

28 **of monuments -- Record of corner changes -- Penalties.**

29 (1) As used in this section, "land surveyor" means a surveyor who is licensed to
30 practice land surveying in this state in accordance with Title 58, Chapter 22, Professional
31 Engineers and Professional Land Surveyors Licensing Act.

32 [~~(1)~~] (2) (a) (i) Each [licensed professional] land surveyor making a boundary survey of
33 lands within this state to establish or reestablish a boundary line or to obtain data for
34 constructing a map or plat showing a boundary line shall file a map of the survey that meets the
35 requirements of this section with the county surveyor or designated office within 90 days of the
36 establishment or reestablishment of a boundary.

37 (ii) A land surveyor who fails to file a map of the survey as required by Subsection
38 (2)(a)(i) is guilty of a class C misdemeanor.

39 (iii) Each failure to file a map of the survey as required by Subsection (2)(a)(i) is a
40 separate violation.

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

42 (c) The map shall be a public record in the office of the county surveyor or designated
43 office.

44 [~~(2)~~] (3) This type of map shall show:

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

46 (b) the date of survey;

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

48 (d) the distance and course of all lines traced or established, giving the basis of bearing
49 and the distance and course to two or more section corners or quarter corners, including
50 township and range, or to identified monuments within a recorded subdivision;

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

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

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

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

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

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

59 [~~3~~] (4) (a) The map shall contain a written narrative that explains and identifies:

60 (i) the purpose of the survey;

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

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

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

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

66 (ii) the date of the survey;

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

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

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

71 [~~4~~] (5) The map and narrative shall be created on material of a permanent nature on
72 stable base reproducible material in the sizes required by the county surveyor.

73 [~~5~~] (6) (a) Any monument set by a licensed professional land surveyor to mark or
74 reference a point on a property or land line shall be durably and visibly marked or tagged with
75 the registered business name or the letters "L.S." followed by the registration number of the
76 surveyor in charge.

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

79 [~~6~~] (7) (a) If, in the performance of a survey, a surveyor finds or makes any changes
80 to the section corner or quarter-section corner, or their accessories, the surveyor shall complete
81 and submit to the county surveyor or designated office a record of the changes made.

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

84 [~~e~~] (8) The Utah State Board of Engineers and Land Surveyors Examiners may
85 revoke the license of any [~~licensed professional~~] land surveyor who fails to comply with the
86 requirements of this section, according to the procedures set forth in Title 58, Chapter 1,
87 Division of Occupational and Professional Licensing Act.

88 [~~7~~] (9) Each federal or state agency, board, or commission, special district, or
89 municipal corporation that makes a boundary survey of lands within this state shall comply

90 with this section.

Legislative Review Note
as of 1-27-04 12:32 PM

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

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number SB0145

County Surveyor Amendments

02-Feb-04

9:44 AM

State Impact

No fiscal impact.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst