

COUNTY SURVEYOR AMENDMENTS

2004 GENERAL SESSION

STATE OF UTAH

Sponsor: Carlene M. Walker

LONG TITLE

General Description:

This bill modifies county surveyor provisions.

Highlighted Provisions:

This bill:

- ▶ establishes criminal penalties for failure to file the map of a survey with the county surveyor within 90 days;
- ▶ provides a definition of land surveyor; and
- ▶ clarifies that a land surveyor's professional license may be revoked for specified failures.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

17-23-17, as last amended by Chapter 241, Laws of Utah 2001

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 -- Penalties.

(1) As used in this section, "land surveyor" means a surveyor who is licensed to practice land surveying in this state in accordance with Title 58, Chapter 22, Professional Engineers and

Professional Land Surveyors Licensing Act.

~~[(1)]~~ (2) (a) (i) Each ~~[licensed professional]~~ land surveyor making a boundary survey of lands within this state to establish or reestablish a boundary line or to obtain data for constructing a map or plat showing a 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.

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

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

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

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

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

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

(b) the date of survey;

(c) the scale of drawing and north point;

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

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

(f) a written boundary description of property surveyed;

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

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

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

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

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

(i) the purpose of the survey;

(ii) the basis on which the lines were established; and
(iii) the found monuments and deed elements that controlled the established or reestablished lines.

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

- (i) the location of the survey by quarter section and by township and range;
- (ii) the date of the survey;
- (iii) the surveyor's stamp or seal; and
- (iv) the surveyor's business name and address.

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

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

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

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

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

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

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

~~[(7)]~~ (9) Each federal or state agency, board, or commission, special district, or municipal

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corporation that makes a boundary survey of lands within this state shall comply with this section.