



Tecumseh Chapter of the Indiana Society of Professional Land Surveyors  
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2003 OFFICERS:

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September 24, 2003

ISPLS Board of Directors  
55 Monument Circle, Suite 1222  
Indianapolis, Indiana 46204

Re: Proposed Changes to Rule 12

Gentlemen,

The Government Affairs Committee of the Tecumseh Chapter of ISPLS, consisting of six registered land surveyors, is providing the following comments on behalf of the Tecumseh Chapter of ISPLS. We have also reviewed comments by the Northeast and Central Indiana Chapters and have made some suggestions, as we felt necessary, based on their comments.

**GENERAL COMMENTS:**

- 1) Wherever the word subdivision appears in the rule with reference to setting corners, we would suggest adding “**and planned developments**” to cover setting corners for lots in these developments as well.
- 2) We would suggest adding to the appropriate section of the rule a requirement that flood hazard determinations must be executed by a registered land surveyor. We feel that this is an important issue that has needed to be addressed for several years. It is in the public’s best interest that these determinations be done by land surveyors since we are the experts in interpreting land descriptions.

**SPECIFIC COMMENTS ABOUT THE PROPOSED RULE CHANGES:**

- 1) We are not in favor of repealing 865 IAC 1-10-23 or 865 IAC 1-10-24. We feel that these sections are needed to protect the safety and welfare of the public and that the Board should have the authority to review individuals convicted of crimes or had their license suspended or revoked in other jurisdictions.
- 2) Under 865 IAC 1-12-5 (3), we would suggest adding “**must be executed by a registered land surveyor but**” after the words “.....except for property corner monumentation,” to clarify that these tasks are only to be performed by registered surveyors.

- 3) Under 865 IAC 1-12-18 (a) (1), we would suggest adding “**or the uncertainty for the corner as discussed in the surveyor’s report.**” at the end of this section. Similarly under 865 IAC 1-12-18 (a) (7), add “**or uncertainty for the corner**” after the words “...if existing monuments fall within the theoretical uncertainty of the survey”.
- 4) Under 865 IAC 1-12-18 (a) (10), we understand why this section is worded this way, but we feel that there should be a provision added that states something to the effect that when monuments are set by another surveyor (who did not prepare the plat), that an affidavit shall be recorded (similar to the affidavit wording in 865 IAC 1-12-18 (b) (2)). It is not all that uncommon to have a surveyor that has not prepared the plat, be hired to set lot corners in a subdivision.
- 5) We would suggest that 865 IAC 1-12-18 c, be removed completely. Comments from another chapter indicate that they think this wording is confusing. This proposed addition really deals with a private practitioner’s client relationship issue rather than a public safety and welfare issue; therefore, we recommend just eliminating it.

We appreciate the opportunity to provide these comments and hope that the appropriate ISPLS committee will see that these comments are appropriately addressed with the proposed rule changes.

If you have any questions, feel free to call me.

Respectfully yours,

Roger A. Fine  
Chairman, Government Affairs Committee  
Tecumseh Chapter of the Indiana Society of Professional Land Surveyors