

feedback

Erickson's Letter to Arizona Board

In response Mr. Erickson's letter to the Arizona State Board, I have comments following each quotation from his letter (I occasionally sit on AZBTR Enforcement Advisory Committees, but I am not affiliated with the Board in any other way nor do I speak for anyone affiliated with the Board): (Quotes from Mr. Erickson's letter are in italics)

Without question the vast majority of land transactions in Arizona are executed without the presence of visible property corner monuments, placing the buyers at great risk of litigation and loss. Because we can only think in terms of full surveys, the survey profession is as guilty as any for this dismal situation, having priced ourselves out of the market. Justifiably so, for most instances of non-visible monuments can be remedied with the wave of a magnetometer, yet there we are with our hand out for thousands when hundreds is the fair price. In the current housing market in Arizona surveyors are not even an afterthought.

This is simply an excuse to perform substandard work at low prices that provide record data overlaid on GIS linework and photos, in unrecorded documents to landowners who may pass the data to a buyer who does not understand the lack of research and measurement inherent in such a document. I call them paper surveys.

The concept of the Discovery Report is to inexpensively reproduce an existing signed, sealed and recorded survey plat, to search and uncover the existing monuments and to note upon the plat of record which corner monuments are now present and which are now missing. This annotated copy is then presented to a client as a report. The purpose of the Discovery Report in the first instance is to open communications with the client, to be of service in preserving the land boundary infrastructure, to provide a means of educating the client of the importance of corner monuments and finally, if a monument is missing, or out of position, to entice the client to suffer the expense of a full survey.

A "signed, sealed and recorded survey plat"? You are recording all these documents? I have not heard you say that in any previous posts or articles. We have specific laws, and Board rules that exist to protect landowners from paper surveys such as this. Were you to note clearly the purpose of the document and origination of the data, and record it, it might be a different scenario. But I certainly do not think it is the salvation of the profession or any such nonsense.

Or we can continue on our irrelevant course, being of little service to the public, being a few firms when we could be many. We shouldn't be surprised to find a State Board the greatest obstacle to innovation; George Orwell said it well when he wrote: "The further a society drifts from the truth, the more it will hate those who speak it." Or as Woodstien said in The Secret Man, "Our best work is done when we are opposing management."

I think you are on an irrelevant course with these paper surveys, of little service to the public, and fortunately, not many folks agree with you in Arizona. The State Board performs a needed service about as efficiently as can be expected. There are some very good and thoughtful folks on the Board, and on the Enforcement Advisory Committees, who volunteer their time in the interests of the profession and the public. Some of us think that they were far too lax with this issue and many other issues, just the opposite of your own view.

And if we have to use irrelevant quotes, here's one...

"There is always an easy solution to every human problem—neat, plausible, and wrong."—H.L. Mencken

*J.O. Teague, Arizona RLS
Tucson, Arizona*

Rebuttal to J.O. Teague:

There are two sides to this debate; one side seems to sit on boards and the other side performs surveys. It may come as a surprise to most government surveyors that every Land Boundary Survey initially walks through

the steps of a Discovery Report. And, every ethical private Land Boundary Surveyor will stop the re-survey, and the billing, if they discover all the original monuments of a platted lot in their proper place. Why not conclude by giving the client a report?

Some fail to grasp that private Land Boundary Surveying is client driven. If we have no client we are a non-entity. Try determining a boundary line without a client and making it stick. Without a client we have no standing, in court or otherwise. If the client says, "OK you found all the monuments, stop surveying," then that is the end of the contract. Do you really think that members of a board can successfully force contract terms upon an unwilling client?

Let's try this from another angle. You say that as a surveyor licensed in Arizona I am prevented by the State Board's Letter of Concern from performing Discovery Reports. Yet a land owner, or his unlicensed designee, can search for corners all day long. This is empty-headedness. Nature hates a vacuum, and now that the ore vein of Buyer Oriented Ads/Discovery Reports is exposed, someone is going to exploit it.

Picture agrimensors using the buyer oriented ads that we have expounded. I believe that in the cities of Arizona they would have great success, and within a few years the agrimensors could rival, and in 20 years replace and out-perform, most current Land Boundary Surveyors. Would agrimensors ever get licensed? When was the last time the Arizona Board successfully prosecuted a non-licensee? Probably never.

These are shades of how our boards have treated GIS, but in Arizona's case, in throwing away Discovery Reports, Arizona is throwing away an historical and vital element of the Land Boundary Survey profession. In picking at the bona fide practices of licensees, such boards are only encouraging non-licensees. Nature hates a vacuum.

There is another point that begs discussion: Public Members on survey boards. These know-nothings are obviously not there to comment upon professional

practices, but to protect the interests of the public by guarding against undue suppression of competition by the Board. In Arizona's case, the Public Member appears to be leading the board; and this in making more restrictive professional judgments—the public be damned.

J.O., I apologize that it is hard to intimidate an old surveyor.

Chad Erickson



As a professional surveyor who has surveyed in Arizona for about 10 years back in the 80,s, and subsequently became licensed and worked in 5 western states, I am somewhat aware of the differences in professional practice Arizona. I believe that Mr. Erickson's premise and motivation is admirable, but his execution is arrogant. It is arrogant that any individual can attempt to subvert a democratic process by interjecting new professional practices and attempting to codify them by means of professional publication (basically free advertising). Mr. Erickson seems now to be a zealot carrying a banner and preaching to a flock.

I would suggest that within our current state of democratic process that the effort is one for lobbyists. If there is not enough wherewithal in the Arizona Professional Land Surveyors, or NSPS organizations to champion these issues in Arizona, then the surveyors deserve what they have. I would also suggest that the execution of Mr. Erickson's "war" be focused more on engaging in the manner prescribed politically and not trying to re-write the constitution via media access.

*Ron Sutcliffe PLS
Mountain Land Associates
Pagosa Springs, CO*

Rebuttal

To paraphrase and summarize Ron Sutcliffe's remarks, "I believe that Mr. Erickson's premise and motivation is admirable but it is arrogant of him to write about it. We have a democratic process and lobbyists that will take care of that. When Chad speaks and writes he is taking liberties with his station and challenging our constitution."

What percent of our population holds Ron's creed? Pretty high I think. The rebuttal is that government agencies and bureaus are not democratic, and therein

lays the problem. Bureaus and boards are not elected and they are subject to neither Governor nor Court, and the Legislature, their creator, has not the time nor inclination to control them. Out of control bureaus and agencies now have more influence over our lives and properties than do Presidents, Legislatures, Courts and Constitutions. The only real recourse the little man has against them is freedom of speech and a trial in the court of public opinion.

Thank God there are a few publications, like the *American Surveyor Magazine*, that recognizes and supports Freedom of Speech. I apologize to Editor Marc Cheves for the pressures that he and his endure because of my writings, and at the same time commend them for it.

Chad Erickson

A Surveyor's Poem

Thought I would send this poem that my son wrote and if it is something that you feel would be of interest to your readers, feel free to use it. It was published in our state publication *The Missouri Surveyor*. My son patterned it after the famous "So God Made a Farmer" poem by Paul Harvey.

*Ralph L. Riggs, PLS, CFedS
West Plains, MO*

So God Made a Surveyor

And on the tenth day
God looked down on his creation
called paradise
He said I need somebody to measure
the land honestly
So God made a surveyor

God said I need someone who will
wake up before dawn
drive three hours to the boondocks
work all day
drive three hours back home
put on some nice clothes
go to church
stay and talk to friends and family
til 9:30
go home
help his children with their schoolwork
til eleven
go to bed
get up the next day and do the same
thing again
So God made a surveyor

God said I need somebody to
fight gnats
swat flies and mosquitoes
trek through swamps and steep hills
all the while watching for fire ants,
wasps and bees
also trying not to find copperheads,
cottonmouths and alligators
So God made a surveyor

God said I need somebody who can
hold a family together
with simple kindness and words of
wisdom from experience
who will show his children manners
and good conduct
yet will let them know who is in charge
of the house
So God made a surveyor

God said I need somebody who can
settle differences
between two landowners
with justice and fairness

God said I need somebody who won't
cut corners
go off line
or ignore a landowner's wishes

God said I need somebody who will
measure straight
respect the law and the surveyors who
came before him
and when the time comes
defend what he knows is right
So God made a surveyor

God said I need somebody who will smile
pull out his handkerchief
wipe his eyes to hide his tears

when his sons say
they don't want to spend their lives
doing what dad did

So God made a surveyor
—Regan Riggs

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