



Institutional Affiliate of American
Congress on Surveying and
Mapping

The California Surveyor

THE VOICE OF THE LAND SURVEYORS OF CALIFORNIA

NO. 50

SPRING EDITION

1978

OCCUPATIONS IN ARCHITECTURE, ENGINEERING, AND SURVEYING

By: Donald E. Bender, L.S.

This article has been prepared for publication in the ASCM Bulletin. It is re-published here to report on one of the diverse activities of CLSA. Many of the changes in the New Dictionary of Occupational Titles are direct result of CLSA's active consultation with the U.S. Department of Labor since early 1974. The new definition of "Land Surveyor" is the result of personal interviews in California. The "Manager, land surveying" definition is the direct result of our 1975 convention in Los Angeles and of follow up interviews with two prominent private practice land surveyors in Orange County. CLSA is making things happen.

Publication of the fourth edition of the Dictionary of Occupational Titles (D.O.T.) by the United States Department of Labor in late 1977 has shed welcome light on the relationship of surveying to other related professions. A two-digit occupation division titled (00/01). Occupations in Architecture, Engineering, and Surveying has been included within the Professional, Technical, and Managerial Occupations category. The division title places surveying as an occupational group on a par with architecture and engineering.

The 00/01 division occupations are prefaced with the following statement: "This division includes occupations concerned with the practical application of physical laws and principles of engineering and/or architecture for the development and utilization of machines, materials, instruments, structures, processes, and services. Typical specializations are research, design, construction, testing, procurement, production, operations, and sales. Also includes preparation of drawings, specifications, and cost estimates, and participation in verification tests."

The occupational groups reported within the 00/01 Oc-

cupations in Architecture, Engineering, and Surveying division are:

- 001 Architectural occupations
- 002 Aeronautical engineering occupations
- 003 Electrical/electronic engineering occupations
- 005 Civil engineering occupations
- 006 Ceramic engineering occupations
- 007 Mechanical engineering occupations
- 008 Chemical engineering occupations
- 010 Mining and petroleum engineering occupations
- 011 Metallurgy and metallurgical engineering occupations
- 012 Industrial engineering occupations
- 013 Agricultural engineering occupations
- 014 Marine engineering occupations
- 015 Nuclear engineering occupations
- 017 Drafters, n.e.c.
- 018 Surveying/cartographic occupations
- 019 Occupations in architecture, engineering, and surveying, n.e.c.

The 018 Surveying/cartographic occupations group reports and defines the following occupations:

- 018.131—010 Supervisor, Cartography
- 018.167—010 Chief of Party
- 018.167—014 Geodetic Computer; computer; topographic computer
- 018.167—018 Land Surveyor
- 018.167—022 Manager, Land Surveying
- 018.167—026 Photogrammetric Engineer
- 018.167—030 Supervisor, Mapping
- 018.167—034 Surveyor Assistant, Instruments
- 018.167—038 Surveyor, Geodetic
- 018.167—042 Surveyor, Geophysical Prospecting
- 018.167—046 Surveyor, Marine; surveyor, hydrographic
- 018.167—050 Surveyor, Mine

(Cont. on Page 16)

CALIFORNIA LAND SURVEYORS ASSOCIATION

HEADQUARTERS: P.O. BOX 7400

SANTA ROSA, CA 95401

TELEPHONE: 707-526-2572

The California Surveyor

is the quarterly publication of The California Land Surveyors Association and is published as a service to the Land Surveying profession of California. It is mailed to all Licensed Land Surveyors and Land Surveyors in Training in the state of California as well as to all members of California Land Surveyors Association. The California Surveyor is an open forum for all surveyors, with an editorial policy predicated on the preamble to the constitution of the California Land Surveyors Association and its stated aims and objectives, which read:

“Recognizing that the true merit of a profession is determined by the value of its services to society, the ‘California Land Surveyors Association’ does hereby dedicate itself to the promotion and protection of the profession of Land Surveying as a social and economic influence vital to the welfare of society, community, and state.”

“The purpose of this organization is to promote the common good and welfare of its members in their activities in the profession of Land Surveying, to promote and maintain the highest possible standards of professional ethics and practices, to promote professional uniformity, to promote public faith and dependence in the Land Surveyors and their work.”

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Commercial advertising is accepted by “The California Surveyor” and advertising rates and information can be obtained by contacting the Editor, P.O. Box 3707, Hayward, CA 94540.

Classified advertising is published at the rate of \$2 per line for members of C.L.S.A. and \$4 per line for non-members and should also be directed to the Editor of “The California Surveyor.”

Sustaining Membership

Membership in the California Land Surveyors Association as a sustaining member is open to any individual, company or corporation who, by their interest in the Land Surveying profession, is desirous of supporting the purposes and objectives of this association. For information regarding sustaining membership, contact the Editor of “The California Surveyor.”

Editorial Material

All articles, reports, letters and contributions are accepted and will be considered for publication regardless of the author's affiliation with the California Land Surveyors Association. Material should be sent to “The California Surveyor,” P.O. Box 3707, Hayward, California 94540.

EDITOR: Michael S. McKissick, L.S.

P.O. Box 3707

Hayward, CA 94540

Phone 415-581-1070

CALIFORNIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS

Written Examination Schedule

1978

Examination Dates

*Final Filing Dates

Land Surveyor-in-Training — LSIT

November 4, 1978

August 14, 1978

****Land Surveyor — LS**

November 4, 1978

July 10, 1978

*Applications filed after the final filing date specified will be considered for the following examination.

**Until further notice, these exams will be given only once a year.

DEADLINE DATES FOR THE CALIFORNIA SURVEYOR

SUMMERMAY 19, 1978

FALLAUGUST 18, 1978

Articles, Reports, Letters, etc., received after the above mentioned date will be placed in the next edition.

Editor



We Are Proud To Announce...

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THE APPOINTMENT OF KEUFFEL & ESSER COMPANY AS THE EXCLUSIVE DISTRIBUTOR FOR THE SURVEY 31 COMPUTER. Due to K&E's long established and world-wide reputation for quality surveying products, we could hardly ask for a more appropriate distributor. And, we hope that you too will also be pleased by having the local representation provided by K&E.

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SURVEYORS FORM HISTORICAL SOCIETY

UZES Named Chairman

F.D. Uzes was named first chairman of the Surveyors Historical Society at the trustees meeting held on October 4, 1977 at the Berkeley Marriott Hotel.

Uzes, an eminent survey historian, is author of the recently published book "Chaining the Land — A History of Surveying in California." He is supervisor of the boundary determination activities in the California State Lands Commission and has been directly responsible for all surveying and mapping phases in several landmark boundary lawsuits where historical events have played prominent roles.

Uzes has been a collector of old surveying books and maps for many years and has recently become interested in collecting survey instruments and in analyzing 19th Century surveys.

First Meeting Held

On October 19, 1977, Michael K. Welch and Robert W. Curtis took a giant step forward in their long desire to establish a historical society for surveyors. They rounded up a group of men known to have an interest in surveying history and artifacts. Once together in a room, their excitement was contagious and the "Surveyors Historical Society" was instituted and an interim Board of Trustees was selected to recruit membership and perform other essential business to get incorporated as a non-profit organization.

Welch, a resident of Santa Maria, said that the trustees would act as a Steering Committee until the organization is firmly established. He said the committee would also be responsible for drafting some initial objectives and by-laws.

Robert Curtis points out that many valuable notes, maps and other important material valuable to surveyors slips out of sight simply because no one knows what to do with it or where to put it. He hopes one of the aims of the society will be to find a home for these items and to make them available to surveyors and scholars.

The first order of business was to set up two classes of membership. Charter memberships are limited to 100 at \$100 each. Contributing memberships are \$20. Annual dues and classes of memberships will be established by the trustees at forthcoming sessions.

A MESSAGE FROM THE CHAIRMAN OF THE SURVEYORS HISTORICAL SOCIETY

In these days of rapid technological developments in the field of surveying instruments, we are often guilty of over-emphasizing the new and neglecting our past. While surveying history to date has not aroused an interest and following, as have such callings as gold mining or railroading, it has nonetheless substantially contributed to the development of modern civilization. Its origin dates back to ancient times, and lists of former practitioners include names of

many distinguished scholars, statesmen and scientists.

The Surveyor's Historical Society will work to preserve the historical source materials upon which the modern land patterns have evolved. It will serve as a clearinghouse for old surveying materials, maps, field notes, and instruments, and will attempt to enhance the status of surveying in the professional community by arousing public interest in our heritage.

I invite all individuals with interests in the fields of historical technology, pioneering, community development, or just a pride in surveying, to join with others eager to preserve and publicize their legacy.

F.D. Uzes

Membership in Surveyor's Historical Society is open to any interested in history of surveying. At the present time memberships are available in two categories. Contributing memberships are available for \$20 and Charter memberships for \$100. Only 100 Charter memberships are available and are on first come basis. To enroll, fill in the application below or send information to **Roy Minick, Membership Chairman**, 10324 Newton Way, Rancho Cordova, CA 95670 or to **Donald Foley, PG&E, Land Department Rm. # 1131-C, 77 Beale Street, San Francisco, CA 94106.**

_____ Enroll me as a Charter member of the Surveyor's Historical Society. Enclosed is \$100 membership fee and I understand that if I am not among the first 100 enrollees, my money will be refunded.

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These dues cover first year annual dues. All dues are anticipated as \$20 for next year.

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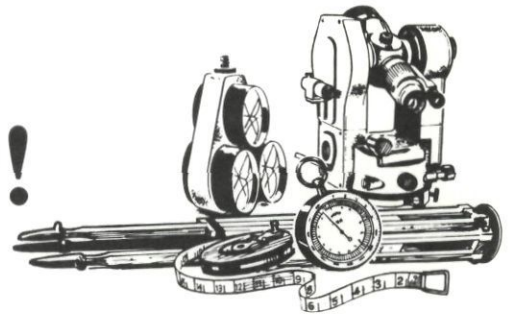
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Cubic DM-40 Autotape with Two Responders	300.00	150.00	100.00
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*Lietz B2-A Engineers Automatic Level	4.50	2.70	1.80
*Lietz C3-A Engineers Automatic Level	3.25	1.95	1.30
*Lietz B-4 Contractors Automatic Level	2.50	1.50	1.00
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LAND SURVEYOR FOUND GUILTY OF PRACTICING CIVIL ENGINEERING BY WRITING FEASIBILITY STUDY IN CONNECTION WITH A PROPOSED SUBDIVISION

by Joseph J. Scherf, L.S.

In a recent decision, the Board of Registration for Professional Engineers, after a hearing before an Administrative Law Judge in Redding, found that "In preparing the feasibility study for submitting to his client and accepting payment for the preparation thereof, Respondent engaged in the practice of civil engineering, conduct not authorized by his land surveyor license." And further that "Respondent has committed acts contrary to the scope of permitted activity as set forth in sections 8726 and 8728, Business and Professions Code, constituting cause for disciplinary action under section 8780(c), Business and Professions Code."

CLSA believes the decision is in error, both in fact and law, in that the alleged conduct of Respondent did not constitute practice of engineering as the same is defined by the California Business and Professions Code, and by reason of common usage and practice among engineers and surveyors.

CLSA would like to have its members notify headquarters whenever any licensed land surveyor is being investigated by the Board of Registration for writing feasibility reports in connection with proposed divisions of land.

A.C.S.M.

LAND SURVEYS DIVISION

You may already be aware that the new Land Surveys Division (LSD) bylaws, which take effect following the 1978 Spring Convention, will do away with the Council for sections and Affiliates as a LSD committee.

Every ACSM Section and Affiliate is being invited by this memorandum to become a LSD Participating Organization (PO) and take part in the affairs of the Division.

Those Sections and Affiliates which approve of participation in LSD will incur certain obligations to the LSD Board; the LSD Board will likewise incur obligations to the PO.

LSD Board obligations to PO:

1. Give priority to PO requests for speakers and/or programs.
2. Assist the PO in problem areas such as communications with ACSM staff and/or officers.
3. Give all PO proposals a full and impartial hearing.
4. Distribute committee reports dealing with professional or technical matters to the PO for their comments before acting on such standards.
5. Accept and distribute reports of the PO.

PO obligations to the LSD Board:

(CONT. ON PAGE 17)

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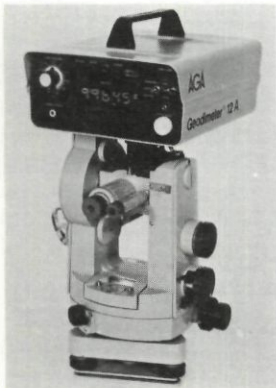
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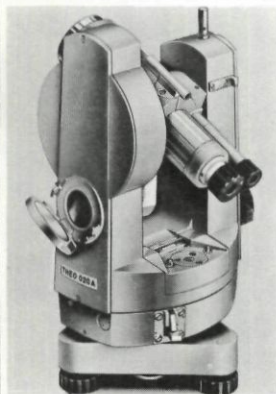
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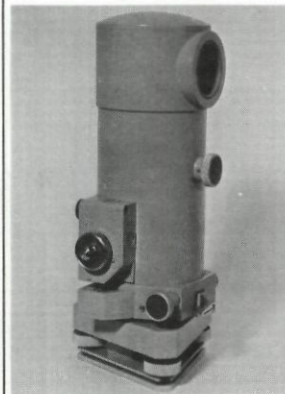
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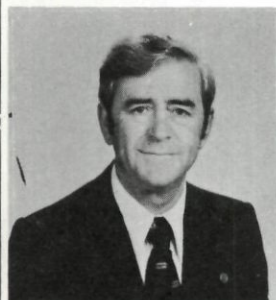
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CHAPTER NEWS

Sonoma County Chapter

The January meeting of the Sonoma county Chapter of the California Land Surveyors Association was held January 18, 1978. The meeting was called to order by John Doble. With the absence of Pat O'Conner and Dan Canet, Howard Brunner carried the Map Review Committee report into discussion. The two situations under review for possible violations of the Land Surveyors Act and the Subdivision Map Act were addressed and the Committee was directed to pursue the inquiry. As its Chairman, his expression of the Map Review Committee position on the Filing of Maps served to signify this Committee's existence for at least another year.

The Real Estate Liaison Committee blamed its lack of a December meeting on the Christmas Holidays and Doan Heryford. Christmas was expected, but the illness and hospitalization of the Chairman dimmed our effort to gather. As a result, a portion of the Chapter meeting was utilized to fill the gap. Ideas were tossed around the entire table and the next hour gave way to round-the-room discussion of the type of program the Chapter wants to present; - and to whom. Basic agreement indicated that the program should be presented in phases to those who purchase our services on a somewhat regular basis and to those who could stand to appreciate more fully the complexities of Land Surveying, Mapping, State Law, State Law interpretation, the different levels of State Law interpretation, the different interpretations of State Law, and the Law of Interpretation mapped by Land Surveying. . . . Bob Curtis mentioned approach by members of the Title Company and Real Estate industries for just such a program, and he furnished details of the upcoming presentations scheduled next month in Healdsburg. They will be presentations of two hours each, one presentation per week, for four weeks. Scheduled for presentation are the relative to land division concerns of the Land Surveyor, Engineer, Geologist, Archeologist, and Planner; one of each will speak to his specialty — from division application to parcel creation. John Doble voiced concern for presenting behind-the-scenes reality to the question of ". . . why do Surveys cost so much?" Does the client realize the extent of the painstaking and, sometimes fruitless search for just a little more acceptable evidence? Does he see our hours of tedious tracking in the Public Record? Is he aware of the costs incurred in the fulfillment of Government regulation and opinion?

Feather River/Northern Counties Chapter

The Feather River/Northern Counties Chapter of C.L.S.A. has installed the following officers and committee chairmen: Thiel Lippincott, President; William C. Johnson, Vice-President; Margaret Harp, Secretary; Gary Lippincott, Chapter Representative; Gary Lippincott, Newsletter Editor; Jack Ashbaugh, Bill Mooney and Margaret Harp, Publicity; Gary Lippincott, Education; Ken Burton and Gary Lippincott, Legislative; Jerry White, Liaison; Everett Hubbard, Bill Leddy, Max Albert, John Hamby and Chuck Harris, Membership; Bill Mooney, Representative of Affiliate Members; Bill Johnson, Social and Program.

The 1978 Goal of Activities have been programmed around the Continuing Education of the Surveyor and their Technicians. A

surveying problem will be presented at each meeting for discussion and analization besides the program for the evening.

A representative of the State Division of Real Estate will present requirements relating to their Division at the February meeting and a combined meeting with the Glenn County Realtors Association and Title Companies will be held at the March meeting. Anyone interested in attending the meetings are welcome and further information can be obtained by contacting Margaret Harp, 124 Fourth St., Orland, Ca., 95963.

The chapter has added a Technicians Seminar to their Annual programming. The 1978 Technicians Seminar will be held on May 20, 1978 in Red Bluff, Ca.

Meetings are held the last Wednesday of each month, should anyone desire to attend any of the meetings please contact margaret Harp for further information. We grow through the sharing of experiences.

The Feather River/Northern Counties Chapter would like to share their experiences with other Members and Chapters.

Through the great effort expended by the Chapter members and guest speakers in preparing their Annual Conferences, the Chapter has been able to provide two services of appreciation to its members. The State Map Act was purchased and given to each member. Upon payment of their annual dues, and a Technicians Seminar was presented to further the education of its present and future members.

The Technicians Seminar was requested by many members and led to very articulate discussions among those present. The discussions led to the many ways of interpreting various field problems. Many members realize that the transition from text to field practice has many Knocks of Knowledge and that the "Sharing of Experiences" does indeed help to make the road a little smoother.

Another enlightening meeting was entitled "the Trail of the Parcel Map thru the Eyes of the Client". This meeting was organized thru the efforts of Mr. William C. Johnson of Red Bluff. A joint meeting was held with the Tehama County Realtors Association. Speakers were from the Red Bluff office of Title Insurance and Trust Company, Tehama County Departments of Health, Planning and Public Works together with a local realtor and Bill Johnson, a local Surveyor. The necessity of team work was proven to be the greatest asset that we can offer our clients and the public to promote organized development and progress in the most efficient manner. Another joint meeting is felt to be beneficial and is so planned.

The activity year was climaxed by Mr. Walter G. Robillard's Seminar on Boundaries at the 4th Annual Conference.

May 31, 1978	Chico
June 18, 1978	Willows
July 30, 1978	Annual Picnic
August 30, 1978	Redding
September 27, 1978	Red Bluff
November 4, 1978	Chico — Annual Conference
December 2, 1978	Red Bluff — Election and Installation of Officers

(CONT. ON PAGE 20)

The Kern DM 501 Survey System

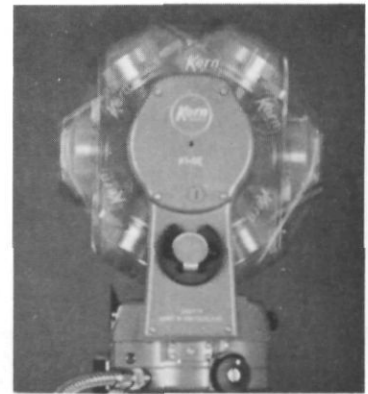
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NOTICE AFFORDED BY RECORD OF SURVEY MAPS IN CALIFORNIA

by Neil J. Cummins, Jr.
March 19, 1977

INTRODUCTION

California's Land Surveyors Act¹ provides for the preparation and filing of maps and other documents² under specified circumstances following either a retracement or original survey of the boundaries of real property. These documents contain much valuable information regarding the location of real property boundaries,³ but are not as readily available to third parties as most other documents affecting the title to real property. This paper will focus on the notice afforded third parties, particularly purchasers, by the filing of a Record of Survey map pursuant to the provisions of California Business and Professions Code, Section 8762. Subdivision and parcel maps, although required to comply with the technical provisions of the Land Surveyors Act,⁴ are not considered because they generally enter the chain of title by reference in the initial conveyance of the created parcels.⁵ Record of Survey maps (hereinafter Records of Survey) differ in that they are prepared at the request of any person having any right or interest in the land being surveyed, or under certain circumstances, no right in the land at all.⁶

What is a Record of Survey?

California's Business and Professions Code, Section 8762, requires a Record of Survey to be filed in the following circumstances:

Within 90 days after the establishment of points or lines the licensed land surveyor or registered surveyor in the county in which the survey was made, a record of such survey relating to land boundaries or property lines, which discloses:

- (a) Material evidence or physical change, which in whole or in part does not appear on any map or record previously recorded or filed in the office of the county recorder, county clerk, municipal or county surveying department or in the records of the Bureau of Land Management of the United States.
- (b) A material discrepancy with such record.
- (c) Evidence that, by reasonable analysis, might result in alternate positions of lines or points.
- (d) The establishment of one or more lines not shown on any such map, the positions of which are not ascertainable from an inspection of such record of survey filed with the county surveyor shall after being examined by him be filed with the county recorder.

Obviously, a map filed pursuant to subsection (b) or (c) directly affects the future utilization of the parcel and is of particular interest to a purchaser of the real property.

It should be noted that a Record of Survey does not affect the record title to property — its function is limited to a full presentation of the facts as the surveyor finds them. Normally, the surveyor will advocate a position for the lines surveyed and disclose conflicting evidence found by note on the map; however, in extreme cases, the surveyor may not adopt any position for the lines in question and will limit his findings to a presentation of the

evidence found. Where strongly conflicting evidence is found, the county surveyor will often place a note on the map drawing attention to the fact pursuant to California Business and Professions Code, Section 8768. A Record of Survey's effect is on the location of real property, as opposed to title. In the case of a Record of Survey showing an alternative position of lines, the filing of the Record of Survey is merely a disclosure of the problem, even though the surveyor may have shown a solution which in his opinion is correct.

The effect on the marketability of the record title, however, may be pronounced. Normally the effect of a Record of Survey showing conflicting positions is most harmful to the purchaser of land for development, who must properly establish the exterior boundaries of his property in order to subdivide the interior. Also such a survey is potentially harmful to an occupier of land who constructs improvements within the area of conflict without a notice of the survey.

Does a Record of Survey afford constructive notice?

A Record of Survey is not necessarily made at the request of a person having any interest in the property surveyed⁷ and, even if made at the request of such an owner, may show evidence affecting other property not owned.⁸ Thus a Record of Survey does not normally appear in the chain of title, even though, following examination by the County Surveyor, it must be filed with the County Recorder⁹ (unless it fails to comply with Business and Professions Code, Section 8762.5, in that it is an unauthorized division of land).

If a Record of Survey (which is a public record) is not in the chain of title¹⁰ it does not operate as constructive notice to a purchaser.¹¹ The current standard coverage title insurance policy in California restricts its coverage to items shown by public records and defines "public records" as those records imparting constructive notice.¹² Such a policy therefore does not protect against a loss resulting from the effect of a Record of Survey not in the chain of title.¹³

Should the holding of *Stearns* be overturned?

The case of *Stearns v. Title Insurance and Trust Co.*^{13a} is an excellent example of the precept that hard cases make bad law. In that case the plaintiff had previously owned the property in question and was familiar with the dispute regarding his boundary. The parcel was acquired by the state for a freeway and the plaintiff repurchased the remainder, obtaining the title insurance policy sued on at the time of repurchase. The court decided the case solely on contract principles. It held that the failure of the statute allowing Records of Survey to be filed with the county recorder¹⁴ to recite that such filing constituted constructive notice operated to deny recovery under a title policy which excluded public records whose filing did not constitute constructive notice.¹⁵

Had the equities of the case been more balanced, the court could have based an alternative finding on the following logic: A Record of Survey fits a broad interpretation of the definition of "conveyance" of Civil Code, Sections 1213 and 1215.¹⁶ The legislature has recognized the special character of Records of

Survey by making special provision for tract indexing¹⁷ outside of the grantor-grantee index system. It is therefore not unreasonable to infer that the legislature did intend for Records of Survey to operate as constructive notice.¹⁸

since the 1971 holding of *Stearns*, two changes in California law have occurred which would also tend to support the overruling of *Stearns*. The first is the adoption of Government Code, Section 27288.1, which has been interpreted as requiring the listing of names of record fee owners on the record of Survey for subsequent indexing in the Grantor-Grantee Index¹⁹ by at least the Los Angeles County Recorder and the California County Recorder's Association,²⁰ although not by all California County Recorders. In counties where a Record of Survey has been indexed in the grantor-grantee index pursuant to this code section, there would seem to be no reason not to give the Record of Survey the status of any other conveyance.²¹

The second change was the discarding of contributory negligence as a defense by California in 1975.²² The existence of the contributory negligence defense in 1971, coupled with the previous ownership of the property in question by *Stearns* undoubtedly operated to foreclose a full discussion of negligence issues under which, as discussed *infra*, it would appear a substantially different result follows even if the specific holding that a Record of Survey does not operate to give constructive notice is followed.

Can a title company be held liable for failure to disclose a Record of Survey?

In the context of the typical California real estate transaction, a title insurance company is engaged to perform two services. First, the company prepares a preliminary report listing all encumbrances which the company is able to find affecting the property. This report is examined by the purchaser for objectionable items, which the purchaser will then request the seller or the title company to remove.

Eventually, through amendment, a preliminary title report will be issued in a form acceptable to all parties. The title company will then prepare a policy of title insurance in favor of the purchaser.

In the course of the procedure just described, it is important to recognize that the title company is operating in a dual capacity: as to the preliminary report, it is an abstractor; as to the title policy, it is an insurer. *Stearns* has effectively eliminated recovery under the title policy, but the title company still has liability as an abstractor on the preliminary report.

Although the duty of an abstractor was formerly regarded as purely contractual,²³ recently recovery has been allowed in tort for negligence, not on the title policy (which is a contract for insurance), but on the preliminary report, which is in effect an abstract and subjects the abstractor to a tort duty of care as an expert.

One of the earlier cases recognizing the principle was *Dorr v. Massachusetts Title Insurance Co.*²⁴ where it was recognized that a title insurer could also sustain liability for negligence while acting as an abstractor.

California courts began to recognize the tort liability of abstractors in *J. H. Trisdale Inc. v. Shasta Co. Title Co.*²⁵ permitting an action in negligence for faulty preparation of a title

report. Subsequently, in *Hawkins v. Oakland Title Insurance and Guaranty Co.*,²⁶ the court reasoned that Section 552 of the Restatement of Torts²⁷ was applicable to the preparation of the preliminary title report relied on by the purchaser, as distinguished from the policy of title insurance later prepared.

Thereafter, in *Viotti v. Gioni*²⁹ an exculpatory clause in a litigation report prepared by a title company was held insufficient to insulate the negligent preparator from liability. Most recently, *Jarchow v. Transamerica Title Insurance Co.*³⁰ allowed recovery for emotional distress caused by the title company's failure to defend and clearly stated that a title insurer who prepares preliminary title reports in connection with the issuance of a title policy assumes a duty more rigorous than that assumed in the issuance of a title report.³¹ *Jarchow* uses the term public records in connection with the abstractor's liability without any limiting reference to constructive notice; *Jarchow's* standard is that of *Contini* "the abstractor must report all matters which could affect his client's interests and which are readily discoverable from those public records ordinarily examined when a reasonably diligent title search is made."³²

Therefore, a title company can be held liable for failing to show a Record of Survey on a preliminary title report on the basis that it breached the standard of care owed as an abstractor. The title company will breach that standard of care if it owed a duty to discover the existence of the Record of Survey.

What is a title company's tort duty regarding discovery of a Record of Survey?

"If the abstractor examines a title, it is incumbent upon him to make a complete examination, and to point out the defects, if any."³³ A title company generally has its own plant, and indexes the public records to parcels of property, rather than by using the various indices kept by the county recorder.³⁴ If a title company indexes Records of Survey into its records, it is obvious that the title company is capable of readily determining the existence of a Record of Survey affecting a given parcel. The author's experience with current title practices in Southern California indicates that most title companies do so index Records of Survey.

Obviously, however, if the title company does not maintain its own plant, but relies on the indices of the county recorder to search title for preparation of the abstract, no notice, actual or constructive, will be given unless the Record of Survey would be found by an abstractor in the course of making the search reasonably expected of him in the diligent performance of his duties.

If the name of the fee owner appears in the grantor-grantee index either because of the application of Government Code, Section 27288.1³⁵ or because of the past practice of many recorders of indexing the Record of Survey in the grantor-grantee index under the name of the person authorizing the survey,³⁶ then there can be little doubt that a proper search by an abstractor would find the Record of Survey. The abstractor would thereby have actual notice and would be required to disclose the existence of the Record of Survey in the abstract/preliminary title report.

If, however, the Record of Survey is indexed only in the tract index required by Business and Professions Code, Section 87,³⁷ there arises a question as to the duty of an abstractor to consult such an index, complicated by the fact that to the author's

knowledge no county recorder in California maintains such an index in usable form.³⁷ The only available authority on this point comes from states having tract indexing for all or most all recorded documents and indicates a split.³⁸ The fact that numerous other states have adopted the tract index for Records of Survey while maintaining statutory grantor-grantee index systems,³⁹ however, gives some impetus to the thought that case law on the point is likely in at least one jurisdiction in the near future.

In the meantime, the best that can be said is that most title companies should acquire actual knowledge of any Record of Survey affecting property on which a preliminary report is being prepared. Having acquired actual knowledge, their subsequent liability for any adverse effects resulting from their failure to disclose that information to the purchaser appears clear.

Conclusion

From the above, the following conclusions can be drawn regarding the notice afforded by the filing of a Record of Survey in California.

1. Pursuant to the holding in *Stearns*, a Record of Survey does not constitute constructive notice. There exists, however, substantial justification for a future ruling that *Stearns* should be limited to its facts.
2. Regardless of the constructive notice afforded by the filing of a Record of Survey, it appears that a title company issuing a preliminary report within an area affected by the Record of Survey will be liable to any third party relying on the report for adverse effects resulting from failure to disclose the Record of Survey unless the title company can show that it was unreasonable to expect the title company to discover the Record of Survey.
3. Because current practices by Title Companies and County Recorders virtually assure actual notice of the existence of a Record of Survey to the Title Company, it would appear that the vast majority of purchasers (those requesting title insurance) should receive either actual notice of the Record of Survey or be able to recover damages from the Title Company for any adverse effects of an undisclosed Record of Survey.

1. Cal. Bus. & Prof. Code § 8700 et seq (West 1975)

2. Statements taken under oath regarding boundary evidence by Registered Civil Engineers or Licensed Land Surveyors — Cal. Bus. & Prof. Code § 8760 (West 1975); corner records — Cal. Bus. & Prof. Code § 8773 (West 1975)

3. The map must disclose any evidence not appearing on a previously filed record or which might result in a different position for any line or point shown — Cal. Bus. & Prof. Code § § 8762(c), 8764(a) (West 1975)

Cal. Gov't Code § 66495 (West Supp. 1977), (former Bus. & Prof. Code § 11566, repealed by Stats. 1974, c.1536)

5. But see material at footnote 21 *infra*, for possible effects of offsite establishments on these maps.

6. Cal. Bus. & Prof. Code § 8771 (West 1975) — providing for the employment of surveyors by a contractor who has destroyed monuments controlling property lines, which until adoption of the corner record procedure of § 8773 et seq in 1973 virtually mandated the filing of a Record of Survey.

7. See footnote 6.

8. Due to the necessity of recovering, proving and utilizing offsite monuments which define the boundary of the parcel being surveyed.

This situation is particularly common in areas originally surveyed as sectionalized land by the United States. For a discussion of the procedures involved in such a survey, see Brown, *Boundary Control and Legal Principles*, Chapt. 6, 2d ed., (1969)

California has seen fit to give its licensed land surveyors right of entry to utilize boundary evidence because of the frequency with which this problem arises. See Cal. Civ. Code § 846.5 (West Supp. 1977)

9. Cal. Bus. & Prof. Code § § 8767 and 8768 (West 1975), 34 Ops. Cal. Atty. Gen. 39, 42 (1959)

10. A Record of Survey may enter the chain of title in several ways, the most common of which is a reference thereto in the legal description in a document otherwise legitimately appearing in the chain of title. Also, formerly, a Record of Survey could be filed in certain conditions as an alternative to a subdivision map pursuant to former Cal. Bus. & Prof. Code § § 11575, 11576 (Stats. 1943, c.128; amended Stats. 1953, c.1094; repealed by Stats. 1955, c.1953); such a Record of Survey constituted constructive notice to the same extent as did a subdivision map.

11. *Stearns v. Title Insurance and Trust Co.*, 18 Cal. App. 3d 162, 169, 95 Cal. Rptr. 682, 686 (1971); *Contini v. Western Title Ins. Co.*, 40 Cal. App. 3d 536, 115 Cal. Rptr. 257, 261 (1974).

12. 1 Bowman, *Ogden's Revised California Real Property Law*, 699, (1974).

13. *Stearns*, 18 Cal. App. 3d 162, 167; 95 Cal. Rptr. 682, 685.

13.^a 18 Cal. App. 3d 162; 95 Cal. Rptr. 682.

14. Cal. Bus. & Prof. Code § 8762 (West 1975)

15. A holding so broad as to impel the California Attorney General to join the petition for a hearing by the California Supreme Court. Amicus Curiae Brief of the State of California in Support of Petition for Hearing at 27, *Stearns v. Title Insurance and Trust Co.*, 18 Cal. App. 3d 162; 95 Cal. Rptr. 682.

16. Compare *Deifus v. Marx*, 40 Cal. App. 2d 461, 104 P.2d 1080 (1940) with *Haag v. Howard*, 55 Cal. 564, (1880).

17. Cal. Bus. & Prof. Code § 8770 (West 1975) — No other class of recordable documents in California is so indexed.

18. Since California has no general tract index system, there are no California cases on the effect of such an index. For cases supporting the principle that a tract index gives constructive notice, see *Fullerton Lumber Co. v. Tinker* 22 S.D. 427, 118 N.W. 700 (1908) and *Balch v. Arnold*, 9 Wyo. 17 59 P. 434 (1899); but see *McCoy v. Davis* 39 N.D. 328, 164 N.W. 951 (1917).

19. A dubious interpretation in view of amendments to the bill during its passage. See S.B. 143, Regular Session 1973, Amendment of 3-21-73.

20. Co. Rcdrs. Assn. of Cal., *County Recorders' Legal Manual*, p. _____ (1975)

21. Note however, that this provision has not been applied to subdivision and parcel maps filed in lieu of Records of Survey under the provisions of Cal. Bus. & Prof. Code § 8765(c) (West 1975). Such maps are indexed only by the name of the fee owner of the property divided, even though the map may also affect a considerable area away from the parcel actually divided. See footnote 8. It is unlikely

(cont. on page 14)

that the various maps enumerated in § 8765(a) and (c) would be discovered except by thorough research by a competent surveyor, since many are not even required to be filed in the county recorder's office.

22. **Li v. Yellow Cab Co.**, 13 Cal. 3d 804, 532 P. 2d 1226, 119 Cal. Rptr. 858 (1975).
23. **Annot.**, 28 A. L. R. 2d 891 (1953).
24. 238 Mass. 490, 131 N. E. 191, (1921).
25. 146 Cal. App. 2d 831, 304 P. 2d 832 (1956).
26. 165 Cal. App. 2d 116, 331 P. 2d 742 (1958).
27. Restatement of Torts § 552 (1938): One who in the course of his business or profession supplies information for the guidance of others in their business transactions is subject to liability for harm caused to them by their reliance upon the information if
(a) he fails to exercise that care and competence in obtaining and communicating the information which its recipient is justified in expecting, and
(b) the harm is suffered (i) by the person or one of the class of persons for whose guidance the information was supplied, and (ii) because of his justifiable reliance upon it in a transaction in which it was intended to influence his conduct or in a transaction substantially identical therewith.
28. **Hawkins, supra**, 165 Cal. App. 2d at 127, 331 P. 2d at 748.

See **Contini v. Western Title Insurance Co.**, 40 Cal. App. 3d 536, 115 Cal. Rptr. 257 (1974), where the abstractor, a separate entity from the title insurer, was held liable and the title insurer was absolved.
29. 230 Cal. App. 2d 731, 41 Cal. Rptr. 345 (1964).
30. 48 Cal. App. 3d 917, 122 Cal. Rptr. 345 (1975).
31. **Jarchow, supra**, 48 Cal. App. 3d at 938, 939, 122 Cal. Rptr. at 485.
32. **Contini, supra**, 40 Cal. App. 3d at 545-546, 115 Cal. Rptr. at 263.
33. 1 Cal. Jur. 2d, **Abstracts of Title**, § 7 (1952).
34. 39 Cal. L. Rev. 235, 237 (1951).
35. See material at footnote 20 **supra**.
36. **Required to be shown in the Surveyor's Certificate** by Cal. Bus. & Prof. Code § 8764.5 (West 1975).
37. The **County Recorder's Legal Manual, supra**, does not even mention the fact that such indexing is required. **Quaere** whether an action would lie against the recorder for failure to make a diligent attempt to index according to the statutes.
38. See cases cited in footnote 18, **supra**.
39. See, e.g., Ariz. Rev. Stats. § 33-106(D), 33-106(D) (1975) (Corner records); Nev. Rev. Stat. § 625.370(2) (1975).



MORE ON THE CASE OF THE TALKING DEED

by Michael S. Botello
Associate Counsel

When Judge James F. Healey was a Vice-President and Chief Counsel for this Company, he wrote in this column (August 8, 1961):

"What ever happened to the 'talking deeds' that used to be drawn by attorneys in years gone by?

"I guess that we are all too busy these days to take enough time to do a job properly. Printed forms of deeds may be procured gratis or may be purchased for a nominal amount in stationery stores and book stores. The general theme seems to be that we in California have really simplified conveyancing. I am not about to suggest that we go back to the old practice of using paragraph after paragraph or archaic verbiage, but I sometimes wonder if we haven't become victims of this simplification of conveyancing."

The answer to Judge Healey's wondering is that we, attorneys and clients, have become victims of this over simplification. The weight of the suffering is carried by the poorly informed husband and wife. After many sleepless nights spent deciding to purchase Dreamacre, they are quickly asked by realtor or escrow officer how they wish to take title, as joint tenants, or, as community property? Most purchasers are unaware of the ramifications their choice will carry. Remembering that the purchase of real property is the largest single investment of the average California family, it is surprising that very few couples consult their attorney for advice on the consequences of their choice in holding title. When weighing the relatively small cost of such advice in relation to the overall expenses and the magnitude of the investment, the advice of counsel is more than worth it. In fact, it is a bargain in light of the savings in future legal costs and taxes that the advice will probably bring.

The major ramification of title in husband and wife, as joint tenants, is the incident of survivorship, which results in vesting of title in the surviving spouse, without the delay and expense of court proceedings. However, with the amendments to the Probate Code (inter alia Sections 202, 650, 651 and 562) which allow for the community property set-aside-law to govern the passing of community property to the surviving spouse without the administration of the decedent's estate, there may appear to the layman little difference between this choice of title, and that of joint tenancy, but the truth is to the contrary.

The long line of cases beginning with *Siberell v. Siberell*, 214 Cal. 767, reveal the history of the judicial treatment and legislative presumptions of real property held by husband and wife as joint tenants as opposed to community property. Joint tenancy and community property are separate and different forms of ownership under the classification of Civil Code Section 682. It would seem clear that where husband and wife elect to take title as joint tenants, this is "tantamount to a binding agreement between them that the same shall not thereafter be held as community property, but instead as joint



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OCCUPATIONS . . .

(Cont. from page 1)

- 018.261—010 Drafter, Cartographic; mapmaker; mapper
- 018.261—014 Drafter, Topographical; photogrammetrist
- 018.261—018 Editor, Map
- 018.261—022 Mosaicist
- 018.262—010 Field-Map Editor
- 018.281—010 Stereo-Plotter Operator; stereo operator; stereoptic projection topographer

The 018 occupation group does not include the familiar Rodman and Chainman occupations that appeared in the 1965 Surveyors, N.E.C. occupations, and uses titles that differ from those customarily used by the surveying profession. The occupation titles in the fourth edition of D.O.T. reflect the changes recommended by the Department of Labor in its 1975 publication, Job Title Revisions to Eliminate Sex and Age-Referent Language from the Dictionary of Occupational Titles Third Edition. The Surveyor Helper occupation (formally Rodman or Chainman) has been transferred by this edition of the D.O.T. to the Structural Work Occupations category and placed in the Miscellaneous Construction Occupations, N.E.C. group as 869.567—010 Surveyor Helper (any industry). The transfer of the Surveyor Helper to a nonsurveying occupation status lends support to the 1970 Classified Index

of Industries and Occupations developed by the United States Bureau of Census for the 1970 Census of the United States population. The 1970 Census index classified "Chainmen, rodmen, and axmen surveying" (605) as an Operatives, Except Transport occupation, and classified other familiar surveying occupations, both professional and technical, as Surveyors (161) within the Professional, Technical, and Kindred Workers category.

In addition to the placement of surveying in the division title, the new edition of the D.O.T. includes "land surveyor" and "manager, land surveying" occupations; transfers selected drafting occupations from 017 Drafters, N.E.C. to the expanded 018 group; changes worker function coding; and removes the N.E.C. (not elsewhere classified) designation from the 018 group. Removal of surveying and mapping from the draft preface statement to the 005 Civil Engineering Occupations and deletion of a statement that placed the land surveyor subordinate to the airport engineer (civil engineering 005.061—010) supports ACSM policy that surveying/cartographic occupations stand on a par with the occupations of architecture and engineering.

The addition of a land surveyor (018.167—018) definition in this edition is a significant change from prior editions of the D.O.T. The 1965 third edition reported surveyors, "licensed land or registered land", as undefined job related titles to the occupation of instrumentman (018.188). The new D.O.T. defines the land surveyor as follows: "Plans, organizes, and directs work of one or

CONT. ON PAGE 18)

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ACSM LAND SURVEYS DIVISION

(CONT. FROM PAGE 6)

1. Appoint a Delegate, who is an LSD member, (and an Alternate) to represent the PO at the LSD Annual Meeting. The Delegate's terms should be concurrent with the LSD Boards. His travel expenses to attend the Annual Meeting should be met by the PO if at all possible. The Delegate will be the LSD Board's point of contact and will be responsible for fulfilling the obligations of the PO.

ACSM LAND SURVEYS DIVISION PARTICIPATING ORGANIZATIONS AGREEMENT

We, the CALIFORNIA LAND SURVEYORS ASSN., INC. do agree to become a Participating Organization in the business of the Land Surveys Division.

We have appointed as our contact with the LSD Board:

Delegate

Donald E. Bender

Alternate

James E. Adams

We have reviewed the Articles of Affiliation with ACSM, and the LSD Bylaws. We agree to support ACSM and its objectives, and to fulfill our obligations to the LSD.

SPRING 1978 SURVEYING & PHOTOGRAMMETRY GRADUATES CAL STATE UNIVERSITY - FRESNO

DENNIS CHAPMAN, 4693 E. Nees No. B, Clovis, California 93612: Dennis moved here from Eureka, California, and would like to find employment in the northwestern United States and is willing to travel. He enjoys fieldwork and would like a combination of field and officework. Dennis has 14 months surveying experience as a Surveyor's Aide with the U.S. Forest Service and Butte county Public Works and as chainman for the past two summers with McPheeters and Associates and W.O. Gentry, both located in Fresno. Dennis has his LSIT and plans to take his L.S. as soon as possible. He is a member of the student chapters of A.C.S.M. and C.L.S.A. here in Fresno. He is also current vice president of A.C.S.M.

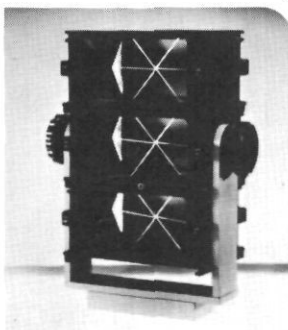
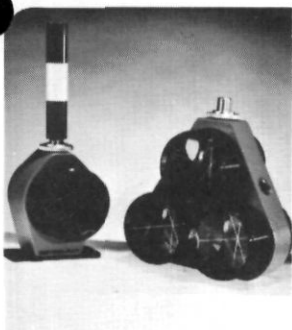
HOWARD CRIDER, 4102 Arden Dr. North, Fresno, California 93707: Howard has plenty of experience as a surveyor: one year with the U.S. Army 40th Topography Corps, eight years chiefing for various oil companies, and eleven years with Jorgensen-Tolladay in Modesto. He is from Atwater and would like to work in the office or field in northern California, but would consider employment elsewhere. Howard has his LSIT certificate and took the L.S. exam in November, 1977. He is a past president of the student chapter of the American Congress on Surveying and Mapping at CSUF; a member of Tau Beta Pi, national honorary engineering society; and the S & P Club at CSUF.

MICHAEL "MIKE" A. DUFFY, 12811 Foothill Blvd., Etiwanda, California 91739: Mike is this year's president of the student chapter of the American Society of Photogrammetry and a member of our S & P Club. He is interested in the field of photogrammetry and closely related areas. Mike has worked for Pictorial Sciences, Inc. as a scribe/layout man. He wants a job in southern California or the southwestern United States. He is willing to travel and would prefer a combination of office and fieldwork. Mike has applied to take the L.S.I.T. exam in April, 1978.

ERIC FROBERG, 4495 E. Sierra Madre, Fresno, California 93726: Eric seeks a position with both field and office responsibilities. He would prefer employment in California but would consider a position out of state. Eric, a native of Fresno, has been active in several student organizations: S & P Club, A.C.S.M., A.S.P., C.L.S.A., as well as contributing to "Fore Sight!" Eric has 24 months of field and office experience with Giersch & Gilbert, Civil Engineers, in Madera, California. Eric's office experience included the calculation and drafting of subdivision and parcel maps. Eric passed the L.S.I.T. exam in November, 1977.

G.R. "RUSS" SHAW, II, Triple C. Ranch, Auberry, California 93602: Russ wants to work in a rural area of northwestern United

(CONT. ON PAGE 23)



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(cont. from page 16)

more survey parties engaged in surveying Earth's surface to determine precise location and measurements for points, elevations, lines, areas, and contours for construction, mapmaking, land division, titles, mining or other purposes. Researches previous survey evidence, maps, deeds, physical evidence, and other records to obtain data needed for surveys. Develops new data from photogrammetric records. Determines methods and procedures for establishing or reestablishing survey control. Keeps accurate notes, records, and sketches to describe and certify work performed. Coordinates findings with work of engineering and architectural personnel, clients, and others concerned with project. Assumes legal responsibility for work and is licensed by State." The new "manager, land surveying" definition expands on the work of the land surveyor by including the direction of related staff engaged in surveying and development of organization policy.

The transfer of cartographic occupations to the 018 Surveying/cartographic group supports the theme of the fourth edition D.O.T. to place all related occupations, both professional and technical, within the same group. The 017 Drafters N.E.C. group remains a "not elsewhere classified" collection of miscellaneous drafter occupations not directly related to architectural, engineering, or surveying occupations.

Special attention should be directed to the middle three-digit set of numbers that precedes the occupation titles. This numeric "worker functions" coding provides information on every job's relationship to Data, People, and Things. The digits are a hierarchical relationship that reports in general terms successive relationships that are simpler and exclude the more complex. Each job is then expressed in its highest appropriate function in each hierarchy of Data, People, and Things to which the worker has an occupationally significant relationship. The following table demonstrates the hierarchy structure:

Data (4th digit)	People (5th digit)	Things (6th digit)
0 Synthesizing	Mentoring	Setting-Up
1 Coordinating	Negotiating	Precision Working
2 Analyzing	Instructing	Operating-Controlling
3 Compiling	Supervising	Driving-Operating
4 Computing	Diverting	Manipulating
5 Copying	Persuading	Tending
6 Comparing	Speaking-Signaling	Feeding-Offbearing
7 —	Serving	Handling
8 —	Taking instructions helping	

Thus a worker trait of 167 has a coordinating relationship with Data, a speaking-signaling relationship with People, and a handling relationship with Things. A 261 worker trait profile would have a significant relationship of analyzing Data, speaking-signaling with People, and with the setting-up of Things. The surveyor helper (869.567—010) has a copying relationship with Data, a speaking-signaling relationship with People, and a handling relationship with Things. The last three-digit combination is an individual job identifier to distinguish it from other occupations that have the same six-digit code number.

To assist the reader in a better understanding of the hierarchy of worker function profiles, the following representative codes and occupations are provided:

- 061 Architect, Landscape Architect, Civil Engineer, Structural Engineer, etc.
- 167 School-Plant Consultant; Chief Engineer, Waterworks; Highway-Administrative Engineer; Drainage-Design Coordinator; Land Surveyor; Supervisor, Mapping; etc.
- 261 Drafter, Architectural; Drafter, Landscape; Instrumentation Technician; Drafter, Cartographic; Photogrammetrist; etc.
- 281 Drafter, Civil; Drafter, Structural; Drafter, Electrical; Stereo-Plotter Operator; etc.

(CONT. ON PAGE 19)

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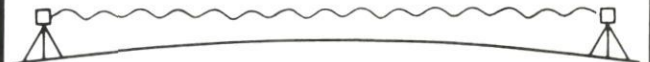
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While ACSM does not endorse the occupation definitions or worker functions published in the fourth edition of the Dictionary of Occupational Titles, we do acknowledge its wide acceptance by both public and private personnel officers, occupation analysts, career counselors, and journalists and writers who report on occupations. Its long history, its availability through public libraries, and its reporting of all significant occupations has made the Dictionary of Occupational Titles the single most authoritative source on occupations. No private institution has been able to bear the expense of an undertaking of its

size or scope. Comparable publications to the D.O.T. are published by Great Britain, Canada, and most developed countries.

We urge each individual interested in the profession and how it is reported to the public to study the material contained in the fourth edition of the D.O.T. The two volumes of the 1965 third edition are available in most public and college libraries and will assist the serious student of occupation definition and classification to develop an understanding of this complex and misunderstood activity and its impact on the profession. ACSM will supply interested individuals with additional background source material and the names of the members of our Position Classification and Statistics Committee on request. Readers are referred to the September 1969 edition of Surveying and Mapping to page 526 for a prior study by ACSM that is surprisingly consistent with the new D.O.T.

Copies of the Dictionary of Occupational Titles Fourth Edition are now available for \$12 from your local government book store or the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

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tenancy with all the characteristics of such an estate." (*Siberell v. Siberell*, supra). But later the California Supreme Court held that, in the absence of any evidence to the contrary, where property is purchased with community funds and title is taken in the name of husband and wife, as joint tenants, the interest of each spouse is of necessity, separate property, so that a conveyance of one-half interest by the husband to his mother terminates the joint tenancy, leaving the title in the mother and wife as tenants in common, each owning an undivided one-half interest. (*Delanoy v. Delanoy*, 216 Cal. 23). The question "in the absence of any evidence to the contrary" is significant, for it is the foundation for other decisions holding that 'evidence is admissible to show that husband and wife took title as joint tenants, actually intended it to be community property,' which intention may be evidenced by an oral agreement at the time the property was acquired; moreover, it may be shown that property taken in joint tenancy was thereafter converted into community property by an oral as well as a written agreement." *Tomaier v. Tomaier*, 23 Cal. 2d 754.

The legislature amended former Civil Code Section 164, in 1965 to provide that a single family residence acquired by husband and wife during marriage as joint tenants is presumed to be community property for the purpose of division of community property on forced or separate maintenance. This legislative presumption still applies, but now for the purpose of division of community property on dissolution of marriage or legal separation (Civil Code Section 5110). Exceptions remain, and courts are still being called on to determine whether joint tenancy property of record is in fact community property

The Feather River/Northern California

2ND ANNUAL TECHNICIANS SEMINAL

Subject
Notekeeping and Gathering of
Relative Survey Information

May 20, 1978

Red Bluff, California

For additional information regarding registration and agenda, please contact: Gary T. Lippincott, P.O. Box 671, Paradise, CA 95969. Area 916/877-4300.

Pre-registration required by
May 10, 1978

for the purposes of making an award. Further, federal income tax disadvantages of joint tenancy upon death of one of the tenants compared to community property holding under similar circumstances (see *Current Law of California Real Estate*, Miller & Starr, Volume 3, 1971, Taxation Chapter 1 Section 39), can only properly be analyzed and weighed by the potential buyers' attorney, who can advise his clients as to the effect of their choice upon their future plans and their overall estate plan. The purpose of simplifying deeds to printed forms was to save the attorney's time and his client's money. It was not to remove the attorney from real estate purchase and sale transactions, especially when the choice of title by husband and wife, as joint tenants or as community property talks more about death and taxes than most people are sure of. ▲

CHAPTER NEWS (CONT. FROM PAGE 8)

Orange County Chapter

The Orange County Chapter of the California Land Surveyors Association meets on the second Thursday of each month at various locations throughout the Orange County area. The Chapter had a phenomenal growth rate in 1977; our membership grew to 78 members. In 1978 one of the Chapter's goals will be to double the membership. If anyone is interested in additional information or wishes to be placed on our mailing list please send your request to:

California Land Surveyors Association
Orange County Chapter
P.O. Box 4012
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(cont. from page 17)

States, northern California, or the Fresno area as a field and office man. He passed the California LSIT exam in April, 1976, and plans to take the L.S. exam as soon as possible. He has worked as a survey technician and engineering technician for the U.S. government. He is presently working as a student aide in the S & P Department at CSUF maintaining surveying and photogrammetric instruments. Russ is the current president of our student chapter of C.L.S.A. and a member of the A.C.S.M., S & P Club, and Tau Beta Pi, national honorary engineering society.

TIIT ANDRES VESKE, 535 Arkansas Street, San Francisco, California 94107: Tiit is from San Francisco and desires a position which offers both field and office experience. He is willing to travel often and locate out of state, but he prefers a Sierra Nevada or San Francisco Bay Area location. Tiit is currently secretary of our A.C.S.M. student chapter, and an active member of the student chapters of C.L.S.A., A.S.P., and the S & P Club. Tiit holds a LSIT certificate and has a variety of experience: 18 months as supervisor of the property ownership and mapping staff with California Aero Topo, 6 months as a party chief with the U.S. Forest Service, 2 months in computer programming and mapping with the County of Fresno, 2 months as a student surveying aide with the City of Pacifica, and 3 months as a draftsman with Deleun, Lather & Co.

KENT WHITTAKER, 5133 North 9th Street, Apt. No. 206, Fresno, California 93710: Kent would like to locate in California, but he is very willing to go overseas for extended lengths of time, preferably Central or South America. He would also like a

combination of field and office work. Kent is an active member of several student organizations: C.L.S.A., A.S.P., and is the current vice president of the S & P Club. Kent has his LSIT certificate along with 7 months of field experience with the City of Fresno and the Pacific Gas & Electric Company.

DARRELL G. BAIN, 2647 E. Indianapolis, Fresno, California 93726: Darrell has served two years in the U.S. Army after which he started his surveying experience. Darrell worked six years with Riverside County Flood Control District as an instrumentman. After coming to Fresno, he worked for Fredrick Kett, L.S., and has just finished working this past summer as chief of party for Associated Valley Surveyors on the Helms PG & E project. Darrell has applied to take his LSIT. He is a member of our S & P Club and our student chapter of C.L.S.A. Darrell would like a job with a 70:30 percent ratio of field to office time. His first choice of location after graduation is Alaska, but he is open to all offers and is willing to travel.

RONALD GREENWELL, 221 W. Herndon Avenue, No. 50, Pinedale, California 93650: Ron's engineering background began when he was in the U.S. Navy Seabees, where he served as an Engineering Aide. After this exposure to the surveying field, he worked seven years for various companies in the San Francisco Bay Area in the capacity of party chief. While working for these organizations, Ron has gained considerable experience in construction and boundary surveys. He is the holder of an LSIT certificate and is currently a member of C.L.S.A., and S & P Club, and a coeditor of *Fore Sight!* For the immediate future, Ron would like a position that would give sufficient office experience to qualify for the L.S. exam.

APPLICATION FOR MEMBERSHIP IN THE CALIFORNIA LAND SURVEYORS ASSOCIATION

- CORPORATE MEMBER GRADE:** Shall have a valid California Land Surveyors or Photogrammetric license.
- AFFILIATE MEMBER GRADE:** Any person, who in their profession, relies upon the fundamentals of land surveying.
- ASSOCIATE MEMBER GRADE:** Any person who holds a valid certificate as a Land Surveyor in Training.
- STUDENT MEMBER GRADE:** A student in a College or University actively pursuing the study of land surveying.

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