

February 2024

SIDE SHOTS

Professional Land Surveyors of Colorado

Volume 55, Issue 1



Final Point Marker Dedication

SEE PAGE 27

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Dave Berglund, Brian Kelly, Steve Parker, Todd Johnston, Sean Mullen

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SIDE SHOTS

FEBRUARY JOURNAL 2024

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*Side Shots is the official publication of the Professional Land Surveyors of Colorado, Inc.
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Brian Dennis
President

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**Deadlines for editorials, articles, pictures and advertising are January 1, April 1,
July 1 and October 1. Material received after the current deadline will appear
in the next issue of Side Shots.**

*We would like to invite anyone who is interested to advertise in Side Shots.
Do you have something you want to sell, trade or buy? Why not use Side Shots for your
next ad? We can also reproduce business cards for advertising. Ad space reservation must be arranged with
Becky Roland, PO Box 441069, Aurora, CO 80044; 303-551-3266.*

(Deadlines: January 1, April 1, July 1 and October 1).

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PO Box 441069, Aurora, CO 80044

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(O): 303-353-3528

NSPS DIRECTOR (2022-2023)

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(O): 303-353-3528

STEVE PARKER
Alternate
C: (719) 641-3355

Hello Fellow Members

The mountain communities have received quite a lot more snow than normal this season, which is great for skiing..... not so much for surveying. Certainly, you have to pick your opportunities in the mountains more strategically this time of year. The front range and eastern plains recently got to enjoy our first polar vortex of the year and the winds that came with it. That was a cold week! Forecasters say we should look forward to 1-2 more this season. Great time to plan ahead and keep field crews indoors for those days. Those are always good days for truck maintenance. We all have had clients that have to have those stakes in the ground that day or the earth will stop spinning. Do your best to keep everyone safe.

This is typically the time of year most of us start to catch our breath from the frenzy of spring & summer. Seems there is no catching your breath this winter, at least along the front range communities. Everyone I speak with is busy with no signs of slowing down. Commercial and industrial developers appear to be at full steam ahead. We have seen some residential developers have slowed due to interest rates, some have continued with business as usual and many that paused during the summer are ready to move forward on new sites. There are rumors that interest rates will be coming down in 2024. We will have to wait and see how much and when, but I think we all agree, down is a good direction. Especially in the residential market. Rates going down opens the housing market up to more folks trying to purchase a home, with young 1st time home buyers being impacted the most.

The PLSC Board has been active on your behalf over the fall months working on many of the agenda items I have discussed in previous issues of Side Shots. The legislative committee has been very active with Scott Thompson, committee chair, leading the charge. To not be redundant, read Scott's write ups in this issue to learn about the exciting items he and the legislative committee members are working on. If any of these issues are a passion for you, reach out to Scott to be a committee member and have a hands on-direct impact on the direction of the issues that team is tackling. Scott can always use more help. Several are big issues including Continuing Education, Davis/Bacon, DORA 2024 Sunset and the more people assisting, the better our profession has of reaching the goals.

The Rocky Mountain Surveyors Summit 2024 is in March. Heather Lassner, RMSS committee chair, and committee have put a lot of thought, time and energy organizing and coordinating this year's conference. I have seen the track layout and new facility and I think this will be a great conference to attend. Registration for the conference is available on the PLSC website at www.plsc.net. Look for emails and brochures for more information. Contact Becky Roland with any questions.

For those who have not heard, J. Warren Andrews passed away December 19. Two weeks after his wife passed. This is a sad time for his family, friends, associates, PLSC and the entire survey profession. Warren was a founding member of the PLSC. I always enjoyed speaking with Warren at the PLSC conferences each year. He will be missed greatly. I anticipate a write up from some of his colleges in this issue or near future issues commemorating his life and contributions to the survey profession in Colorado and beyond.

I look forward to seeing everyone at the 2024 Rocky Mountain Surveyors Summit in Westminster, Co this March!

— Brian Dennis, PLS, PLSC President



FROM THE EDITORIAL COMMITTEE

Our approach for *Side Shots* in 2024 includes soliciting contributions from each chapter. Our aim is to include content that is relevant to all areas of the state. Please send topics you would like to see addressed or ideas you would like to write about to your local chapter president. Thank you for pitching in!

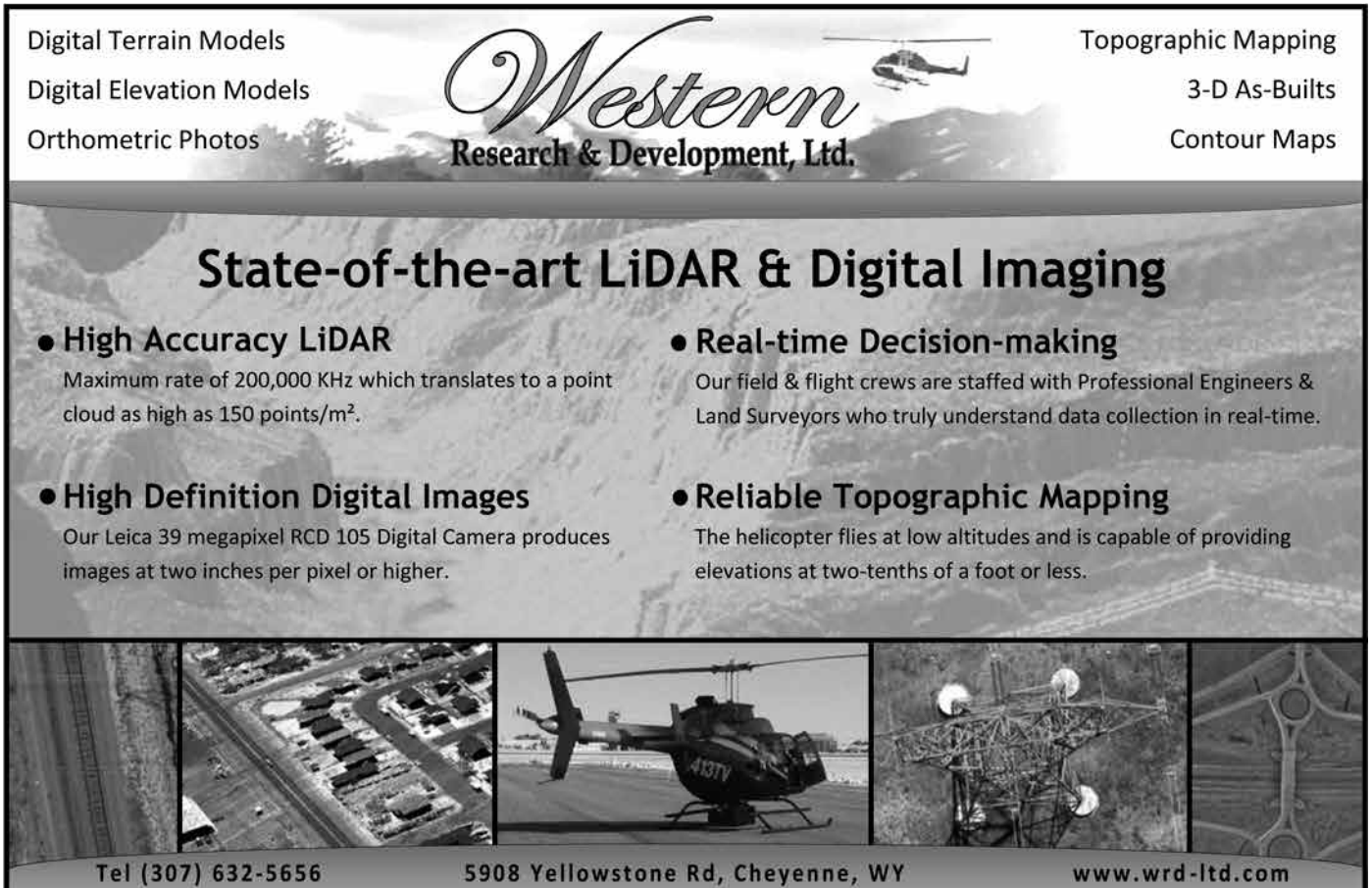
I am excited to include a primer on right-of-way research in Adams County by Ian Cortez. Please let me know if you are an expert or know an expert for right of way research in Arapahoe County.

Kayce Keane has written a super synopsis of the requirements and importance of properly filing monument records. Similarly, Earl Henderson has submitted a case study of junior – senior rights, specifically as they relate to range line monuments in Denver.

We also have an article by Hayley Young which inspires discussion and thought about the intent and impact of our code of ethics and her analysis of the implications on how we choose our work. One of the most interesting points for me was her distinction between “property” and “land”.

As always, the opinions shared here are those of the author, and not necessarily those of PLSC or the *Side Shots* editorial committee.

Laine Landau, Chair
Side Shots Editorial Committee



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PLSC Board of Directors

Meeting Minutes

October 26, 2023 • 4:30 p.m.

1. Call to Order: Dennis

Name	Position	Chapter	Attending?
Brian Dennis	President	Southern	x
	Vice President		
Shaun Lee	Secretary/Treasurer	Central	x
Becky Roland	Executive Director	n/a	x
Heather Lassner	Director	Northern/TrigStar	x
Brian Bowker	Director	Western	
Ian Cortez	Director	Central	
Todd Johnston	Director	Southwestern	x
Steve Parker	Director	Southern	
Tom Sylvester	Director	Western	x
Scott Thompson	Director	Western, Legislative	x
		Co-Chair	
Dennis Moulard	Director	Northern Chapter	x
Ralph Pettit	Ex-Officio	Central	
Todd Beers	Non-Voting	NSPS/WFPS Delegate	
Guests:			
John Hunter	Geo-Coordinator		
Laine Landau	Side Shots Co-Editor		
Randy Fortuin	Central Chapter		
David Berglund	Northern Chapter		x
Brian Kelly	NW 1/4 Chapter		
Brian Shaw	NOAA/NGS		x
James Combs	YSN		
Cole Conger	YSN		
Sue Weiss	CST		

2. Determined Quorum (6 voting): Lee

3. Any changes to the Agenda: Dennis
 a. Re-establish the Monument Committee

4. Approve September 2023 Minutes SL/ST Dennis
 MOTION: To approve the September 2023 Board Meeting Minutes as presented. (SL/ST)
 Approved unanimously

5. Financial Report: Lee/Roland
- a. Move Storage Unit November 11 (need volunteers)
 - i. Free membership for 2024/pizza/beer
 - ii. Heather, Sean, Brian, Becky/Ken have volunteered
 - iii. Offer to Chapter Directors
 - b. Investment: 138,714.42 Quarterly report uploaded to Google Drive.
 - c. Checking: \$3,000
 - d. Savings: \$26,654.09
 - e. Transferred \$7,413.50 to cover costs and maintain \$3,000

6. Reports

- a. NGS Update: Shaw
 - i. NGS Data Explorer is being deprecated next month. Please make sure to use the NGS Map https://geodesy.noaa.gov/datasheets/ngs_map/
 - ii. Beta: CORS Time Series Tool. Allows you to make short term plots for CORS to help when looking for CORS to use for session processing <https://beta.ngs.noaa.gov/OPUSTools/cors-time-series-tool/index.html>
- b. NSPS/WFPS: Reports Beers
 - i. NCEES Model Law
 - ii. PLSC Board to vote at end of January
 - iii. Chapters asked to present this to their members for input
 - iv. BR to also ask members to provide feedback through SurveyMonkey
 - v. BR to send to Chapters with explanation on background and purpose
- c. Legislative Committee: Thompson
 - i. Sunset Review Report Received – no CE Recommendation
 - ii. Legislative Coffee Date Set – January 24

10/26/2023 PLSC Legislative Committee report

The DORA Report on the Sunset Review recommends continued regulation of the AES board registrants. It offers changed language to reflect the current testing protocols and requirements. It failed to make any mention of our input on Continuing Education. Although it did mention the other suggestions to changes in Title 38 put forth by others by rejecting them as not included in Title 12 statutes. No explanation was given.

We will push for legislation by submitting our own version of sunset or a separate bill. The committee below will be hearing the sunset review bills. If you know anyone on this committee and can find an opportunity to discuss our pending legislation with them, please do so.

**2023-2024 legislative session
 House Business Affairs and Labor Committee, 2023-2024**

Democratic members (7)	Republican members (4)
Judith Amabile, chair	Ryan Armagost
Naquetta Ricks Vice Chair	Lisa Frizell
Regina English	Rick Taggart
Sheila Lieder	Ron Weinberg
William Lindstedt	
Javier Mabrey	
Tisha Mauro	

Legislative Coffee day will be January 24, 2024, Wednesday from 7am to 8:45am in the Old Supreme Court Chamber at the State Capitol. We are hoping to have 5 to 10 members there to speak eloquently about Continuing Education and answer questions.

We (Becky mostly) are updating the information packet from the previous attempt at passing continuing education legislation. Testimonial letters are solicited. I have arranged for a group letter from previous AES Board members in support of CE with two commitments to sign so far. If any one has contact with other previous AES Board members please ask them if they would also sign on. We need to have that letter by January, but I would like to have it ready much sooner than that. A list of bullet points to be addressed would be very helpful in composing that letter so everyone's thoughts are welcome.

- d. Education/Scholarship Committee: Sylvester
 - i. WCCC/Scholarship Report Sylvester
 - 1. Mid-semester
 - 2. BR will send Bacus books to students/ Tom
 - 3. BR will send two scholarship applications to TS when complete
 - 4. BR to quantify PLSC's annual education commitment and endowment numbers for MCE discussion
 - ii. RMSS Report: Berglund/Lassner
 - 1. Close to finalizing program
 - 2. Map/Plat competition will be opening soon
 - a. Robert Boehm is heading this up
 - 3. Registration is being tested
 - 4. CFedS in person
 - iii. PLSC Refresher Course: Roland
 - 1. Please promote
 - 2. Hosted at Galloway in Greenwood Village
 - iv. CST Education: Weiss
 - 1. Send any names of approved proctors to SW
- e. Side Shots Report: Parker/Landau
 - i. Being mailed
 - ii. Dec 31 next deadline
 - iii. SWPLS – Surveying tattoos
 - 1. BR to survey members
- f. Chapter Reports
 - i. Central
 - 1. Annual Fall Banquet November 8
 - ii. Southern
 - 1. Corey Sharp presented on CS City processes- coming back next month and at RMSS
 - 2. Charlie Tucker – Railroad Historical Documents
 - 3. Next meeting November 21 (3rd Tuesday)
 - iii. Northern
 - 1. Met on Intro to CFedS - Section Breakdown Problem Review
 - 2. Contracts (Laine Landau) next meeting
 - 3. Holiday Party Dec 22 – Hockey Game

- iv. Southwest
 - 1. Next meeting 12/19 – La Plata County on plat requirements
 - 2. Looking for Chapter President to start in January
- v. Western
 - 1. Haven't met since last PLSC Board Meeting
- vi. Reminder: please report work being done by PLSC at Chapter meetings
- g. Outreach Committee: Dennis
 - i. Need volunteers for Girl Scout Geocaching Event – Saturday in November
 - 1. BR to contact about possible Spring date
 - ii. NWKTC 2023 Career Exploration Day – Nov 6: Weiss
 - 1. BR to follow up with SW

- 7. New Business
 - a. New Meeting Structure
 - i. Continue discussion at next meeting
 - b. Revive Monument Committee – add to next agenda
- 8. Next Meetings
 - a. Topics
 - i. Sample Legal Documents
 - 1. Contracts (Keane)
 - 2. How to file a lien
 - 3. Opt. Table A Items for ALTA
 - 4. Right of Entry
 - ii. AI and Surveying
 - iii. New Web Design
 - b. November 30 – Board Meeting

9. Adjourned

Action Items from previous meeting:

- 1. Set Legislative Coffee Date (ST) – Done
- 2. Tom Sylvester to send student addresses to Becky Roland for Bacus books to be mailed (TS/BR) - Done
- 3. Discuss CST MOU with NSPS for discounted exams (BR) – Waiting for response from NSPS
- 4. Identify CST proctors for each Chapter/ask membership (SW)
- 5. Send information on being a CST proctor to the Board (SW)
- 6. Review Assurance Library contents and add CST and Refresher Course material (DM/BR) Review set for November 6
- 7. Set a conference call with Charlie Tucker to review presentations at Southern Chapter and at the Summit (SP/BR)
- 8. Need volunteers for Girl Scout Geocaching Event – Saturday in Oct/Nov (BD/BR)

PLSC Secretary Report:



Shaun Lee
PLSC
Secretary/
Treasurer

Secretary's Report

Don't forget to log onto PLSC.net to update your profile information! This will help you to gain access to new resources being planned by the PLSC (special record library, meeting recordings, and more). Also, to stay informed through general communications, event invitations, membership surveys issued by the PLSC, and much more.

You can reach out to any chapter or state board member directly to discuss any survey community topic and concern. You can find board members and contact information within the pages of PLSC.net or Side Shots.

Happenings

PLSC Board Meetings: 10/26/23, 11/23/23,
No December Meeting

PLSC Board Positions Open:

Vice President

PLSC Committee & Positions Open:

- County Surveyors – not active-no known topic of concern, no members seated.
- Education – not active, needs members to be seated.
- Ethics & Fair Practice – not active-no known topic of concern, no members seated.
- GPS – not active-no known topic of concern, no members seated.
- Legislative – Chair Scott Thompson - Colorado Continuing Education
- Membership – not active, needs members to be seated.
- Outreach – not active, needs members to be seated.
- Special (current hot topic) – not active-no known topic of concern
- Survey Monuments & Records Standards – Now active, Chair Shaun Lee, Open Comment Session pertaining to but not limited by:
 - Monument Records (ie. monument record template format, methods of filing records, fines

for destroying monuments, limitation of access through current construction and repaving practices)

- Recordation of the setting of internal monuments following a new subdivision plat and construction practices (ie. reference monumentation, lot/property corners, and range points (where applicable))

Please send comments and suggestions in a group email to President@plsc.net, Treasurer@plsc.net, and Broland@plsc.net.

Working Group:

- Nothing Organized

New Technology:

- The PLSC.net website is under construction and is working on a new layout and resources.
 - Online Store for PLSC and Chapter swag is coming.
 - Online Auction space is coming.
 - Online records database for hard-to-find special records and records that are unrecorded in which the PLSC has come to be in possession of through membership involvement or donation.

Legislative:

- Previously presented, Continuing Education (CE) has been embraced by the board of PLSC and membership. The Colorado legislature convenes January 9, 2024. As soon as our bill is introduced, we will want the House Committee members to receive letters of support for CE. Please consider writing a letter to the House Committee and to the representative for your district. These letters will be presented as emails on the eve of the committee hearing for the proposed bill; so please carbon copy (CC) your message to President@plsc.net. If you provide the PLSC with a pdf copy of your letter, the legislative committee will take care to, again, present the emails to the House Committee on the House floor.

PLSC Treasurer's Report:

Treasurer's Report:

Past Quarter in Review:

- RMSS 2025 Venue Contract Approval (Nov. 30, 2023, BOD meeting)
MOTION: To approve signing the 2025 contract from Westin and review by April 30, 2024, if we wish to cancel. The funds for the initial deposit will be paid from the Investment account and paid back to the Investment Fund account as soon as available (to be reviewed at February 2024 Board Meeting). (TS/IC) Approved unanimously

MOTION: To repay any additional (see above motion) Operational Expense funds transferred from Investments in 2023 no later than the completion of the 2024 Summit. (TS/SL) Approved unanimously

- Lobbyists Paid for 1st quarter 2024 at "Active" Level Status; fee \$3,750.
- 3 Scholarships were Awarded during the Nov. 30, 2023, BOD meeting.
The PLSC-NSPS Foundation scholarship. Information not available.

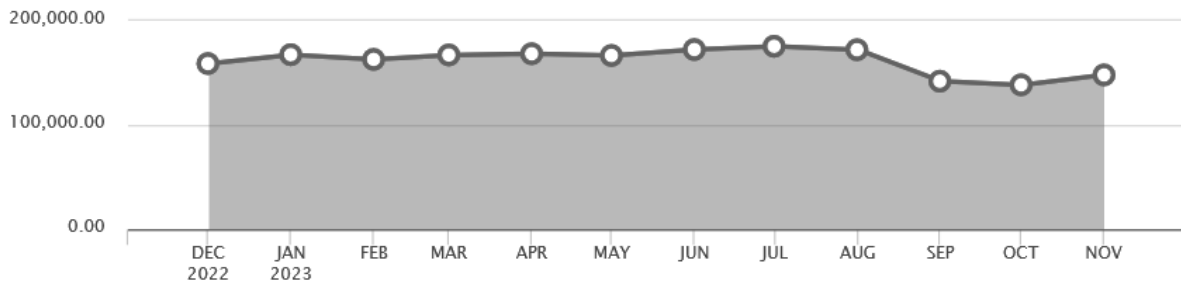
Current assets:

a. Checking:	\$5,906
b. Savings:	\$26,654
c. Investment Account (Education Fund):	\$147,993
	<hr/>
	\$180,553

Investments:

Market Value (Last 12 Months) As of 2:09 AM ET 12/24/2023

[→ Go to Valuation Over Time](#)



Composition



ASSET CLASS	CURRENT VALUE	PERCENT OF TOTAL
 <u>EQUITY</u>	148,947.11	97.33%
 <u>CASH, MONEY FUNDS, BANK DEPOSITS</u>	4,091.72	2.67%

PLSC Legislative Update

Scott Thompson, Legislative Committee Co-Chair

As most Professional Land Surveyors are aware 2024 is the year that Sunset Review legislation requires the renewal of the statutes regulating the practice of Surveying and the AES Board.

DORA has already indicated the intention to recommend the continuation of the AES Board. Resulting from the poll conducted of PLSC members which reflected over 75% in favor of a CE requirement, a proposed bill modeled on the 2019 proposal was submitted to DORA to make clear the intentions of PLS to pursue such a requirement. We received comments from DORA on that bill and the recommendation was made, or at least implied, that we model the language after the statute requiring continuing education of architects. The following is the resulting proposed language:

The board shall adopt rules establishing requirements for continuing education that a Professional Land Surveyor shall complete in order to renew a license to practice Professional Land Surveying in Colorado.” - 12-120-317 C.R.S.

In their comments DORA also stated *“while this isn’t an issue we will fall on our sword over, we would just caution that there has been concern in the industry about a reduction in numbers (although our stats are relatively steady) and adding a CE requirement may reduce the number of people going into, or staying in, the profession.”*

When the legislation session opens there will eventually be a hearing on the DORA proposed bill. At that time it will be clear if they include our proposed language or an amendment will be proposed. The time frame is extremely flexible and could extend to March or April before the bill appears in session.

The Colorado legislature convenes January 9, 2024. Once the bill is introduced member may wish to send letters to the House Committee members expressing their opinions on CE. Please consider writing a letter to the House Committee and to the representative for your district, if applicable. These letters can alternatively be sent as emails. The current committee members are listed below, although this is subject to change. The current committee members can be found at <https://leg.colorado.gov/content/committees>.

2023-2024 legislative session House Business Affairs and Labor Committee, 2023-2024

Democratic members (7)	Republican members (4)
Judith Amabile, chair	Ryan Armagost
Naquetta Ricks Vice Chair	Lisa Frizell
Regina English	Rick Taggart
Sheila Lieder	Ron Weinberg
William Lindstedt	
Javier Mabrey	
Tisha Mauro	

SAMPLE LETTER FOLLOWS ON PAGE 11

TIPS FOR WRITING, SENDING AN E-MAIL OR CALLING A LEGISLATOR

Writing a letter to a legislator

Use the proper salutation, for example:

The Honorable (first name) (last name)
Address
City, State, Zip code

Dear (Assembly Member / Senator) (last name)

Be courteous and informative in your communication. State the purpose of the letter in the opening sentence and if you are referring to a bill, include the bill number, author and topic. If you live in the elected official’s district be sure to say this in the opening paragraph as well.

Focus on the message and key points. Personalize the letter by including examples of how the legislation might impact you and your family. Keep the letter brief – not more than one page.

Restate your request at the end of the letter, for example urging them to support or oppose the bill. Thank the legislator for his or her support and offer to address any questions that he or she might have. Be sure to include your contact information, and sign the letter.

Sending e-mail communication to a legislator

The same guidelines apply to e-mail as to written letters. Before sending an e-mail, you might want to call the legislator’s office and ask if a letter sent by e-mail is effective. If you do send an e-mail, send it to the representative. Do not copy other representatives or send a mass e-mail. Make it a brief message with no special layouts or graphics. Do not include attachments.

Include your full name and address so it is clear that you are a constituent, and ask for a response. You might also want to send a hard copy of your e-mail to the legislator.

Phone calls to a legislator

State your name and address and identify yourself as the legislator’s constituent. You will often be speaking with a secretary or aide. Briefly make known your position as they keep track of the issues that people call about to report to the legislator. Have your thoughts organized in advance, which will help you to keep the call brief and to the point. It is also very helpful to share how the issue affects you personally. Thank them for their support.

Here is a sample letter to a Representative along with some tips for making the letter effective.
[https://cms9files1.revize.com/lcwa/LegislatorSupportLetter%20\(1\).pdf](https://cms9files1.revize.com/lcwa/LegislatorSupportLetter%20(1).pdf)

Sample letter you can use to write your Legislator or State Representative

(Month)(Day)(Year)

The Honorable (First name)(Last name)
Address
City, State (Zip Code)

RE: Support to Maintain The Lake County Water Authority As An Independent Special Taxing District

Dear **(Representative/Senator/Congressman or Congresswoman) (Last name):**

My name is **(your first and last name)** and I am a **(family member /service provider/advocate/ community member)** who resides in your district. I have recently heard there is interest to draft legislation making The Lake County Water Authority a dependent taxing district under the Lake County Board of County Commissioners (BCC). This subject has been addressed at a special workshop held on October 5 between Representative Truenow's staff and the BCC. To date, I cannot reference a drafted House Bill proposed by Representative Truenow.

I strongly oppose any House Bill that would change The Lake County Water Authority from acting as an Independent Special Taxing District. **(State why you support or oppose the bill or other issue here. Choose up to three of the strongest points that support your position and state them clearly.)**

(Include a personal story. Tell your representative why the issue is important to you and how it affects you, your family member and your community.)

I appreciate your help and ask that you please send me a response letting me know if you are able to oppose any future House Bill that would prevent our Lake County Water Authority from remaining an independent special taxing district.

Sincerely,

SIGN YOUR NAME

Print your name
Street address
City, State, Zip code

CONTINUING EDUCATION FOR LAND SURVEYORS

IMPROVING COMPETENCY THROUGH CONTINUING EDUCATION

- The goal of continuing education is to exceed the basic, statutorily required “minimum competency” standards currently required to be licensed as a Professional Land Surveyor in Colorado.
- The National Council of Examiners for Engineering and Surveying®, tasked with competency testing for Colorado, recommends continuing education and has a model program for Mandatory Continuing Education (MCE).
- Mandatory Continuing Education (MCE) is currently required in 44 of 50 U.S. states. We believe Colorado should join that list.
- County Surveyors report less statute and rule compliance issues with Professional Land Surveyors (PLS) that participate in continuing education than those who do not.
- Currently, DORA requires continuing education (through the practice monitoring program) after a PLS fails to maintain minimum competence. Why not be proactive with MCE?
- The potential misuse of a profession with changing technology concerns surveyors wanting to maintain the level of professionalism to protect the public.
- There are over 300 cases of boundary case law that have been determined by higher courts of Colorado, even as recently as 2020. Boundary principles do not change; however, the interpretation of those principles by the courts do cause changes in how a survey should be properly performed.
- Finally, records of continuing education could be self-kept by the surveyor, thus creating no additional burden on DORA.

BENEFITS

Protects the Public and their property rights from incompetent practices.

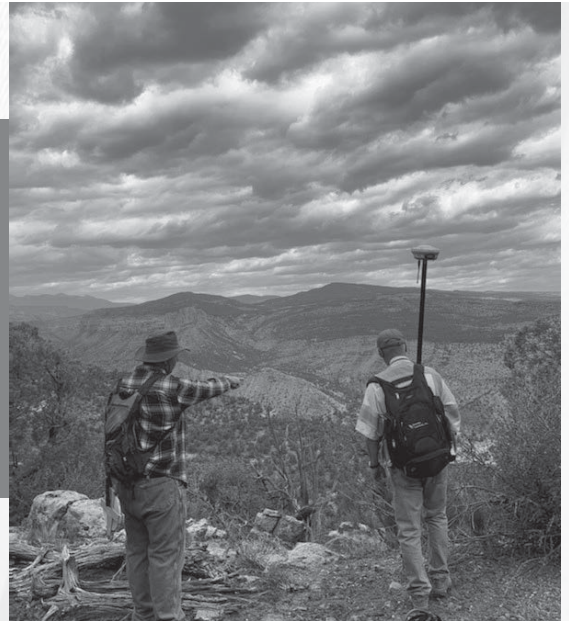
Ensures public confidence that EVERY PLS is educated on latest AES Board Rules, Statutes, and proper use of new survey technologies. Reduces potential costly and lengthy court cases.

Minimal cost to implement

Proposed to be self regulated; the cost to DORA is minimal.

Aligns Colorado with majority of states

The requirement will align Colorado with the forty-four other states, which require MCE.



*Continuous learning
is the minimum
requirement for
success in any field.*

-Brian Tracy



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CCPS

I write this article the evening of January 1st, 2024, in Death Valley, California, at Stovepipe Village, a wide spot in the road. My wife and I just got back from a walk at the Mesquite Flat Sand Dunes, small in comparison to the gift of the Great Sand Dunes in southern Colorado. However, this location is considered one of the darkest night skies in the continental U.S.. Hence, our opportunity to view the majesty of the stars. Jupiter was especially grand, high in the sky to our south. We are blessed to live in the west. Our natural wonders are plenty. Please take the time to experience them all.

This past year the Central Chapter (CCPS) had many good programs. We concluded with a nice and friendly fall social at the Breckinridge Brewery in Littleton. Laura Minch coordinated this flawless event for us. She also is the mother of her newest and second child born shortly before our fall social. Many thanks need to go to Laura for her participation and efforts to make this past year run smoothly as our Secretary of CCPS.

Looking forward into 2024, the CCPS will hold our annual golf tournament on June 9th and our second annual Summer Seminar on September 13th.

I want to conclude by acknowledging the friendship and many contributions Warren Andrews made to our profession. My last conversation with Warren was on the phone in late July, 2023. He was sharing some wisdom with me on how to move forward in my position this past year as a board member of the CCPS. Warren was a good man.

Randy Fortuin
CCPS Board member

NORTHERN CHAPTER

Hello PLSC Membership,

Here is a brief breakdown of our activities since October, 2023:

- At our Chapter meeting on November 1, 2023, Laine Landau provided a presentation on contracts for land surveyors. Laine's extensive experience and knowledge on the subject made for an outstanding discussion and was a great benefit for individuals who work with contracts currently or expect to work with them in the future.
- Further discussion included status of a sandbox that is currently under construction by the Poudre School District Future Lab, PLSC Board of Directors

attendance at Chapter meetings, and scanning/cataloging of survey records that have been shared with the Chapter.

- Our Chapter meeting in December was limited to a Holiday Gathering. We attended the Colorado Eagles -vs- the Calgary Wranglers. Although the score did not work out in our favor, it was great to see everyone and enjoy some time together during the holidays.
- The Northern Chapter has our annual board meeting scheduled for January 10, 2024. This is an excellent opportunity for members of the Northern Chapter or individuals interested in becoming involved with the PLSC to join us to discuss Chapter business and help determine our direction for the future.

Looking forward to and wishing all a fulfilling and successful 2024!

Respectfully,
Dave Berglund, PLS

NW 1/4

The surveyors in Northwest Colorado are underway in what is turning out to be a very mild winter so far. Compared to last year, where we saw near record snows in this part of the State, this is a piece of cake as far as the digging for property corners go. Other than the ice...but this is a transition into the primary topic for this quarter's discussion: 38-51-102(9). For those not having all the surveying statues memorized, this is the statue pertaining to showing conflicting boundary evidence. Different county surveyors in this part of the State have commented that many plats show only record bearings and distances, even though we have several major subdivisions throughout the County that have significant discrepancies with the record bearings and distances. These differences are typically in the 2-25' range and can be skewed as well.

Why is this the case? Opinions differ, but most chalk it up to laziness and sheer ineptitude. It is simpler and less time consuming to simply show a replica of the original plat's lot bearings and distances. But it does a disservice to land owners and a future generation of surveyors. The technology is out there that in some cases a landowner can detect the differences. So in the end, we make ourselves look lazy and unprofessional. Dare to "do it right" if you are not already- show conflicting boundary evidence!

Respectfully submitted,
Brian T. Kelly, President NW1/4

SOUTHERN CHAPTER

Southern Chapter had an outstanding Christmas party at the Miramont Castle. We had our annual meeting in January, in Pueblo, and our guest speaker Cory Sharp will be presenting in February on City of Colorado Springs Planning department requirements. We meet the third Tuesday of each month except July and December. Check us out at scpls.net.

Steven Parker
719-641-3355

SWC – PLSC

The SWC held an in-person/virtual meeting on December 19th at the La Plata County Fairgrounds. Our guest speaker was Lynn Hyde, La Plata County Community Development Director. Ms. Hyde assumed her current position on July 31st, 2023. She gave an overview of the Community Development Program and outlined her plans to improve customer service for the Planning Department. She then fielded questions from attendees that ranged from the general subdivision planning process to more specific questions on subdivision plat reviews and vacation/creation of county roads. The presentation and following conversations were extremely productive. What a great way to end 2023 at the SWC! Many thanks to Ms. Hyde for being willing to stay late after work to speak to our group.

We also conducted regular Chapter business at this meeting. Here were the highlights:

- The SWC presented a \$1,500 scholarship certificate to Chad Wester on behalf of PLSC Scholarship Committee. Chad is currently enrolled in the Post Baccalaureate Certificate Program at CMU Tech. Congratulations Chad and good luck on your studies!
- It was announced that Max Ponce, PLS recently obtained licensure as a professional land surveyor in Colorado. Congratulations Max!
- Treasurer report: Current SWC checking account balance is \$8,904.20.
- SWC Officers for the two-year term of January 2024 – December 2025 are:
 - President - Brian Boniface, PLS
 - Vice President - Tim Barnett, PLS
 - Secretary - Connor Mahoskey, PLS
 - Treasurer - Justin Bonnell, PLS

Our next meeting is scheduled for March 19th, 2024 at the La Plata County Clerk and Recorder's Office.

It has been my privilege to serve the SWC as President the last four years. It has truly been a fun and positive experience! I would like to thank the SWC Officers and the Membership for their support. I also want to extend my appreciation to Brian Boniface, Tim Barnett, Connor Mahoskey and Justin Bonnell for volunteering to serve as Officers and keeping the SWC going!

Todd C. Johnston, PLS
Outgoing President - SW Chapter PLSC

WESTERN COLORADO

WCLS finished up another year. I would like to thank our Officers Chris Ransier and Alex Lheritier, as well as all of our Board of Directors. It is greatly appreciated the time they put in for our profession. I enjoyed serving the WCLS Chapter. Our new President is Sean Mullen, Vice President David Holmes, and Secretary/Treasurer James Combs, with new Board of Directors Renee Parent and Kurt Shepherd. They are stepping in to carry on the Chapter.

We are seeing some younger Surveyors participating at the Chapter level and hope to see more. Attending our Chapter meetings over the years has helped me grow as a professional, create lifelong contacts, and friends that are always willing to help.

Brian K. Bowker
President WCLS

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Long-Range Ethics

By Hayley Young, PE & PLS (CO), LEED AP ND

Let us fully consider the implications of the first rule in our code of ethics:

I The General Public

A. Community Obligations – Surveyors have a duty to concern themselves with community improvements and to apply their special skills and knowledge for the benefit of fellow surveyors and for mankind.

1. Surveyors will incorporate in their activities prudent long range planning for the wellbeing of the community.

(Adopted 1978, Obtained from [https://www.plsc.net/docs/PLSC Code of Ethics.pdf](https://www.plsc.net/docs/PLSC_Code_of_Ethics.pdf), 2023)

This primary obligation in our code of ethics is a beautiful philosophy that seems largely forgotten. When we use the words “prudent long-range planning for the wellbeing of the community”, how do we apply this? If this guideline were fully adhered to, we would not have the severe climate predicament that threatens the possibility of long-range anything for future generations. Surveyors are incredibly critical to development and given this obligation, it is necessary for surveyors to consider the intent of the work that we perform. Much of surveying operates around defining boundaries. However, we must recognize that the land that we survey is much more than simply property and we are doing far more than defining boundary lines. We are responsible for how our clients and communities view the sections of Earth that we have the honor and privilege of portraying. As surveyors, we can help projects serve our communities and protect natural resources we depend on for survival, i.e., water and trees, by documenting those features.

At this point, it is important for all humans to participate in a logical vision of the future and find ways to shift our professions to serve that vision. This must include a multi-faceted approach, as many of the issues we face are deeply rooted in our economy and culture. For example, fossil fuels cause significant long-term damage, and it is an absolute fact at this point that humanity must transition if we expect any kind of “long-range” anything, but we cannot immediately cut off our dependence. Plans must be shifted to serve regenerative economics that would push a fully comprehensive plan to replace the energy demand with renewables progressively and prioritize community safety. Our

code of ethics calls us to this quest. The self-serving capitalism rampant in our world, exploiting resources and feeding a vision of excess and never having enough has left a large portion of humanity and the environment threatened. We have all been made servants to the economy in this system, thus land is reduced to property and that becomes the basis of our profession. Yet, our code of ethics asks us to be in service to life. What are the ways we can shift the hierarchy towards the purpose long-range wellbeing?

The concept of regenerative economics is embodied in works such as *A Finer Future*, *Active Hope*, *Living the 1.5 Degree Lifestyle*, *Emergent Strategy*, *Human Permaculture*, *Changemakers*, *The Transition Handbook*, and many others, as a solution to transition our entire economy, guiding with simple principles and universal laws found in nature. With millions of viable peer-reviewed sources documenting and attesting to the climate predicament humanity is facing, along with the “final warning” delivered by the world’s greatest scientists this year, and the staggering amount of climate-related death, we must accept the reality and responsibility of our interaction with our environment for the sake of the general public. Academics, scientists, and activists have provided ample solutions, but as individuals and professionals, we must hold ourselves accountable for the actions that we perform, the work we take part in, to ensure that our society and profession exists for future generations. We cannot exclude ourselves from the system that needs to change. While surveying is a profession that involves a great deal of tradition, and there are certain aspects that must be preserved, there is an underlying narrative that must shift for the sake of humankind.

Legally, companies are not required to give back to the regions that they develop for the sake of profit. Therefore, our ethical responsibility extends far beyond the requirements of legality to consider long-range planning and the benefit of mankind. As an engineer, I have always seen the critical importance of surveying. I wonder if surveyors consider the extent to which they define reality. Nothing can be built without surveyors first mapping/documenting the land to be developed, and then going back out to place designs on that land. If a surveyor chooses not to document a feature such as a tree, it doesn’t exist on paper, and its life and importance will not be considered. I obtained my surveyor’s license after six years working at a surveying firm that specializes in vertical residential services to accompany my engineering license and LEED accreditation, giving myself the authority to define what is important in

the world and translate my designs back into reality. Frankly, I want to go to the sites on which I design and document every tree, prairie dog mound, and fox hole so that we fully consider the boarder ecology of the landscape when we develop.

At the time of graduating with my master's in environmental engineering from Colorado School of Mines in 2013, well over 90% of the available jobs from environmental engineers were working for fossil fuel companies, helping them sign off and achieve bare minimum regulations for compliance. Accepting this type of position felt unethical as few, if any, of these companies have ever operated with basic laws of reciprocity, giving back to the system they take from. Symbiotic systems define the natural order of a self-organizing system, and deviation from that allows the unbalanced exploitation of resources that has driven this world to a state of crisis. While we must support ourselves and our families, long-range planning dictates that we must also prioritize protecting natural resources and people from potentially harmful development. We can encourage developers and jurisdictions to make sustainable decisions, walking the fine balance between ethics and necessity. By walking the Earth with attention

to its ecology and systems, we can provide a vision of the land that helps others develop current community needs in a way that doesn't harm sensitive resources with future scarcity such as water.

I invite this incredibly ethical community of surveyors to consider all that we can do and help transition a fragile civilization teetering on the brink of collapse into a resilient, regenerative system. It is important for our surveying community to take ethical accountability and be aware of green-washing, ethics-washing, the dangers involved with development, the environmental situation, and the shifts that we need as a society. Policy will need to be involved if industry is expected to shift current processes for the benefit of water resource allocation, and our communal voice is necessary to shift policy in favor of environmental-humanitarian efforts. We cannot separate ourselves from the system upon which we depend. We capture so much data of this Earth's surface and are intrinsically responsible for what is placed upon it and how it is viewed by others. Per our code, it is unethical to perform work for companies that exploit a community's resources and cause long-term damage, so we must incorporate ourselves into planning processes and ensure that development



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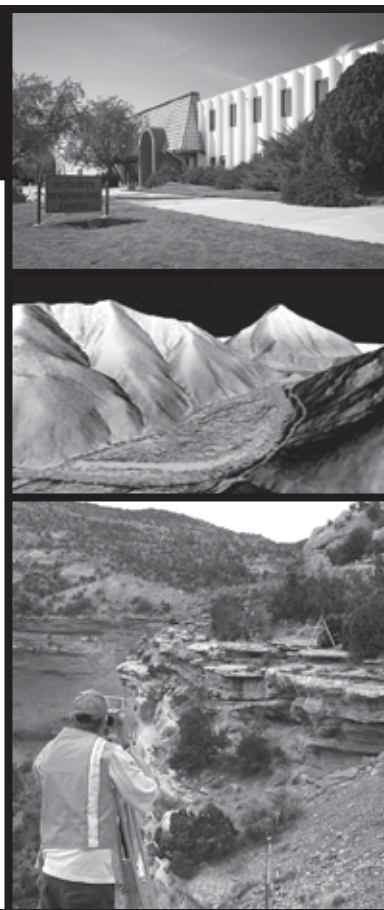
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serves a community benefit and not simply an economic demand.

Supporting a society that plans well for the future requires consideration of the process and not simply the “goal”/end game in how we conduct our lives, daily business, and professions. The principals of karma and energy are well researched and documented with a vast wealth of wisdom, and highly relate to the quantum physics revelation over a century ago that proved that the observer and the observed are intrinsically connected. In acknowledging this interplay of reality, we can apply this to how we survey, recognizing that we are responsible for the natural world that we document. Our profession is critical to determining land use claims and ownership. Historically, surveyors have been used as a tool to deny claims of Native communities, but I think it is important for our profession to consider how Native peoples considered themselves guardians of the land. Perhaps we can support protecting water through documenting potential cases where common law easement dedication may apply. This type of right may apply where we recognize water that may be used for drinking or crops that are unprotected and may be threatened by dangerous contaminants. Certainly, there are many unwritten rights that could have been applied for the sake of Native peoples throughout the history of the Americas, but can they be applied now

for the benefit of mankind, safety of our ecological resources, and wellbeing of our communities? All water is connected through the water cycle and complex integrated life-structure of this planet, so it is important for us to recognize arroyos, intermittent channels, and other less recognizable water features as being worthy of documentation. While it may not be within our scope to protect such features legally, they cannot be recognized for consideration without documentation.

I believe that making a stance as a professional society that development must have a long-term ethical purpose will help push policy in a sustainable direction. Though slavery used to be a crutch of our global economy, we were able to transition. We similarly need to embody and accept the need to transition away from practices and development causing great harm to public health, but this time hopefully without a civil war. I understand that fossil fuels are often pushed as a national security necessity. How many wars do we have to fight over oil, perpetuating the world’s dependency and the profits of fossil fuel companies, before we realize that not only are fossil fuels not necessary for survival, but they will force the collapse of our entire civilization? We are the stewards of this land, and we must utilize our knowledge and skill to protect it for the “benefit of fellow surveyors and for mankind” and “wellbeing of the community.”

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Education Program

Monday, March 25, 2024

8:00am-11:15am

Title Commitments and Reports: What's in Them and Why We Care - Wendy Lathrop, PLS (PT)

Project Management for Surveyors - Work Planning and Cost Estimation - Mary Helen Iverson (B/ST)

CST Prep Course Level 1 - Norman Ellerbrock and Trisha Lund, NSPS CST Board (TT)

1:15pm-4:30pm

Records Research: Paper vs. Ground Truth - Wendy Lathrop, PLS (PT)

Starting a Business without Capital AND Understanding Financial Statement for Better Business Decisions - SCORE Denver (B/ST)

CST Prep Course Level 2 and 3 - Steve Parker, CDOT; Brian Dennis; Galloway; and Mike Mincic, CSU Pueblo (TT)

Tuesday, March 26, 2024

8:00am-11:15am

Documentation: Self Defense for the Surveying Professional - Wendy Lathrop, PLS (PT)

In Search of the Baptiste Mineral Surveys - Linda Smith and David Dorsett, Montana PLS (VT)

Survey Best Practices for New Coordinate System/ GIS Best Practices for new coordinate system - John Hunter and Joey Stone, Denver Water (TT)

1:15pm-4:30pm

Working with Old Deeds and Descriptions - Wendy Lathrop, PLS (PT)

Railroad Surveys - A Discussion with THE Resource - Charlie Tucker, Farnsworth (VT)

Interpreting Construction Plans - TBD and Machine Control - Tony Gothart (TT)

PT=Professional Track; B/ST=Business/Software Track;
TT=Technical Track; VT=Vocational Track

Education Program

Wednesday, March 27, 2024

8:00am-11:15am

Water Law - Aaron Clay, Esq. (PT)

NSRS Maintenance and Modernization - Brian Shaw, NGS (GT)

Photogrammetry - Ahmed Alaksher, PhD, New Mexico State Univ. (TT)

1:15pm-4:30pm

Solve a Boundary Problem - Roger Nelson, Bohanan Huston (PT)

Colorado Case Studies Submitting GPS Surveys Using OPUS Projects - Brian Shaw, NGS (GT)

Drone Best Practices - Mike Haughey and Lee Burkhardt, Aerotas (TT)

Thursday, March 28, 2024

8:00am-11:15am

City/County Submissions: What you Need to Know - Cory Sharp, City of Colorado Springs; Dan Smith, City of Arvada; and Ralph Pettit, City and County of Denver (PT)

CFedS Class - Tasha Huhta, Sean Mullen, Katharine Singleton and Janet Wilkins, BLM (CFedS)

Traverse Adjustments & Statistics- Dane Courville, PLS, CDOT (TT)

1:15pm-4:30pm

DORA and the Sunset Review - Joyce Young, DORA; Steve Balcerovich and Kathleen Oatis, PLSC Lobbyists; and Scott Thompson, PLSC Legislative Committee Chair (PT)

CFedS Class - Tasha Huhta, Sean Mullen, Katharine Singleton and Janet Wilkins, BLM (CFedS)

Least Squares & Section 6 Calculations- Dane Courville, PLS, CDOT (TT)

PT=Professional Track; GT=Geodesy Track; TT=Technical Track; CFedS=CFedS Track (CFedS Class is an additional fee and includes CFedS CE Credit.)
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PLSC Scholarship Program

The Professional Land Surveyors of Colorado (PLSC) Articles of Incorporation objectives and purposes include the following two objectives: “To provide educational and instructional opportunities for those persons presently licensed as land surveyors within the State of Colorado, and for any other persons who are in any manner interested in learning of the profession of land surveying” and “To make donations for the public welfare or for charitable, scientific, or educational purposes, and in time of war, to make donations in aid of war activities.” The PLSC funds scholarships in keeping with these two objectives.

PLSC recently awarded the following scholarships to three very deserving students:

Jordan Johannes
Colorado Springs, CO

Gerald (Jerry) Runyan
Denver, CO

Chad Wester
Pagosa Springs, CO

The funds provided really do make a difference. Here is what one scholar said about the award he received:

It is an overwhelming honor to be awarded this scholarship from the PLSC. Having the feeling of such great support inspires me to continue on the challenging path to earning my Professional Land Surveying License. The PLSC not only provides financial scholarships for students, but they also provide great support with many other informative resources to help you along in the overall professional process. All you have to do is reach out! It is undoubtedly comforting to know that there is so much support out there for all of us that are looking to grow in this wonderful profession and the education that is becoming available is an encouraging factor letting us know that we are increasing the level of professionalism in our industry. That is what I want to be part of. An industry that sets high standards derived from higher levels of education and training that strengthens the professional fabric of our communities! Being awarded this scholarship has made me feel like there is a great community that I am part of, and I encourage anyone, at any stage in life, to pursue continuing education whether it is in the form of formal education or other forms of training to apply for these opportunities to help all of us reach our goals.

*All the best,
Chad Wester*

If you would like to donate, you can send your donations to
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Former El Paso County Surveyor G. Lawrence Burnett is honored with Final Point Marker Dedication

By Steven Parker, PLS

[July 21st, 2023] El Paso County Surveyor G. Lawrence Burnett was commemorated with a Final Point Marker in recognition of his many years of service to the community. Burnett was elected to three terms as the El Paso County Surveyor. Throughout his career, he made significant contributions to the growth and prosperity of El Paso County and the Pikes Peak region. His dedication as a public servant has not only shaped the area but also touched the lives of its residents. The Final Point Marker acknowledges the accomplishments of those who have served the surveyor profession with excellence and commitment. Members of the media and public were invited to attend this special event.

During the dedication Lawrences' sister and grandchildren got up and spoke of their memories of him as a surveyor as did the current El Paso County Surveyor, Richard Mariotti, and PLSC President Brian Dennis. Many other local surveyors who remember him attended the dedication, which was held at the location

of the final mark: the highest point of Yucca Flats in Palmer Park, Colorado Springs. The dedication was intimate and informal but well represented and highly complimentary of a life-time career characterized by attendees as "well done."

The final mark was a coordinated effort between the National Society of Professional Surveyors, Berntsen International, El Paso County Department of Public Works, El Paso County Parks and Recreation, the office of the El Paso County Surveyor, Colorado Department of Transportation, Professional Land Surveyors of Colorado, and Southern Colorado Professional Land Surveyors. The mark is a four-inch, custom bronze cap set on a thirty-inch concrete pillar and published using NOAA National Geodetic Survey, Online Positional User Service, OPUS Share Solutions.





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How to Research ROW in Adams County

By Ian Cortez, PLS, RWAAdams County Right of Way Supervisor

When trying to determine the ROW in Adams County, a person must look at the Adams County Assessor's Advanced Web Map. This GIS web map can be found under the "How Do I" drop down menu located near the top center of the Adams County website. Then, click on "Access Interactive Maps" under MAPS AND DATA. You will then enter the GIS INTERACTIVE MAPS webpage. Then click on the Advanced Web Map link. This will launch the Assessor's GIS mapping platform. Next, turn on the Township and Section sublayers under the Control layer, along with Subdivision and Parcel Linework sublayers under the Land Records layer. This aids me in determining whether the ROW was created by statutory or common law dedication. If statutorily, then one can obtain the name of the subdivision plat listed in the Identify or Inquiry button from the website. Then I type the name of the subdivision plat in the Clerk and Recorder's Records Search website and download a copy for my use.

If the ROW was dedicated or conveyed by common law, then I click on the adjacent land parcel to read the Assessor's legal description to see if recording information is referenced in the legal. If not, then I make a note of the recording information of the vesting deed and once again go the Clerk and Recorder's Records Search website to plug in the recording information of the deed. Hopefully, the legal description references the recording information of the conveyance.

Now for the County's little secret. Prior to GIS, previous ROW Supervisors created internal mapping from paper copies of the Assessor's quarter section mapping. As ROW was being conveyed to the County via deed, the ROW staff would hand draw the ROW parcel along with the recording information on the pertinent quarter section map. Additionally, a copy of the deed was stored in a Quarter Section File. In effort to reduce file space and adhering to the County's green initiative, the County has scanned the paper copies. These digital copies are not available to the public yet. But copies could be available upon request through the ROW Section of the Public Works Department.

Prior to the creation of the quarter section mapping, the County's Road Department created a County Road Book in 1908. This book identifies the location of all the road petition requested by the landowners of Arapahoe and Adams County in the late 1800s and early 1900s. These locations are shown on all 36 township maps. The road petitions are referenced by number only on each township map. Digital copies of these maps are available upon request through the ROW Section. Copies of the original road petitions are in the vault of the Adams County Clerk and Recorder's Office. Unfortunately, there are no digital copies of the road petitions at this time. One must obtain copies in person.

In 1902, Adams County was formed out of the middle portion of then Arapahoe County. At this creation date, a copy of the Arapahoe County Road Books with all the petitions approved by the Arapahoe County Board of County Commissioners was provided to Adams County. These books are referred to as the "A" Road Books. The books contain the petition number and the minutes of the Arapahoe County Board of County Commissioners meetings with the approvals of the road petitions. These books were scanned years ago but can only be viewed on microfilm. Copies of the microfilm can be made. Minutes and approvals of the road petitions approved by the Adams County Board of County Commissioners after 1902 are available. These minutes are located with the Commissioners' office. Copies can be requested of the ROW Section staff and made available.

To contact the ROW Section:
Ian Cortez
Right of Way Supervisor, Public Works
Adams County, Colorado
720-523-6875
publicworks@ascogov.org

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Private and Engineering Utility Locates

Junior-Senior Rights, Original Monumentation and the CCD (City and County of Denver) Range Points

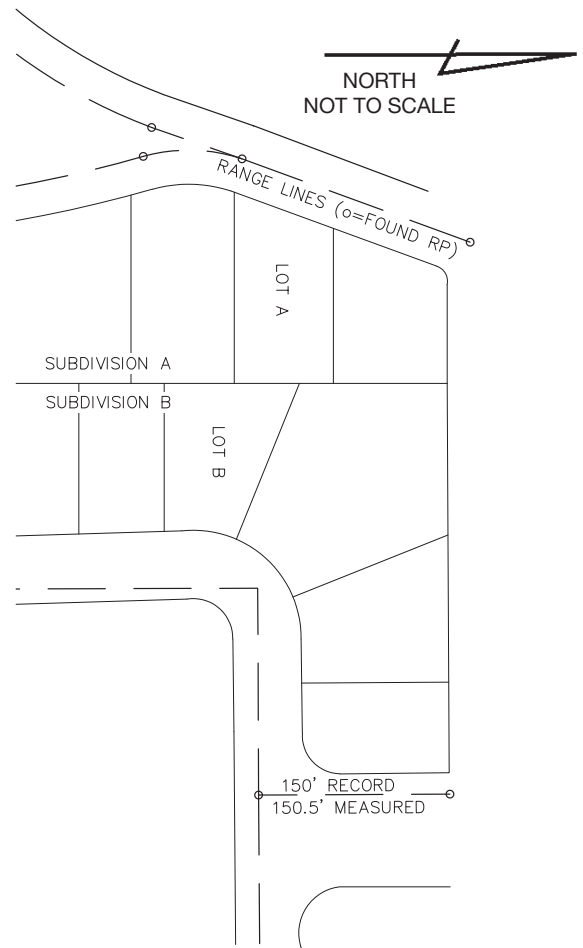
By Earl Henderson, PLS, Zenith Land Surveying, Inc.

This article is based on a recent situation I found myself in, and in which I learned a lot. Not surprisingly though, like most surveys, it comes down mostly to the history. As I often say, “You can’t be a good surveyor if you’re not a student of history.” I hope you learn something too.

Here’s the situation. There’s a dispute between two neighbors along their common line (what’s new right?). The common line is the back line of each lot. Lot A is in Subdivision A, the back line of which is the east line of Subdivision A. Lot B is in Subdivision B, the back line of which is the west line of Subdivision B. The east line of Subdivision A and the west line of Subdivision B are shown on the Subdivision B plat as being coincident. The east line of Subdivision A and the west line of Subdivision B have numerous other lots both north and south of Lots A & B. A pretty typical situation.

Subdivision A was platted in 1936 in the City and County of Denver (CCD) from a much larger tract of 100s of acres. Range points are indicated mostly along the centerlines of the roads. Subdivision B was platted in 1946 in the CCD from the remainder of the same tract that Subdivision A was created. Range points and lines are indicated, not along the centerlines of the roads, but that’s not unusual. Although Lots A & B share a common line, they do not share common corners along that line at either the north or south corners of either lot. Again, not too hard to imagine.

The biggest issue at hand is to determine where the common line is between Lots A & B. But we’re also tasked with doing a retracement survey of the entirety of both Lots A & B. Let’s start with the road ROW to the east of Lot B. According to the CDD and their range point policy, the original range point monuments have seniority over the original front corner monumentation in determining the ROW location *as long as the two types of monuments are in general conformance with each other*. I don’t agree with this policy, but that’s their policy. In my opinion, the original range point monuments and the original lot corner monuments are both original monuments set presumably simultaneously during a simultaneous conveyance and therefore carry equal seniority. I’m also not aware of any statute or case law that establishes this question one way or the other. But remember, the CCD policy is *as long as the two types of monuments are in general conformance with each other*. If they are not in general conformance, then the CCD policy is that the overall situation has to



be taken into account when making a determination about the ROW location.¹ For instance, in the case at hand, most range points in the vicinity of Lot B are no longer in place. The nearest pair found at both ends of a single range line measured 0.5’ different from the record distance between them, which is only ±150’ long, even though they both appear to be original monuments (square rods). That alone may be enough to determine the range points aren’t in general conformance with the lot corner original monuments. But to be fair, it’s important to compare the range points to the chiseled X’s and cut +’s² found as witness corner monuments,

¹The range point system was established to protect the property of the CCD, which is the ROW created when a subdivision plat is recorded.

²I’m distinguishing between chiseled X’s which are actually chiseled by hand and considered original monuments and cut +’s which are cut with a grinder and obviously not original monuments from 1936 or 1946.

in concrete, to the front lot corners. So, the million dollar decision is, do you hold the range points a good distance away from the subject property that don't agree with their record dimension and use the geometry to determine the ROW location, or do you hold the original lot corner monuments. My money is on the original lot corner monumentation, but that's just me, and that's just this situation. The point here is to provide you with some food for thought for your next survey in the CCD.

The ROW west of Lot A can be considered in the same fashion depending on what is found for range point monumentation, if the found range point monuments can be considered original¹, and how the original range point monuments compare with each other and the original lot corner monuments. There's obviously a lot to consider for the two ROWs, only some of which is the seniority of the monuments that are found and the seniority (or not) of the range point monuments to the lot corner monuments.

Now let's shift to the issue between the neighbors at the back line between Lots A & B. First, to simply establish the back line of Lot B from the found range points in Subdivision B is completely inappropriate, even if your decision to establish the ROW in Subdivision B was based solely on the found original range point monuments. The primary purpose of the range points

is to maintain the ROW, not the lot lines or perimeter boundary lines of a subdivision. It would be equally inappropriate to establish the back line of Lot B from the original chiseled X witness corner monuments found at the front of Lot B. Remember, the two subdivisions were created from a common property (grantor). The back (east) line of Lot A, and for that matter the entire east line of Subdivision A, has seniority over any and all lines in Subdivision B based on the fact that both subdivisions were created from the same parent parcel and Subdivision A was created first, 10 years prior to Subdivision B, thereby giving Subdivision A seniority over any portion of Subdivision B. Therefore, when determining the location of the west line of Lot B, deference has to be given to the east line of Subdivision A by hopefully finding original monumentation somewhere along the east line of Subdivision A. Once the original east line of Subdivision A is determined, the back corners of Lot B can be established on that line, regardless of any dimensional calculations relative to Lot B that place the back corners off that line.

I hope this illustrates the importance of knowing the history of the properties you're surveying and the monuments you're finding especially for two subdivisions that abut each other.

Be safe out there.

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Monument Records Review

Written by Kayce D. W. Keane for and on behalf of DORA AES Board

Oct 13, 2023. The importance of monument records and federal corners is not lost on any land surveyor. We rely on these markers and their respective monument records regularly in the course of your work. This article is going to highlight the requirement and importance of recovering/establishing these markers and filing your monument records.

The Department of Regulatory Agencies, Board of Licensure for Architects, Professional Engineers, and Professional Land Surveyors (AES Board) is charged with helping to safeguard the public. It won't surprise you to learn that the Board understands the importance of recovering/establishing and updating the Monument Records as they benefit the public. With that lens, failure to meet Colorado Revised Statute (statute/CRS) and Board Bylaws and Rules (bylaws), is taken very seriously by the Board. Failing to set/upgrade critical monuments and file the Monument Records as statute/bylaws outline, is a direct harm to the public (and your fellow land surveyor).

What corners require Monument Records?

Consider section 38-53-104, C.R.S. which outlines when the submission of monument records is required.

"If a professional land surveyor conducts a survey that used any monument representing a public land survey monument (PLSM) location... as defined by the ...public land survey system...monument as a control corner, the professional land surveyor shall submit a monument record describing such monument with the board if the monument and its accessories are not substantially described in a n existing monument record previously submitted..." (select language intentionally removed for brevity).

It states monument records on monuments representing public land survey monument location, quarter corners, sixteenth corners, GLO/BLM lot corners are subject to the above requirement. The definition of a "public land survey monument" is defined by section 38-53-103(18), C.R.S. as being "...any land boundary monument established on the ground by a cadastral survey of the United States government, or any mineral survey monument established by a United States mineral surveyor and made part of the United States Public land records". If your controlling corner monument and/or its accessories are not current or substantially described in existing monument record previously submitted, you are required to file a monument record

If you establish, restore, or rehabilitate any public survey monument (as described above) you must submit a monument record.

Section breakdowns of less than sixteenth corners (e.g. sixty-fourth corners) do not require monument records. However, should you be so inclined, PLSs are permitted to file a monument record on any monument (e.g. sixty-fourth corners, intersection pins, etc.) per section 38-53-108, C.R.S.

At least two accessories or reference points must be referenced on any monument record submitted.

What are the physical requirements of set markers?

Set PLSM (per bylaw 1.6(D)) shall be monumented with a metallic pipe or rod possessing a magnetic field and having a minimum outside diameter of 3/4", a minimum length of 30 inches and a two-inch minimum diameter durable metallic cap.

When does a federal corner have to be established or upgraded (see bylaws section 1.6(D))?

- If the monument and its accessories are not substantially in agreement with the monument record.
- The control corner is not extant, but a location is established for the survey, the PLS must set a marker and file a monument record (see section 38-53-104(1)(b), C.R.S.).
- If the federal monument is less than a 5/8" in diameter, the PLS is required to upgrade to a 3/4" diameter (minimum) ferrous monument with a two-inch minimum diameter durable metallic cap.
- If the monument has no cap or a cap with less than one and a half (1.5) inches
- Accessories are not substantially described.
- If your monument is in a roadway, with asphalt greater than two inches, you're required to install a monument box.

When do you have to file a Monument Record?

Per section 38-53-104, C.R.S., should you upgrade or establish a PLSM, you are required to file a monument record.

How long do you have to file your Monument Record?

As you well know, there are two dates on the Monument Record template provided by the State. Date (a), as shown on said template, is for the date that you established, rehabilitated, or upgraded. Date (b) is the date of your survey. Your submitted monument record needs to be less than 6 (six) months from Date (a) and (b).

How are federal corners to be stamped?

Per bylaws section 1.6(D)(3), you are to follow the

BLM manual for stamping federal corners (and sixteenth corners).

Markers in rock outcrops, concrete and concrete posts shall have a durable metallic disk not less than two inches in diameter on a stem not less than three inches long .

Final notes on Monument Records:

When setting federal corners/sixteenth corners, you are required to follow the Bureau of Land Management (BLM) 2009 Manual for proper stamping.

YOU DO NOT have to upgrade the PLSM if it is original, exists in its original set location, is durable, and is readily identifiable.

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WFPS REPORT

Highlights from the Western States

The Western Federation of Professional Surveyors (WFPS) held a Board of Directors meeting on October 20, 2023 in Las Vegas, Nevada.

ALASKA (ASPLS) Gary Gervelis – ASPLS Conference will be held February 22-24, 2024 in Anchorage. More information about APLS can be found on their website AlaskaPLS.org

ARIZONA (APLS) Mike Fondren – Current membership is 386. APLS fall seminar and member appreciation event will be held October 27th in Phoenix. APLS is currently revising bylaws in order to allow the Young Surveyors Network to become an official Chapter of APLS. In addition, the composition of the Board will change adding the WFPS and NSPS Directors as voting members of the Board of Directors. The Officers of the Association will also be elected from the general membership instead of by the Board of Directors. More information about APLS can be found on their website AzPLS.org

CALIFORNIA (CLSA) Kevin Nehring & Joe Padilla - CLSA has outsourced the production of their magazine to Naylor Publishing. Their legislative committee has been busy tracking nearly 50 bills. Legislation passed that will add a \$75 fee per recorded survey statewide. More information about CLSA can be found on their website CaliforniaSurveyors.org

COLORADO (PLSC) Todd Beers – Current membership is 388. PLSC continues to actively participate in Quality Based Selection (QBS) meetings. PLSC plans to introduce legislation for mandatory continuing education. Additional legislation being considered includes a requirement to reference the current deed on a Land Survey Plat and the removal of “underground utilities and tunnels” from the description of the Improvement Survey Plat. There are currently 123 students at the Colorado Mesa University/Colorado Community College program. PLSC has been providing presentations to real estate and title companies to educate them on the differences between the various types of surveys. The Annual Rocky Mountain Survey Summit will be held March 25-28, 2024. More information about PLSC can be found on their website PLSC.net

HAWAII (HLSA) Alike Garo – More information about HLSA can be found on their website HLSA.hawaii.org

IDAHO (ISPLS) Austin Ishino – Current membership 243. The 2024 ISPLS Conference will be held at the Shoshone Bannock Hotel in Fort Hall, Idaho on

February 27th – March 1st. ISPLS distributed \$15,000 in scholarships to seven students. More information about ISPLS can be found on their new website IdahoPLS.org

MONTANA (MARLS) Russ Kluesner and Dick Smith – Flathead Valley Community College is currently searching for a professor. MARLS is currently working on updating their bylaws. The Surveyor Assistance Fund has been renamed More information can be found on their website MARLS.com

NEVADA (NALS) Trent Keenan & Greg Phillips – Current membership is 284. Great Basin College is back in session and the College of Southern Nevada (CSN) is scheduled begin its land surveying degree program in fall 2024. NALS continues to publish, print, and mail four issues a year of the Nevada Traverse. NALS is celebrating their 50-year anniversary. As part of the celebration, NALS has established the geographic center of Nevada. A record of survey has been filed and the monument will be set on November 2nd. NALS continues to focus on outreach and has participated in multiple job fairs, STEM fairs, and career technical education (CTE) events this year. More information about NALS can be found on their website NvLandSurveyors.org

NEW MEXICO (NMPS) Roxanne Nimmer & Diego Sisneros – More information about NMPS can be found on their website NMPS.org

UTAH (UCLS) Mike Nadeau – Current membership is 335. UCLS 2024 Conference will be in St. George Feb. 21-23, 2024. UCLS has increased their outreach efforts but participating in STEM events. More information about UCLS can be found on their website UCLS.org

WASHINGTON (LSAW) Ben Petersen and Desi Schilling – Current membership is 845, an increase over last quarter. The LSAW fall seminar will be held November 3rd in Vancouver, WA. The 2024 Conference will be held at the Tulalip Resort & Casino on February 28th – March 1. LSAW continues to publish the Evergreen State Surveyor magazine in both print and digital formats. LSAW is considering hosting an in-state Lobby Day. One of the Land Surveyor Members of the Board of Registration will have expired their term in July 2024. LSAW is currently promoting the position and upon request will consider endorsement of a candidate. An additional \$100 was added to recording fees for homeless services. More information about LSAW can be found on their website LSAW.org

WYOMING (PLSW) John Lee – Current membership is 121. PLSW will hold a fall forum in November featuring Wendy Lathrop. A trespass case has moved to federal courts. Information about PLSW can be found on their website PLSW.org

manual. The program not only helps to bring affordable study resources to future Surveyors but also generates revenue for our state association members. To date, WFPS shared over \$4000 in profits with our state association members. Information on the program can be found at WFPS.org

Mark Your Calendar!
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PLSeducation.org

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We are pleased to announce that the Arizona Professional Land Surveyors (APLS), California Land Surveyors Association (CLSA), Nevada Association of Land Surveyors (NALS), New Mexico Professional Surveyors (NMPS), Professional Land Surveyors of Wyoming (PLSW), and the Western Federation of Professional Surveyors (WFPS) will be hosting the Western Regional Survey Conference in Las Vegas on March 23-26, 2024.

WFPS has captured over 18 hours of webinars with respected speaker Steve Parrish. The webinars are available to purchase as a full library or as individual modules. For those that require certificate of completion for continuing education, exams are available. Please check with your state licensing board to confirm that continuing education credit for self-study webinars. Information on the program can be found at WFPS.org

WESTFED EDITOR'S FORUM

Featured speakers include:
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WFPS continues to host an Editors Forum to share information and exchange ideas for building better magazines. For information, please email the WFPS Executive Office at admin@wfps.org

Respectfully Submitted,
Todd Beers, PLS WFPS Director

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December 7, 2023

Steven Parker and Laine Landau, Side Shots Co-Editors
PO Box 441069
Aurora, Colorado 80044

Dear Mr. Parker and Ms. Landau:

This letter informs you of official BLM cadastral surveys in Colorado that have been accepted from July 14, 2023, through October 3, 2023, officially filed, and are now available in the Public Room, Bureau of Land Management, Colorado State Office, Denver Federal Center, Building 1A, Lakewood, Colorado 80215. The surveys will also be available at <https://glorerecords.blm.gov>.

The accepted surveys are listed below by township, range, meridian, group number, type, acceptance date and number of plats.

<u>Township</u>	<u>Range</u>	<u>Meridian</u>	<u>Group No.</u>	<u>Type</u>	<u>Accepted</u>	<u>Plats</u>
T. 7 N.	R. 71 W.	Sixth	1780	Plat & Notes	07/14/23	1
T. 23 S.	R. 44 W.	Sixth	1767	Plat & Notes	08/24/23	1
T. 16 S.	R. 71 W.	Sixth	1760	Plat & Notes	09/25/23	2
T. 19 S.	R. 73 W.	Sixth	1716	Plat & Notes	09/28/23	1
T. 12 S.	R. 73 W.	Sixth	1753	Plat & Notes	10/03/23	1

As other surveys are completed, I will advise you of their acceptance. You may circulate this letter among the membership of the Professional Land Surveyors of Colorado.

Sincerely,

David W. Ginther
Chief Cadastral Surveyor for Colorado

Digitally signed by
DAVID GINTHER
Date: 2023.12.07
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