



INSIDE THIS ISSUE

- Chairman's Message
Doug Schnieder, RLS, Chairman
- Rethinking How We License The Land Surveyor
Dan Muth, RLS
- Ask the Drone Expert
Daniel Katz, Aerotas
- Property Surveys,
The Ridiculousness Of It All!
Tom Liuzzo, RLS

COVER STORY

The Re-Monumentation of the Tri-State Monument for Arizona, Nevada, and Utah

By: Todd E. Jacobsen, PLS
Utah Council of Land Surveyors (UCLS)

History provided by: Daniel W. Webb
BLM, Utah State Office (UT925)
Division of Lands & Minerals
Chief, Branch of Geographic Sciences
Chief Cadastral Surveyor, Utah

THE RE-MONUMENTATION OF THE TRI-STATE MONUMENT FOR ARIZONA, NEVADA, AND UTAH

By: Todd Jacobsen, PLS

During the Utah Council of Land Surveyors (UCLS) 2016 Convention, Daniel W. Webb – Bureau of Land Management (BLM), Chief Cadastral Surveyor, Utah State Office, approached several UCLS Board Members and hinted that UCLS should consider re-monumenting the Tri-State Monument located at the northwest corner of Arizona, the southwest corner of Utah, and the easterly state line of Nevada. You see the UCLS and the BLM worked together to re-monument several other monuments over the years, the last two being 1) the Uintah Special Meridian (USM) Initial Point in 2009 and 2) the Tri-State corner located at Idaho, Nevada, and Utah in 1999.

The UCLS Executive Board discussed this re-monumentation project and unanimously approved to move forward. Seeing that the project location is located within the boundaries of its Color Country Chapter, this project was assigned to them to take to task. Todd E. Jacobsen, PLS, Color Country Chapter President sent a formal email to the BLM

Arizona, Nevada, and Utah Cadastral Survey Chief's, outlining and requesting BLM's involvement as well as emails to the Arizona Professional Land Surveyors (APLS), and the Nevada Association of Land Surveyors (NALS) boards seeking their assistance in the project as well.

On July 6, 2016 and shortly after this assignment was given, Todd, Bob H. Hermanson, PLS, Color Country Chapter Vice President, and Michael Draper, PLS, UCLS Color Country member visited the site to get a feel for what it looked like, what condition it was in, and for what needed to be done to make this project work. After some thoughts and discussion it was decided that we needed to hold a chapter luncheon and start discussing the details and get answers to our what's, why's, how's, and who's of making this happen.

Note: At this point the existing monument was a red sandstone shaft that according to survey notes had a shaft of six feet long, 16 inches broad



and 12 inches thick. From the top down it was dressed (or smoothed out) 8 inches and was marked with letters 1½ inch square deeply engraven in the stone. There are four sides to this monument, with the NEVADA on the N.W., UTAH on the N.E., ARIZONA on the S.E. and INTL. MONT 37 N. L. 1901 on the S.W. faces. Also according to the survey notes there was a raised mound of stones with a 5½ foot base and 2½ feet high surrounding the shaft, of which were mostly still there. This monument also stood about 3 - 3½ feet above the ground. This monument was set in 1901 and when seen on this outing it showed signs of weathering and some graffiti (engravings from some of its visitors), but all in all was in decent condition.

The Color Country Chapter began to hold several luncheons where a number of designs of the new monument were presented and discussions of what types of tools and materials were needed. We were sure that we wanted to complete this project before the next UCLS convention that was to be held in February of 2017 so we could hold



a ribbon cutting type ceremony in conjunction with the convention. Because the BLM, APLS, and NALS organizations couldn't attend these luncheon due to distance and time to travel Todd kept in touch with them via emails and phone calls and kept everyone up to date on the plans for the re-monumentation project. During this same time the BLM was also busy doing its own planning for a proposed re-survey of the State lines. They were also busy performing records research, resulting in a number of excellent pieces of information to aid us in this project.

Just about August of 2016, plans started coming together and a fundraiser was organized. Collaboration from the BLM, APLS, NALS, and UCLS was formed. Cost estimates for products and material were prepared. Cost estimates came in at roughly \$8,000. A fundraiser was started and the APLS, NALS, and UCLS associations kicked off the fundraiser with large donations. Rapidly individual surveyors and surveying companies started sending in their donations. This fundraising effort was complete in only a few short months receiving donations from surveyors and surveying companies located in Arizona, Michigan, Nevada, Utah, Washington, Wisconsin, and Wyoming. In all a total donation of \$8,675.00 were received.

There were hundreds of hours of service completed by many volunteers that wanted to be part of this impressive accomplishment.

Those that donated their time, money, or materials all received a commemorative medallion to proudly display on their desks at work, or wherever they chose to place them.

The first step in this re-monumentation project was to perform a retracement survey, which was performed by the collaboration of the three states BLM offices (AZ, NV, and UT). On Friday, November 4, 2016 the three BLM offices, along with members of the three State Professional Land Surveyor Societies of the APLS, NALS, and UCLS meet to perform this retracement survey. There were approximately 25 people in attendance on this day. The day was started with a brief history of the surveys that had been performed over a hundred years ago given by Dan Webb (a brief history can be read at the end of the article). After the history three survey groups were formed, one group heading north on the Nevada and Utah State lines, one group heading east on the Arizona and Utah State lines, and one heading south on the Arizona and Nevada State lines. The crews to the east and south went out a mile looking for and tying in old survey markers, while the crew to the north went about 1½ miles looking for old survey markers as well as evidence of the 1870 Survey mentioned in the history below. This re-survey took most of an eight hour day but was very rewarding.

Each crew used survey grade GPS equipment which gives sub centimeter accuracy. The measurements and descriptions will become part of the Public Land Survey System Plat and the field notes that are recorded for land managers and the public use.

The Bureau of Land Management's Cadastral Survey Program is one of the oldest and most fundamental functions of the United States Government, with origins in the Land Ordinance of 1785. Cadastral Surveys are the foundation of our national land tenure system; creating, reestablishing, marking, and defining land boundaries.



After completion of the retracement survey, crews like those mentioned above went out on January 27, 2017, to record and remove the original Tri-State Monument set in 1901, and prepared the ground and poured concrete for the new monument and flag poles you see there today. As the 1901 monument was carefully being dug out we were anxious to see what was in the ground beneath the monument. You see when Carpenter's astronomical observations determined that the 1870 monument set by James was set 111.51 chains to far north he indicated that he destroyed the corner set by James. The survey crew that headed north on the Nevada and Utah State line from the Nov. 4, 2016 survey, looked for evidence of this destroyed monument but little evidence was found. But after removing the 1901 monument set by Carpenter we were ecstatic to find that he actually inverted the 1870 stone and reshaped the bottom end (now the top) to what you see in the photos. It was decided to take the old survey monument, set in 1870 & 1091, and display it nearby at the Washington County Administration Offices located in St. George, UT. If you would like to see this original monument please go to these offices located at the corner of Tabernacle Street and 200 East Street in St. George, UT.

After allowing the concrete to set another crew went out on February 3, 2017 to set the 48 inch diameter by 1½ inch thick granite stone monument on its 42 inch diameter by 3½ foot

TRI-STATE MONUMENT (CONTINUED)

high concrete base. A combination of Thin-Set Mortar and silicone was used to secure the stone to the base. The 42" diameter base was formed using sonotube with 1 to 1½ feet sticking above of the ground. In the middle of this concrete base is a 24 inch diameter sonotube filed with dirt and rocks. We did this to cut back on the number of bags of ready-to-use concrete mix we needed to purchase but give it the strength and stability we felt it needed to last. The 1901 rock mound was then restacked around the new monument. The concrete bases for the flag poles were also poured and the fencing near the monument was fixed and the area was cleaned up.

During the 2017 UCLS Convention that was held February 22-24, many had the opportunity to view and witness the top of the 1870 monument that was set by James as we had it on display on Thursday of the convention.

On Saturday, February 25, 2017, the day after the closing ceremonies of the 2017 UCLS convention a group of about 50 people headed out to the Tri-State Monument site where a ribbon type cutting ceremony was held. The UCLS invited members from the BLM, APLS, NALS and others to this small ceremony. Several news agencies were also there reporting. After installing

the flag poles in their bases and also placing commemorative plaques with the corner history and the re-monumentation participant's names, Todd Jacobsen and Dan Webb said a few short words. Flags were then raised signifying the completion of this magnificent occasion. It was a very exciting moment as we all shared in this occasion with families and friends. Surveyors were very ecstatic bringing their wife's and their children to help share in this stirring event. As I like to tell people that this is about as geeked out about something that a surveyor gets. What a thrilling project to be a part of. It was awesome to see so many people get involved to make this happen. I don't suppose that I'll ever be a part of anything this big again so I'll cherish this for a long, long time

So in about a year's time we went from seed being planted into a few UCLS Executive Board members, to planning and raising funds, to performing a re-survey, to recovering the 100 plus year old monument that was set by Carpenter, to completion of the new replacement monument that is hoped to last another 100 years.

About the Flags: It is estimated that the flags will last about six to eight months before they will need to be replaced from being worn by the wind, rain, and



sun. With the few dollars that were left from the fundraiser, five sets of flags were purchased so that we can continue to fly immaculate flags for a few years to come. At the top of each flag pole is a LED solar light so the flags will be properly lit at night.

Directions to the Monument: Traveling from St. George, UT. Take I-15 southbound towards Las Vegas, Nevada. After approximately a half hour's drive take Exit 8 to Beaver Dam/Littlefield located in Arizona. Turn right and head north, after traveling approximately 400 feet turn left onto Rincon Rd. Travel on Rincon Road in a southwesterly direction for approximately ¾ of a mile. At the turn in the road take the dirt road in a westerly direction (do not stay on the pavement). Follow the yellow wayfinding signs for approximately 18 miles to the Tri-State Monument.

Traveling from Las Vegas, Nevada. Take I-15 northbound towards Salt Lake City, UT. After approximately an hour's drive take Exit 8 to Beaver Dam/Littlefield located in Arizona. Turn left and head



north, after traveling approximately 1100 feet turn left onto Rincon Rd. Travel on Rincon Road in a southwesterly direction for approximately ¾ of a mile. At the turn in the road take the dirt road in a westerly direction (do not stay on the pavement). Follow the yellow wayfinding signs for approximately 18 miles to the Tri-State Monument.

Recommended vehicles: Any truck, SUV, Jeep, etc. will get you all the way to the site, but once you're off Rincon Rd. any off road vehicle is fun to take to get you there as well, i.e. ATV, UTV, etc.

History of the Monument:

1870 - Under General Land Office Contract dated August 16th, 1870, Isaac P. James, Astronomer and Surveyor, surveyed the Eastern Boundary of the State of Nevada. The survey was commenced October 17, 1870 and completed December 26, 1870. During the survey Mr. James established at the 37th Parallel North Latitude, the corner of Utah, Arizona, and Nevada, at mile 298 and 56.00 chains from his Initial Point to the north on the Central Pacific Railroad.

1900 thru 1901 - Under General Land Office Contract dated October 13th, 1900, Howard B. Carpenter, U.S. Surveyor and Astronomer, was directed to survey the boundary line between the State of Utah and the Territory of Arizona. The survey was commenced March 24, 1901 and completed July 1, 1901.

Learning from local people living on the Virgin River near where it is crossed by the line between Nevada and Arizona, that old corners on the line were still in existence and that the sandstone shaft erected by Mr. James in 1870 to mark the 37th parallel was still standing, Mr. James proceeded out from St. George, Utah and Beaver Dam wash, in Arizona and found the 1870 James state line corners. After astronomical observations it was determined that the "James Monument was 111.51 chains too far north. Therefore pursuant to instructions I destroy the James corner and proceed to establish the initial corner at the intersection of the 37th Parallel with the James line."

"At the intersection of the 37th parallel north latitude with the James line I set a red sandstone shaft 6 ft. long 16 ins. broad and 12 ins. thick, dressed 8 ins. down from the top, diagonally in the ground, for the Initial Monument, marked with letters 1 1/2 ins. square deeply graven in the stone NEVADA on the N.W. UTAH on the N.E. ARIZONA on the S.E. and INTL. MONT. 37 N. L. 1901 on the S.W. faces. Raised a mound of stone 5 1/2 ft. base 2 1/2 ft. high around the shaft and dug pits 36X36X18 ins. N. E. and S. of corner 6 ft. dist. No trees within limits."

In addition to the 1870 and 1901 State boundary line surveys, Public Land Survey System surveys adjoining the State lines are:

- Arizona, T. 42 N., R. 16 W., GSRM, approved January 25, 1922 (Davis)
- Nevada, T. 11 S., R. 71 E., MDM, approved December 2, 1881 (Myrick)
- This survey was suspended August 18, 1964
- Utah, T. 43 S., R. 20 W., SLM, approved April 2, 1938 (Nelsen & Winwood)

To see additional photos of the project go to... <https://www.flickr.com/photos/blmutah/albums/72157672626330643>

(BLM Utah flickr write-up; album description by BLM Dan Webb; Photos by BLM Public Affairs Specialist Ryan Sutherland) ✨





CHAIRMAN'S MESSAGE

By: Doug Schneider, RLS, APLS Chair

Surveying has, for me, been an interesting and fulfilling profession. As the work is varied and challenging it is easy to focus on our individual tasks, solving problems and providing clients with a professional product. It is often difficult to think outside of our own practice and turn the focus to the bigger picture of our profession.

Arizona Professional Land Surveyors (APLS) works to enhance the lives and careers of all professional surveyors. APLS Board of Directors is diligently working on your behalf on issues such as workforce development, legislation, and mandatory continuing education. These issues will not be resolved overnight; instead they will take a conscientious long-term effort that must include not only the APLS Board of Directors but participation by the membership as well.

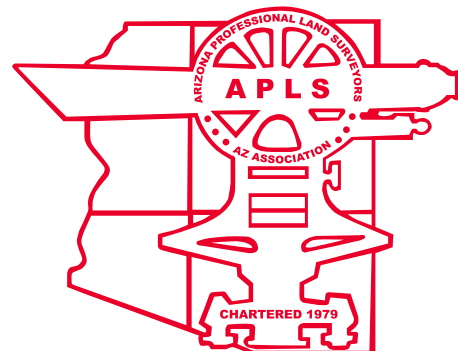
We need your participation, input, and feedback to accomplish these tasks. Please review the list of committees to the left that are looking for assistance. Find one that you are passionate about contact the APLS Executive Office to be added to the committee list.

Please join me, and the APLS Board of Directors, in trying to make a difference for our profession. ✨

Chairman Doug Schneider can be contacted at:

dschneider@rickengineering.com

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APLS COMMITTEES SEEKING MEMBERS

The following committees are seeking members:

- Legislative
- Membership
- Strategic Planning

To participate in any of the above committees, please contact the APLS Executive Office at (888) 994-3317 or info@AzPLS.org

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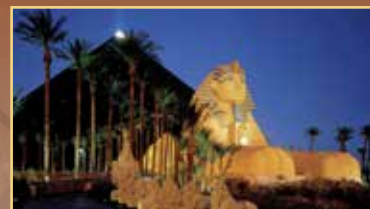


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RETHINKING HOW WE LICENSE THE LAND SURVEYOR

*About the Author: **Dan Muth, PLS** is a practicing land surveyor in Eastern Arizona, and has been in the profession for 37 years. A past President of NMPS, a past Chairman of APLS, former Mayor of Springerville, Arizona, Chairman of Eagar Planning and Zoning Commission, Apache County Planning and Zoning Commissioner, Apache County Board of Adjustments, dedicated husband, father and coach.*

I had the benefit of starting my surveying career at a very early age. It began when my father, a licensed land surveyor needed cheap labor. Being his son I was readily available whenever and wherever the need arose. Over time as my experience grew, my responsibilities grew. As most trainees in this business at the time, I worked my way up the ladder from basic helper to party chief. My story is very similar to those whom have grown up in this business. After high school though I was at a cross roads. I had the experience to find a job just about anywhere I wanted and the skills to make a good living. My father though, began to tell me that the future lay in education. As a government employee, he had hit a glass ceiling because he did not have a degree. He recognized that I would soon hit the same glass ceiling if I did not seek a degree. Being a young man; I did not agree. It was not until the economy went south in the early 1990's that I finally decided to go to college. In 1995, I graduated with a Bachelor's degree in Surveying from New Mexico State University. With my previous experience and my new degree; I had no problem obtaining licensure. Like most, I collected many states and displayed the licenses on my wall with great pride and accomplishment.

With this pride and accomplishment, I struck out and worked for many great companies and got to know many terrific surveyors. One surveyor whom stands out above most was a gentleman in Colorado who pulled me aside and told me "the only thing a license means is, you scored better than 70% on a test." I was

crushed; because I did not understand what he was trying to tell me until much later. But boy did I learn. At first I had been licensed but I had not signed or sealed anything. It wasn't until I sealed my first plat that I shuttered. Was I really ready for all the responsibility and liability? I thought I was; until I had actually done it. To be honest, the first time scared me. As I look back on that now; I sort of wish I had that same fear; but not for the same reason; I will get to that later.

Many jurisdictions test for minimum competency when issuing a license to practice land surveying. The premise is "learn as you go". Is this really a smart business model? Is this contributing to the negative opinion the public perception holds? I think so. Here is my rationale. When people purchase land they are obligating themselves and their fortunes to something that for some is a lifelong investment. Is this something we can take such a cavalier attitude about? Yet many do it.

"Many jurisdictions test for minimum competency when issuing a license to practice land surveying. The premise is "learn as you go." Is this really a smart business model?"

Generally speaking our licensing process is pretty straight forward: Step one, work for a period of time and get some education (in some jurisdictions) and apply for "in-training" status. Usually the application is accompanied with references where registrants will attest to the applicants experience and background; plus

CONTINUED ON THE NEXT PAGE

RETHINKING HOW WE LICENSE THE LAND SURVEYOR (CONTINUED)

transcripts if applicable; then a test. Step two, a period of time working as a trainee. Then step three; applying for licensure. The application, references, the test, and the anxious anticipation of waiting for the results. Finally, if successful, a license. Now presumable a panel or board reviewed the application and references and decided if the applicant was ready to sit for the exam. That process is where I think the largest hole lies.

What happens when an applicant gets references that embellish a little or inflate the ability of the applicant in order to get the applicant accepted? However well intentioned, what are the consequences? Does this ever happen? Do any of us personally, know another registrant and quietly wonder to ourselves, "how did they ever approved to take the test?" So now this person is out there practicing. Then it happens, the inevitable board complaint. As the case is reviewed and deliberated; the deficiencies pointed out the registrant is reprimanded; and the rest of us look around thinking it should not have happened in the first place.

Well here is my answer. I believe we can drastically change things with a simple adjustment to the application process. The adjustment I am suggesting is simple. After an applicant achieves In-Training status and meets the statutory requirements for applying for licensure; have them gather the references that are required as usual. Assuming that the applicant is approved to take the test(s) and successfully completes them; instead of granting full licensure; grant a provisional license for 5 years. During that 5 year period, each reference on a rotation will act a peer reviewer signing off (on a board of licensure provided form) the boundary survey. These sign-off sheets will be affidavits by the reviewer that the probationary registrant met the statutory requirements of the minimum standards and or standards of practice and the survey is satisfactory.

CONTINUED ON PAGE 15

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Ask the Drone Expert

About the Author: **Daniel Katz** is owner/operator of Aerotas. Aerotas helps survey firms realize new value with drones. E. info@aerotas.com T. (510) 671-0693

Don't Just Buy a Drone

After getting scores of surveyors started with drone mapping, Aerotas has learned critical lessons about what it takes to succeed. We have also seen all the stumbling blocks that can impede success. One of the most common mistakes that we see survey firms make is simple: they just buy a drone.

Counterintuitive though it may seem, the drone itself is the least critical component of an effective and profitable drone mapping program. We have seen countless surveyors spend months comparing tech specs on an endless list of drones, only to wind up purchasing a drone that is completely wrong for their needs – and often more expensive and complex than they need.

Drone technology today has advanced to the point that relatively inexpensive and easy-to-use drone produce high quality data. The drone has become the easiest component of a drone program. Instead of starting a drone program by asking “which drone should I buy?”, the most successful surveyors instead start at the end, asking “what deliverable do I need to produce, and how do I get there?” Starting at the end and identifying the right deliverable-production workflow ensures the rest of the process will be suitable: what software is needed, how and what data needs to be collected in the field, how field staff need to collect that data and, finally, what the right drone is.

Most surveyors ultimately need to get to a topographic map deliverable, complete with contours and line-work. This means they need to be able to take spot elevations and survey shots from what comes out of their drone. Getting to this requires two steps: stitching the raw photos from the drone into a 3D model, then being able to extract the spot elevations and survey shots from the 3D model. The challenge is that survey finish software programs (e.g., Civil3D) are not designed to handle the large drone-produced 3D models. Though the survey finish software technically can open these 3D models, the 3D files are so large that they make the programs extremely slow, and they do not have effective tools for extracting shots as needed.

The right software and digital workflow, however, makes the process of extracting survey shots from a drone-produced 3D model fast, intuitive, and straightforward. These extracted shots can then be exported as a drawing or ASCII file that can easily be brought into and finalized in the finish software per the conventional workflow.

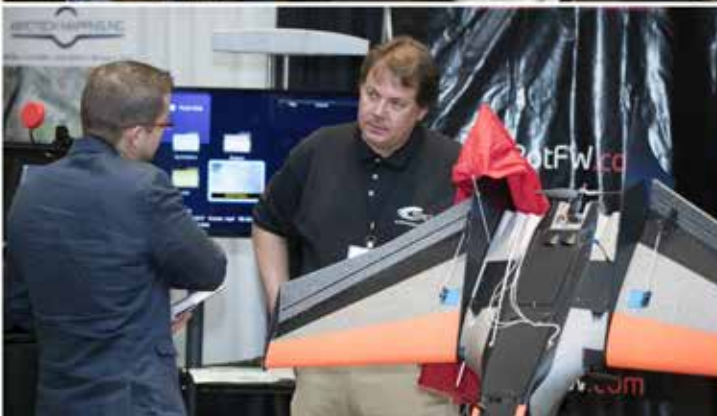
Once the deliverable-production process has been specified, the rest of the drone program is designed to facilitate it. Understanding exactly how the deliverable production needs to happen clarifies the field operation workflow: what and how data needs to be collected in the field. Defining the field operation and the data needs then informs the parameters for the right drone. With this approach, selecting a drone becomes a straightforward process of identifying the most inexpensive and easy-to-operate aircraft that fits those parameters. Complement this with a regulatory compliance strategy, good insurance, and a staff-training plan, and a successful drone mapping program is born. ✱

Do You Have a Question About Drones?

Submit your question and it may be answered in the next issue of the Arizona Surveyor. Email your question to info@azpls.org

APLS CONFERENCE

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RETHINKING HOW WE LICENSE THE LAND SURVEYOR (CONTINUED FROM PAGE 9)

Then if there is an incident where the Board of Licensure has to investigate a violation; they call the probationary registrant and the reviewer in as the respondents in the complaint. By making the references have "skin" in the game; they will carefully contemplate how they describe the applicants experience and probably give a more honest evaluation. The other benefit to this system is the probationary registrant will learn how to properly prepare a boundary survey because there will be someone looking at the work and evaluating it whom will also have some stake in it; as far as the Board of Licensure is concerned.

Peer review is used as a disciplinary tool today but what if we used it as an educational tool. What if the more experienced amongst us lent their expertise to those starting out by voluntarily peer reviewing boundary surveys before they were recorded. Or before they showed up as a Board complaint. Many other professions successfully use peer review as a preemptive means of promoting good practices instead of a punitive means of correcting bad behavior.

It's a simple adjustment that could have a significant impact on how we practice and how the public perceives us. ✨

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SAVE THE DATE!

The 2018 APLS Conference will be co-sponsored by Nevada Association of Land Surveyors (NALS), Utah Council of Land Surveyors (UCLS), and Western Federation of Professional Surveyors (WFPS).

WHEN: February 21-24, 2018

WHERE: Luxor Hotel in Las Vegas, NV

FEATURED SPEAKERS:

- Don Wilson, PLS
- Jan VanSickle, PLS
- Kris Kline, PLS
- Gene Kooper, PLS
- BLM & CFedS Program

FULL PROGRAM AND REGISTRATION INFORMATION POSTED AT:

PLSeducation.org



Western Regional Survey Conference
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PROPERTY SURVEYS, THE RIDICULOUSNESS OF IT ALL

By: Tom Liuzzo, RLS

I am often asked, "Why can't you surveyors ever agree on the same point?" My answer is generally, "we do, we just measure differently." If you think that sounds absurd then your right, but it's the truth. I have been surveying for almost 30 years and I have been licensed for almost 20 years. When I first received my license in 1999, I thought I knew it all but quickly realized that the mandatory state test I just passed is a minimum requirement and I had a lot to learn. When I first began in 1988 and having been reared in this business by a couple of damn good surveyors that were at least 20 years my senior, sitting at my desk here in Prescott Valley, Arizona, I decided to make friends with the older generation of surveyors in the Quad-City Area in order to understand how things are done on a local level and get some history of the area. Funny even the evolution of the name "Quad City" causes one's lip to curl up with a touch of laughter. It began as Prescott, then became known as the Prescott Area (which included Jack Ass Flats and Lonesome Valley), then grew into the Prescott/Prescott Valley Area, which evolved into the Tri-City Area (to include Chino Valley), and now is known as The Quad-City Area with the incorporation of Dewey-Humboldt and that's how we got here. Now back to my story.

This area has been blessed by quite a Pedigree of modern day surveyors. I apologize up front if I omit anyone, but it is merely by accident and not purposeful. We begin in the 1940's and 50's with gentlemen named Overstreet, Wigal, Cheek, Yarbrough, Sarvis, and Famas (the Dad). The 60's and 70's gave us Haywood (we like to call him Haywire), Wilda, Polydorus (the Dad), Hopps (the Dad), Famas (the sons), Ramsey, Kennelly, Law, Colin, and a few men I'll leave nameless because they were supposed to fix everything and left us with many problems. The 80's and 90's lead us to find the likes of Wilson, Lyon, Weaver, Callahan, Jorgensen, Jackson, Bunn, Garcia, Hopps (the daughter), McCorkle, Hoover, Polydorus (the son), and Liuzzo (that's me), just to name a few. By this time, California had had the Northridge Earthquake and our local real estate boom was on and a migration of surveyors and people from California and other states continues to present day. Now given this melting pot of land surveyors and people and you throw in a mere 50 years of advancements in measuring technology, don't you think there might be a slight chance we all may measure a little differently? Of course there is, that's why surveying is more than just the measuring of the steel rod that's near that flagged up tree. If we add the terrain of our area, that can

really mess things up. Especially if a surveyor from Phoenix (the great State of Maricopa) comes up on our hill and applies his flat lander knowledge to our purple mountains majesty. So there is a quick and dirty back story why surveying the same point over and over again can seem pointless but is very much the point of our story.



So you want to buy a residential lot and build a house, or you turned the corner and saw that dream house already built waiting for you to move in. You have the money, you find a real estate agent, and you sign the deed and you're home. Maybe while you were touring the property for the first time, the realtor pointed to the fenced yard and said that's your property boundary, that fence is fairly new so I wouldn't bother with a survey. You decided that was sufficient for you and you kicked back and relaxed on your patio with your little piece of the American dream enjoying a lazy summer day. Two days later you see a funny person wearing an orange vest with an "Indiana Jones" hat peeking over the fence. You ask, "What cha doin'?" He replies, "Looking for your neighbor's property corners and my measurements are telling me its 5 feet into your yard." Your heart skips a beat and you greet him and allow him to come in. The nice surveyor goes on to explain, "I found my clients (your neighbor that you haven't met yet) front property pin along the street and the back property pin is supposed to

CONTINUED ON THE NEXT PAGE

PROPERTY SURVEYS, THE RIDICULOUSNESS OF IT ALL (CONTINUED)

be 150 feet from there." He has a nice yellow thingy that beeps as he waves it around and all of a sudden it squawks louder than a room full of church ladies at Sunday Bingo. Low and behold there is an old rebar under the surface about a foot deep. Suddenly your little piece of the American dream is looking like a large pile of garbage.

Fortunately your neighbor hired a surveyor that is a reasonable sort and has some experience in the neighborhood. He says, "I've seen this before 'cause this ain't my first rodeo...by the way, you're new in town? Do you like rodeos? We have the World's Oldest Rodeo don't cha know; you should check it out, now where was I?" You're looking at him like he's got four heads at this point but you are a patient person. The surveyor says, "You see my client lives in the North Subdivision and you live in the South Subdivision. Each were monumented some 40 years ago from the street that fronts the lot at different times and the dang field crew just set the points they were given and paid no mind to what came first or even if there was a chance of other monuments being here. Back then this was all wide open so the faster they got done, the sooner it was beer-thirty. As it turns out we have seen overlaps along this line upwards of 10 feet. Do you mind if I go out and locate your front property pins?" You come back down to earth although you are still a little agitated while you walk with him to the front of your property. The surveyor says, "Well looky there, right at the back of the sidewalk where it should be." As he is taking the shot on the point with his fancy measuring device, he punches in some numbers and says, "Now if I was a betting man, I think we'll find a pin 5 feet onto my clients property, so let's go take a look." You think at this point, how does he know all this? How can he be so calm, if he knows all this why hasn't someone fixed this. Your mind is racing as you walk to the back of the property and cross into your neighbor's yard.

"Well howdy neighbor!" Your neighbor exclaims. As your neighbor introduces himself, you wish it was under different circumstances as the surveyor explains to him what is going on. Once the surveyor finished his explanation, he punches in some numbers to his magic box, moves a few feet, and then moves a few more feet, takes out the yellow thingy and in



seconds it starts that squawking again and he finds another rebar 2 feet under the surface. "Yep! Just like I thought, the overlap is about 9.8 feet so not quite 10 feet." You are not at all relieved and you ask, "what happens now, what do we do? My lot is supposed to be 150 deep, not 140 feet or 145 feet." Your neighbor chimes in, "wow I am sure glad I called you to survey my property after my neighbor down the street used you, do you think we can find a solution?" The surveyor says, "Sure we can find a solution, just as long as you and your neighbor can agree to it. I have seen this before, these two subdivisions had a starting point opposite from one another and when they were platted, there was a 10 foot overlap in the parent properties; no one ever fixed it before the subdivisions took place. As you can see both pins were buried so the surveyors that set the second set of monuments missed it. Unfortunately, all of these lots were

conveyed with the overlap. What we need to do is develop a property line agreement that states the location you both agree on is the fence that was represented to each of you as the property line by your realtor." You are very frustrated about it and for a second think that it's not bad, I still get what I was shown as my property, "Why wasn't I told this?" you ask. The surveyor replies, "Did you ask for a survey when you spoke to your realtor?" "No," you reply. "In fact they told me that I really don't need a survey because all of the fences are in." The surveyor clips back, "Would you trust me to perform brain surgery?" "No," you again reply. The surveyor says "Why not?" You reply with the obvious, "You're not a Brain Surgeon." The surveyor shouts with a belly laugh, "then why the hell would you trust some other than a surveyor to survey your property!" The moral of the story is that before you invest your hard earned cash on the home of your dreams take the time to get a proper survey to understand where your boundaries really are. ✨

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