

John F. Bennett, PLS

**3123 Penguin Lane
Fairbanks, AK 99712**

Surveyor
Address
City, State, Zip

September 12, 1996

Re: Records of Survey

Dear Professional Surveyor:

Back in the mid-1980's I attended a couple of meetings sponsored by the Alaska Society of Professional Land Surveyors to discuss the need for legislation governing records of survey, monument Records and entry upon land for survey purposes. The efforts of ASPLS and the American Congress on Surveying and Mapping/Alaska Section resulted in the establishment of Alaska Statute 34.65 LAND SURVEYS.

In the course of my many contacts with land surveyors statewide due to my position with DOT&PF and with my involvement with ASPLS, I came to realize, to my surprise, that there were great differences in interpretation of these surveying statutes. Specifically, my focus is on Section 34.65.030 RECORDS OF SURVEY and if or when they are required. My discussions with several surveyors placed them in two general classifications. Those who believed that a ROS was required for all boundary surveys not already governed by subdivision or replatting regulations and those who believed that a ROS was only necessary if the client requested one.

Given the wide range of interpretations that I received from several, in my opinion, professional and competent land surveyors, I decided that this subject might make a worthwhile technical session presentation for the 1997 Alaska Surveying and Mapping Conference. My intent is not to point fingers or identify individuals, but to determine how an apparently clear idea had become obscured in the writing of the statute as to result in such a wide degree of interpretation.

Attached to this letter is a one page survey that I am requesting you to fill out and return to me as soon as possible. I have sent this letter to the survey managers of more than 40 Alaska firms who are active in land surveying as opposed to individual surveyors as the managers will typically set the company policy regarding issues such as when a ROS is to be performed. It is not necessary to print a name or return address on the survey form as it is intended to be anonymous. No individuals or business names will be reported in my paper.

Should you have any questions regarding this survey, please feel free to contact me at 451-5426 (O), 488-3814 (H), 451-5411 (Fax) or e-mail at JohnF_Bennett@dot.state.ak.us.

Sincerely,

John F. Bennett, PLS

Record of Survey Questionnaire

(In order to obtain responses that reflect your current operating policy, please do not read the ROS statutes, regulations or related information prior to answering the following questions.)

1. A client requests that you monument their property which is based upon a metes and bounds description. The property has not previously been monumented or platted. In your opinion, the most appropriate response is (Select A, B, C or D):

- _____ (A) Alaska statute requires that plat of the survey be prepared and recorded.
(B) Although not required by statute, upon request and for an additional fee, a plat of the survey will be prepared and recorded.
(C) The preparation and recording of a plat may be required if the survey discloses evidence or boundaries that significantly differ from the record.
(D) None of the above - Write out your own response below.

2. A client requests that you monument their property which is based upon an old recorded subdivision plat. The subdivision had never been monumented (paper plat). In your opinion, the most appropriate response is (Select A, B, C or D):

- _____ (A) Alaska statute requires that plat of the survey be prepared and recorded.
(B) Although not required by statute, upon request and for an additional fee, a plat of the survey will be prepared and recorded.
(C) The preparation and recording of a plat may be required if the survey discloses evidence or boundaries that significantly differ from the record.
(D) None of the above - Write out your own response below.

3. A client requests that you monument their property which was previously monumented according to a (record subdivision plat, U.S./M.S. Survey, ASLS) The original monuments had been destroyed in the development of the property. In your opinion, the most appropriate response is (Select A, B, C or D):

- _____ (A) Alaska statute requires that plat of the survey be prepared and recorded.
(B) Although not required by statute, upon request and for an additional fee, a plat of the survey will be prepared and recorded.
(C) The preparation and recording of a plat may be required if the survey discloses evidence or boundaries that significantly differ from the record.
(D) None of the above - Write out your own response below.

4. A material discrepancy with a plat of record exists when your monumented positions vary from the previous record by:

- _____ (A) 0.2 to 1.0 feet
(B) More than 1.0 foot
(C) An amount greater than the accuracy specified or expected for the original survey.
(D) None of the above - Write out your own response below.

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