



NEWSLETTER

SEPTEMBER 2002

EXECUTIVE BOARD MEETING

The next Executive Board and last Seminar Committee Meeting will be held at **Beefeaters Restaurant** (300 W Camelback Road [602.264.3838]) on Wednesday September 4th @ 4:45pm. Additional information can be obtained on the Chapter website. Listed below are the remaining meetings for the year.

- September 4
- November 6 @ Az State Land
- December 4 @ Az State Land

Meeting times and locations are subject to change. Refer to the Chapter website or contact Gary Patchett at: gpatchett@ufsaz.com

MICROSOFT 'WINDOWS' SEMINAR

DATE: Friday, **October 4, 2002** from 8:00 am to 5:00 pm

PLACE: SRP Project Drive Facility

FACILITATOR: Eric Dahl, Canyon Digital Solutions

COST: \$0 for IRWA members; \$25 for non members

Please sign up through the Chapter website or send your name, phone #, email address & member # to:
info@irwaaz.com.

This Seminar will cover a multitude of things that most of us use every day. To see a general list of the topics to be covered, please consult the Chapter Website. Each participant will also receive a binder with all the class material that is presented.

2003 CHAPTER ELECTIONS

The Election for the 2003 Chapter Officers will be held on Thursday, September 19th at the Seminar Luncheon. The slate of Officers to be presented include the following people:

- **President & 2 Yr International Director**
Melita Hillman, SR/WA
- **President Elect**
Douglas McLaughlin, SR/WA
- **Secretary**
Chris Banks, SR/WA
- **Treasurer**
Michael Sterling
- **1 Yr International Director**
Gary Patchett, SR/WA

Professional Development Committee

- **Chair:** Toni Soderman, SR/WA
- **2 Yr Member:** Larry Ambrosier, SR/WA
- **3 Yr Member:** Al Dickie, SR/WA

If you have any questions or comments, please contact Paul Herndon, SR/WA at 623.932.6729 (paul.herndon@aps.com)

EFFECTIVE September 1, 2002, Universal Field Services will be located in new offices at:

- 3838 North Central Ave, Suite 1400, Phoenix AZ 85012
- New Phone Number: 602.604.8118
- New Fax Number: 602.604.9515
- Email Addresses will remain unchanged

PRESIDENT'S MESSAGE

Gary Patchett, SR/WA

We have had an interesting year in Chapter 28 and now have reached that time for our Chapter Seminar. Melita Hillman and Mark Keller with the cooperation and support of the Seminar Committee have arranged for another great seminar. We hope that each of you will seriously consider attending this year and look forward to seeing you there.

I am impressed not only by the size of our Chapter but also by the activity displayed at meetings and support functions. Your support of classes hosted by the Chapter is awesome as are the demonstrations of professionalism by each of you in our communities.

It is an honor to serve with you in Chapter 28.

For current job openings, please visit the Chapter website: www.irwaaz.com/jobbank_openings.

If you have a job opportunity you would like to advertise, please email the information to: info@irwaaz.com.

MEMBERSHIP COMMITTEE

The following people were approved for membership at the August 7th Executive Board Meeting:

- Frank Strickler
- Marc Campbell, SRP

The following people were read for 30 day consideration at the August 7th Executive Board Meeting:

- Janet Madaghiele, SRP
- Michelle Genereux, Qwest

If you require additional Membership information, please contact Rebekah Louis at 602.236.8195 or rblouis@srpnet.com. You can also obtain information through our Chapter website at www.irwaaz.com.

PDC

If you have received your SR/WA designation since the last Educational Seminar, please contact Gary Scott at garyscott@mail.maricopa.gov or 602.506.4638 or any member of the PDC to discuss the SR/WA recognition that will take place at the Seminar Luncheon on September 19th.

Thought for the Day


When we decide our endeavors by others expectations of us,
Then by what standards do we define ourselves as individuals...

R. D. McEachen

44th ANNUAL EDUCATIONAL SEMINAR

The deadline for Seminar registrations is September 11th. If you haven't registered or you need registration materials, please consult the Chapter website at www.irwaaz.com. If you need information, please contact Melita Hillman @ 480.644.2671; Mark Keller @ 602.236.8164 or info@irwaaz.com.

Chapter 28 now has the capability to accept credit/debit card payments through PayPal. We're starting with transactions for the Seminar, but we will be adding Educational Classes and Luncheons (if we get a favorable Member response). If you would be inclined to use your credit/debit card for luncheons, please let us know. PayPal provides a secure on-line method for accepting credit/debit cards. If you've never used PayPal, you have to register the first time, but after that, you're home free unless you choose to change credit cards.



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SURVEYOR'S CORNER

Gregg Tuttle, Survey Chair

This month's column is in reply to a question submitted from the Arizona Association of Realtors.

"Apparently, there have been a number of surveyors who have met with our REALTOR® members and there are differences among the surveyors about what is required for surveys and re-surveys. One surveyor says that a brand new survey is needed no matter what and another says that in a subdivision, where the markers are set, a re-survey could use the markers that are already there. A number of our members have contacted us and would like some clarification. Can you help?"

Unfortunately, in each profession, (surveyors, realtors, land-agents, etc.), there are those individuals who become confused or are not up to date in their knowledge of current statutory and regulatory requirements. Such appears to be the case with some few surveyors concerning when a survey is required, and if so, then just what is necessary to fulfill the minimum standards for an Arizona Boundary Survey.

WHY a survey? Although few states require that a parcel of land being sold must be surveyed, a buyer, (and a buyer's lender), may be open to potential problems if the current deed does not accurately describe the property and/or its location. Often buyers rush into a sales agreement without first being certain of precisely what they are buying, and where. They tend to rationalize that the cost of ascertaining this will be greater than any loss they might suffer at some later date. Experience, however, does not always bear this out. Even though it is much less likely, potential property boundary problems can, and do, occasionally arise even in some urbanized subdivisions. Whereas, in some rural areas, the laxity with which records have been maintained, coupled with the historic indefiniteness with which some deeds were usually written, (both in urban, as well as rural areas), often time combine to create a probability that a purchaser of new property will run risks of latent property boundary problems. A survey can define the boundaries in precise terms, and it can determine where the property is located, so its location can be reconstructed at any time in the future should corner monuments and other points of identification become missing. Also, please note, it is not only the potential new owner that has a vested interest in the correct property boundaries, but also consider the interests of the adjoining and abutters. So, it behooves the buyer to ascertain what is truly owned BEFORE the property is acquired. Note, each situation, and each parcel of property, are different, and as such, noted in the question, even some surveyors apparently have different responses as to what type of survey is needed, or even if a survey is required.

NOTE: Currently, there are no Arizona state statutory requirements mandating a boundary survey in conjunction with the transfer of property. However, many organizations (public and private) have guidelines which recommend or require a boundary survey before a final transfer of property.

From a professional realty perspective, most all residential properties in urbanized, lotted subdivisions are not usually surveyed before, during, or after the transfer of ownership. However, a significant portion of industrial, and commercial properties, (along with most undeveloped parcels of 'bare' land), are surveyed, to verify property boundaries, as a part of the due diligence requirements as prescribed by many financial lending institutions. These requirements may only need a basic, minimum boundary survey, or they could require surveys up to the official American Land Title Association (ALTA) survey which is often known as to as "the Cadillac of surveys". As the vast majority of people (including a significant portion of Realtors) have few occasions to consult with a professional land surveyor, many people are not familiar with the logical steps in selecting a boundary survey.

In general, it is suggested, as prudent course of action, that a boundary survey should be made:

- a. before purchasing real property,
- b. when dividing a parcel of land for sale,
- c. in cases of property line disputes,
- d. when adjusting existing parcel boundaries (to conform to laws and/or ordinances), and
- e. prior to the construction of any improvements on the property which may be adversely effected by uncertain or incorrect boundary line locations.

In selecting a PROFESSIONAL, Registrant Land Surveyor, it should be noted that only a surveyor licensed by the Arizona Board of Technical Registration (AZ/BTR) is legally permitted to perform land boundary surveys of private property within the state of Arizona. To verify that any surveyor is licensed in Arizona, one should consult with the AZ/BTR, through their website, at: <http://www.btr.state.az.us/> There you can verify the status of the registration. You can also contact the AZ/BTR licensing division and inquire as to the possibly of any administrative enforcement (disciplinary) records of a registrant. Also, starting this calendar year (2002), the AZ/BTR is tasked with registering FIRMS that offer regulated, professional services, (such as surveying),

which will eventually allow for a web based verification similar to that in checking on an individual's status. Currently, to verify whether or not a company has a valid firm registration card on file, you will need to contact, (via phone), either the licensing or enforcement division.

Part of the due diligence of a "professional" requestor, (such as a Realtor), of regulated surveying services, should be to verify the legitimacy of the registrant's license and also the status of the surveying company, BEFORE negotiating the desired services.

ALL Boundary Surveys must be performed to satisfy the ARIZONA BOUNDARY SURVEY MINIMUM STANDARDS (AzBSMS), which are part of the Arizona (State) Administrative Code (A.A.C.), as referenced under Title 4, Chapter 30, Section 301.14, (AAC R4-30-301.14, as of February, 2002).

Copies of the AZ Administrative Code, and the MINIMUM STANDARDS can be found and downloaded from the AZ/BTR website (<http://www.btr.state.az.us/>).

MINIMUM STANDARD Item #1 states: "There shall be a scope of services determined for every surveying engagement."

This where the professional surveyor would put together a list of proposed services, which should include the actual field boundary survey, and a results-of-survey drawing(s), (if required by the minimum standards), and probably, (if required by the minimum standards), the requisite fees for recording the drawing(s) with the applicable County Recorder's office.

If the requestor of surveying services would require, in addition to the field survey and requisite drawings, to have the professional surveyor draft a new, or a revised written property boundary description, based on the new boundary survey, then that should be negotiated BEFORE commencing the surveying assignment, and it should be so noted in the scope of services being offered for the surveying assignment.

The typical, Arizona, 'industry-standard' of care for the typical land boundary survey "scope-of-services" would be a written document, given to, and acknowledged by the client, BEFORE commencing the actual survey engagement. This is usually in the form of a written contract. As to whether the contract has a 'not-to-exceed' estimate, or a 'time-and-materials' format, is something that should be negotiated BEFORE finalizing the scope-of-services agreement.

As to the costs, please note that Surveyors' fees, like those of any professional, are dependent on the type of services requested and/or required. That in turn determines the level of effort, and the number of personnel, and types of equipment necessary. The following is a partial list of factors that influence the cost of a boundary survey.

- Available information.
- Research (of records and physical evidence) required.
- Clarity, (or vagueness), of the existing written property boundary description.
- Amount of land to be surveyed.
- Number of property corners and their associated monuments.
- Terrain and vegetation.
- Accessibility.
- Whether or not improvements, appurtenances, easements, etc. will need to be located and referenced in the boundary survey.
- Whether or not a boundary dispute is known or discovered.
- The Surveyor's familiarity with the immediate area where the property is located.

The variables, as noted, can make it difficult to determine exact fee costs, but based on general experiences in the area of the survey, and the type of work requested / required, most surveyors should be able to furnish adequate estimates of costs. Note that surveyors more familiar with an area to be surveyed usually have the advantage of experiential knowledge over surveyors who are less familiar with the area.

What information does the surveyor need to successfully perform the boundary survey?

- The exact purpose of why the survey is being requested.
- Available, applicable written property boundary description(s), or deed(s), and recording information.
- A copy of any available title reports.
- A copy of any available plats, maps, or other drawings (recorded and/or unrecorded) showing the boundaries of the property in question.
- Any 'lay-person' information that can be supplied by such interested parties as the current owners, and/or the adjoining, about the locations of lines and corner monuments.

To learn more about consulting a professional, registered land surveyor, please take note of the Arizona Professional Land Surveyors' Association (APLS), at their internet website: <http://www.azpls.org/>. There you can find additional resource information and points of contact. I hope this have given some insight about WHY and HOW to consultant a land surveyor.