NE
524	Doering, David J	Beatrice, NE
292	Donnelson, Gary	Lexington, NE
507	Dorner, Chris E	Omaha, NE
522	Dubs, Jay L	Alliance, NE

— E —

464	Edwards, Bonita M	North Platte, NE
540	Egger, John R	Lincoln, NE
445	Ehrhart, Mark E	Omaha, NE
864	Elder, Frank C	Omaha, NE
808	Estrada, Andres H	Centennial, CO

— F —

648	Farley, LeRoy W	Duluth, MN
726	Feusner, Jeremy D	Kearney, NE
654	Fiala, Dean J	Lincoln, NE
810	Fish, Timothy L	Kitty Hawk, NC

Roster of Professional Land Surveyors

PLS No.	Name	City, State	PLS No.	Name	City, State
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– F cont –

835	Flood, Kevin E	Keokuk, IA
588	Foral, Brian J	Wahoo, NE
854	Ford, Dustin	Oklahoma City, OK
782	Forsythe, David E	Bonner Springs, KS
778	Fouts, Matthew A	Woodbine, IA
606	Fowlds, Brian L	Sioux Falls, SD
525	Franklin, Fred	Omaha, NE
592	Fredrickson, Mark	Elkhorn, NE
862	Freudensprung, Sandy W	Duluth, MN
682	Fryc, Stacey L	Lincoln, NE

– G –

600	Geier, Michael G	Council Bluffs, IA
576	Genzel, Jeffrey A	Colden, NY
567	Gibbs, Jeff	Omaha, NE
731	Gilbert, Carl J	Harrisburg, NE
859	Gilbertson, Joshua J	Kearney, NE
759	Gobel, Timothy L	Bloomfield, NE
704	Goertzen, Adam J	Grand Island, NE
633	Grabowski, Paul F	Aurora, NE
781	Gregory, Kellan M	Kansas City, MO
619	Gross, Cory J	Omaha, NE
783	Grummert, Joshua E	Kenesaw, NE
764	Gustafson, Jason	Hammond, WI

– H –

855	Haggarty, Duffy	Cheney, WA
491	Hanson, Timothy A	Valentine, NE
787	Haverkamp, Brian L	Omaha, NE
453	Hawks, James W	North Platte, NE
673	Hays, Christopher C	Osceola, NE
620	Headlee, Warren R	Omaha, NE
604	Headley, Jason B	Omaha, NE
361	Heiden, Rex F	Waco, NE
373	Hill, Ronald D	Council Bluffs, IA
681	Hillmer, Nicholas M	Plymouth, MN
860	Horne, Philip R	Cannonsburg, PA
823	Howe, Douglas	Omaha, NE
857	Howell, John S	Omaha, NE
830	Huffman, Kenneth D	Laramie, WY
739	Hummel, Philipp	Englewood, CO
492	Humphrey, Mitchell W	Kearney, NE
674	Hurt, Jesse E	Grand Island, NE
769	Hyde, Steven J	St. Petersburg, FL

– I –

861	Ihde, Christopher	Overland Park, KS
571	Imus, Cevin C	Gillette, WY
789	Irlmeier, Jacob	Council Bluffs, IA

– J –

634	Jacobson, Joel S	Omaha, NE
842	Janisse, James	San Antonio, TX
776	Jasnowski, Evan A	Aurora, NE
773	Jensen, Brian J	Sioux Falls, SD
762	Jensen, Justin	Fort Dodge, IA
844	Jensen, Nicholas R	Dickinson, ND
756	Jensen, Noah M	Omaha, NE
615	Johannes, Mark	Colorado Springs, CO
813	Johnson, Jay A	Hiawatha, IA
794	Johnson, Mark E	Lenexa, KS
429	Johnson, Richard C	Norfolk, NE
867	Johnson, Walker R	Lincoln, NE
858	Johnston Jr., Robert L	Shreveport, LA
420	Jordan, Charles P	Plattsmouth, NE
621	Jorgensen, Brent A	Tecumseh, NE

– K –

809	Keller, John D	Tulsa, OK
512	Kennedy, Brett R	Sioux Falls, SD
839	Kern, Michael	Plano, TX
848	Kerr, Adam G	Lincoln, NE
483	Kerr, Billy J	Lincoln, NE
847	Kiefer, Simon L	Fort Worth, TX
595	Kingman, Richard	Lincoln, NE
622	Kirk, Patrick W	Nickerson, NE
870	Klemm, Victoria J	Boise, ID
627	Klinkenberg, Derek	Maitland, FL
772	Knight, William E	Kansas City, MO
566	Knight, William E	Omaha, NE
798	Kohler, Robert J	Bismarck, ND
448	Krueger, Thomas L	Hastings, NE
827	Krumbach, Brent D	Omaha, NE
774	Kubota, Jeffrey A	Lawrence, KS
658	Kummer, Robert D	Sioux Falls, SD

– L –

709	Lamberton, David	Sioux City, IA
589	Lamprecht, Timothy J	N. Sioux City, SD
546	Langenberg, Brian L	Holdrege, NE
707	Latzke, Jason R	Sartell, MN

Roster of Professional Land Surveyors

PLS No.	Name	City, State	PLS No.	Name	City, State
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– L cont –

850	Lawson, Jeremy A.....	Russellville, AR
793	Lay, Michael D	Merriam, KS
678	Lee, Vernen	Greenwood Village, CO
574	Leisinger, Jonathan M	Council Bluffs, IA
770	Levanen, Jason D	Sheridan, WY
602	Leverington, Jr., Robert E	Pueblo, CO
722	Lugo, Jesus A	Centennial, CO
462	Lynam, Thomas A	Papillion, NE

– M –

725	Magnuson, Darryl E	Billings, MT
440	Malone, Jayme M	Lincoln, NE
560	Marsh, Chad W	Omaha, NE
498	Martinez, Danny Joe W	Omaha, NE
729	McAdams, Russell C	St. Joseph, MO
530	McLaughlin, Steven R	Battlefield, MO
594	McLaury, Kim L	Sioux Falls, SD
580	McMurphy, Mark A	Grimes, IA
605	McNaney, Steven M	Omaha, NE
804	Meaieke, Tarron	Council Bluffs, IA
699	Meyer, Eric D	Parker, SD
543	Meyer, Michael L	Central City, NE
468	Miller, Dale E	Cave Creek, AZ
784	Miller, Darren B	Omaha, NE
597	Monaco, Thaniel E	Manhattan, KS
460	Mordhorst, Douglas	Sioux City, IA

– N –

475	Neef, David H	Bennington, NE
805	Neumiller, Bradley D	Casper, WY

– O –

796	O'Malley, Chris	Sidney, NE
734	Oswald, Louis B	Golden Valley, MN
765	O'Toole, Ryan M	Omaha, NE

– P –

667	Pakalnis, Frank L	Lawrenceville, GA
760	Panning, Troy E	Wahoo, NE
446	Parr, Steven A	Lincoln, NE
806	Payne, James L	Marshfield, MO
504	Penry, Jerold F	Lincoln, NE
650	Peschel, Robert	Marysville, KS
754	Peters, Scott A	Grand Island, NE

– P cont –

831	Phipps, Nicholas C	Gadsden, AL
865	Poole, Joseph J	Omaha, NE
851	Poppenga, Joseph A	Sioux Falls, SD
868	Pruett, Kyle T	Biggsville, IL

– R –

792	Rames, Steven	Norfolk, NE
695	Raphael, Marc J	Lincoln, NE
624	Rasmussen, Steven L	O'Neill, NE
742	Rector, Randell R	Omaha, NE
713	Reinke, Cory	Lincoln, NE
684	Rickard, Robert A	Leawood, KS
819	Riggs, Ray L	West Plains, MO
663	Ripp, Jacob H	Stromsburg, NE
625	Robinson, Timothy J	Fremont, NE
800	Roddy, Kyle J	Cambridge, MN
771	Roselles, Reade	Greenwood Village, CO
607	Rothanzl, Terrance L	Omaha, NE
780	Rowe, Terry L	Pittsburgh, PA

– S –

735	Sather, Joseph A	Wahoo, NE
608	Schaben, Eric	Omaha, NE
582	Schaffer, David J	Lawrence, KS
785	Schilz, Gregg M	Scottsbluff, NE
846	Schlieman, James A	Fargo, ND
391	Schmitz, David L	Nebraska City, NE
312	Schroeder, LaVern F	Norfolk, NE
811	Schulte, Christopher L	Omaha, NE
550	Schulz, Terry L	West Point, NE
689	Seery, Nicholas N	Oakland, NE
534	Serafin, Jeffrey J	Lincoln, NE
697	Shanks, Loren K	Vernal, UT
515	Sharp, Michael R	Papillion, NE
871	Sherard, Scott G	Westminster, CO
636	Sherlock, Casey C	Lincoln, NE
471	Sherrill, David J	Edwardsville, IL
832	Shultz, Neil C	Katy, TX
775	Siedschlag, Nicholas P	Elkhorn, NE
856	Skarin Jr., Richard L	Omaha, NE
657	Skroch, Mike	Bloomfield, NE
437	Smith, Lloyd C	Valentine, NE
565	Smith, Michael J	Omaha, NE
626	Snow, Trenton D	Kearney, NE
836	Spears, Michael R	Stillwater, OK

Roster of Professional Land Surveyors

PLS No.	Name	City, State	PLS No.	Name	City, State
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– S cont –

743	Staroscik, Kurt M.....	Columbus, NE
485	Stevenson, Douglas J.....	Holdrege, NE
520	Streit, Mark A.....	Lexington, NE
797	Sudbeck, Monte L.....	Denver, CO
562	Sullivan, Dennis P.....	Scottsbluff, NE
489	Svoboda, Marvin L.....	Schuyler, NE
821	Swingley, Ryan C.....	Indianapolis, IN

– T –

812	Terry, Don D.....	McCook, NE
757	Thomas, William R.....	Lincoln, NE
758	Thompson III, John W.....	Wray, CO
637	Thompson, Jason.....	Omaha, NE
397	Thomsen, Gene A.....	Lincoln, NE
593	Thomson, Daniel A.....	Lincoln, NE
542	Tichy, Robert M.....	Humboldt, NE
365	Tinkham, Gary D.....	Fort Calhoun, NE
692	Tinkham, Matthew R.....	Omaha, NE
455	Tremel, Thomas A.....	Columbus, NE
817	Trentmann, Eric A.....	St. Louis, MO

– V –

505	Van Fleet, Larry A.....	Omaha, NE
653	Van Voltenberg, Steve M.....	Omaha, NE
716	VanRaemdonck, Nathan A.....	Westminister, CO
465	Varner, David M.....	Bettendorf, IA
500	Vetick, Joseph J.....	Columbus, NE
579	Von Dollen, John W.....	Omaha, NE

– W –

557	Wagner, Lee D.....	Grand Island, NE
724	Wamre, Ross R.....	Little Falls, MN
676	Weber, Corey.....	Memphis, TN
807	Weers, Tyler J.....	Lincoln, NE
801	Weidensee, Derek J.....	Rapid City, SD
474	Wessel, Steven J.....	Lincoln, NE
409	Wheeler, Jr., Wayne W.....	Omaha, NE
510	White, Jr, William A.....	Omaha, NE
449	Whitfield, Dennis L.....	Bellevue, NE
561	Whitfield, Todd L.....	Omaha, NE
802	Whitlock, Joe D.....	Sioux Falls, SD
572	Wiegert, Bryan.....	Elkhorn, NE
590	Wilke, Dean A.....	Panama, IA
816	Winchester, James D.....	Fayetteville, AR
381	Wininger, Jesse W.....	Warsaw, MO
710	Wittstock, Jerome C.....	Balsam Lake, WI
638	Witulski, Chris C.....	Beatrice, NE
408	Wortman, Robert D.....	Rosalie, NE

– Y –

768	Yates, Dean.....	Kennard, TX
863	Yendra, Jared R.....	Kearney, NE
829	Yentes, Brian L.....	Omaha, NE
640	Young, John B.....	Kansas City, MO

– Z –

824	Zimmerman II, Stephen L.....	Des Moines, IA
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This Roster is current as of July 1, 2025

Land Surveyor rosters are continuously updated.
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nbels.nebraska.gov/lalpha.html

Roster of Professional Land Surveyors

Listed by Number

292	Donnelson, Gary	535	Berry, John V
306	Carrell, Clarence R	536	Benck, Brian D
312	Schroeder, LaVern F	540	Egger, John R
361	Heiden, Rex F	542	Tichy, Robert M
365	Tinkham, Gary D	543	Meyer, Michael L
373	Hill, Ronald D	546	Langenberg, Brian L
381	Wininger, Jesse W	550	Schulz, Terry L
391	Schmitz, David L	554	Dickinson, Ryan E
397	Thomsen, Gene A	557	Wagner, Lee D
408	Wortman, Robert D	558	Arens, James L
409	Wheeler, Jr., Wayne W	560	Marsh, Chad W
420	Jordan, Charles P	561	Whitfield, Todd L
429	Johnson, Richard C	562	Sullivan, Dennis P
437	Smith, Lloyd C	565	Smith, Michael J
438	Boschult, Clark A	566	Knight, William E
440	Malone, Jayme M	567	Gibbs, Jeff
441	Dietz, Wayne M	570	Beenblossom, Derek A
445	Ehrhart, Mark E	571	Imus, Cevin C
446	Parr, Steven A	572	Wiegert, Bryan
448	Krueger, Thomas L	574	Leisinger, Jonathan M
449	Whitfield, Dennis L	576	Genzel, Jeffrey A
453	Hawks, James W	579	Von Dollen, John W
455	Tremel, Thomas A	580	McMurphy, Mark A
458	Aitken, Timothy J	582	Schaffer, David J
460	Mordhorst, Douglas	586	Breuer, Eric M
462	Lynam, Thomas A	588	Foral, Brian J
464	Edwards, Bonita M	589	Lamprecht, Timothy J
465	Varner, David M	590	Wilke, Dean A
468	Miller, Dale E	592	Fredrickson, Mark
471	Sherrill, David J	593	Thomson, Daniel A
474	Wessel, Steven J	594	McLaury, Kim L
475	Neef, David H	595	Kingman, Richard
483	Kerr, Billy J	597	Monaco, Thaniel E
485	Stevenson, Douglas J	600	Geier, Michael G
489	Svoboda, Marvin L	602	Leverington, Jr., Robert E
491	Hanson, Timothy A	603	Bosse, Scott M
492	Humphrey, Mitchell W	604	Headley, Jason B
497	Birkel, Lynn D	605	McNaney, Steven M
498	Martinez, Danny Joe W	606	Fowlds, Brian L
500	Vetick, Joseph J	607	Rothanzl, Terrance L
502	Catlett, Thomas B	608	Schaben, Eric
504	Penry, Jerold F	609	Catt, Kyle E
505	Van Fleet, Larry A	610	Blodgett, Jamie L
507	Dorner, Chris E	611	Brightenburg, Karen D
510	White, Jr, William A	615	Johannes, Mark
511	Brush, Donald A	618	Charles, Jeremy
512	Kennedy, Brett R	619	Gross, Cory J
515	Sharp, Michael R	620	Headlee, Warren R
520	Streit, Mark A	621	Jorgensen, Brent A
522	Dubs, Jay L	622	Kirk, Patrick W
524	Doering, David J	624	Rasmussen, Steven L
525	Franklin, Fred	625	Robinson, Timothy J
530	McLaughlin, Steven R	626	Snow, Trenton D
534	Serafin, Jeffrey J	627	Klinkenborg, Derek

Roster of Professional Land Surveyors

Listed by Number

630	Andrist, Jai J	722	Lugo, Jesus A
631	Bolte, Virlyn S	724	Wamre, Ross R
632	DeBusk, Chad R	725	Magnuson, Darryl E
633	Grabowski, Paul F	726	Feusner, Jeremy D
634	Jacobson, Joel S	727	Cyboron, Brent D
636	Sherlock, Casey C	728	Butler, Jack
637	Thompson, Jason	729	McAdams, Russell C
638	Witulski, Chris C	731	Gilbert, Carl J
640	Young, John B	734	Oswald, Louis B
641	Broeker, Andrew L	735	Sather, Joseph A
644	Caniglia, Michael	736	Boyd, Shawn T
647	Clifford, Scott S	739	Hummel, Philipp
648	Farley, LeRoy W	742	Rector, Randell R
650	Peschel, Robert	743	Staroscik, Kurt M
653	Van Voltenberg, Steve M	744	Baumhover, Richard H
654	Fiala, Dean J	749	Brady, Don M
655	Conway, Timothy J	751	Dayton, Benjamin
657	Skroch, Mike	754	Peters, Scott A
658	Kummer, Robert D	755	Benson, Brian J
660	Bernard, Daryn M	756	Jensen, Noah M
663	Rlpp, Jacob H	757	Thomas, William R
667	Pakalnis, Frank L	758	Thompson III, John W
668	Delles, Warren L	759	Gobel, Timothy L
670	Dedrick, Kenneth J	760	Panning, Troy E
672	Dixon, Chad	761	Catlett, Paul A
673	Hays, Christopher C	762	Jensen, Justin
674	Hurt, Jesse E	764	Gustafson, Jason
676	Weber, Corey	765	O'Toole, Ryan M
678	Lee, Vernen	766	Borchers, Joshua D
679	Bennett, Ronald W	768	Yates, Dean
680	Anderson, David G	769	Hyde, Steven J
681	Hillmer, Nicholas M	770	Levanen, Jason D
682	Fryc, Stacey L	771	Roselles, Reade
684	Rickard, Robert A	772	Knight, William E
689	Seery, Nicholas N	773	Jensen, Brian J
691	Bender, Jeremy M	774	Kubota, Jeffrey A
692	Tinkham, Matthew R	775	Siedschlag, Nicholas P
693	Carrell, Jon L	776	Jasnowski, Evan A
695	Raphael, Marc J	778	Fouts, Matthew A
696	Bruckner, Anthony L	780	Rowe, Terry L
697	Shanks, Loren K	781	Gregory, Kellan M
699	Meyer, Eric D	782	Forsythe, David E
702	Barrett, Nicholas	783	Gummert, Joshua E
704	Goertzen, Adam J	784	Miller, Darren B
706	Braun, Beth	785	Schilz, Gregg M
707	Latzke, Jason R	786	Collins, Jon
708	Brandt, John L	787	Haverkamp, Brian L
709	Lamberton, David	789	Irlmeier, Jacob
710	Wittstock, Jerome C	791	DeGraff, Paul E
711	Baker, Shane	792	Rames, Steven
713	Reinke, Cory	793	Lay, Michael D
716	VanRaemdonck, Nathan A	794	Johnson, Mark E
718	Benson, Brian	795	Blackmore, Stanley P
721	Berting, Murray B	796	O'Malley, Chris

Roster of Professional Land Surveyors

Listed by Number

797	Sudbeck, Monte L	835	Flood, Kevin E
798	Kohler, Robert J	836	Spears, Michael R
799	Beaudette, Dustin L	837	Begley, Jordan
800	Roddy, Kyle J	839	Kern, Michael
801	Weidensee, Derek J	841	Brooks, Jr., Thomas W
802	Whitlock, Joe D	842	Janisse, James
804	Meaike, Tarron	843	Bryan, Robert W
805	Neumiller, Bradley D	844	Jensen, Nicholas R
806	Payne, James L	846	Schlieman, James A
807	Weers, Tyler J	847	Kiefer, Simon L
808	Estrada, Andres H	848	Kerr, Adam G
809	Keller, John D	849	Corbridge, Chase J
810	Fish, Timothy L	850	Lawson, Jeremy A
811	Schulte, Christopher L	851	Poppenga, Joseph A
812	Terry, Don D	852	Brown, Bryan A
813	Johnson, Jay A	853	Dimon, Jeffrey
814	Dawson, Roger D	854	Ford, Dustin
816	Winchester, James D	855	Haggarty, Duffy
817	Trentmann, Eric A	856	Skarin Jr., Richard L
818	Campbell, Dylan	857	Howell, John S
819	Riggs, Ray L	858	Johnston Jr., Robert L
821	Swingley, Ryan C	859	Gilbertson, Joshua J
823	Howe, Douglas	860	Horne, Philip R
824	Zimmerman II, Stephen L	861	Ihde, Christopher
825	Boden, Jeff	862	Freudensprung, Sandy W
826	Daharsh, Jeffry L	863	Yendra, Jared R
827	Krumbach, Brent D	864	Elder, Frank C
828	Brown, Michael B	865	Poole, Joseph J
829	Yentes, Brian L	866	Crotts, Clayton
830	Huffman, Kenneth D	867	Johnson, Walker R
831	Phipps, Nicholas C	868	Pruett, Kyle T
832	Shultz, Neil C	869	Browne, Grainger
833	Decker, Samuel D	870	Klemm, Victoria J
834	Badtke, Christopher	871	Sherard, Scott G

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

Roster of Surveyors-in-Training

SIT No.	Name	SIT No.	Name
51	Lind-Olson, Douglas A.	260	Schaaf, Cody
73	Gleason, Wayne E.	261	Nohr, Ronald W.
76	Sutton, Peter D.	264	Wilke, Greg Allen
94	Jordan, Ricky R.	265	Perry, Gregory E.
99	Whisman, Kevin	274	Wood, Brandon O.
114	Wisnieski, Paul H.	275	Hamilton, Aaron W.
129	Hubl, Erik J.	280	Geissler, Peter S.
133	Haas, Joe P.	285	Nekuda, Evan J.
137	Kittridge, Kevin J.	288	Morgan, Brian J.
164	Gillham, Ted L.	291	Siel, Josh
179	Ferguson, Travis D.	292	Zeckser, Thomas D.
184	Fleming, Kevin S.	293	Spenner, Phillip M.
187	Schiltz, Patrick G.	295	Martinosky, Trevor
203	Matlock, Robert E.	296	Shropshire, Dustin C.
210	Bode, Kirk P.	297	Hollatz, Nicholas P.
211	Gute, Jeffrey J.	298	Pokorny, Andrew J.
212	Nelsen, Christopher M.	299	Hegemann, Brent J.
221	Medhi, Gautam	304	Reiman, Jack
232	Holle, Michael D.	305	Olson, Kirby Duane A.
236	Theis, Daniel J.	306	Morton, Craig A.
239	Lilley, Brendan C.	307	Johnston, Erik
240	Peterson, Nathan E.	308	Reese, Robert D.
241	Schepler, Todd R.	309	Fangmeier, Ethan J.
250	Austin, Douglas B.	310	Ritz, Luke C.
252	Thompson, Tiffany Mae	311	Peterson, Drew S.
253	Swanland, Joanne D.	312	Cotter, Dustin M.
256	Neves, Jefferey S.		

Land Surveyor rosters are continuously updated.
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Roster of Inactive Land Surveyors

No.	Name
PLS 305	Pettigrew, Donald L
PLS 309	Austin, Louis L
PLS 314	Loth, Lyle
PLS 407	Beal, Matt R
PLS 410	Lovell, Lee E
PLS 443	Minarick, Ann M
PLS 452	Zieman, Dennis
PLS 461	Beenblossom, Victor A
PLS 479	Reitz, Harry F
PLS 487	Heinly, Calvin O
PLS 490	Frecks, Michael R
PLS 506	Katt, Duane A
PLS 519	Curd, Alan M
PLS 547	Sumpter, Carl W
PLS 553	Lorenzen, Ryan R
PLS 573	DeDecker, Michael J
PLS 585	True , Kevin L
PLS 642	Sperling, Dana L
PLS 645	Hicks, Kevin L
PLS 665	Brundage, Lance W
PLS 666	Lynch, James E
PLS 687	Warner, Alan
PLS 701	Nelson, Roger D
PLS 705	Boldman, Craig S
PLS 741	Timblin, Michael F
PLS 746	Balcome, Bryan
PLS 748	Van Dyke, Robert K
PLS 779	Belt, Jeffery
PLS 815	Helms, Lewis M
PLS 820	Meinecke, Gregory R
PLS 840	Hajda, Timothy D

Fee Schedule - Nebraska State Board of Examiners for Land Surveyors

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
\$50.00	Certificate of Authorization (two years)
\$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

As of 6/30/2025

All fees are non-refundable

