

THE PATH TO COMPLIANCE

Corner Perpetuation and Filing Act Do's and Don'ts

Since 1978 Oklahoma has required that land surveyors file a Certified Corner Record (CCR) for every public land corner used as control in a land survey unless it is substantially the same as one already on file. Besides the Licensing Act, this is the single most important law governing the practice of land surveying in Oklahoma. Perpetuation and protection of public land corners is essential to the orderly development of our communities and more importantly, the permanence of our land boundaries.

While over 150,000 CCR's have been prepared and filed with the State Department of Libraries, it has come to the attention of the Board that there are still many CCR's filed that either lack necessary information or contain incorrect information. The following brief list of **Do's and Don'ts** is intended as a reminder of what is required to be in compliance with the law, so that surveyors following in your footsteps may confidently use your CCR.



Bruce Pitts, PLS
Director of Enforcement

Do thoroughly complete the Monument Description section of the CCR form. **Do not** simply state "Found 5/8" iron pin" or "Set Mag Nail" without listing supporting evidence found; and, if applicable the method used for restoring a lost corner.

Monument location must be supported by evidence whether it's other monuments, fences or improvements found, record evidence like a recorded subdivision plats or even parol evidence. You are responsible for searching for and then listing enough evidence so that any surveyor following in your footsteps can be assured that your corner location has been properly researched and can be relied upon. Anything less than thorough investigation may expose the surveyor to unwarranted liability and possible result in disciplinary action by this Board.

Do contact the previous surveyor if you disagree with the corner position shown on their CCR.

This is particularly important if the CCR was filed long ago and many surveyors have used that CCR as control in boundary surveys. Disagreement over the location of public land corners is likely to lead to boundary disputes between neighbors.

Do not be guilty of creating boundary confusion in a neighborhood without taking the professional courtesy of contacting the other surveyor involved.

Remember, contacting the other surveyor and making an effort to resolve the disagreement is a requirement of the state minimum standards.

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Corner Perpetuation and Filing Act

Do's and Don'ts

By Bruce Pitts, PLS (continued from page 7)

Do know the surveying definition of existing, obliterated and lost corner classifications so that you **do not** mistakenly identify an ODOT brass cap or a 3/8" iron pin as an existing corner, or classify a corner as obliterated and then state that proportional measurement was used to set the corner.

Do use the correct proportional measurement procedure if the corner is classified as lost.

This requires special attention on the exterior of a township, on the northern or western tiers of sections within a township, in country surveyed by the 3-mile method or where the original surveyors employed special procedures.

Do file a CCR for all public land survey corners used as control in performing proportional measurement.

Do file a new CCR if the corner or its accessories (references) are substantially different from a CCR currently on file.

For example, if the existing CCR calls for a 1/2" iron pin, and you find a Mag nail, you are required to prepare a CCR for the Mag nail. Yes, the land surveyor who set the Mag nail should have filed a CCR and could be disciplined by the Board for not doing so; but since they didn't file, you are now responsible and you must file a CCR.

Do make it clear on your CCR that your corner is in the same position as the one shown on the previous CCR.

Do carefully describe the monument you set or find.

There is a difference between a 1/2" and a 5/8" iron pin and failure to note that could lead to confusion and wasted time.

Do consider the history of and the method used to establish a corner location with an existing CCR before you establish a new corner location in close proximity to the existing CCR.

*Multiple monuments in close proximity **do not** protect the public and they make the surveying profession look inadequate.*

Do show all monuments in the immediate vicinity on your CCR with horizontal ties and carefully describe why your position is better and, therefore necessary.

This is not a complete list of **Do's and Don'ts** because there are many other common sense examples. Using references that are in the close proximity of the corner, providing an accurate sketch with topographical features and even digging up the monument instead of just relying on the signals from the magnetic locator, are all examples of care that must be taken to ensure that our public land survey corners are perpetuated.

Establishing and re-establishing the positions of public land survey corners by painstakingly discovering an accurate and defensible trail of evidence and then publishing the results for others to follow was the purpose of this law when it was enacted 33 years ago. Protection of the public demands that surveyors go to great lengths to correctly perform this most important land surveying duty.