

Rule 12. Land Surveying; Competent Practice

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Websites of interest:

[Rule 12 \(865 IAC 1-12\)](#)

www.in.gov/legislative/iac/iac_title?iact=865

[2005 Minimum ALTA/ACSM Standard Detail Requirements](#)

www.acsm.net/ALTA2005.pdf

www.alta.org/publications/99alta.pdf

[ALTA - American Land Title Association](#)

www.alta.org

[ACSM - American Congress on Surveying & Mapping](#)

www.acsm.org

[Rule 12 \(865 IAC 1-12\)](#)

www.in.gov/legislative/iac/iac_title?iact=865

[ISPLS - Indiana Society of Professional Land Surveyors](#)

www.ispls.org

Rule 12. Land Surveying; Competent Practice

865 IAC 1-12-1 Minimum standards for competent practice of land surveying

Authority: IC 25-21.5-2-14

Affected: IC 25-1-11; IC 25-21.5-4-2

Sec. 1. (a) This rule establishes minimum standards for the competent practice of land surveying as required by IC 25-21.5-2-14.

(b) The failure of a registered land surveyor to comply with the provisions of this rule may subject the registered land surveyor to sanctions as provided in IC 25-1-11.

(c) Given the ultimate responsibility of a registered land surveyor for work done by an employee or subordinate who is exempt from licensure under IC 25-21.5-4-2, the failure of such an employee or subordinate to comply with the provisions of sections 6 through 29 of this rule may subject a registered land surveyor to sanctions as provided in IC 25-1-11, unless the registered land surveyor did not know and could not, with the exercise of reasonable diligence, have known of the act or omission by the employee or subordinate.

(d) Nothing contained in this rule shall be interpreted to give the board authority to take action under IC 25-21.5-10 against a nonregistered employee or subordinate of a registered land surveyor.

(e) The provisions of this rule establish minimum requirements. There may be other acts taken, or omissions made, by a registered land surveyor in the course of rendering professional services to a client which shall also constitute professional incompetence. (*State Board of Registration for Land Surveyors; 865 IAC 1-12-1; filed Jun 21, 1988, 4:05 p.m.: 11 IR 3909; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2239; filed Oct 13, 1992, 5:00 p.m.: 16 IR 885; errata filed Sep 14, 1994, 2:50 p.m.: 18 IR 268; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*) NOTE: 864 IAC 1.1-13-1 was renumbered by Legislative Services Agency as 865 IAC 1-12-1.

865 IAC 1-12-2 Definitions; abbreviations

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5-4-2

Sec. 2. (a) The definitions in this section apply throughout this rule.

(b) "ALTA/ACSM Land Title Survey" refers to an original or retracement survey conducted in accordance with the "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys" as the requirements are adopted by the:

- (1) American Land Title Association;
- (2) National Society of Professional Surveyors; or
- (3) American Congress on Surveying and Mapping.

(c) "Controlling monument" means any undisturbed artificial, physical, or record monument called for in a record plat or land title description and controls any combination of the:

- (1) location;
- (2) dimensions; or
- (3) configuration;

of the described tract.

(d) "EDM" refers to electronic distance measurements.

(e) "Land surveyor" means either of the following:

- (1) A registered land surveyor.
- (2) An individual who is as follows:
 - (A) An employee or subordinate of a registered land surveyor.
 - (B) Exempt from licensure under IC 25-21.5-4-2.

(f) "Original survey" means a survey that is executed for the purpose of locating and describing

real property that has not been previously described in documents conveying an interest in the real property.

(g) “Registered land surveyor” means an individual who has been registered by the board in the profession of land surveying under IC 25-21.5.

(h) “Relative positional accuracy” means the value expressed in feet or meters that represents the uncertainty due to random errors in measurements in the location of any point on a survey relative to any other point on the same survey at the ninety-five percent (95%) confidence level.

(i) “Retracement survey” means a survey of real property that has been previously described in documents conveying an interest in the real property.

(j) “Right-of-way” means land taken by either:

- (1) easements; or
- (2) fee simple title;

for the linear routes identified in subsection (k).

(k) “Route survey” refers to surveys executed for the purpose of acquiring an interest in the tracts of land required for the following:

- (1) Highways.
- (2) Railroads.
- (3) Waterways.
- (4) Pipelines.
- (5) Electric lines.
- (6) Any other linear transportation or utility route.

The term does not include surveys executed for acquisition parcels that are of even width and immediately adjacent to an existing title, easement, or right-of-way line and do not require a property survey in order to prepare an accurate legal description for the parcel. Route surveys are not considered either original surveys or retracement surveys.

(l) “Subdivision plat” means a plat of subdivision of land prepared in accordance with either or both of the following:

- (1) State plat statutes.
- (2) Local subdivision regulations, or both.

(m) “Theory of location” means applying:

- (1) federal laws, including 43 U.S.C. 751 through 43 U.S.C. 775;
- (2) state and local laws; and
- (3) court precedent;

to establish the position of real property corners. (*State Board of Registration for Land Surveyors; 865 IAC 1-12-2; filed Jun 21, 1988, 4:05 p.m.: 11 IR 3909; errata filed Feb 5, 1990, 4:15 p.m.: 13 IR 1189; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2240; filed Oct 13, 1992, 5:00 p.m.: 16 IR 885; filed Oct 14, 1993, 5:00 p.m.: 17 IR 408; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237; filed Jan 26, 2004, 11:00 a.m.: 27 IR 1882; filed May 4, 2006, 1:25 p.m.: 29 IR 3007*) NOTE: 864 IAC 1.1-13-2 was renumbered by Legislative Services Agency as 865 IAC 1-12-2.

865 IAC 1-12-3 Surveyor responsibility

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5-4-2; IC 25-21.5-7-3

Sec. 3. (a) A registered land surveyor shall be personally responsible for planning and supervising the training, procedures, and daily activities of the nonregistered employees or subordinates involved in the surveys who are acting as exempt persons under IC 25-21.5-4-2. These activities will include, but not necessarily be limited to, the following:

- (1) Client contact.
- (2) Research.
- (3) Collection of field data.

- (4) Note reduction.
- (5) Computation.
- (6) Office analysis.
- (7) Drafting.
- (8) Preparation of certificates and reports.

(b) The daily activities by nonregistered employees or subordinates referred to in subsection (a) may not continue during any extended absences of the responsible registered land surveyor unless another registered land surveyor is in responsible charge during the land surveyor's absence.

(c) The procedures followed and the decisions made by persons under the registered land surveyor's supervision shall be regularly and systematically reviewed and approved by the registered land surveyor before signing the survey plat.

(d) "Supervision", as used in this section, shall be deemed to require the following:

(1) Such control by the registered land surveyor, that the registered land surveyor can certify that he or she:

- (A) is knowledgeable of; and
- (B) has reviewed and approved;

all actions pertaining to the surveys by persons not licensed who have participated in the survey.

(2) That all persons participating in the survey shall be regular employees of:

- (A) the registered land surveyor;
- (B) the registered land surveyor's employer; or
- (C) another registered land surveyor.

(e) In addition to the requirements in IC 25-21.5-7-3, each office of a firm, partnership, or corporation offering to perform land surveys must have a registered land surveyor in charge of the operations. The registered land surveyor must:

(1) be a full-time employee of the firm, partnership, or corporation and:

- (A) a principal of the partnership or firm; or
- (B) an officer of the corporation;

(2) have full responsible control of the survey operations; and

(3) maintain regular hours at that office:

- (A) convenient for client contact; and
- (B) adequate for employee supervision as defined in subsection (d).

(f) For purposes of this rule, an individual practices as a principal by being as follows:

(1) A registered land surveyor.

(2) The individual in charge of the organization's land surveying practice, either:

- (A) alone; or
- (B) with other registered land surveyors.

(g) A registered land surveyor shall not affix his or her seal on any surveying work unless the:

(1) registered land surveyor personally did the surveying work;

(2) surveying work was performed by:

- (A) a nonregistered employee or subordinate following the requirements of subsection (a); or
- (B) the employees of another registered land surveyor as allowed by subsection (d); or

(3) registered land surveyor is certifying additional survey work based on a survey:

- (A) executed according to this rule; and
- (B) certified by a registered land surveyor working on the same project.

(State Board of Registration for Land Surveyors; 865 IAC 1-12-3; filed Jun 21, 1988, 4:05 p.m.: 11 IR 3909; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2240; filed Oct 13, 1992, 5:00 p.m.: 16 IR 886; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237; filed Jan 26, 2004, 11:00 a.m.: 27 IR 1883; filed May 4, 2006, 1:25 p.m.: 29 IR 3008) NOTE: 864 IAC 1.1-13-3 was renumbered by Legislative Services Agency as 865 IAC 1-12-3.

865 IAC 1-12-4 Land surveyor duty to accumulate, preserve, and share data

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 4. A registered land surveyor shall do the following:

(1) Accumulate, through experience and research, information on the historical development of surveys in the geographical area in which the land surveyor practices.

(2) Accumulate:

(A) survey records;

(B) field notes;

(C) plats; and

(D) other data;

pertinent to the area of practice.

(3) Properly file and index for future reference those:

(A) field notes;

(B) computations;

(C) maps;

(D) plats;

(E) photographs; and

(F) other data;

accumulated during the survey.

(4) Provide for the long term preservation (maintenance) of the survey data. Filing of public records will partially meet this obligation. If possible, a registered land surveyor should make arrangements for the transfer of the land surveyor's records upon retirement or death.

(5) If possible, discuss the land surveyor's survey work confidentially with other registered land surveyors in the event of substantive conflicts or discrepancies revealed by the survey. These discussions must:

(A) not violate the registered land surveyor-client confidence; and

(B) be sufficient to discharge the registered land surveyor's obligations to the public and the profession.

(State Board of Registration for Land Surveyors; 865 IAC 1-12-4; filed Jun 21, 1988, 4:05 p.m.: 11 IR 3910; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2241; filed Oct 13, 1992, 5:00 p.m.: 16 IR 887; filed Mar 6, 1995, 4:00 p.m.: 18 IR 1834; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237; filed May 4, 2006, 1:25 p.m.: 29 IR 3009) NOTE: 864 IAC 1.1-13-4 was renumbered by Legislative Services Agency as 865 IAC 1-12-4.

865 IAC 1-12-5 Property surveys affected

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 5. [All retracement surveys and original surveys, including all ALTA/ACSM Land Title Surveys, and all updates or recertifications of previously completed surveys must fully comply with this rule except the following:](#)

(1) Surveyor location reports as provided for in sections 27 through 29 of this rule are only subject to sections 1 through 4, 6, and 27 through 29 of this rule.

(2) Construction surveys made for the purpose of marking the limits of existing easements or rights-of-way for the construction of improvements within the easement or rights-of-way must be executed by a registered land surveyor but are only subject to the provisions of sections 1 through 4 and 6 of this rule.

(3) Delineation or demarcation and placement of any monument or markers, for example, wood stakes, flags, and rebar, for the purpose of constructing:

- (A) fences;
- (B) buildings;
- (C) walls; or
- (D) other improvements;

on or in close proximity to a land boundary must be executed by a registered land surveyor, but are only subject to sections 1 through 4 and 6 of this rule provided the land surveyor has found acceptable evidence of the boundary location in accordance with this rule. Any survey monuments or markers set in conjunction with a retracement or original survey must comply with all provisions of this rule.

(State Board of Registration for Land Surveyors; 865 IAC 1-12-5; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2242; filed Oct 13, 1992, 5:00 p.m.: 16 IR 887; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237; filed Jan 26, 2004, 11:00 a.m.: 27 IR 1884; filed May 4, 2006, 1:25 p.m.: 29 IR 3009) NOTE: 864 IAC 1.1-13-5.1 was renumbered by Legislative Services Agency as 865 IAC 1-12-5.

865 IAC 1-12-6 Field notes

Authority: IC 25-21.5-2-14
Affected: IC 25-21.5

Sec. 6. When conducting an original survey or a retracement survey, the land surveyor shall record in the field notes all pertinent information, measurements, and observations made in the field during the course of a survey in a manner that is clear and intelligible to other land surveyors who may use the information so recorded. *(State Board of Registration for Land Surveyors; 865 IAC 1-12-6; filed Jun 21, 1988, 4:05 p.m.: 11 IR 3910; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2242; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237; filed Jan 26, 2004, 11:00 a.m.: 27 IR 1884) NOTE: 864 IAC 1.1-13-6 was renumbered by Legislative Services Agency as 865 IAC 1-12-6.*

865 IAC 1-12-7 Measurements for retracement surveys, original surveys, and route surveys

Authority: IC 25-21.5-2-14
Affected: IC 25-21.5

Sec. 7. (a) The purpose of this section is to prescribe precision and accuracy standards to be used by a land surveyor in conducting original and retracement surveys and route surveys.

(b) The land surveyor shall select the appropriate equipment and methods and use trained personnel to assure that the acceptable relative positional accuracy specified in this section is not exceeded.

(c) The degree of precision and accuracy necessary for a survey shall be based upon the intended use of the real estate. If the client does not provide information regarding the intended use, the classification of the survey shall be based on the current use of the real estate.

(d) Classifications of surveys are as follows:

(1) **Urban surveys.** Urban surveys are performed on land lying within or contiguous with a city or town, except for single family residential lots. Urban surveys also include:

- (A) commercial and industrial properties;
- (B) condominiums;
- (C) townhouses;
- (D) apartments; and
- (E) other multiunit developments;

regardless of geographic location.

(2) **Suburban surveys.** Suburban surveys are performed on residential subdivisions lots. Surveys

of single family residential lots shall be suburban surveys even if the lot is located in an urban or a rural area.

(3) **Rural surveys.** Rural surveys are performed on real estate lying in rural areas that does not otherwise meet the definition of an urban or suburban survey.

(e) The acceptable relative positional accuracies for each classification of survey are as follows:

(1) Urban surveys: 0.07 feet (21 millimeters) plus 50 parts per million.

(2) Suburban surveys: 0.13 feet (40 millimeters) plus 100 parts per million.

(3) Rural surveys: 0.26 feet (79 millimeters) plus 200 parts per million.

(f) Relative positional accuracy may be tested by:

(1) comparing the relative location of points in a survey as measured by an independent survey of higher accuracy; or

(2) the results of a minimally constrained, correctly weighted least square adjustment of the survey.

(State Board of Registration for Land Surveyors; 865 IAC 1-12-7; filed Jun 21, 1988, 4:05 p.m.: 11 IR 3910; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2242; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237; filed Jan 26, 2004, 11:00 a.m.: 27 IR 1884; filed May 4, 2006, 1:25 p.m.: 29 IR 3010) NOTE: 864 IAC 1.1-13-7 was renumbered by Legislative Services Agency as 865 IAC 1-12-7.

865 IAC 1-12-8 Theoretical uncertainty (*Repealed*)

Sec. 8. (Repealed by State Board of Registration for Land Surveyors; filed May 4, 2006, 1:25 p.m.: 29 IR 3026)

865 IAC 1-12-9 Preliminary research and investigation on retracement surveys

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 9. When conducting a retracement survey, a land surveyor shall obtain the following:

(1) The record description of the:

(A) parcel to be surveyed; and

(B) adjoining properties;

to reveal any gaps or overlaps with the adjoining properties.

(2) Copies of any recorded:

(A) subdivision plats; and

(B) surveys;

that relate to the survey.

(3) From public offices, copies of any:

(A) maps;

(B) documents; and

(C) field notes;

that relate to the survey.

(4) Copies of data that relate to the survey that are available from known private sources.

(State Board of Registration for Land Surveyors; 865 IAC 1-12-9; filed Jun 21, 1988, 4:05 p.m.: 11 IR 3912; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2244; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237; filed Jan 26, 2004, 11:00 a.m.: 27 IR 1885; filed May 4, 2006, 1:25 p.m.: 29 IR 3011) NOTE: 864 IAC 1.1-13-9 was renumbered by Legislative Services Agency as 865 IAC 1-12-9.

865 IAC 1-12-10 Field work for retracement and original surveys

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 10. When conducting a retracement or original survey, a land surveyor shall do the following:

- (1) Search for controlling physical monuments and, when found, weigh their reliability.
- (2) Search for and locate the following:
 - (A) Monuments that reference missing control monuments.
 - (B) Monuments that substantiate control monuments that have been obliterated.
 - (C) Other monuments and real evidence that are necessary to the survey.
- (3) If necessary:
 - (A) investigate possible parol evidence supporting the positions of obliterated control monuments; and
 - (B) obtain the necessary affidavit or affidavits from individuals involved.
- (4) Obtain the following:
 - (A) Necessary measurements to correlate all found evidence, including the relationship to adjoining properties.
 - (B) Sufficient check measurements to satisfactorily verify the work.
- (5) Locate physical evidence of possession between adjoining and identify age of possession, for example, by parol evidence, if possible.
- (6) Survey field notes shall be in the form required by section 6 of this rule.
- (7) Any controlling corners that are original public land survey corners or other government corners such as land grants shall be:
 - (A) evaluated;
 - (B) perpetuated; and
 - (C) documented;

in accordance with section 30 of this rule.

(State Board of Registration for Land Surveyors; 865 IAC 1-12-10; filed Jun 21, 1988, 4:05 p.m.: 11 IR 3912; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2244; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237; filed Jan 26, 2004, 11:00 a.m.: 27 IR 1885; filed May 4, 2006, 1:25 p.m.: 29 IR 3011) NOTE: 864 IAC 1.1-13-10 was renumbered by Legislative Services Agency as 865 IAC 1-12-10.

865 IAC 1-12-11 Surveyor conclusions in retracement survey

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 11. When conducting a retracement survey, a land surveyor shall do the following:

- (1) Make any necessary computations to verify the correctness of measurements obtained.
- (2) Make any necessary computations to determine and verify the position of the monuments, adjoining properties, and any parol evidence.
- (3) Evaluate the evidence.
- (4) In the event of the discovery of a material disagreement with the work of another surveyor, attempt to contact the other surveyor and investigate the disagreement.
- (5) Apply the theory of location as defined in section 2 of this rule.
- (6) Set any final monuments required by section 18 of this rule.

(State Board of Registration for Land Surveyors; 865 IAC 1-12-11; filed Jun 21, 1988, 4:05 p.m.: 11 IR 3912; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2245; filed Oct 13, 1992, 5:00 p.m.: 16 IR 888; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237; filed Jan 26, 2004, 11:00 a.m.: 27 IR 1886) NOTE: 864 IAC 1.1-13-11 was renumbered by Legislative Services Agency as 865 IAC 1-12-11.

865 IAC 1-12-12 Publication of retracement and original survey results

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 12. (a) When conducting a retracement survey or an original survey, a registered land surveyor shall do the following:

(1) **Furnish the client with a written surveyor's report** that, in addition to other pertinent data, identifies the type of survey, explains the theory of location applied in establishing or retracing the lines and corners of the surveyed parcel, and gives the registered land surveyor's professional opinion of the cause and the amount of uncertainty in those lines and corners because of the following:

- (A) Availability and condition of reference monuments.
- (B) Occupation or possession lines.
- (C) Clarity or ambiguity of the record description used and of adjoining descriptions and the relationship of the lines of the subject tract with adjoining lines.
- (D) The relative positional accuracy of the measurements.

(2) **Record the plat of survey and the associated surveyor's report** in the county recorder's office in the county where the property is located when:

- (A) a new tax parcel will be created based on the survey;
- (B) a survey of:

- (i) an unsubdivided tract; or
- (ii) a portion of a subdivided lot;

has not been previously recorded;

(C) if, in the registered land surveyor's opinion, a survey of a whole subdivided lot or lots is substantially at variance with:

- (i) the subdivision plat;
- (ii) previously recorded surveys;
- (iii) monuments; or
- (iv) evidence of possession;

(D) if, in the registered land surveyor's opinion, the:

- (i) monuments;
- (ii) monument witnesses;
- (iii) evidence of possession; or
- (iv) description;

are not consistent with the last recorded survey of the parcel;

(E) it is required by law; or

(F) the plat of survey contains land for a new subdivision plat that will subsequently be recorded. The subsequent subdivision plat must be cross-referenced to the previously recorded survey plat.

(b) Notwithstanding subsection (a)(2)(C), an original, platting surveyor setting monuments in a new subdivision in accordance with section 18 of this rule does not need to prepare or record a plat of survey or surveyor's report unless the survey reveals substantial variance with the:

- (1) subdivision plat;
- (2) existing monuments; or
- (3) evidence of possession.

(c) The recorded plat of survey shall:

- (1) show the name of the owner of the property on the recorded plat of survey according to the county tax records at the time the survey was certified; and
- (2) be cross-referenced to the latest record plat of survey of the property, if any is found.

(d) The plat of survey and the associated surveyor's report shall be recorded in the case:

- (1) an original or retracement survey (not previously recorded) that contains a proposed new subdivision plat, before recording the new subdivision plat; or

- (2) retracement or original surveys not described in subdivision (1) within:
(A) three (3) months of the survey certification date; or
(B) three (3) years and three (3) months of the survey certification date in those instances where the client signs an objection, which must contain the following statement:

I, the undersigned, hereby request that the following identified survey, certified to me:

(Indicate one (1) or both of the following:)

(i) Shall not be recorded for a period of three (3) years and three (3) months from the date of certification.

(ii) Shall not contain the name of the undersigned client on the survey recorded.

Signed: _____

Date: _____

Certifying Surveyor:

Certificate Date:

Job Number:

Brief Description:

A copy of the signed statement shall be kept with the land surveyor's file.

(e) Nothing in this rule shall:

(1) require the registered land surveyor to:

(A) furnish any survey documents to the client; or

(B) record them;

unless the client has satisfied the terms of the surveying engagement; or

(2) prevent the registered land surveyor from furnishing a pro forma copy of the survey to the client for use until the certified survey is requested provided the survey is clearly marked PRO FORMA SURVEY.

(f) Any drawings or plats prepared by a registered land surveyor, such as:

(1) plot plans;

(2) deed plots;

(3) topographic maps;

(4) site plans; or

(5) construction plans;

that are not intended to be retracement or original surveys, route surveys, or surveyor location reports, shall contain a note stating "This drawing is not intended to be represented as a retracement or original boundary survey, a route survey, or a Surveyor Location Report." Any drawing or plat showing set monumentation is considered to be an original, retracement, or route survey and as such is subject to the applicable sections of this rule. (*State Board of Registration for Land Surveyors; 865 IAC 1-12-12; filed Jun 21, 1988, 4:05 p.m.: 11 IR 3912; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2245; filed Oct 13, 1992, 5:00 p.m.: 16 IR 889; errata, 16 IR 1188; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237; filed Jan 26, 2004, 11:00 a.m.: 27 IR 1886; filed May 4, 2006, 1:25 p.m.: 29 IR 3011*) NOTE: 864 IAC 1.1-13-12 was renumbered by Legislative Services Agency as 865 IAC 1-12-12.

865 IAC 1-12-13 Retracement and original survey plats

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5; IC 32-19

Sec. 13. (a) When conducting a retracement or original survey, a registered land surveyor shall furnish the client with the surveyor's report and a copy of the plat of survey of the premises drawn to an appropriate scale in such a manner that the data shown will be clearly legible when the plat is reduced to sheets suitable for recording in the county in which the survey was conducted.

(b) The plat of survey, together with the accompanying surveyor's report, shall show or otherwise

contain the following information at a minimum:

- (1) The:
 - (A) client's name;
 - (B) date of the last fieldwork;
 - (C) surveyor's file number; and
 - (D) the:
 - (i) name;
 - (ii) address;
 - (iii) signature; and
 - (iv) registration number;

of the surveyor responsible for the work.

(2) For retracement surveys:

- (A) the record document description or recording information of the parcel surveyed; and
- (B) any new, modified, or consolidation description with an explanation in the surveyor's report as to why the new description was prepared, together with a statement regarding the location of the new description relative to the record description.

For original surveys, a metes and bounds description with appropriate controlling calls and calling for and accurately describing controlling physical monuments, marked in accordance with section 18 of this rule, except, however, that a metes and bounds description is not required for individual, platted subdivision lots.

- (3) **North arrow, area, and scale, including a graphic scale.**
- (4) **Angles or bearings.** When bearings are shown, their basis shall be indicated.
- (5) **All pertinent dimensions.** On dimensions other than those measured, sufficient notations shall be used to identify their source, such as the following:
 - (A) Recorded measurement (Rec).
 - (B) Calculated from record values (Calc. Rec.).
- (6) **All pertinent monuments,** with a notation indicating which were found and which were set, including those required to be set by section 18 of this rule, identified as to:
 - (A) their character;
 - (B) their size;
 - (C) their location including their location relative to the surface of the ground; and
 - (D) whether or not they were held as control on the survey.

Found monuments shall be accompanied by a reference to their origin when it is known. Where there is no available documented origin, it shall be so noted on the plat.

(7) **The location of all monuments and physical evidence of possession on or beyond the surveyed premises on which establishment of the corners of the surveyed premises are dependent.** This includes monuments on all controlling corners or lines appropriate to the description of the tract being surveyed, but in no case shall the survey show fewer than two (2) monumented corners regardless of the description of the tract. The Indiana state plane coordinate system may be used as the basis for a survey in accordance with IC 32-19; however, such use does not relieve the registered land surveyor of applying proper theory of location.

(8) **Any physical evidence of possession appurtenant to either the surveyed premises or the adjoining property that is on, near, or across any exterior boundary of the premises.** Show the location of such evidence by the distance to such boundary. Show any setback or easement line on the premises that may have been a factor in the location of a boundary line. Failure to show any such evidence will be taken to indicate that there was none.

- (9) **Any:**
 - (A) lakes;
 - (B) streams;
 - (C) known regulated drains; or

(D) regulated drain rights-of-way;

on or within seventy-five (75) feet of the surveyed premises. A detailed location, based on applicable statutes and rules, is required when a boundary or easement is determined thereby.

(10) Any evidence of use of the surveyed premises by others.

(11) Adjoining parcels identified by title description or record reference. Contiguity, gaps, and overlaps with adjoining parcels shall be clearly shown and dimensioned. Show only the portion of adjoining tracts relevant to the location of the surveyed tract. Gaps and overlaps interior to the surveyed parcel shall be depicted but must be dimensioned only if the client requests.

(12) Any easements or setback lines affecting the survey that were created by a subdivision plat.

(13) Any other easements or setback lines affecting the survey, as required and when documentation is furnished by the client.

(14) If requested by the client, show zoning ordinance classification references. Any zoning use certifications shall be limited to those facts that can be counted or measured.

(15) The following:

(A) Sufficient data to clearly indicate the theory of location applied in finalizing the locations of the corners.

(B) Any data at variance with this theory of location.

(C) Sufficient data to allow the retracement without difficulty of all pertinent lines and corners shown on the plat.

Detail that cannot be legibly depicted on the survey plat shall be otherwise explained in the surveyor's report.

(16) A certificate stating that the survey was performed wholly or in part (state which part) by or under the direction of the registered land surveyor, and to the best of the registered land surveyor's knowledge and belief was executed according to survey requirements in this rule. This certificate shall bear the:

(A) signature;

(B) registration number; and

(C) seal;

of the registered land surveyor and date of the certificate.

(17) If necessary to define the location, a vicinity map shall be provided.

(c) Notwithstanding the requirements of this rule, except for section 18 of this rule, any new subdivision plat may show only the information required by the applicable subdivision control ordinance or other regulation.

(d) Any new subdivision plat recorded must be cross-referenced to a previously recorded survey, which conforms to this rule, of the tract that contains it.

(e) The certificate for a new subdivision must state that there has been no change from the matters of survey revealed by the cross-referenced survey, or any prior subdivision plats contained therein, on any lines that are common with the new subdivision. A new survey, which conforms to this rule, must be executed and recorded if there have been changes in matters of survey from those revealed by the prior recorded survey or any subdivision plats therein on any lines common with a new subdivision. (*State Board of Registration for Land Surveyors; 865 IAC 1-12-13; filed Jun 21, 1988, 4:05 p.m.: 11 IR 3913; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2246; filed Oct 13, 1992, 5:00 p.m.: 16 IR 889; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237; filed Jan 26, 2004, 11:00 a.m.: 27 IR 1887; filed May 4, 2006, 1:25 p.m.: 29 IR 3012*) NOTE: 864 IAC 1.1-13-13 was renumbered by Legislative Services Agency as 865 IAC 1-12-13.

865 IAC 1-12-14 Original survey preliminary research

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 14. When conducting an original survey, a land surveyor shall do the following:

(1) Obtain or prepare the documents establishing the intended position of the lines to be created by the original survey, such as any of the following:

- (A) The client's sketch.
- (B) Instructions defining the lines.
- (C) A tentative subdivision map.

(2) Obtain copies of the laws regulating division of property that govern in the jurisdiction in which the property is located.

(3) Survey that portion of the parent tract required to define the lines of the parcel being created by the original survey. This work must be in accordance with this rule. Any conflicts or gaps between the lines of the retracement survey and the adjoining lines that affect newly created tracts must be clearly depicted on the original survey, showing which of the new tracts are affected and to what extent.

(4) Conduct field surveys to determine the location of planimetric or topographic features, if any, that are to control the intended position of the lines being created.

(5) In the case of new subdivisions or original surveys, the registered land surveyor shall inform the client of any conflicts between the following:

- (A) The requested position of the lot lines to be created.
- (B) The position required by any applicable ordinances or regulations.

These conflicts must be resolved before certifying the survey or, if they are not, the conflicts shall be noted on the face of the plat or in the surveyor's report.

(State Board of Registration for Land Surveyors; 865 IAC 1-12-14; filed Jun 21, 1988, 4:05 p.m.: 11 IR 3914; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2247; filed Oct 13, 1992, 5:00 p.m.: 16 IR 890; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237; filed Jan 26, 2004, 11:00 a.m.: 27 IR 1888; filed May 4, 2006, 1:25 p.m.: 29 IR 3014) NOTE: 864 IAC 1.1-13-15 was renumbered by Legislative Services Agency as 865 IAC 1-12-14.

865 IAC 1-12-15 Original survey research analysis and conclusions (Repealed)

Sec. 15. (Repealed by State Board of Registration for Land Surveyors; filed May 4, 2006, 1:25 p.m.: 29 IR 3026)

865 IAC 1-12-16 Original survey fieldwork (Repealed)

Sec. 16. (Repealed by State Board of Registration for Land Surveyors; filed May 4, 2006, 1:25 p.m.: 29 IR 3026)

865 IAC 1-12-17 Publication; original survey results (Repealed)

Sec. 17. (Repealed by State Board of Registration for Land Surveyors; filed May 4, 2006, 1:25 p.m.: 29 IR 3026)

865 IAC 1-12-18 Original and retracement survey monumentation

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 18. (a) When conducting a retracement survey or an original survey, a registered land surveyor shall be responsible to set monuments in accordance with this section.

(b) **Except as provided in subsection (h) a monument, as defined in subsections (c) through (g), shall be set at every lot or parcel corner being surveyed,** including the interior lots of a subdivision.

Corners to be set include the beginning and end of curves and the intersection of lines except where the setting of a monument near another monument would cause confusion. Further, a monument is not required to be set if there is an existing monument at the corner that is within the limits of the relative positional accuracy for the class of survey being performed.

(c) Monuments set in unpaved or other nonimpervious locations shall be five-eighths ($\frac{5}{8}$) inch diameter or larger iron or steel rods, reinforcement bars, or galvanized pipes weighing a minimum of one (1) pound per foot and being at least twenty-four (24) inches long and set with not less than eighteen (18) inches below grade. Other monuments may be used if they:

- (1) are made of material of similar or greater durability, size, and character; and
- (2) can be found by a device capable of detecting ferrous or magnetic objects.

(d) Where practical, monuments in pavement or other impervious areas shall be set according to the requirements contained in subsection (c). However, when it is not practical to set a monument in accordance with subsection (c), then a two (2) inch or longer, one-fourth ($\frac{1}{4}$) inch or larger diameter, magnetic concrete nail, or similar magnetic monument, shall be set, if possible.

(e) Monuments set under subsection (c) or (d) shall have a substantial plastic or metal tag or cap permanently affixed showing the registered land surveyor's surname and professional license number or board-issued firm/agency identification number.

(f) Where monuments as defined in subsection (c) or (d) cannot be set, the survey points must be:

(1) marked by:

- (A) a drill hole;
- (B) a cut cross;
- (C) a notch; or
- (D) other similar permanent mark; and

(2) referenced to any nearby witness monuments or permanent objects, such as:

- (A) building foundations; or
- (B) concrete head walls.

(g) Monuments required by local ordinances shall be set provided they meet or exceed the requirements in subsections (c) and (d).

(h) Where it is not possible or practical to set a monument at the survey point:

(1) a monument shall be offset; and

(2) the location shall be selected so that the monument lies on a:

- (A) line of the survey; or
- (B) prolongation of the line.

However, offset monuments are not required at interior lot corners not adjoining a street right-of-way. Offset monuments shall be identified as such on the plat and, if possible, in the field. However, if existing monuments fall within the acceptable relative positional accuracy of the survey, a monument will not be required to be set.

(i) If recovery of the monument would be difficult due to the topography or other features of the land, the monuments shall be witnessed or referenced in such a manner that will facilitate their recovery.

(j) At the time they are set, monuments shall be marked, such as with ribbon, paint, or lath, to facilitate the recovery of the monument by the client.

(k) It shall be the responsibility of the land surveyor certifying the subdivision plat to set all monuments required by this section in a new subdivision.

(l) Monuments shall be set before providing the client with the survey documents required by this rule. However, in the case of new subdivisions where, in the opinion of the surveyor, it is probable the individual lot monuments will be disturbed by construction, only the perimeter of the subdivision, or section thereof, must be monumented before recordation. In this situation, the setting of the individual lot monuments may be delayed until no later than:

- (1) after construction is complete (including buildings); or
- (2) two (2) years after recordation of the subdivision plat or, if the subdivision is platted by

sections, after recordation of each section; whichever occurs first. In new subdivisions, if monuments are to be set before recording, then the placement of monuments shall be shown on the subdivision plat. If monuments are to be set after construction is complete, the surveyor shall record an affidavit, cross-referenced to the recorded plat, showing which monuments were set and which were found, the dates the monuments were set or found, together with a certification that states to the best of the surveyor's knowledge and belief the information contained in the affidavit is true and correct. Nothing in this subsection shall be construed to require the surveyor to wait until construction is completed to place monuments.

(m) A surveyor is not required to replace or restore any monument that the surveyor has set that has been:

- (1) moved;
- (2) disturbed; or
- (3) destroyed;

after its original placement for the current survey.

(n) Identification numbers, other than registered land surveyor's registration numbers, used by a land surveying firm or government agency under subsection (c) or (d) must be assigned and authorized for use by the board. Request for firm or agency numbers must be in writing on forms provided by the board. (*State Board of Registration for Land Surveyors; 865 IAC 1-12-18; filed Jun 21, 1988, 4:05 p.m.: 11 IR 3914; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2248; filed Oct 13, 1992, 5:00 p.m.: 16 IR 891; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237; filed Jan 26, 2004, 11:00 a.m.: 27 IR 1888; filed May 4, 2006, 1:25 p.m.: 29 IR 3014*) NOTE: 864 IAC 1.1-13-19 was renumbered by Legislative Services Agency as 865 IAC 1-12-18.

865 IAC 1-12-19 Original survey plats (*Repealed*)

Sec. 19. (*Repealed by State Board of Registration for Land Surveyors; filed May 4, 2006, 1:25 p.m.: 29 IR 3026*)

865 IAC 1-12-20 Route survey preliminary research

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 20. (a) When conducting a route survey, a registered land surveyor shall do the following:
(1) Obtain or prepare the documents establishing the intended position of the lines to be created by the survey, for example, the following:

- (A) The client's approved sketch.
- (B) Instructions defining the lines.

(2) Obtain the following:

(A) Copies of the laws that affect route surveys in the area in which the property is located.

(B) From:

- (i) the client, or other sources, the record description of the affected parcel or parcels;
- (ii) the county recorder's office, copies of any recorded subdivision plats and surveys affected by or relating to the survey; and
- (iii) other public offices, copies of any maps, documents, and field notes that relate to the survey.

(b) Client specifications may set forth technical minimums for route surveys more stringent than those stated in this section. (*State Board of Registration for Land Surveyors; 865 IAC 1-12-20; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2250; filed Oct 13, 1992, 5:00 p.m.: 16 IR 893; readopted filed May 22, 2001,*

9:55 a.m.: 24 IR 3237; filed May 4, 2006, 1:25 p.m.: 29 IR 3016) NOTE: 864 IAC 1.1-13-35 was renumbered by Legislative Services Agency as 865 IAC 1-12-20.

865 IAC 1-12-21 Route survey fieldwork

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 21. When conducting a route survey, a land surveyor shall do the following:

- (1) Establish the location of the control survey points upon which all subsequent work will be based so that they can be retraced and are recoverable by other surveyors without difficulty during and after construction.
- (2) Determine the location of the following:
 - (A) Any lines or corners, or both, necessary to describe any acquisition parcels.
 - (B) Any United States Public Land Survey subdivision corners that are available from the county surveyor or reasonably accessible and relevant to the route survey or acquisition parcels, or both.
- (3) Set any final monuments required by section 24 of this rule, and those required by the client.
- (4) Take sufficient check measurements to satisfactorily verify the work.
- (5) Keep survey field notes showing all pertinent information, measurements, and observations made in the field during the course of a survey in a manner that is clear to other land surveyors who may use the information so recorded.
- (6) Make necessary computations to substantiate correctness of field measurements.

(State Board of Registration for Land Surveyors; 865 IAC 1-12-21; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2250; filed Oct 13, 1992, 5:00 p.m.: 16 IR 893; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237; filed May 4, 2006, 1:25 p.m.: 29 IR 3016) NOTE: 864 IAC 1.1-13-36 was renumbered by Legislative Services Agency as 865 IAC 1-12-21.

865 IAC 1-12-22 Measurements for route surveys

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 22. (a) When conducting a route survey, the land surveyor shall be responsible to use the minimum standards of measurement for urban surveys provided for in section 7 of this rule, except that relative positional accuracy may not exceed five-tenths (0.5) feet for a route survey.

(b) Measurements generally shall be shown on the route survey plat with a number of significant figures representative of the precision of the work.

(c) The measurements specifications outlined in this section will apply to all of the following items shown on a route survey:

- (1) The control survey points.
- (2) Survey ties to either of the following:
 - (A) The nearest United States Public Land Survey subdivision corners that are reasonably accessible on both sides of the controlling survey line.
 - (B) Monuments with established state plane coordinates.
- (3) All monuments and reference monuments, and any ties thereto, that are set relative to the controlling survey line.
- (d) If the route survey references or is based on state plane coordinates or utilizes the Global Positioning System (GPS), the written surveyor's report shall identify the following:
 - (1) The datum and projection.
 - (2) The year of applicable datum adjustment.
 - (3) The originating or controlling monuments.

- (4) The GPS base stations or positioning software used, for example, the Online Positioning User Service (OPUS).
- (5) The source and format of the corrections if real time kinematic GPS was used.
- (6) The Geoid model used, if applicable.
- (7) The scale, elevation, and combination factors used in the coordinate calculations.
- (8) Information on any translation to or from a local system.
- (9) The collection processes and methodology of final positioning.
- (10) Whether the distances shown are grid or ground.

(State Board of Registration for Land Surveyors; 865 IAC 1-12-22; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2250; filed Oct 13, 1992, 5:00 p.m.: 16 IR 893; errata, 21 IR 4537; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237; filed May 4, 2006, 1:25 p.m.: 29 IR 3016) NOTE: 864 IAC 1.1-13-37 was renumbered by Legislative Services Agency as 865 IAC 1-12-22.

865 IAC 1-12-23 Publication of route survey results

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 23. (a) When conducting a route survey, a registered land surveyor shall do the following:

- (1) **Furnish the client with the following:**
 - (A) Copies of the route survey plats.
 - (B) A written surveyor's report which, in addition to other pertinent data, gives the registered land surveyor's professional opinion of the cause and the amount of uncertainty in the lines and corners found or established by the survey because of any of the following:
 - (i) Availability and condition of referenced monuments.
 - (ii) Occupation or possession lines.
- (2) Record **the route survey plat and any subsequent revisions as defined in section 25 of this rule,** together with the associated surveyor's report defined in this subsection, in the files of the county recorder's office in the county where the property is located on or before the date of acquisition of any tracts relative to the plat.
- (b) **An accurate description for all parcels to be acquired shall be furnished to the client.**

Descriptions may be by metes and bounds but, in any case, shall be controlled by a call for all that part of the owner's land that lies within the total acquisition tract. The acquisition tract or tracts shall be depicted on, or described by reference to:

- (1) the recorded plat of route survey; or
- (2) any subsequent recorded revisions of the recorded plat of route survey;

that contain the land. The lines of the acquisition tracts and any proposed right-of-way lines shall be tied to the initial control survey points. *(State Board of Registration for Land Surveyors; 865 IAC 1-12-23; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2251; filed Oct 13, 1992, 5:00 p.m.: 16 IR 894; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237; filed May 4, 2006, 1:25 p.m.: 29 IR 3017) NOTE: 864 IAC 1.1-13-38 was renumbered by Legislative Services Agency as 865 IAC 1-12-23.*

865 IAC 1-12-24 Route survey monumentation

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 24. (a) When conducting a route survey, a registered land surveyor shall be responsible to set monuments in accordance with the following:

- (1) **Control survey points** that are to be shown on the route survey plat shall be monumented at:
 - (A) each angle point; and

- (B) intervals that typically do not exceed one quarter (1/4) mile.
- (2) Section 18(c) through 18(f) of this rule.
- (3) Any comparable or better monuments required by more stringent local ordinances shall be set.
- (4) **Monuments shall be referenced** in such a manner that will facilitate recovery of the monuments. A minimum of three (3) permanent points referencing each controlling survey line monument shall be established, preferably at locations outside the planned construction area.
- (5) All monuments shown on the recorded route survey plat that are reset by an Indiana land surveyor must be reset according to the rules used for the original monuments. A survey plat of this resurvey shall be:
- (A) recorded in the office of the county recorder where the resurvey was done within ninety (90) days of survey certification; and
 - (B) cross-referenced to the original route survey plat.
- (6) At the time they are set, monuments shall be marked, for example, with:
- (A) ribbon;
 - (B) paint; or
 - (C) lath;

to facilitate the recovery of the monuments by the client.

(b) Any identification numbers, other than the registration number of the registered land surveyor, used by a land surveying firm or government agency under section 18(d) or 18(e) of this rule must be assigned and authorized for use by the board upon written request. (*State Board of Registration for Land Surveyors; 865 IAC 1-12-24; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2252; filed Oct 13, 1992, 5:00 p.m.: 16 IR 894; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237; filed May 4, 2006, 1:25 p.m.: 29 IR 3018*)
NOTE: 864 IAC 1.1-13-39 was renumbered by Legislative Services Agency as 865 IAC 1-12-24.

865 IAC 1-12-25 Route survey plats

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 25. When conducting a route survey, a land surveyor shall prepare a route survey plat as follows:

- (1) Draw the route survey plat to scale and in such a manner that the data shown for the relevant parcel or parcels is clearly legible when the plat is reduced to sheets suitable for recording in the county in which the survey was conducted.
- (2) Show the following:
 - (A) The north arrow and scale, including a graphic scale.
 - (B) A vicinity map to define the location of the project.
 - (C) All pertinent dimensions. Dimensions not measured shall be noted as to their origin or that they were calculated.
 - (D) Sufficient data to allow the retracement, without difficulty, of all the created lines and points.
 - (E) All:
 - (i) survey line;
 - (ii) centerline;
 - (iii) reference;
 - (iv) right-of-way;
 - (v) property;
 - (vi) government; or
 - (vii) other pertinent;monuments that were set or found, and any reference ties thereto.
- (3) Identify all monuments indicating which were set and which were found and their character,

size, and location relative to the surface of the ground. Found monuments shall be accompanied by a:

- (A) reference to their origin when it is known; or
 - (B) notation that there is no available documented reference of the origin.
- (4) Locate all monuments using an accepted practice such as:
- (A) Indiana state plane coordinates;
 - (B) station and offset;
 - (C) course and distance; or
 - (D) local coordinates;
- including the basis for the system used.
- (5) Show and locate any right-of-way points, lines, or tracts that have been created or proposed relative to the initial control survey points.
- (6) Show the following:
- (A) The owners' names at the time of the survey (as determined by the county tax records or if later information is known by that information).
 - (B) The approximate location of any property lines that may be:
 - (i) coincident with;
 - (ii) intersect with; or enclosed by, any proposed or depicted right-of-way lines.
 - (C) The name of the client or government agency. Include their project or file number if known, and the surveyor's file number.
- (7) Include a certification that:
- (A) states that, to the best of the registered land surveyor's knowledge and belief, the route survey is executed according to the provisions of this rule; and
 - (B) defines the scope of responsibility for each certifying registered land surveyor, if needed for clarity in accordance with section 23(a)(2) of this rule; and
 - (C) bears the:
 - (i) name, address, registration number, signature, and seal of each registered land surveyor;
 - (ii) date of the fieldwork; and
 - (iii) date of the certification.
- (8) Nothing in this section shall prevent a complete route survey plat from being the composite of the work of one (1) or more surveyors preparing separate plats of their work as long as the following requirements are met:
- (A) All of the information required under this section and in sections 21, 22, 24, and 25 of this rule is reflected in the composite of the separate plats, and the data on each of the separate plats is tied to the initial controlling survey line.
 - (B) The separate plats are all recorded.
 - (C) Any plats related to the route survey that are subsequently recorded are cross-referenced to any previously recorded plats related to the same route survey.
 - (D) The work is conducted in accordance with the requirements of section 3 of this rule.

(State Board of Registration for Land Surveyors; 865 IAC 1-12-25; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2252; filed Oct 13, 1992, 5:00 p.m.: 16 IR 895; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237; filed May 4, 2006, 1:25 p.m.: 29 IR 3018) NOTE: 864 IAC 1.1-13-40 was renumbered by Legislative Services Agency as 865 IAC 1-12-25.

865 IAC 1-12-26 Effective date for route surveys (*Repealed*)

Sec. 26. (Repealed by State Board of Registration for Land Surveyors; filed May 4, 2006, 1:25 p.m.: 29 IR 3026)

865 IAC 1-12-27 Surveyor location reports; purpose; scope

Authority: IC 25-21.5-2-14
Affected: IC 25-21.5

Sec. 27. (a) **Surveyor location reports are designed for use by a title insurance company with loan policies on small tracts containing a one (1) to four (4) family house even if now used for commercial purposes. A surveyor location report shall not be used for nonresidential tracts greater than two (2) acres.**

(b) A registered land surveyor does not assume responsibility regarding the location or existence of any underground use except that indicated by readily visible surface evidence. The client shall be responsible for providing any title documents other than recorded plats that are required for the report.

(c) The report must be done according to its record description, if any. No corner monuments are required to be set. **The uncertainty of location for the report shall not exceed plus or minus:**

(1) **one (1) foot on tracts in recorded subdivisions; or**

(2) **two (2) feet for other tracts;**

unless otherwise specified and explained on the drawing.

(d) **House locations more than one hundred (100) feet from an exterior boundary:**

(1) may be estimated; and

(2) need not comply with subsection (c).

(e) **Obtaining accurate and complete data on or near the perimeter of larger tracts is beyond the scope of the report. Therefore, on larger tracts:**

(1) location data for items more than one hundred (100) feet from the house may be estimated and need not comply with subsection (c); and

(2) the data required by section 28(1) through 28(5) of this rule may be incomplete.

(State Board of Registration for Land Surveyors; 865 IAC 1-12-27; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2253; filed Oct 13, 1992, 5:00 p.m.: 16 IR 896; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237; filed May 4, 2006, 1:25 p.m.: 29 IR 3019) NOTE: 864 IAC 1.1-13-42 was renumbered by Legislative Services Agency as 865 IAC 1-12-27.

865 IAC 1-12-28 Surveyor location reports; requirements

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 28. **When conducting a surveyor location report, a registered land surveyor shall do the following:**

(1) **Briefly describe and show the location of visible evidence of possession.** Show the location of this evidence by the shortest dimension to:

(A) the nearest adjacent boundary line; or

(B) any depicted easement line;

in order to reveal the extent of any possible encroachment. The statement "No visible evidence of possession found" must be noted along record boundary lines when applicable. (For this purpose, monuments found do not constitute evidence of possession.)

(2) **Show the location, dimensions, and a brief description of all buildings or structures on the property including, but not limited to, the following:**

(A) Driveways.

(B) Parking lots.

(C) Personal property, such as aboveground swimming pools or yard barns.

Show the location of buildings adjacent to the boundary lines by the shortest distance thereto, and dimension any violation of a depicted easement or building setback line. Identify any buildings that appear to have no foundation and may be readily moveable. Show the name of the occupant, if easily available, and any client identification data requested.

(3) **Show the location of and briefly describe any visible evidence of use by others, such as for:**

- (A) roadways;
- (B) utility lines;
- (C) driveways; or
- (D) possible joint use of driveways (do not label as “joint” or “common”);

that may affect the surveyed tract. Note the name of the user, if marked (for example, joint use by electric, telephone, and cable television companies on poles marked with electric company tags). With respect to any railroad on or adjoining the property, note if the tracks have been removed. If that is the case, note any visible evidence of construction, trenching, or other use observed on or along the railroad.

(4) Show the location and recording data for any easements or setback lines on the tract as determined from:

- (A) recorded documents provided by the client; or
- (B) a recorded plat.

(5) Show the location of the perimeter of any visible evidence of cemeteries found on the surveyed tract.

(6) Show the approximate size, location, and brief description of any lakes, ditches, or streams on the tract or any known regulated drains on or within seventy-five (75) feet of the property.

Detailed locations are required when:

- (A) a boundary is determined thereby; or
- (B) buildings or other improvements are located within a legal drain easement.

(7) Show the name and location of any road, street, alley, or other public way abutting or on the surveyed property with the:

- (A) width of the traveled way;
- (B) known right-of-way lines;
- (C) source of any known right-of-way information indicated. If not known, note which records, if any, were searched.

(8) Physical access to the property, or lack thereof, must be shown.

(9) Show the:

- (A) Drawing scale.
- (B) A north arrow.
- (C) Property description and address.
- (D) Surveyor's:
 - (i) job number;
 - (ii) company name;
 - (iii) certificate;
 - (iv) signature; and
 - (v) seal.

(E) Client name.

(F) Names of those to whom the report is certified.

(G) A report/certificate date less than thirty (30) days from the date of delivery.

(State Board of Registration for Land Surveyors; 865 IAC 1-12-28; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2253; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237; filed Nov 15, 2002, 3:33 p.m.: 26 IR 1105; filed May 4, 2006, 1:25 p.m.: 29 IR 3019) NOTE: 864 IAC 1.1-13-43 was renumbered by Legislative Services Agency as 865 IAC 1-12-28.

865 IAC 1-12-29 Surveyor location reports; certificate

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 29. (a) The surveyor location report format shall be substantially the same as that contained

in subsection (b), and the minimum acceptable registered land surveyor's certificate to be prepared for a surveyor location report shall be the same as that contained in subsection (b). The content and format of the certificate shall be as shown, but the type size and spacing may be altered to suit so long as the finished form is neat and clearly legible. The size of the sheet or sheets for the reports shall be:

- (1) not less than eight and one-half (8½) inches by eleven (11) inches; and
- (2) not greater than eighteen (18) inches by twenty-four (24) inches.

The surveyor's firm name, address, and phone number may be shown at the top or bottom margin.

(b) The surveyor's certificate described in subsection (a) shall be as follows:

SURVEYOR LOCATION REPORT

THIS REPORT IS DESIGNED FOR USE BY A TITLE INSURANCE COMPANY WITH RESIDENTIAL LOAN POLICIES. **NO CORNER MARKERS WERE SET AND THE LOCATION DATA HEREIN IS BASED ON LIMITED ACCURACY MEASUREMENTS.** THEREFORE, NO LIABILITY WILL BE ASSUMED FOR ANY USE OF THE DATA FOR CONSTRUCTION OF NEW IMPROVEMENTS OR FENCES.

PROPERTY ADDRESS:

PROPERTY DESCRIPTION:

CLIENT I.D. NO.:

(HERE INSERT LOCATION REPORT DRAWING)

TITLE CO.:

I HEREBY CERTIFY TO THE PARTIES NAMED ABOVE THAT THE REAL ESTATE DESCRIBED HEREIN WAS INSPECTED UNDER MY SUPERVISION ON THE DATE INDICATED AND THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS REPORT CONFORMS WITH THE REQUIREMENTS CONTAINED IN SECTIONS 27 THROUGH 29 OF 865 IAC 1-12 FOR A SURVEYOR LOCATION REPORT. THE ACCURACY OF ANY FLOOD HAZARD STATEMENT SHOWN ON THIS REPORT IS SUBJECT TO MAP SCALE UNCERTAINTY AND TO ANY OTHER UNCERTAINTY IN LOCATION OR ELEVATION ON THE REFERENCED FLOOD INSURANCE RATE MAP.

DATE OF SURVEY:

REGISTERED LAND SURVEYOR'S SIGNATURE:

(REGISTERED LAND SURVEYOR'S NAME
AND INDIANA REGISTRATION NO.)

REPORT JOB NUMBER:

SEAL

PROPOSED BUYER:

PROPOSED LENDER:

(State Board of Registration for Land Surveyors; 865 IAC 1-12-29; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2254; filed Oct 13, 1992, 5:00 p.m.: 16 IR 896; errata filed Sep 14, 1994, 2:50 p.m.: 18 IR 268; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237; filed May 4, 2006, 1:25 p.m.: 29 IR 3020) NOTE: 864 IAC 1.1-13-44 was renumbered by Legislative Services Agency as 865 IAC 1-12-29.

865 IAC 1-12-30 Section corner perpetuation

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5; IC 36-2-12

Sec. 30. (a) This section outlines the procedures and requirements for registered land surveyors when perpetuating the location of original public land survey or grant corners. As used in this section, "grant" means a subdivision, parcel, or tract of land that existed, or the parent tract of which existed, prior to the commencement of the United States Public Land Survey adjoining such subdivision, parcel, or tract.

(b) The purported location of an original public land survey or grant corner as referenced by the county surveyor of the county in which the corner exists is prima facie evidence of that corner's location. **The registered land surveyor's responsibility with regard to the use of or need for original public land survey corners or grant corners in association with an original or retracement survey is not met by merely contacting the county surveyor.**

(c) If the:

- (1) location of an original public land survey or grant corner is not monumented and referenced by the county surveyor in accordance with Indiana Code 36-2-12; or
- (2) registered land surveyor discovers evidence, or otherwise has reason to believe, that a monument purporting to mark the location of an original public land survey or grant corner is not in the proper location;

and if that corner is necessary for purposes of conducting an original, retracement, or route survey as defined in this rule, the registered land surveyor shall contact the county surveyor and perpetuate that corner's location in accordance with this section if the county surveyor is unable to perpetuate the corner in the time frame required by the registered land surveyor.

(d) A registered land surveyor shall perpetuate the location of an original public land survey or grant corner by gathering evidence that may assist in determining the original location of that corner. This evidence includes, but is not limited to, the following:

(1) Copies of:

(A) The original public land survey field notes and plat or transcribed copies of same.

(B) Deeds and plats that reference the location of the corner.

(C) Historic survey records, road, street, highway, and bridge plans, corner records, recorded surveys and other relevant information from the county surveyor, county recorder or other county, state and municipal offices.

(D) Current or historic aerial photographs.

(E) Records from private surveyors who practice or used to practice in the vicinity of the corner.

(2) Parol evidence from knowledgeable landowners or others who may have information relating to the corner.

(3) The field location of:

(A) Fences.

(B) Walls.

(C) Roadways.

(D) Survey markers.

(E) Tree lines.

(F) Other lines of possession.

(G) Interrelated or nearby section corners, quarter section corners, quarter-quarter corners, or other aliquot corner of a section, and corners of common report.

(e) After evaluating and weighing the evidence outlined in subsection (d), the registered land surveyor shall do the following:

(1) Apply appropriate theory of location to determine the probable locations of the corner.

(2) **Excavate or otherwise determine if there is a subsurface monument in those locations unless,** in the registered land surveyor's opinion, there is no substantial possibility of:

(A) a corner stone; or

(B) other historical survey monument;

being found in those locations. Examples of such situations include, but are not limited to, corner locations that fall in concrete highways, in areas where other excavations have previously taken place, such as, for culverts or sewers, or in areas of substantial cut or fill, such as, for interstate highway overpasses or underpasses.

Before excavating, the registered land surveyor shall notify the appropriate jurisdictional agencies.

(f) If, as a result of the corner investigation:

- (1) a corner stone;
- (2) historical survey monument; or
- (3) other evidence;

is found marking the corner, the registered land surveyor shall remonument and reference the corner if necessary to facilitate its recovery by other surveyors.

(g) If, after excavating or otherwise conducting subsurface investigations of the probable locations outlined in subsection (e), a corner stone, historical survey monument, or other evidence of the corner is not found, the registered land surveyor shall do the following:

(1) Establish the location of the corner:

- (A) based on the best available evidence; and
- (B) in accordance with procedures for lost or obliterated corners outlined in or authorized by the United States Code in 43 U.S.C. 751, 43 U.S.C. 752, and 43 U.S.C. 753, which are hereby incorporated by reference.

(2) Monument that location.

(h) If the corner was perpetuated for use on an original, retracement, or route survey, the registered land surveyor shall do the following:

(1) Describe and reference the monument in such a manner that facilitates its recovery by other surveyors.

(2) Document the following:

- (A) The chain of history of the corner to the best of his or her knowledge.
- (B) The evidence found and weighed.
- (C) The search area or areas.
- (D) The theory of location applied in re-establishing the corner.
- (E) Other relevant information regarding the perpetuation of the corner in the surveyor's report or on the plat of survey, or both.

(3) Provide a copy of the surveyor's report and plat of survey to the county surveyor.

(State Board of Registration for Land Surveyors; 865 IAC 1-12-30; filed May 4, 2006, 1:25 p.m.: 29 IR 3021)