

FeedBack

Pallamary's Angle Points

Mr. Pallamary's dilemma is, is, well, there are no words in our mutual vocabularies to describe the injustice dumped upon the same public we are licensed to serve and not harm. Should I live in California, I would be driving to Sacramento on the day of the next licensing Board meeting and be seeking the immediate removal of this dangerous fellow's license until he or she had a course or two in boundary principals. This scoundrel's name should be published in every professional publication in our surveying community with a huge "i" photo shopped on his or her forehead for incompetent. The entire state of California is fiscally endangered with a boob like this openly practicing our esteemed profession. A counter suit would shut him or her up via his liability carrier. Peers could shut him or her up with shame and embarrassment among themselves. Peer pressure. Affidavits can do wonders when prepared and recorded through competent legal counsel. Enough affidavits from enough Land Surveyors and no title company would touch that person's surveys with a 0.01 foot pole.

About 25-30 years ago I went to a 2 day workshop conducted by Robillard and Wilson regarding boundary principals. A huge impact was made in my professional development when they made the point that if one is following legal principals, how much disagreement is allowed between record and measured? Is 0.01 acceptable? How about 0.10 or 1 foot or maybe 10 feet. Should one read the cases and apply the established law, its cool to disagree by one thousand (1000) feet or even 10,000 feet between record and measured. There is nothing in any text book or reported case stating that one resets a corner because the amount of disagreement is "x". No where in any statute or court case. The corner is where the corner is, if the standards established by the courts are followed. That's courts,

the decider in any boundary conflict, not a trig class or a seminar in matriculation utilizing measuring devices or numbers flashed on a computer monitor's or smart phone's display.

It was an excellent article expressing the depressing progression of technology and theory creeping into an art that should really only require common sense and knowledge of the subject of surveying as opposed to knowledge of technology. One never measures to set a corner, one measures to simply report the location of that corner. It ain't all that complicated.

Respectfully,

C. Barton Crattie, LS, CFM
Via the Internet

Pallamary responds: *Thank you for your kind reply to my article. As you may know, California is one of the few states that does not require continuing education. According to the state licensing board, continuing education cannot be justified because the board cannot demonstrate any public benefits by such a requirement. It is my belief and opinion that if one were to examine the complaints investigated by the board, a relationship can in fact be established. As a corollary to the article you are referring to, I have been releasing select excerpts from Curt Brown's works in The American Surveyor magazine. It is hopeful that all of this material will be considered together.*

Regrettably, incidents like this are fairly commonplace. I must confess, I remain in awe at the number of surveyors who thump their chest over their error ellipses and reliance on fancy measuring equipment while using a wholly erroneous survey procedure.

Welcome to "surveying" in the new millennia.

-MP

Traditional vs. Technology

I received my copy of American Surveyor (AS) in yesterday's mail. The traditional land surveying focus, as opposed to a technology focus, is greatly

appreciated. One of the land surveyor's primary roles in society is the establishment of boundary lines and recognizing the associated property rights. The current edition of AS has articles by Gary Kent, Landon Blake, Mike Pallamary, Wendy Lathrop and a legacy article by Curt Brown, each addressing the legal aspects of land surveying. I wish you great success with this approach, you will certainly retain my readership.

David E. Woolley
Tustin, California

Footsteps "The Weight of Monument Placement"

A few thoughts in response to your article:

Re: Non Surveyors perspective. My personal feeling is that most persons asking us to do a survey are, by that very act, admitting that they don't know much about surveying and need our expertise. I have always felt that part of our obligation to a client is to explain what we have done and to help them understand it. Give them a "deep understanding"? No, but if we understand it, then we should be able to express it in easy to understand terms to a client. I do not believe that setting a third monument next to two others already there can be explained to any reasonably intelligent client. What I think it does is tell the client three trained surveyors disagree with each other and also tells him that you haven't answered the question he has: "Which monument is correct?" The doubt your third monument creates is: "How can I trust my surveyor to be any more correct than the other two?" Your answer is going to sound like "fast talk" to the client.

Re: Fellow Boundary Surveyors. Respect for your monuments is quite often a function of your respect for monuments. That is, if you set a monument near an older monument, you are, like it or not, expressing disrespect for the older monument. If your plan

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FeedBack, continued from page 54 shows the “found” monument and your monument, that disrespect is memorialized; I don’t know how you can convince a listener by saying “I respect the older monument, but it is wrong and mine is right”.

Re: The Legal System. I have found that you are exactly correct about the weight of monuments versus equity. The foundation for the courts decision, though, is usually the result of a collaboration between surveyor and attorney in providing all the necessary surveying and legal information to support the courts ruling.

David C. Garcelon, PS
Harpwell, Maine

Blake responds: *Thank for your comments on my article. I agree with several of the points you made. Most land owners do hire us as the expert, and I believe we have a professional obligation to explain our work to the client as you point out. I believe the surveyor’s report is a great vehicle to help facilitate this communication. I also agree that it is important to respect other surveyor’s monuments. This is especially important for surveyors like myself that typically practice in a limited geographic area. That is one of the great benefits involvement in professional organizations bring: the ability to build working relationships with other surveyors in your area of practice founded on mutual respect. I’ve called surveyors from my local chapter of the state land surveying association more than once to discuss monuments they set.*

–LB

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