

# FeedBack

## Don't Pass the Blame

Thank you to Joel Leininger for "Overlaps 101" (July/August '04). Our company has one of the best surveyors around, and he would *never* let a survey go without solving the problem, whether it is an overlap or a gap. However, there are surveyors in our area who have caused unnecessary lawsuits by simply telling a client that the other surveyor is wrong, and that he should make him correct the mistakes. What happens is the lazy surveyor becomes the expert witness for his client, and the surveyor is questioned has to pay an attorney to defend himself—even if he is right! This is incredibly frustrating to those who believe that integrity and honesty is the best policy. I wish some of the lazy surveyors would do what they are trained to do, and *solve* the problem, not blame someone else.

Sharon Sherrill  
Via Online Feedback

## The Final Word

I am in agreement with Leininger as to a surveyor's role in resolving overlaps in documents that convey title ("The Myth of Inappropriate Opinions" Sept/Oct 2004). Extensive research usually tells the story of how the overlap occurred, and the correct line can be monumented with the assurance that the resolution can be substantiated. However, in my opinion, the greatest challenge to delineating what a client "has title to" occurs when occupation and other usage of land disagrees with the lines described in the subject and adjoining deeds. I am referring to "unwritten title." I do not consider myself to be the final word as to whether long-term occupation of property has ripened into title. In fact, a judge is the only person I have seen render such a judgment. The judge's findings were final, unlike any opinion I might render on the subject. While a surveyor's input is vital to the resolution

of apparent overlapping "ownership," it is my opinion that a surveyor does not have the luxury of being the final word on issues of unwritten title. For instance, Ohio law requires (and I paraphrase) that when lines of occupation differ from deeded property lines, the surveyor must show both on his drawing. This would indicate to me that we are not being asked to determine which line the owners have "title" to, but to render the information for others to use. In these cases, I monument the deeded lines (after determination of senior rights) and show the occupation discrepancy. A dissertation by Leininger on this subject would be very interesting to me. Thanks for the great magazine.

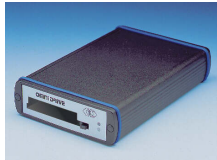
Chuck Sharp  
Via Online Feedback

We reserve the right to edit letters for clarity and length. *AS*

## PC Card Drives

### OMNIDrive

- SRAM and ATA Flash supported
- CompactFlash with adapter
- Parallel Port connection
- Driver Support for DOS, Win 3.x, Win 95/98/Me, Win NT, Win 2000/XP



### OMNIDriveUSB Pro

- SRAM and ATA Flash supported
- CompactFlash with adapter
- Fast and reliable USB connection
- Driver Support for Win 95/98/Me, Win 2000 and XP



### OMNIDriveUSB Intern

- SRAM and ATA Flash supported
- CompactFlash with adapter
- Fast and reliable USB connection
- Driver Support for Win 95/98/Me, Win 2000 and XP



### SRAM PC Cards

- Capacity from 256KB to 8MB
- Re-chargeable Battery Design
- 5V and 3.3V operation
- Optional: Dual-battery design



(703) 237-2774

**I.P.I.** International  
Products  
Inc.



www.intproducts.com

## Total Station Repair

**Martin  
Instruments Inc.**  
Little Rock, Arkansas

**Factory Trained  
Technicians and  
State-of-the-Art Facility**

- All Makes and Models
- Total Stations
- Lasers
- Levels
- Free Estimates
- Free Return Shipping
- Competitive Prices

For more information: call toll free 1-877-562-8815,  
fax 501-562-4981 or e-mail martininst@msn.com.

**It's easy to do business with us!**