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**TITLE 865 STATE BOARD OF REGISTRATION
FOR LAND SURVEYORS**

Proposed Rule
LSA Document #02-56

DIGEST

Amends 865 IAC 1-4-8 to change the number of examination attempts for certification as a land surveyor-in-training. Amends 865 IAC 1-12-28 to modify the requirements for a surveyor location report. Effective 30 days after filing with the secretary of state.

865 IAC 1-4-8
865 IAC 1-12-28

SECTION 1. 865 IAC 1-4-8 IS AMENDED TO READ AS FOLLOWS:

865 IAC 1-4-8 Examination attempts for certification as a land surveyor-in-training

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 8. (a) This section applies to the examination for certification as a land surveyor-in-training.

(b) An applicant who does not pass the examination may take it ~~one (1)~~ **two (2)** additional ~~time times~~ provided that the applicant applies for the second examination within two (2) years of the date of the first examination. (*State Board of Registration for Land Surveyors; 865 IAC 1-4-8; filed Jun 21, 1988, 4:00 p.m.: 11 IR 3907; filed Oct 13, 1992, 5:00 p.m.: 16 IR 878; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*) NOTE: 864 IAC 1.1-4.1-9 was renumbered by Legislative Services Agency as 865 IAC 1-4-8.

SECTION 2. 865 IAC 1-12-28 IS AMENDED TO READ AS FOLLOWS:

865 IAC 1-12-28 Surveyor location reports; requirements

Authority: IC 25-31-1-7

Affected: IC 25-31-1

Sec. 28. When conducting a surveyor location report, a registered land surveyor shall do the following:

(1) Briefly describe and show the location of ~~any monuments found~~ and visible evidence of possession, including, but not limited to, the following:

(A) Buildings.

(B) Fences.

(C) Hedgerows.

(D) Other improvements appurtenant to either the surveyed property or the adjoining property.

Show the location of this evidence by the shortest dimension to the nearest adjacent boundary line or any depicted easement line in order to reveal the extent of any possible encroachment. The statement "No visible evidence of possession found" must be noted along record boundary lines when applicable. (For this purpose, monuments found do not constitute evidence of possession.)

(2) Show the location, dimensions, and a brief description of all buildings or structures on the property including, but not limited to, the following:

(A) Driveways.

(B) Parking lots.

(C) Such personal property as aboveground swimming pools or yard barns.

Show the location of such buildings adjacent to the boundary lines by the shortest distance thereto and dimension any violation of a depicted easement or building setback line. Identify any buildings that appear to have no foundation and may be readily moveable. Show the name of the occupant, if easily available, and any client identification data requested.

(3) Show the location of and briefly describe any visible evidence of use by others such as for roadways, utility lines, or driveways or possible joint use of driveways (do not label as "joint" or "common"), which may affect the surveyed tract. Note the name of the user, if marked (for example, joint use by electric, telephone, and cable television companies on poles marked with electric company tags). With respect to any railroad on or adjoining the property, note if the tracks have been removed. If that is the case, note any visible evidence of construction, trenching, or other use observed on or along said railroad.

(4) Show the location and recording data for any easements or setback lines on the tract as determined from recorded documents provided by the client or from a recorded plat.

(5) Show the location of the perimeter of any visible evidence of cemeteries found on the surveyed tract.

(6) Show the approximate size, location, and brief description of any lakes, ditches, streams on the tract, or any known legal drains on or within seventy-five (75) feet of the property. Detailed locations are required when a boundary is determined thereby or when buildings or other improvements are located within a legal drain easement.

(7) Show the location of any road, street, alley, or other public way abutting or on the surveyed property with the width of the travelled way, known right-of-way lines, name, location, and source of any known name or right-of-way information indicated. If not known, note which records, if any, were searched. Physical access to the property, or lack thereof, must be shown.

(8) Show the drawing scale, a north arrow, property description and address, surveyor's job number, company name, certificate, signature, and seal, client name, and the names of those to whom the report is certified.

(9) Show a report/certificate date less than thirty (30) days from the date of delivery.

(State Board of Registration for Land Surveyors; 865 IAC 1-12-28; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2253; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237) NOTE: 864 IAC 1.1-13-43 was renumbered by Legislative Services Agency as 865 IAC 1-12-28.

Notice of Public Hearing

Under IC 4-22-2-24, notice is hereby given that on August 9, 2002 at 9:00 a.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room 12, Indianapolis, Indiana the State Board of Registration for Land Surveyors will hold a public hearing on proposed amendments to change the number of examination attempts for certification as a land surveyor-in-training and to modify the requirements for a surveyor location report. Copies of these rules are now on file at the Indiana Government Center-South, 302 West Washington Street, Room E012 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

Gerald H. Quigley
Executive Director
Indiana Professional Licensing Agency