

Section Lines

In this issue:

February 2013 Number 135

- ♦ Minutes of the January Board Meeting
- ♦ *Preparing a Survey Report*, Part 3 of 3 by Knud Hermansen
- ♦ *Would George and "Honest Abe" make it in Today's Business World?* By Joseph & JoAnn Callaway
- ♦ *The Art of Surveying*
An interview with machinist, designer, woodworker, educator and craftsman, David Hale'



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Index:

President's Letter	4
Board Meeting Minutes	6
The "Art" of Surveying	10
Oil and Gas Well Surveys	18
Preparing a Survey Report	22
Spotlighting the Statutes	29
Preoccupation with Deeds	30
George & "Honest Abe"	34

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Section Lines Deadlines:

Section Lines is published quarterly.
News must be submitted by the
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August 1, 2013
November 1, 2013
February 1, 2014

News may be submitted by email at
SectionLinesEditor@yahoo.com,
or by calling the Editor at
785-826-8958.

ON THE COVER: Plumb Bob Handcrafted
by David Hale'. See Page 10 for more
information.

From The Editor

Welcome to the Section Lines Newsletter. In January we were fortunate to have Milton Denny, PLS, attend the Salina Seminar Series as the Featured Speaker. He spoke on The Art of Land Surveying: Bringing Common Sense to Accepting or Setting Survey Corners. In this issue you can read about the "Art" of surveying, getting a glimpse into the talent of machinist, designer, woodworker, educator and craftsman, David Hale'.



Happy Presidents Day!

Evelyn

KSLS Board Meeting

All KSLS Members are invited to attend the next meeting of the KSLS Board, which will be held April 6th in Wichita, beginning at 12:30 p.m., at the Fox and Hound, 1421 N Waterfront Parkway.

What's Happening in 2013

March 15	NE Chapter Seminar
March 16	PS Exam Prep Class
March 17-23	National Surveyors Week
April 20	Boy Scout Expedition

Changing RTK Requirements

RTK systems using radio links will be required to operate on 12.5 KHz bandwidth effective January 1, 2013. Surveyors may need to address the equipment upgrade or purchase new radio meeting the new regulations about to go into effect. There is also some FCC bookkeeping to be done as the license to operate the equipment must be revised, updated, and re-issued. The FCC is warning of a back log of applications related to this issue and is forecasting up to 120 days to process.

Don't forget to check out
the KSLS website,
"Employment & Career
Opportunities"
page for job and career
information!



ABOUT KSLS

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2013 Sub-Committee Chairs

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Board of Directors

Through 2013

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Through 2014

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Historical Records	Kenneth Johnson 785-243-1755 kpjsurvey@sbcglobal.net
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Finance	Bill Fox 316-685-4114 billfox@poekansas.com
Constitution/Bylaws	John Young 913-727-2400 jyoung@lansing.ks.us

Non-Voting

Section Lines Editor Evelyn Cable sectionlineseditor@yahoo.com	KSLS Charitable Foundation Executive, Evelyn Cable foundationexec@yahoo.com
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Visit www.ksls.com for complete address listings.

President's Corner

Hi everyone!

I hope everyone had a great holiday season. We had a great Salina Seminar, thanks to Evelyn Cable, Doug Roeder, and the Salina Chapter. We had a good attendance and hope everyone got something good out of it. I certainly did.

We also want to express our sympathy to John Black's family on his passing. John and I were in the same high school class. He was a good friend.

On January 31, 2013, Bill Fox will be representing KSLS at the Senate Federal and State Affairs Committee hearing on Senate Bill #54. Bill, Paul Maurin, and others have been staying on top of this Revision to the Statutes. It is my understanding that as far as the Surveyors' portion of this is concerned, most of the changes that affect us are in the definitions area. I am unable to attend that day, and want to thank Bill for representing us. The KSLS board has voted to accept the changes.

The next board meeting is April 6th in Wichita at the Fox and Hound Pub at 12:30. Feel free to attend. If you have any concerns, let me know and I will bring them up at this meeting.

Enrollment is down at BCC, but we do have a dozen people enrolled that want to be surveyors or are in some related field.

Bye for now,

Roger Cutsinger, President

THE NORTHEAST CHAPTER PRESENTS:



Jeffery Lucas, JD, PLS

"What Went Wrong" and "Boundary Dispute Resolution"

Friday, March 15, 2013

Kansas State Historical Museum of History

6425 SW 6th Avenue, Topeka, KS

KSLS & Other State Society Members: \$125.00

Non-Members: \$175.00

(Late Registration assessed after March 1)

A registration form is available on the KSLS.com website.

For more information and to register contact:

Mike Clifford 785.233.8300 or Bill Haverkamp 785.296.5100

Free Copy of Manual Available From NSPS

If you would like a **FREE** copy of *The Surveyor's Contracts and Risk Management Manual*, **send \$5** to cover the cost of shipping and handling to:

NSPS
Attn: Trish Milburn
5119 Pegasus Court, Suite Q
Frederick, MD 21704

Please make checks payable to:

NSPS
and in the memo field write
"Contracts Manual"



**EXPEDITION
ENCAMPMENT**



APRIL 19-21, 2013

HUTCHINSON, KANSAS

KANSAS STATE FAIRGROUNDS

For More Information
About the
Encampment:

www.eddiethyeti.com

**VOLUNTEERS NEEDED
FOR AN UNIQUE OPPORTUNITY**

ONE DAY ONLY

SATURDAY, APRIL 20, 2013

OBJECTIVE:

**COMPLETE AN ORIENTATION OF THE
SURVEY MERIT BADGE**

**AND SHARE YOUR LOVE
OF SURVEYING WITH THE
NEXT GENERATION!!**

Scouts will rotate through our station at 30 minute intervals for our 8 hour time slot. The number of scouts we can handle and how much of the material can be covered will be determined by how many volunteers we can sign up. We need equipment as well as volunteers. The KSLS Charitable Foundation's Antique equipment will also be on display.

The encampment happens only once
every **FIVE YEARS**.

Over **6,000** scouts are expected to attend.

PLEASE VOLUNTEER NOW!!

CONTACT:

MARK SAVOY at mark@savoyco.com

P – 316-265-0005

KSLS BOARD OF DIRECTORS

KSLS Board of Directors Meeting Preliminary Minutes

January 10, 2013, Salina, Kansas

President Roger Cutsinger called the meeting to order. Roll was called and it was determined that a quorum was present. Present at the meeting were: Roger Cutsinger, Valeri Peltier, Ken Johnson, Yolonda Pears, Lynn Engle, Larry Graham, Ernie Cantu, Jim Schmitz, Bill Haverkamp, Steve Marino, Ted Harder, Robert Ubben, Mark Savoy, Gary Walker, Bill Heller, Doug Roeder, Jason Johnson, Brian Peltier, Bill Fox, Wil Anderson, Evelyn Cable, Michael Lindquist, Steve Thompson, and Jeffrey Wright. The Order of Business was approved as revised (motion: Larry Graham, second: Gary Walker). The Minutes of the previous meeting were also approved (motion: Jim Schmitz, second: Ernie Cantu).

Executive and Committee Reports:

President Roger Cutsinger

Roger thanked everyone for being willing to get involved, and let them know his new email address is roger-gs@att.net.

Executive Director Valeri Peltier

Valeri had no report.

KSLS Foundation Chair Wil Anderson

The Foundation has been working on lots of fundraising activities for our scholarship funds, such as silent auctions, etc. They are also in the process of changing our scholarships from reimbursements to up-front awards to the students.

Membership Committee Chair Bill Heller

Bill and Val reported that we have eleven new members from the letters we sent out explaining the new joint membership arrangement with NSPS.

Finance Committee Chair Bill Fox

Our total 2012 income was a bit less than our projected budget, but we also did not spend as much as we had budgeted in several areas, so we ended up a little ahead for the year. Fourth quarter expenses were in line with the budget except for the PR item, as the State Fair now has its own line item, and we did not feed

the legislators or print a directory this year, so it shows up as quite a gain. The SCORA fund is still on hold, pending decisions on that project.

Education Committee Chair Wil Anderson

Wil had no report, but it was once again addressed that we need more surveying students if we are to keep the curriculum at BCCC alive. We need to reach and help students in other parts of the state as well. Roger has a meeting planned soon with a number of school officials.

Public Relations Chair Pat Ryan

Pat was not present. No report.

Geocaching Subcommittee Chair Ernie Cantu

Ernie has been unable as yet to get in touch with the owners of Meades Ranch. We still want to schedule some sort of activity there. He will be participating in the BCCC Free Day in April.

Boy Scout Subcommittee Chair Stan Lloyd

Stan was not present. Mark reported that the Boy Scout Expedition Encampment is on April 20, and about 6,000 Scouts are expected. There will be lots of different activities. Mark says the committee would like to do a sort of mini survey badge clinic, and we need volunteers to help out. Our booth will be next to the contractors.

Trig-Star Subcommittee Chair Max Hubbell

Max was not present. Bill Haverkamp reported that we have decided not to get the state license for TrigStar.

Section Lines Editor Evelyn Cable

The first digital issue of Section Lines was sent out in November, and we have received lots of positive comments. We even had some other state societies contacting Evelyn, asking her for advice. All digital issues of Section Lines will be archived on the KSLS website. The deadline for getting articles, letters, etc, in the next issue is February 1. To avoid being labeled a spammer, it seems we need a program to do mass emailings. Evelyn set up an

account for us to do this, and paid for it herself. The Board voted (motion: Yolonda Pears, second: Jim Schmitz) to reimburse Evelyn for this expense.

NSPS Governor Larry Graham

There was a telephone NSPS Board Meeting earlier in the day, and Larry was informed that fifteen states have now signed 100% Membership Agreements with NSPS, and there are more coming in. Kansas can be proud that it was one of the first. NSPS has a new lobbyist contract, and also has a new media contract that will include social media, survey articles in national magazines, and other outlets. They are discontinuing the ACSM Bulletin, and are going to create an electronic newsletter. NSPS is rapidly becoming more visible to its members as well as the surveying community as a whole.

Legislative Committee Chair Paul Maurin

Paul was not present. Roger said that Paul has been asked to clarify the liability and statute of limitations issues that surveyors face. Larry reported that recording a survey is considered Constructive Notice, and the limitations clock starts with that filing. The Statutes of Limitations, Fraud, and Repose work together in these issues, and it is thought that the usual time frame for liability is ten years.

Historical Records Committee Chair Ken Johnson

The committee is still working with the KSHS on an RFP.

Constitution & Bylaws Committee Chair John Young

John was not present. No report.

Minimum Standards Committee Chair Jeff Wright

Jeff said the committee has a draft of some changes they recommend to the Minimum Standards, and he will email them to the Board soon.

KSLS BOARD OF DIRECTORS

KSLS Board of Directors Meeting Preliminary Minutes

January 10, 2013, Salina, Kansas (Continued from page 6)

KSLS Chapter Reports

Salina Chapter Representative Doug Roeder

Doug thanked all the seminar attendees for their participation. The Salina Chapter has been hard at work on the final arrangements for the seminar, and so far it seems a smashing success. Ken Johnson has been working with the Mid-South Nebraska Chapter of Land Surveyors on maintenance of the Initial Point Monument site. The Nebraska chapter has done some mowing there, and so has Ken. He is working with the landowner to find someone to keep up maintenance there. There are also some issues with the chain link fence and one of the monument plaques to be worked out. Doug also reported that John Black, an area attorney who has been a long time speaker at many KSLS events, passed away recently.

Metro Chapter Representative Robert Ubben

The Chapter's bylaws have now been approved by the Missouri Society also.

South Central Chapter Representative Mark Savoy

At the last chapter meeting, most discussion turned around ideas for recruitment and possible future chapter activities

High Plains Chapter Representative Lynn Engle

The chapter meets every other month. The December meeting was an evening at the casino in Dodge, and everyone had a good time. Our February meeting will include Norm Bowers to help us with problems we have been having with some of the counties on various issues, including those concerned with recovering section corners. There are different requirements in different counties, some requiring a new permit with every survey that needs section corners, others that insist on hav-

ing a contracted company do the digging for you and charging exorbitant fees. The 3-I Show is in Dodge in July, and the chapter is not sure as to whether they want to do it again. There aren't a lot of business contacts there, and a 10'x10' space is \$550. After discussion, the motion was made (motion: Ernie Cantu, second: Mark Savoy) to participate in the show, but the motion failed. KSLS will not be a participant there. If the High Plains Chapter still wishes to do the show, the KSLS banners, etc, will be at their disposal.

Southeast Chapter Representative Wayne Blackburn

Wayne was not present. Jim Schmitz presented an email from Wayne with some of the working details of the 2013 KSLS Annual Meeting to be held October 17-19. The meeting will be at the Lamplighter in Pittsburg. There will be a clay shoot, and a raffle for a shotgun was planned, but we have found that a raffle is legally considered gambling without a license, and other arrangements may be made. There will be a field-to-finish class on Friday, and others are being considered, all on new technologies. There will also be a tour of the Pittsburg State University Technology Center.

Northeast Chapter Representative Steve Marino

Steve reported that the feedback from the Annual Meeting in October was good. They are currently preparing for their March 15 Seminar, featuring Jeff Lucas, which will be \$125 for members and \$175 for non-members.

Old Business

2013 Kansas State Fair

This year, the fair will be held from September 6th through the 15th. After some discussion, the Board voted (motion: Gary Walker, second: Ernie Cantu) to participate in the fair again this year.

SCORA Subcommittee

Ken asked that the subcommittee be allowed to expand to include two more members. The Board approved the request (motion: Bill Haverkamp, second: Ernie Cantu).

New Business

Letter from Ron Gaches

The KSLS Board decided at the last meeting not to renew the lobbyist contract with Gaches, Braden & Associates, as we got absolutely no feedback or communication from them last year. We have now received a letter stating that, even though their accounting department was sending us the quarterly bills, which we paid, they didn't realize that we were a client, and so they ignored us. Mr. Gaches proposed in the letter that they give us lobbying services this year at no charge (since we paid for it last year). The Board of Tech is proposing some changes this year to their enabling legislation. After discussion, the Board voted (motion: Gary Walker, second Mark Savoy) to ask for a refund of last year's fees instead. Roger will make the contact.

6th P.M. Lawn Maintenance Contract

We have received a proposal for maintenance of the 6th P.M. Monument site for \$600 per year. Several area counties, as well as the Nebraska surveyors, have contributed to the fund. The Board voted (motion: Jim Schmitz, second: Bill Heller) to authorize Ken Johnson to sign the contract and disburse the funds.

Next Meeting

The next meeting will be in Wichita in April. If you are unable to attend the meeting, please email your report to Roger Cutsinger at roger-gs@att.net.

The meeting was adjourned.



KSLS CHARITABLE FOUNDATION

KSLS Charitable Foundation, Board of Directors, Regular Meeting, Preliminary Minutes

January 10, 2013, Webster Conference Center, Salina, Kansas

Wil Anderson called the meeting to order at 5:20 p.m.

MOTION by Jim Schmitz to adopt the agenda, 2nd, motion approved.

MOTION by Larry Graham to approve the minutes of the previous meeting, 2nd, motion approved.

Financial Report, Valeri Peltier,

- The Foundation bank account is being transferred to Sunflower Bank in Salina, the transfer should be completed by April.

MOTION by Mark Savoy to accept the report, 2nd, motion approved.

Foundation Executive Report, Evelyn Cable,

- Reported on donations for silent auction to benefit the Foundation.

- Reported insurance is in place for the antique survey equipment.

- Sent post card to surveyors in surrounding states reminding them of Minimum Standards requirement and class availability. Several surveyors have responded.

- Evelyn reported she is using "Constant Contact" to send mass e-mails about Min. Standards class and Section Lines. This software could be used to contact targeted audience for KSLS events.

MOTION by Larry Graham to budget \$360 per year to pay for use of Constant Contact, 2nd motion approved.

- KSLS web master has been contacted about setting up a separate page for the Foundation with a donation option.

- Evelyn is working on tuition reimbursement application form for improved clarity.

The Board directed Evelyn to set up our education assistance as a scholarship rather than a reimbursement arrangement for the fall 2013 semester. The scholarship will be ready for review at the April Board meeting.

Old Business:

The Board directed Roger Cutsinger to set up a meeting with the new Butler Community College President to promote the Surveying program and discuss how to get more students into the program.

New Business:

Ken Johnson reported that repair to the sign and marker and general clean-up is needed at the initial point of the Sixth Principal Meridian. Ken also reported that the site land owner is willing to maintain the grounds for \$600 per year. The Nebraska Surveyors have agreed to pay half the cost and the two adjacent counties have agreed to each pay one quarter of the cost. Ken is working with a monument maker to get a cost estimate for the needed repairs.

Next meeting will be in Wichita, time and place to be determined.

MOTION by Jim Schmitz to adjourn the meeting. 2nd, motion approved. Wil Anderson adjourned the meeting at 6:29 p.m.



The KSLS Charitable Foundation
offers scholarships to help pay for
tuition and books for students enrolled in
surveying programs in the State of Kansas.

Please contact the Foundation

Executive by email at

FoundationExec@yahoo.com

or by calling 785-826-8958

to obtain an application and

further information.

KSLS CHARITABLE FOUNDATION

From the Desk of the Foundation Executive



Last month the Foundation had the privilege of participating in the Salina Seminar Series by holding a Silent Auction. We wish to thank Terrametrix, Seiler Instrument, Carlson Software, Wilson & Company, Murray Rhodes, Milton Denny, and the Salina Seminar Series for their generous donation of gifts, and thank all those who participated with bids. A total of \$2,321 went to the Scholarship Funds of the KSLS Charitable Foundation, Inc.

Congratulations to:

- **BHC Rhodes** for submitting a winning bid on the Mobile LiDAR package from Terrametrix,
 - **Steve Brosemer** for winning the Carlson Software package,
 - **Jason Johnson** for taking home the Kindle Fire from Seiler Instruments,
- **Aaron David** for outbidding the competition to purchase the Bicentennial Coins donated by Milton Denny,
- **J. R. Bessie** for winning the framed 1886 Map of Consolidated Kansas City, donated by Murray Rhodes,
- **Richard Iman** for his winning bid of Surveying the Land, a book written and contributed by Milton Denny,
 - **Byron Cates** for winning the Half Pole Mini Chain hand made and donated by Milton Denny,
- **Michael Lindquist** for winning the Bass Pro Shops gift certificate which was donated by Wilson & Company.
 - **Pat Cox** for taking home the Salina Seminar Series Padfolio.



The Foundation has added a page to KSLS.com website on which we will be featuring upcoming fundraising events, news about what is happening—or what will be happening, volunteer opportunities, etc. This page also has a “Donate” button that allows you to make a tax-deductible contribution directly to the Foundation by credit card, using PayPal (you don’t need a PayPal account to donate).

The “Historical Records Merchandise” page on the KSLS.com website, has a new item for sale.

Milton Denny’s book entitled “**Surveying the Land, Volume One: Distance Measuring Tools and Their Accuracy 1620 to 1920**” is now available for \$46 for Members and \$56 for Non-Members. This price includes shipping and all proceeds benefit the KSLS Charitable Foundation.



Emails have gone out to all licensed Surveyors in the State of Kansas, reminding them of the Foundation’s On-Line Minimum Standards class. This class was developed by the KSLS Charitable Foundation, Inc., to provide a learning experience for licensed surveyors to meet the Kansas State Board of Technical Professions’ requirement of a two-hour Minimum Standards class as a condition for re-licensure. If you would like to sign up, you may do so at the KSLS.com website. The cost is \$50 to members, \$70 to non-members, and all proceeds benefit the Foundation.

The Foundation is working on setting up a scholarship fund “In Memory” of Surveyors who have passed away. An honor roll will be listed on the KSLS website and published once a year in Section Lines. Watch for more news about the Closing Corners Scholarship Fund”.

If you have ideas for fund raising events, or see an opportunity that we should be aware of, please contact me, or one of the Foundation Board Members. We are always looking for new ways to fund scholarships in support of the surveying profession.

*Evelyn
Cable*

The “Art” of Surveying

An Interview with David Hale’

By: Matthew Cable

Surveying is a precise art that has been practiced and developed over thousands of years. But did you know that the tools surveyors have used for all those years have become the subject of art themselves?

Of particular note is the humble plumb bob, in service since the pyramids were built, and even referenced in the Bible. The vast array of methods and materials used in producing them have made them a popular collectors piece.

David Hale’ specializes in crafting plumb bobs that match and even exceed the quality of the classics, using a mix of new and old-school materials and methods—and he also makes them in miniature!

David recently sat down with Section Lines staff to talk about the “Art” of surveying.



Tell us a little bit about yourself: Why did you decide to start crafting Plumb Bobs, and what did you do before that?

My father was trained as a cabinetmaker in Europe and went on to work in the aircraft industry when aircraft were still made from wood. As a child he showed me how to follow a line with a handsaw and how to use a chisel to cut some unpleasant looking first effort dovetails. I also learned to turn wood in a lathe, work on bicycles, and when I began to drive and own cars I became my own mechanic.

After graduating from college and eventually settling down in Vermont, I began to assemble the tools and equipment needed to build a home workshop in pursuit of my own study of

Continued on Page 11

The “Art” of Surveying

Continued from Page 10

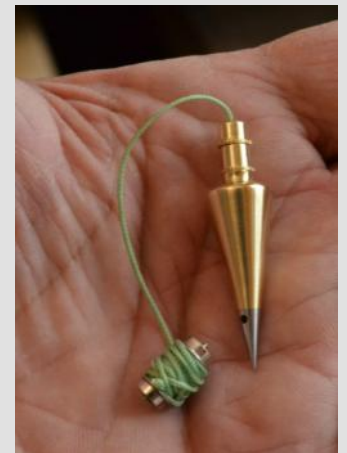
the theory and practice of various mechanical arts. I collected and read many relevant books about woodworking, carpentry, engineering, radio, and the history of earlier technologies and became a ham radio operator. I also collected a few books about surveying: an 800+ page college textbook on surveying by Moffott and Bouchard, a book about forest surveying and forestry, and even the Boy Scout merit badge book on surveying.

Most recently I acquired several optical transits and related gear to enable me to do elementary elevation and traverse exercises. Further reading of Patrick Chura’s book about Thoreau’s life as a surveyor and John Hale’s book about working as a BLM surveyor continued to fascinate me as

I learned about the applied math and trigonometry I somehow couldn’t swallow in high school. And I finally caught up to my dad’s mathematical and engineering interests.

What kinds of plumb bobs do you make?

The plumb bobs I make fall into 3 categories [from left to right below]: tiny plumb bobs, ornate or “fancy” plumb bobs and special purpose or historically significant plumb bobs.



The “Art” of Surveying

Continued from Page 11

Guide us through the process of making a plumb bob.

I begin with pencil and paper drawing or doodling really. I draw the same elements again and again, often while drinking coffee or listening to the radio. There are no finished drawings per se but many of my projects have required dimensioned shop drawings before making the chips fly. Using the materials at hand, steel and brass rods of various sizes, I use a machinist lathe to make the parts that are threaded together to make a plumb bob. With an old Atlas 10” lathe I turn the piece to dimension drill, tap, knurl and polish it while it is still mounted in the chuck. Some of the more complicated plumb bobs that include ebony, silver or ivory require other delightful hand processes of sawing, filing, sanding and polishing all with a bit of magnification. To date I have made plumb bobs ranging in size from $\frac{3}{4}$ ” to 7” in size.



Clockwise from the top:

Tiny plumb bob with ebony reel; close-up on ivory panels; plumb bob earrings; inlaid ring of ebony and ivory.



The “Art” of Surveying

Continued from Page 12

How long can it take to produce the final product?

I have learned to make some of the smaller plumb bobs in small batches so as to have some in stock for sale on Etsy (www.etsy.com/shop/QualityInVermont). A batch can take anywhere from 20 to 50 hours. I most enjoyed making the larger and more ornate plumb bobs and also the most recent mechanical plumb bob that required the use of a shop built indexing jig for gear cutting on my small milling machine. The finished product was the result of almost 100 hours work.



This one-of-a-kind plumb bob is made of brass and steel.

It measures approximately 3 inches in height and weighs 10 ounces.

The design of this finely crafted plumb bob includes an external crown gear that drives a spur gear on the end of a shaft which winds up the line on an internal reel! Pressing the spring loaded button on the end of the shaft moves the spur gear clear of the crown gear to allow the line to be played out without having to twist the plumb bob.

In making this plumb bob I paid very close attention to detail in its construction, including the layout and cutting of custom made gears and also the detailed knurling on both the body and the tip in a way that is simply not found on a mass produced factory made plumb bob.

Designing and then creating this plumb bob took many, many hours of time from initial idea, hatched while falling asleep at night, to finally holding the finished plumb bob seen here.

I really enjoyed making it, but I may not make another one like it - at least not anytime soon!

It's a working plumb bob that is truly a one-of-a-kind work of art - you can see a video of it in action on picasa:

<https://picasaweb.google.com/116391905383338961627/>

PlumbBobWithGearDrivenReel?authkey=Gv1sRgCPKUgcLn9WTbw#

Does modern technology drastically change how you make Plumb Bobs, or are your tools pretty similar to what they might have used fifty or one hundred years ago?

My working methods are kind of old school and the techniques really are quite like those practiced by generations of machinists before me, machinists who guided machine tools by hand in the era that preceded the readily available world of CNC lathes and CAD software. Still, I prefer to work old school while I continue to learn and refine my skills by taking on additional projects like these.



KANSAS SOCIETY OF LAND SURVEYORS



Kansas State Specific PLSS Prep Class

KSLS is offering a one day class on Public Land Survey System to help candidates prepare for the Kansas-Specific licensing exam. We will cover the original GLO system, the protraction of section, single and double proportioning and other calculations. We will discover how to compute coordinates for lost corners and more. Come work with us!!

When: Saturday, March 16, 2013

Where: Sleep Inn
1075 Hopalong Cassidy Circle
Park City, KS 67147
316-440-5050 (mention KSLS Class)

Time: 8:00 a.m. – 5:00 p.m.

Cost: \$75 per person (lunch, snacks and drinks will be provided)

What to bring: calculator, pen, paper, 1855 Instruction Manual (if you have one)

Thing to know: You will need to make your own hotel reservations (room rates \$74.99 per night, breakfast included in room rates). You will be 15 minutes from New Market Square or Rock Road and 20 minutes from the Sedgwick County Zoo if you wanted to bring the family.

What to do next: Fill out the bottom of the page and send a check payable to:

KSLS

PO Box 757

Andover, KS 67060

Registrations must be received by March 9, 2013.

Questions: Call Valeri 316-680-5159 or email execKSLS@gmail.com

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In Memorium:

Remembering is an act of resurrection, each repetition a vital layer of mourning, in memory of those we are sure to meet again. **Nancy Cobb** from the book titled: In Lieu of Flowers

John Black

September 11, 1946 - January 4, 2013

John Black, 66, Salina, died January 4, 2013, in Portland, Oregon. He was born September 11, 1946, in Hereford, Texas to Willis R. and Alma (Burkett) Black. He received a Juris Doctor degree from Washburn University, Topeka, Kansas. On January 23, 1971, he married Karen Lambert in Salina. He was an attorney and teacher.

Survivors include his wife, Karen; a daughter, Star Black of Portland, Oregon; a sister, Willisa Ensz and her husband Perry of Hutchinson, Kansas; his stepmother, Marlene Black of Salina; his brother-in-law, Dr. Paul Lambert and wife Donna, of Boise, Idaho; and four nieces and nephews, Kory Lambert of Chillicothe, Ohio, Molly Morrison, Deidre Mattox, and Derek Ensz, all of Hutchinson, Kansas.

The family suggests memorials to the Salina Public Library.

Larry C. Bohling

December 16, 1953—January 26, 2013

Larry Bohling, age 59, died Sat., Jan. 26, 2013, at Salina Regional Health Center, Salina. Larry was born December 16, 1953, in Meade, KS to Victor & Evelyn (Zwonitzer) Bohling. Larry graduated from Concordia High School. After high school, Larry joined the US Army and served 4 years. After the service, Larry returned to school and graduated from Cloud County Community College and then attended Wichita State University. After college, Larry traveled around the southwest, experiencing all ways of life. Larry began working for Forgey-Allen, where he learned surveying and eventually began working as a surveyor for the Kansas Dept. of Transportation. Larry was a member of the American Legion and the Kansas Society of Professional Land Surveyors. Larry is survived by his father, Victor, Concordia; sisters, Terry Caldwell & husband Randy, Osborne & Vicki Reiter & husband, Jim, Concordia; nieces, Jody Dorman, Wichita & Nan Caldwell, Aurora, CO & great nieces, Terran & Raya Caldwell, Aurora, CO. Larry was also considered an uncle to kids of friends and neighbors and cousin to his sisters Vicki's friends. Larry was preceded by his mother, Evelyn.

The family suggests memorials to the church or donor's choice.

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OIL AND GAS WELL SURVEYS: WHAT STANDARDS?

By Justin Pearce, LS

My name is Justin Pearce. I work for Uintah Engineering and Land Surveying (UELS) an industry leader in oil and gas surveying. UEELS's main focus is to provide complete surveying and engineering services to the energy industry including oil and gas. I was licensed in 2006 and owned and operated Pearce Surveys for 5 years before being employed full time with UEELS about a year ago.

A couple of years ago, I remember pulling up to begin a survey for a client that wanted a 5 acre homestead carved out so he could sell it.

The land owner came out and said, "This whole section was surveyed 6 months ago when they put in that oil well," as he pointed to the oil pump just down the road. "It's a horizontal well," and then began explaining how horizontal wells work.

To my dismay, my research had uncovered no sign of the survey and no section corner reference reports filed within the last few years.

The land owner, after discovering I knew nothing about the prior survey and proud of his knowledge, then said, "Yeah, they set their GPS on that flag on the next hill and surveyed the whole section from it." "You want me take you to the flag?" "Should be able to set up there and survey the whole thing."

Since I wasn't already set up, I thought I'd reward him for his concern for survey markers and go set up on the "flag". I quickly came to the conclusion that the section corner monuments were not recently recovered. I did find a couple of new nails driven in flush at the intersection of roads, but it was clear, no legal survey was completed in the past few years. So naturally I couldn't help but think to myself, "that multimillion dollar oil well was most likely not tied to any of the boundary lines in this area?" It's just out there somewhere in the section? How could that be? The land owner believes it was properly surveyed. Are the neighbors also possibly misled? What does the oil company think they were getting? Does the well meet the required offsets from the unit boundary? Could others have rights to the minerals if the wells true location is found?

I also thought how ironic it was that I was hired to

carve out a 5 acre parcel, around an old \$60,000 homestead, that a person can physically see on the ground, and in order to do it properly I'll need to find the controlling section corners, file reference reports on each controlling section corner monument at the proper public locations, pay the associated fees, prepare a legal description of the property commencing at a section corner, prepare a plat detailing the results of the survey subject to the Kansas Minimum Standards for Boundary Surveys, and record the plat at the register of deeds, and pay the fees there also.

After beginning my employment with UEELS and continuing their tradition of providing high quality engineering and land surveying to the energy industry, I quickly became familiar with the work of others attributing to the low standards in Kansas for surveys in the oil and gas industry. I learned that quite a few "surveys" have no value at all. Many submitted plats have disclaimers, section lines are approximate, the true section corners are not found, and section breakdown information is not shown. Many are done by either non-licensed people or those pretending to be non-licensed. When you do find a plat that has been prepared and stamped by a licensed land surveyor, most likely it won't have section breakdown information shown, they may or may not have found the section corners, no monuments are described, and no theory of location for the corners is described.

So why are surveyors hired by oil and gas companies?

One reason oil and gas companies hire land surveyors is the Kansas Corporation Commission (KCC) has rules and regulation called the Kansas Administrative Regulations (KAR). KAR 82-3-103 requires certain information for a drilling permit to be obtained. Some of their requirements state the need for: (2)(D)...the quarter section, section, range, township, county, and the distance of the proposed drilling location from the section's nearest corner, in exact footages; (E) the distance to the unit boundary (L) ... a plat map showing the well location; and (M) any other relevant information that may be requested by the commission. It sure seems to me the regulations intend to define the precise location of the well. Is there a better person to hire than a land surveyor to fulfill these requirements?

Continued on page 19

OIL AND GAS WELL SURVEYS: WHAT STANDARDS?

Continued from page 18

Another reason oil and gas companies hire land surveyors is they want protection against land owners' claims. They want to know precisely where the oil well is in the section so they can properly pay the people they signed the papers with. They don't want to spend millions of dollars on geology, micro-seismic studies, leasing, construction, and drilling multiple holes and finally hitting oil only to find out that the neighbor is calling his attorney because his land surveyor said the well is too close to his boundary lines.

Other reasons oil and gas companies may hire land surveyors are to provide other technical and legal data dealing with the land such as; state plane coordinates, latitude and longitude, elevations, areas, volumes, and access roads and pipeline easements.

So I ask, why the poor quality when it comes to surveying in the oil and gas industry? It doesn't make sense to me.

The section is the basic unit for describing land or locations in Kansas. Throughout the 2009 Manual of Survey

instructions, section lines are called boundary lines of the section. In my opinion we are doing the mother of all boundary surveys when we start referencing structures and features to the boundary lines of the section. Why wouldn't all oil and gas well surveys and plats be up to at least the Kansas Minimum Standards for Boundary Surveys? Are some afraid oil and gas companies can't afford a quality survey? In my opinion oil and gas companies, land owners, future surveyors, and the Kansas Corporation Commission, can't afford to have a survey that claims nothing.

I want to encourage land surveyors to have high standards. If people called you for your services, they are calling for a professional. Give them a professional service. Provide good, retraceable surveys always, even if a loop-hole is present. I can't help but think of how good it makes me feel to follow a good survey. We land surveyors, as a team, have a tremendous opportunity, with this latest oil boom, to survey a major part of rural Kansas. Let's leave a legacy of good work for the next generation of land surveyors.



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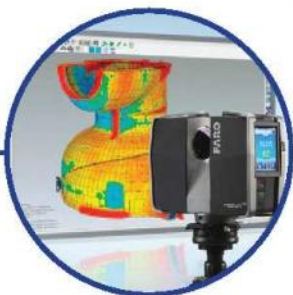
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KSBTP DISCIPLINARY ACTION

This article consists of excerpts and condensations from the "KSBTP Newsletter", Volume 18, No. 1, dated January 9, 2013. The original reports are written by Mark L. Bennett, Jr., the attorney for the KSBTP. Full details are available in that publication.

IN THE MATTER OF ANDREW P. TANKING, LS

Summary:

In May, 2010, the Complaint Committee of KSBTP received a letter from the Chairman of the Kickapoo Tribe in Kansas expressing concerns about surveys performed on the Prairie Band Pottawatomie Reservation. According to the Tribe Chairman, the errors were reported to the Tribal Counsel by George Winter, a BLM Surveyor. As a result of receiving that letter and other documents relating thereto, the Board's Complaint Committee directed that an investigation be conducted by one of the Board's licensed land surveyor investigators.

As a result of the foregoing determination, the Board and Mr. Tanking entered into a Settlement Agreement and Consent Order which included the following:

Mr. Tanking agreed to immediately conform his land surveying practices to generally accepted land surveying practices in the State of Kansas and to the minimum standards for boundary surveys as adopted by the KSBTP in KAR 66-12-1.

He also agreed to perform resurveys which will depict all elements necessary to the survey in a manner that will conform to the Kansas minimum standards for boundary surveys. Corrections will be made to the Tanking survey for the Bureau of Indian Affairs dated August 14-16, 2004, and the survey for Steve Brady, dated August 6-15, 2008. Once corrected, the surveys must be filed for record. Any future surveys performed by Mr. Tanking will be sent to the KSBTP for review for a period of 6 months commencing upon the date the Settlement Agreement and Consent Order is approved by the KSBTP. The surveys in question must be corrected and completed in compliance with statutes, rules and regulations and must conform with the 2009 Manual of Surveying Instructions of Cadastral Surveys.

Mr. Tanking will take 8 additional professional development hours within 12 months of signing the Settlement Agreement, over and above the otherwise required 30 hours, and will pay a fine in the amount of \$5,000.

Status:

Mr. Tanking has paid the fine imposed in the amount of \$5,000, which is the maximum that can be assessed for a first offense. Mr. Tanking is in the process of complying with the remaining terms and conditions of the Settlement Agreement and Consent Order.



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PREPARING A SURVEY REPORT

FREQUENTLY ASKED QUESTIONS

By Knud E. Hermansen

This is the last article in a series of articles suggesting formats and contents of a survey report. Previous articles dealt with opinions on 1) the location of corners and boundaries; 2) encroachments, gaps and overlaps; and 3) limitations of surveying services. This article will discuss using a portion of a survey report to deal with Frequently Asked Questions (FAQ) from the client.

Surveyors that choose to include this section in a survey report will often include some of the contents that would have been covered in other sections of the survey report. The reason for including this section is to anticipate questions that a client might ask the surveyor. It does not take much time, in practice, for surveyors to hear the same questions from different clients. Surveyors can use a section of the survey report to anticipate and answer questions the client may have in regard to the services performed.

Consider some frequently asked questions that are common on almost all boundary retracement surveys. Some frequently asked questions are:

Why there is a difference between the record or deed distances and the retracement distances shown on the plat?

When comparing the boundary distances stated in your deed with the distances shown on the plat, you will discover differences between the measurements. Differences are common, especially when there is a long period between the last survey and the current survey. In fact, it would be unusual not to have differences. The differences usually arise from one or more of the following sources:

Skill — The distances stated in your deed were measured by individuals who, more likely than not, lacked training and experience in making measurements. It was not uncommon for surveyors to rely on local help, such as the client or a neighbor, to handle the chain or tape to perform the measurements. Procedures necessary for precise measurements were ignored or not known.

Uncorrected Errors — Many errors that are now taken into account when measuring distances were ignored or not accounted for in the original measurements. For example, it was common for chains or tapes to be laid on the ground, or measured along the slope, rather than elevated so the tape is horizontal. Tape corrections were ignored. Links in the chain became worn and stretched, without compensation made for the stretched links.

Equipment — The equipment used by the original surveyors was often unable to measure the distances as precisely as current equipment. A chain was composed of links no smaller than 0.66 feet (7.92 inches). Often the surveyor measured to the nearest half a rod (approximately 8 feet). In some cases, no equipment was used and distances were only estimated — often occurring when crossing wide streams in the wintertime, or bogs in the summertime.

Why are there differences between the record bearings and retracement bearings?

The bearings shown on the plan differ from the bearings stated in your deed description. The lack of skill and imprecise equipment (compared to the present equipment) explained previously for the differences in distances account for some of the difference between bearings. In addition, the change in magnetic north over time also accounts for some of the difference. Local attraction (localized magnetic pull) also accounts for some difference. However, the biggest difference results from the dissimilarity between true north (aligning with the axis of earth's rotation) that is used as the basis for the bearings in the current survey, and magnetic north, used as a basis for the bearings in the deed. This difference is known as the magnetic declination. The magnetic declination is approximately 20 degrees for the location of your property and at the time that the original survey was performed.

Why there is a difference between the area stated in the deed and the area shown on the plat?

Area is calculated from the distances and directions. (In some cases, the area cited in the deed was estimated rather than calculated.) Therefore, differences between retracement measurements and record measurements will result in a difference between the area stated in the deed and the area shown on the plan. In a few cases, only the net (neat) area was shown rather than the gross area. The net area would exclude the area under roads, easements, bogs, etc. In other words, only the area that could be used for usual and practical activities was shown.

Continued on page 23

PREPARING A SURVEY REPORT

FREQUENTLY ASKED QUESTIONS

Continued from Page 22

Another topic drawing questions from the client concerns the boundary shown on the plan versus what the client owns. Often the surveyor discovers that possession or use of the client's property (or on behalf of the client) does not conform to the record information. Clients often have difficulty understanding that the extent of their title and rights do not always conform to the boundaries set forth in their deed.

Aren't the boundaries shown on the plat also the boundaries to the property that I own?

The boundaries shown on the plan represent the surveyor's opinion on the location of the record or deed boundary. These boundaries may not conform to your ownership boundaries. Your deed is only evidence of your title, not proof of your title. Various legal doctrines, such as acquiescence, adverse possession, etc. may result in the location of the ownership boundary residing in a different location than the record or deed boundary. In some cases, a common grantor mistakenly conveyed part of the same property to different people. These are some reasons why title insurance is often recommended.

Clients will often question why the surveyor shows fences, areas of use, features, etc., when the client wanted only a boundary retracement survey (i.e., only their boundaries shown).

Why does the plat show fences, trails, roads, utility lines, and other features or areas of use?

Use, occupation, or possession that does not conform to the record boundaries or deeds may give rise to certain adverse rights or conflicting title that is not reflected in the records (or records discovered within the time frame of the research). In some cases, where the use or occupation is within the boundaries, the structures or use violates building set back distances or other zoning restrictions. As a result of the ramifications resulting from occupation, use, or possession, the visible occupation or use is shown on the plat.

Common problems encountered by the surveyor often result in common questions that can be answered in this section of the survey report such as:

What should I do when (if) my neighbor's surveyor does not agree with the survey that was performed for me? (i.e., The common boundary shown on the plat is different from where the neighbor's surveyor shows the common boundary)

It is not unusual for two surveyors, looking at the same information, to arrive at different opinions. Conflicting information, the disappearance of boundary evidence, and so on make an opinion anything but certain. Any potential boundary dispute must be discussed with your attorney. Experience indicates that you generally have four choices:

- 1) You can accept the neighbor's claim. While this choice may result in the possible loss of some title or rights, the loss may not be worth the cost to settle the dispute.*
- 2) You can talk to your neighbor and negotiate a compromise over the difference. The compromise may be as simple as splitting the difference or paying the neighbor to recognize a particular boundary. While negotiation is often successful, attempts at negotiation or compromise will sometimes result in heated words and increased animosity, causing what the negotiation was meant to prevent – costly litigation.*
- 3) You can litigate with your neighbor and attempt to have the court determine the correct boundary location. Litigation costs can exceed \$10,000 without guarantee of success. The complexities of boundary litigation often overwhelm a judge or jury. Decisions are made despite the fact that the judge or jury are confused. More people than not are frustrated by the cost and slowness of litigation, even those that are successful.*
- 4) You can agree with your neighbor to submit the contentious difference to alternate dispute resolution (ADR). This option may include mediation or arbitration. Arbitration is equivalent to hiring a judge (or third surveyor) and agreeing to be bound by that decision. Hiring a judge or third surveyor is often far less expensive than the normal litigation process and is usually much quicker.*

Continued on Page 24

PREPARING A SURVEY REPORT

FREQUENTLY ASKED QUESTIONS

Continued from Page 23

There are numerous other topic areas that can be dealt with in this section. Consider a few of the common questions heard over 35 years of practice:

- *Can I replace the monuments you set with other objects?*
- *Can I put a fence on the boundary you marked or do I have to keep it back from the boundary?*
- *Can I hammer the pins you set so the entire length of the pins are below the ground surface?*
- *Will you know if the corner pins are moved?*
- *If the pin is removed later, do you replace them for free?*
- *Should I replace the ribbon that you have hanging around my property?*
- *How can I maintain the visibility of my corners and boundaries?*
- *Why did the survey cost so much when you were only surveying for a couple of hours?*
- *I had a title search done when I bought the property, why do you have to perform research too?*
- *How come two surveyors can't agree on the same location?*
- *Should I record my survey?*
- *Do I have to record my survey?*
- *Can I cut the trees that are on the boundary?*
- *Why did you have to cut some of the vegetation on my property?*
- *Can I get more copies later if I want them?*
- *Can I use this survey to subdivide my property later?*
- *How long is this survey good for?*
- *Why did you put (that ugly) orange paint on my corner monuments?*
- *Should I paint the blazes on the trees that are around the corner monument and along the boundary?*
- *Is this plat all I need to develop my property?*
- *Who else will know about the information on the survey?*
- *If I record my survey will my neighbor be required to recognize the boundary shown on it?*
- *If you survey for my neighbor, will I get some of my fee back?*

Not all of these questions are necessarily appropriate for the contents of the survey report. There are many other questions that can be added to this list. The point is, this section of the report can be used to answer common questions and educate the client about the services provided and the boundary that was reestablished. Once the surveyor has developed a good written response to a common question, the response can be used again and again for other clients.

Knud Hermansen is a professional land surveyor, professional engineer, and attorney at law. He is a professor in the Surveying Engineering Technology program and the Construction Management Technology program at the University of Maine.
Email: Knud.Hermansen@umit.maine.edu.

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*I've also never been in Cognito.
I hear no one recognizes you there.*

I have, however, been in Sane. They don't have an airport; you have to be driven there. I have made several trips there, thanks to my friends, family and work.

*I would like to go to Conclusions,
but you have to jump, and I'm not
too much on physical activity anymore.*

I have also been in Doubt.
That is a sad place to go,
and I try not to visit there too often.

*I've been in Flexible, but only when it was very
Important to stand firm.*

Sometimes I'm in Capable, and I go there more often as I'm getting older.

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SPOTLIGHTING THE STATUTES

KSA 58-2004

By Norm Bowers, LS, PE

Note: “Spotlighting the Statutes” intent is to remind surveyors of statutes that apply to surveying.

58-2004. Survey plats; information required for county surveyor review. The following information shall be submitted to the county surveyor with all survey plats that are required to be reviewed by the county surveyor:

- a) Survey plat showing:
 - 1) Theory of location used for the exterior boundary;
 - 2) locations of the monuments; and
 - 3) bearings and distances between the monuments.
- b) Closure calculations of the exterior boundary and interior lots and parcels, or equivalent electronic data files acceptable to the county surveyor.
- c) Corner reference reports prepared by the land surveyor as required by K.S.A. 58-2003 and 58-2011, and amendments thereto, less than one year prior to the

date such reports are submitted to the county surveyor.

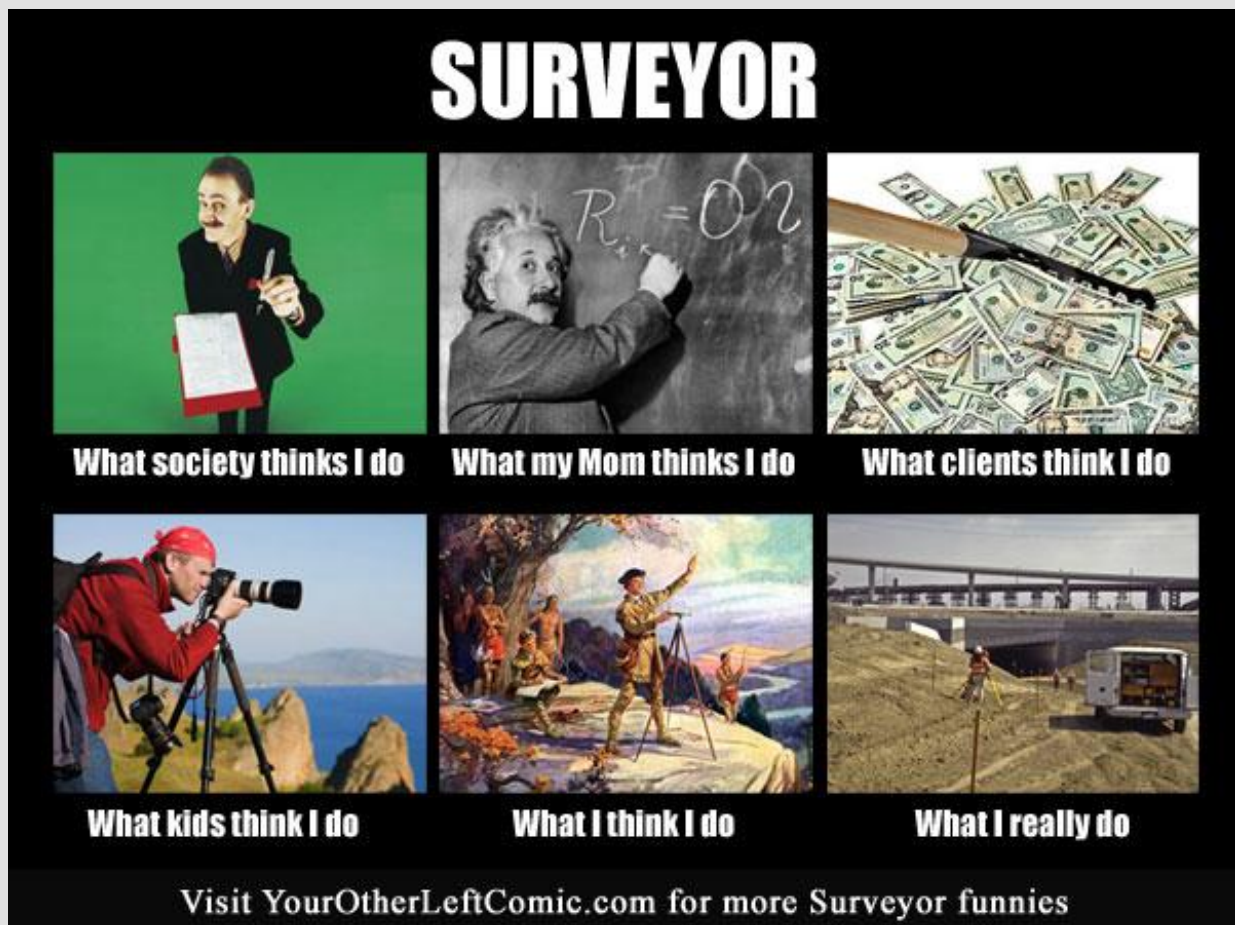
History: L. 1967, ch. 309, § 4; L. 2011, ch. 49, § 21; July 1.

Comments:

This statute was originally enacted in 1967 and was revised in 2011 as part of Senate Bill 112. The wording of this statute is fairly simple and needs little explanation, however, it might be appropriate to list the major revisions that were effective July 1, 2011:

- * Previous law applied only to surveys which subdivided land, and now applies to all surveys submitted for review to the county surveyor.
- * Theory of location was added as a requirement.
- * Electronic data files can be submitted in lieu of closure calculations.
- Corner reference reports less than one year old was added as a requirement.

Surveyors should note that the law continues to require the plat to show the bearings and distances between the monuments.



PREOCCUPATION WITH DEED DESCRIPTIONS AND MEASUREMENTS

By: Norman Bowers, L.S. & P.E., and Steven S. Brosemer, L.S.

A surveyor must base his professional opinion on the location of boundary line using the best available evidence evaluated in accordance with applicable rules, statutes, and court decisions; in short the law. Some surveyors, contrary to law, overemphasize the evidence of measurements and deeds and create chaos by setting double corners and casting doubt on long established boundary lines and monuments. We could find no law that says the deed controls over monuments, or that the plat controls over monuments, or that measurements from the deed or plat controls over monuments. The only laws that we could find is that monuments control over deeds and plats. The surveyor must always keep in mind that we are either an original surveyor laying out a new tract, or a retracing surveyor locating the original monuments and boundary of a tract; it serves no useful purpose and is contrary to law to cast doubt on the original survey. The Kansas Supreme Court stated it this way in In re Moore appeal, 173 Kan 820 1953: "Manifestly a new survey cannot be permitted to be employed as a means of disturbing vested rights acquired, as here, in reliance on an earlier survey (8 Am. Jur., Boundaries, §102) and much less may those rights be thus disturbed in violation of a valid agreement between immediately adjacent property owners. Were the rule otherwise there could be repeated surveys with the result that each would disturb rights acquired in reliance on a former survey. The very purpose of establishing official permanent boundary lines would be completely defeated." All surveyors should say AMEN.

Surveyors should keep in mind that the purpose of the deed description (and the original surveyors plat) is to provide evidence to locate the monuments and lines, not to disprove established monuments. Because of the nature of measurements there is always a difference between the measured distance and plat distance. On an original survey the plat and deed were prepared to describe the survey. Let's think about the original survey process from the land owner's perspective. He hires a surveyor to mark the boundary and write a legal description so he will never have a boundary issue. The landowner does not know how to read a legal description, and usually just thinks of the plat as evidence that a survey was made. He relies on the stakes on the ground to build a fence or otherwise occupy up to the line staked. The

landowner presumes the survey, plat and deed all match exactly, and are correct, and that the boundary is permanent. The landowner never thinks that if the stakes don't match the deed he will just move his fence to make the next surveyor happy. The key point here is the landowner relies on the stakes as set by the surveyor not the plat and the resulting deed description. The landowner thinks the intent of the deed is to convey what was staked. The Kansas Supreme Court understands this and provided the following rule in Shaffer v. Weech 34 Kan. 595 1886: "Surveys are always inaccurate, and this inaccuracy arises partly from the imperfection of instruments and largely from the natural infirmities inherent in all men, which even the most skillful surveyors and chainmen cannot wholly overcome, and also largely from negligence and carelessness. No two surveys are ever alike; and while the map and field-notes of a survey may purport to show the exact elements of the survey in all their details and particulars, yet they never do so and never can. Hence the necessity for relying upon the actual survey as made upon the ground, and not conclusively upon the map and field-notes of such survey."

Some surveyors state that the land owner asked to have his deed staked. In a case like this we doubt the landowner knows what he is asking for because landowners sometimes assume the deed and the boundary are the same. Surveyors stake boundaries and show overlaps and gaps with the deeds. We also have title people and attorneys that incorrectly think the deed and the boundary are the same line, but that does not change the laws of Kansas. The Kansas Supreme Court has set out legal principles on how to survey, and we have to follow those principles and not opinions of landowners, title people and attorneys that don't know those legal principles. The court set out a simple rule for surveyors to follow in In re Richardson, 74 K 557 1906: "The primary rules for locating city plats upon the ground or lots of a platted city are the same as those for locating deeds upon the ground. They are, in order of precedence in application, as follows: (1) Find the lines actually run and the corners and monuments actually established by the original survey. (2) Run lines from known, established or acknowledged corners and monuments of the original survey. (3) Run lines according to courses and distances marked on the plat."

Continued on page 31

PREOCCUPATION WITH DEED DESCRIPTIONS AND MEASUREMENTS

Continued from page 30

When performing a boundary survey if we hold courses and distances and discount original monuments we have violated legal principles set out by the courts. But some surveyors say they are just surveyors and have to stake the deed, a judge will have to determine the true boundary. This attitude is contrary to law and an embarrassment to our profession. With this attitude we relegate ourselves (surveyors) to merely "deed technician" status. It is the cause of pincushion corner and boundary disputes. The profession that was established to protect boundaries is often the cause of boundary disputes. Certainly any survey, or for that matter anything we do, may be subject to a lawsuit and review by the courts. The retracing surveyor will never exactly agree with the original surveyor's distances and bearings, and so the current measurements will never match the legal description on the deed. However, it is the retracing surveyor's job to stake the boundary set by the original surveyor, not to stake the deed. We illustrate this on the plat by showing the

original survey lines as the boundary line. We do need to indicate actual measured and deeded (or platted) bearings and distance between the monuments. The actual measurements are so that following surveyors can later better reconstruct the boundary, not to cast doubt on the original monuments. Minimum standards correctly uses the term "record title boundaries"; which some surveyors incorrectly translate to "record deed descriptions."

So, as a profession we should not be preoccupied with measurements and deeds and incorrectly cast doubt on original monuments. If we follow Kansas law for locating deeds upon the ground, original lines and monuments control over courses and distances. Or as the late James H. Brosemer said, "Sometimes you have bad paper, but you rarely have bad ground."



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BOOK REVIEW

Shooting Polaris: A Personal Survey in the American West

By John Hales

Shooting Polaris is John Hales's fascinating and far-reaching account of working as a government surveyor in the southern Utah desert. In it, he describes his search for a place in the natural world, beginning with an afternoon spent tracking down a lost crew member who cracked up on the job and concluding with his supervising a group of at-risk teenagers on a backpacking trip in the Escalante wilderness. In between, he depicts a range of experiences in and outside nature, including hostile barroom encounters between surveyors and tourists, weekends spent climbing Navajo Mountain and floating what remains of Glen Canyon, and late-night arguments concerning the meaning and purpose of nature with the eccentric polygamist who ran the town in which the surveyors parked their bunk trailers.

Although this work is autobiographical, *Shooting Polaris* is so much more. It is a reflection on man's relationship to nature and work, American history and the movement into the West, the desire to impose order and the contrary impulse for unmediated experience, the idealistic legacy of the sixties, the influence of the Mormon Church, and the often-antagonistic relationship of American capitalism to sound ecological management. Along the way, Hales introduces engaging characters and reveals the art, science, and history of surveying, an endeavor that turns out to be surprisingly profound.

John Hales is Professor of English at California State University, Fresno.

Paperback: 296 pages

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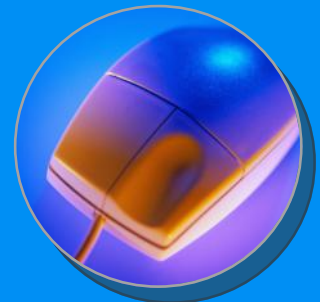


Anyone who has never made a mistake has never tried anything new.

Albert Einstein

MINIMUM STANDARDS

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A French man nearly got away with stealing a number of paintings from the Louvre. However, after planning the robbery and getting in and out and past security, he was captured only three blocks away when his Econoline ran out of gas. When asked how he could mastermind such a crime and then make such an obvious error, he replied, "I had no Monet to buy Degas to make the Van Gogh."

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WOULD GEORGE AND “HONEST ABE” MAKE IT IN TODAY’S BUSINESS WORLD?

Written by Joseph & JoAnn Callaway

Sometimes it seems the business world thrives on “harmless” small fibs, misdirections, and lies of omission. But in honor of Presidents’ Day, Joseph Callaway challenges you to rediscover the career-boosting virtues of honesty. He offers seven reasons to tell clients the truth.

Presidents’ Day, which falls between the birthdays of two of our nation’s most revered leaders—George Washington and Abraham Lincoln—is coming up on Monday, February 18. And as every school-aged kid knows, both men are remembered for their honesty. (Okay, “little George and the cherry tree” might be more legend than fact, but it *does* indicate the extent to which our culture views truthfulness as a virtue.) To Joseph Callaway, the “lip service” we pay to honesty, even as we fudge the truth in our day-to-day lives, raises a question: *Would Washington and Lincoln make it in today’s business world?*

“I believe the answer is yes,” says Callaway, who, along with his wife, JoAnn, is the author of the new book *Clients First: The Two Word Miracle* (Wiley, October 2012, ISBN: 978-1-1184127-7-0, \$21.95). “If they showed up in 2013 and truly lived up to their reputations, they would find themselves in huge demand. People really, really crave honesty and transparency, and it’s mostly because they’re such rare qualities these days.”

Do a little soul-searching, suggests Callaway. You might be shocked at the number of white lies, exaggerations, misdirections, and lies of omission you’re guilty of. For example: *I’m not going to meet my deadline so I’ll tell him I’m sick to buy myself a couple more days. Or, This is probably not the best vendor for this particular client, but since she (the vendor) sends us a lot of business, I’m going to recommend her anyway.*

The occasional lie of omission, or even commission, may not reflect any ill intent toward your clients. But in the long run, even small dishonesties will muddy your relationship and ultimately keep your business from being all it can be.

“We can usually rationalize our small or even large dishonesties,” says Callaway. “But when we examine them, we can see that our lies, little or big, are told to benefit *ourselves*—to make more money, to cover up mistakes, or to avoid an uncomfortable conversation.

“Making the decision to always put your clients *first* instead—which means telling them the truth and letting the chips fall—will transform your business,” he adds. “It may not happen overnight, but it will over time as you gain a reputation for transparency and trustworthiness. And it will change your life. Just ask Abraham Lincoln, who ‘lost’ a lot of money during his lawyer career because he didn’t like to charge exorbitant amounts, and encouraged clients to settle out of court when it was in their best interests—even though he didn’t get paid!”

Callaway and his wife built their thriving business—Those Callaways—after a late-in-life entry into the world of real estate. Since then, they have lived through a bubble and survived a horrible economic downturn—and managed to prosper through both, while many of their fellow realtors never recovered. They credit their “Clients First” philosophy as their magic

bullet—and never, ever telling a lie is part of that.

Early on in their careers as realtors, the Callaways faced a not-uncommon dilemma: Their sellers, the Smiths, needed to sell their home soon so they could move. Their buyers, the Browns, had fallen in love with the Smiths’ house. Perfect, right? Not really. It turned out the Browns’ offer was lower than what the Smiths were asking, but it still stretched their budget. Should the Callaways tell each family what they *wanted* to hear (and guarantee themselves a commission)...or should they do the right thing?

“JoAnn and I decided to tell each party the truth: This deal really wasn’t in either of their best interests, even though it *was* in ours,” he continues. “Like a fairy tale, we soon found the Smiths a buyer willing to pay their asking price, and we found the Browns a more affordable home they loved even more. The way we did business was forever changed. Whatever happened, we knew we had to *always* put the client first—even though the truth sometimes hurts, and a fairy-tale ending isn’t always guaranteed.”

Whether in the days of Washington and Lincoln or right now, telling the truth is not rocket science. Honesty really *is* the best policy in business and in life. Callaway gives seven solid reasons why:

It’s why you exist. If you’re in business, you provide either a good or a service that’s aimed at making the consumer’s life easier, better, fuller, etc. In other words, your *raison d’être* comes down to helping other people. When you think about your job description in those terms, you’ll have to admit that while it may not always be comfortable, telling the truth is what’s in the client’s best interest.

“You can’t truly help someone if you aren’t being honest!” Callaway assures. “Sure, you can usually rationalize a blurred line or a white lie. But on whose behalf are you fudging the truth? Even if it’s for the client, broken rules and skipped steps—if and when they come to light—won’t be doing him any favors. And if you’re trying to skirt the truth to make your own life easier, beware: You’re on a very slippery slope.”

Truth breeds trust. It’s simple: When the customer knows he can expect the whole truth and nothing but the truth from you, he’ll trust you. And *especially* in the wake of so many business scandals (Bear Stearns, JPMorgan Chase, and even Bernie Madoff spring to mind), trust isn’t something you’ll automatically get from a client. You’ll have to earn it. And once you have done so, you’ll most likely have a client for life.

“Trust is one of the relatively few remaining things that no amount of money can buy,” Callaway points out. “It’s also something that’s invaluable once you have it. While I’m no business historian, I would venture to say that dishonesty, cover-ups, and stretching the truth played a large role in the collapses of most now-defunct companies. What would the current business climate look like today if all of those organizations had prized earning long-term trust over earning short-term profits?”

Continued on page 35

WOULD GEORGE AND “HONEST ABE” MAKE IT IN TODAY’S BUSINESS WORLD?

Continued from page 34

It helps you show—and earn—respect. No doubt you’ve been lied to at some point in your life. When you found out that the proverbial wool had been pulled over your eyes, how did you feel? Of course you were angry and hurt, but chances are, you also felt belittled. That’s because it’s offensive and demeaning when someone doesn’t think you can “handle the truth.” On the flip side, though, when you hear the truth—even if it’s not what you expected—you feel empowered and respected.

“Respect isn’t just about being polite and using your manners,” reminds Callaway. “To a much larger extent, it’s about letting people make their own decisions. Sure, you can offer your expertise and opinions—just don’t withhold or twist the truth in an attempt to manipulate or manage.

“Also, people respect you more when you tell a difficult truth,” he adds. “They may not like what you have to say but they will think more of you for having the guts to say it.”

The truth will set you free. Remember when you were a kid and your mother told you that if you told her the truth about how the lamp *really* got broken, you’d feel better? She was right! Making a commitment to always tell the truth will take a weight off your shoulders that you might not have known was even there! Not only do lies have their own psychic weight, they complicate your life. Truth-telling simplifies it.

“JoAnn and I found that the positive effects of telling the Smiths and Browns the truth were almost immediate,” Callaway recalls. “The first thing we noticed was a new feeling of strength and courage. By no longer having to juggle the facts, we were relieved of so much strain! When you have only the truth, you wave goodbye to moral dilemmas and sleepless nights. You don’t have to worry about getting the story straight or remembering what you have and haven’t shared. You know you’re doing the right thing.”

Honesty is a catalyst for personal evolution. As you walk the path of putting your clients first, promises Callaway, you’ll evolve as a person, not just as a professional. That’s because being honest with your clients isn’t always easy. In fact, in some situations, it might be one of the most difficult things you’ve ever done. But just as sore muscles after weightlifting means that your body is getting healthier and stronger, feeling uncomfortable but telling the truth anyway means that your motivations and intentions are moving toward a higher plane.

“It’s hard to define what a ‘good’ person is, but rest assured

that making honesty a constant part of your business will help you to move in that direction,” says Callaway. “JoAnn and I are not the same people we were 14 years ago. Our honesty now is *definitely* not what our honesty was then. Before, we weren’t always sure we could trust the truth, and we paid for that with fear and anxiety. Now, we enjoy a wonderful calm, as well as the trust and loyalty of clients we would have once worried about losing!”

Telling the truth is the best insurance. No matter what industry or field you’re in, things are occasionally going to go wrong. Despite your best efforts, clients will sometimes be disappointed and angry, and some will seek retribution. While you can’t prevent this eventuality, you *can* protect yourself by consistently being honest.

“Once I heard a fellow real estate agent say, ‘If you haven’t been sued, you aren’t doing enough business,’” shares Callaway. “I thought about that, and on the one hand was saddened by this person’s hardened attitude, and on the other hand, I was struck by the notion that litigation is a fact of life. It occurred to me that when you’re honest, your chances of being sued plummet. Even if things go wrong, your clients will know you have done your best and will be less likely to blame you for the failure.”

Honesty is a powerful magnet. When you cultivate a reputation for honesty, you’ll be surprised by how quickly and how far the word spreads. Clients want to work with businesses that won’t play them false, and when they believe they’ve found a good thing, they’ll tell others! And, of course, they themselves will stay loyal.

“Believe it or not, JoAnn and I have never asked for referrals,” says Callaway. “We simply put our clients first and watch as they become an army of recruiters. When you show yourself to be honest and trustworthy, the people with whom you do business will recommend you and advocate for you and want you to succeed. And when you take good care of those they send your way, they’ll be proud to do it again and again.”

“Sticking with the truth isn’t always easy—it’s something you have to dare to do,” concludes Callaway. “Why else do you think George Washington and Abraham Lincoln are revered for doing so? But remember, everything has an impact—and the price of *not* trusting the truth is always more expensive than the alternative.”

Published in “The American Surveyor”, February 13, 2013.

Joseph Callaway and JoAnn Callaway are coauthors of the *New York Times* bestseller *Clients First: The Two Word Miracle* and founders of the real estate company Those Callaways. To learn more, visit www.clientsfirstbook.com. *Clients First* is available at Amazon and Barnes & Noble, or wherever books are sold.



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Monroe Rivers, NGS Geodetic Advisor Retires

Monroe Rivers, the NGS Geodetic Advisor to the State of Kansas has retired effective December 31, 2012. Mr. Rivers is a career NGS employee, beginning his employment in June, 1965, with the Coast and Geodetic Survey. His varied work experience has included vertical control circuits, and geodetic quality horizontal control surveys with conventional optical equipment and GPS equipment. Since May, 1991, he has served as the NGS Geodetic Advisor to the State of Kansas. The Geodetic Advisor program has been funded in a cost share basis with the Kansas Department of Transportation since January, 1983.

NGS is in the process of developing a Regional Geodetic Advisor Program which will support the NGRS in multiple states. This program is scheduled to begin in 2016. In the interim, the survey community is encouraged to use the online resources of the National Geodetic Survey at ngs.noaa.gov.

Word to the Wise: Never laugh at your wife's choices....you are one of them!

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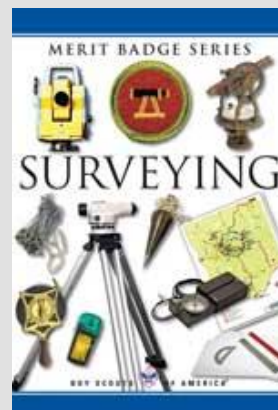


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2. Find and mark the corners of a five-sided lot that has been laid out by your counselor to fit the land available. Set an instrument over each of the corners and record the angle turned between each line and the distance measured between each corner. With the assistance of the counselor, compute the error of closure from the recorded notes. The error of closure must not be more than 5 feet. From the corners, take compass readings or turn angles to trees, shrubs, and rocks, and measure to them. All measurements should be made using instruments, methods, and accuracies consistent with current technology.
3. From the field notes gathered for requirement 2, draw to scale a map of your survey. Submit a neatly drawn copy.
4. Write a metes and bounds description for the five-sided lot in requirement 2.
5. Use one of the corner markers from requirement 2 as a benchmark with an assumed elevation of 100 feet. Using a level and rod, determine the elevation of the other four corner markers.
6. Get a copy of the deed to your property, or a piece of property assigned by your counselor, from the local courthouse or title agency.
7. Tell what GPS is; discuss with your counselor the importance of GPS and how it is changing the field of surveying.

Discuss the importance of surveying with a licensed surveyor. Also discuss the various types of surveying and mapping, and applications of surveying technology to other fields. Discuss career opportunities in surveying and related fields. Discuss the qualifications and preparation for such a career. www.scouting.org/scoutsource/boyscouts/advancementandawards/meritbadges/mb-surv.aspx



NCEES SEEKS LICENSED PROFESSIONAL SURVEYOR VOLUNTEERS

NCEES is seeking volunteers to participate in a standard-setting study for the Principles and Practice of Surveying (PS) exam. To qualify, volunteers must have taken and passed the NCEES PS exam and must be a licensed professional surveyor.

The standard-setting study will take place May 17–18, 2013, in Clemson, South Carolina. Travel and lodging expenses will be paid by NCEES. Selected volunteers will review and rate the difficulty of items that will be included on the updated exam. The volunteers' responses will help NCEES determine the passing score for the PS exam. To volunteer, complete a short online questionnaire at ncees.org/PSstandards.

ELEVATION CERTIFICATES

A new elevation certificate form is now available from the Federal Emergency Management Agency. The new form can be downloaded from the FEMA website at: www.fema.gov/library/viewRecord.do?id=1383 Both the old and new forms will be accepted until July 31, 2013, after which only the new form will be accepted.