

**BOUNDARY SURVEYS OF LAND FILED WITH
THE COUNTY SURVEYOR**

2001 GENERAL SESSION

STATE OF UTAH

Sponsor: Gordon E. Snow

This act modifies county provisions relating to the requirement to file a survey map with the county surveyor under certain circumstances. This act eliminates that requirement for certain plats and makes technical changes.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

17-23-17, as last amended by Chapter 150, Laws of Utah 1995

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **17-23-17** is amended to read:

17-23-17. Map of boundary survey -- Procedure for filing -- Contents -- Marking of monuments -- Record of corner changes.

(1) (a) ~~[Any]~~ (i) Except as provided in Subsection (1)(a)(ii), each registered professional land surveyor making a boundary survey of lands within this state to establish or reestablish a boundary line on the ground by setting a monument or to obtain data for constructing a map or plat showing a monumented boundary line shall file a map of the survey that meets the requirements of this section with the county surveyor or designated office within 90 days of the establishment or reestablishment of a boundary monument or boundary line. Resurveys of filed surveys or subdivision lots are not required to be refiled if no monuments are set.

(ii) The requirement under Subsection (1)(a)(i) to file a map of the survey with the county surveyor does not apply if the boundary survey was made in connection with the preparation of a subdivision plat or boundary agreement plat that:

(A) is prepared by a registered professional land surveyor;

(B) shows the established or reestablished boundary line;

28 (C) meets the requirements of Subsections (2) and (3); and

29 (D) is recorded in the county recorder's office.

30 (b) The county surveyor or designated office shall file and index the map of the survey.

31 (c) The map required under Subsection (1)(a)(i) shall be a public record in the office of
32 the county surveyor or designated office.

33 (2) [~~This type of~~] Each map required under Subsection (1)(a)(i) shall show:

34 (a) the location of survey by quarter section and township and range;

35 (b) the date of survey;

36 (c) the scale of drawing and north point;

37 (d) the distance and course of all lines traced or established, giving the basis of bearing and
38 the distance and course to a section corner or quarter corner, including township and range, or an
39 identified monument within a recorded subdivision;

40 (e) all measured bearings, angles, and distances separately indicated from those of record;

41 (f) a written boundary description of property surveyed;

42 (g) all monuments set and their relation to older monuments found;

43 (h) a detailed description of monuments found and monuments set, indicated separately;

44 (i) the surveyor's seal or stamp; and

45 (j) the surveyor's business name and address.

46 (3) (a) [~~The~~] Each map required under Subsection (1)(a)(i) shall contain a written narrative
47 that explains and identifies:

48 (i) the purpose of the survey;

49 (ii) the basis on which the lines were established; and

50 (iii) the found monuments and deed elements that controlled the established or
51 reestablished lines.

52 (b) If the narrative is a separate document, it shall contain:

53 (i) the location of the survey by quarter section and by township and range;

54 (ii) the date of the survey;

55 (iii) the surveyor's stamp or seal; and

56 (iv) the surveyor's business name and address.

57 (c) The map and narrative shall be referenced to each other if they are separate documents.

58 (4) The map and narrative shall be created on material of a permanent nature on stable base

59 reproducible material in the sizes required by the county surveyor.

60 (5) (a) Any monument set by a registered professional land surveyor to mark or reference
61 a point on a property or land line shall be durably and visibly marked or tagged with the registered
62 business name or the letters "L.S." followed by the registration number of the surveyor in charge.

63 (b) If the monument is set by a registered land surveyor who is a public officer, it shall be
64 marked with the official title of the office.

65 (6) (a) If, in the performance of a survey, the surveyor finds or makes any changes in the
66 section corner or quarter-section corner, or their accessories as they are described in an existing
67 corner record or survey map in the office of the county surveyor or designated office, the surveyor
68 shall complete and submit to the county surveyor or designated office a record of the changes
69 needed to be made to any corner or accessories to the corner.

70 (b) The record shall be submitted within 45 days of the corner visits and shall include the
71 surveyor's seal, business name, and address.

72 (c) The Utah State Board of Engineers and Land Surveyors Examiners may revoke the
73 license of any registered professional land surveyor who fails to comply with the requirements of
74 this section, according to the procedures set forth in Title 58, Chapter 1, Division of Occupational
75 and Professional Licensing Act.

76 (7) Any federal or state agency, board, or commission, special district, or municipal
77 corporation that makes a survey of lands within this state shall comply with this section.

Legislative Review Note
as of 11-28-00 3:38 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel