

CLSA/NALS Conference 2003 Reno, NV program on pg. 20

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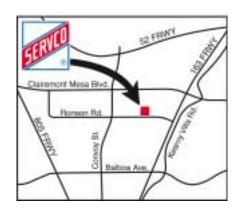


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"Recognizing that the true merit of a profession is determined by the value of its services to society, the California Land Surveyors Association does hereby dedicate itself to the promotion and protection of the profession of land surveying as a social 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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DEADLINE DATES

Spring	January 10	Summer	April 10
Fall	July 10	Winter	October 10

Articles, reports, letters, etc., received after the above mentioned date will be considered for the next edition.

Opinions expressed by the editor or individual writers are not necessarily endorsed by the California Land Surveyors Association Officers or its Board of Directors. Original articles may be reprinted with due credit given to the source and written notification to the California Land Surveyors Association.

I nside This I ssue

Features:

Department:
Obituaries 24
Leave No Stone Unturned By Greg Crites, PLS
Report of the Surveyor General State of California
The Electronic Court House By Paul Cones, Courthouse Direct
"Surveyor"–The French Connection By Wilhelm A. Schmidt, LS
On Ethics By Carl C. de Baca, PLS

From the Editor	6
_etter to the Editor	7
ndex to Advertisers	27
Welcome New Members	28
CLSA Publication Order Form	30
CLSA Membership Application Form	32

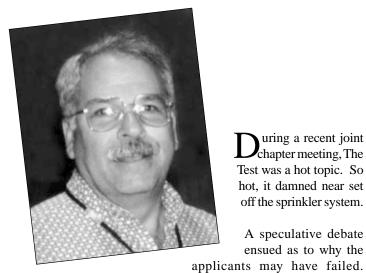
On The Cover:

Silver Leagey Hotel & Casino, site of the 2003 CLSA/ NALS Conference

Conference Program & Registration Form starting on page 20







The Test...

uring a recent joint chapter meeting, The Test was a hot topic. So hot, it damned near set off the sprinkler system.

A speculative debate ensued as to why the

Candidates not ready . . . Test secret . . . Ambiguity in regards to applicants weaknesses . . . How might a mentor "ment" if The Test cannot be "discussed" for two years?! Rightful paranoia was abundant.

I pondered the night's content on the drive home. I remember somewhere on a surveyors discussion page, somebody suggesting that the blind are leading the blind. Could there be a "mentor component" that would affect the candidates test results?

Now that written contracts are required, does the BPELS "test" the ability to describe the Scope of Service? It is at this stage, the describing of the "Scope of Services", that the devil may tempt you to do things which you shouldn't. Corner record? Record of Survey? Tie all controlling monuments?

"The Devil made me do it!" Geraldine (Flip Wilson)

Do you remember ol' Flip Wilson, as "Geraldine"? She was always blaming her "indiscretions" on the Devil.

The fleshy Sindee coquettishly whispers, "This boundary is a slam dunk . . . Two mons and go . . . Simultaneous conveyance . . . You'll probably find all corners . . . Easy money, lover . . . you're not afraid of her?!"

The haloed Deedee sweetly cautions, "If this were a test question, how would you answer? There's at least four controlling monuments . . . you'll have to work to get that other pair!"

Luscious Sindee reminds . . . "Truck payment."

Deedee: "Duty to public."

Sindee slaps your ego: "Do you want to play solitaire all day?"

Deedee: "Do you want your license jerked?!"

How many times have you estimated such a boundary and thought slam dunk?! Stop for a moment. Hear Dee's wisdom, "If this were a test question . . . " Don't be blinded by get-the-job-itis? Such shortcuts only "teach" your party chief, a candidate to The test, to fail it! There should never be two standards. The one which we ariose to BPELS and the other - which we teach our employees? Hell, an unlicensed surveyor can do the latter. Admittedly, it is human nature to extract the most fiscal reward for the least effort. However, such is not a trait of the professional. I see similar parallelisms in aviation. One by which the pilot sits up straight 'n level and puppets what the examiner expects and the other which Search and Rescue folks scrape the pilot and his/her innocent passengers off a mountainside. Pilots as well as surveyors, have the responsibility to operate in a professional manner. Slam dunk isn't one of of 'em.

So gang, what's it gonna be? Sindee, or Sweet Dee? We owe it to the profession, the public and most of all - to those that are tomorrow's surveyors. Don't cop "the devil made me do it!"

Lot Line Adjustment fodder request ...

CLSA has a request . . . That all professionals report on those Lot Line adjustment cases that are negatively affected by the Lot Line adjustment legislation passed last year. Please accurately document how the public was harmed, (or benefited), by the LLA legislation and forward such documentation to Central Office. "corrective" legislation has created many more problems - all thanks to a narcissistic developer with an apparent belief-system that development is a right rather than a privilege.

Best wishes to all in 2003! Thanks for your time and support! And speaking of support, don't forget to pay your CLSA/NSPS dues. Now . . . wash your hands.



Letters to the Editor

Dear Editor,

I enjoyed the book review on "Nothing Like It In The World". I would encourage all of you surveyors out there to read it. I am an avid reader and generally have a half read book at home, as well as, a half listened to book on tape in my car that I listen to going to and from work. For those of you who wouldn't pick up a book if it fell on your foot, I encourage you to contact "Books on Tape" at 1-800-626-3333 or www.booksontape.com. They have this book for rent and for sale. It's a good read.

Linda M. Richardson, P.L.S.

Good morning from the non existing I mperial County.

Those of us in this southern most county accept the fact most Californians would like to think we are non-existent or South of the border. In reality, they just want our water in a revitalization of another Owens Valley. However, that's a topic of another discussion.

I checked with both surveyors and engineers in the County and none, including myself, recall or admit to recalling being asked to provide data for the Occupational Employment Statistics survey you referenced and published in the current California Surveyor. It wouldn't be the first time we were ignored or forgotten about. Who knows with these government polls and questionnaires. They do say we have the highest unemployment rate in the state.

In an attempt to let you know we do exist, I will give you a breakdown in disciplines down here. I can't fill in salary data, but here is what I have to the best of my knowledge.

A.	Practicing Land Surveyors Me and my partner	2
B.	Practicing Civil Engineers (Private / Public) 1. Grandfathered to survey 2. Not authorized to survey 3. Hold LS license with PE 4. Women in this group 5. Members of local or state CLSA	22 7 11 4 5 0

- C. Technicians doing surveys
 - 1. One under local license through partnership
- 2. One under out of town licenses through partnership.

Harrison Barton



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For details and an entry form, please visit www.irwaonline.org.

Dear Editor,

I have been a member of CLSA since 1984. If not for CLSA I certainly would not be a Professional Licensed Surveyor in the state of California. Without the very generous support and encouragement from my local chapter of CLSA it would not have occurred to me that I could become the same, not having an extensive college education.

I received my license in 1983 and am very proud of achieving that goal. At least 90% of my education and experience was a direct result of the support and encouragement I have received from CLSA. I am proud to be a member and encourage anyone in the survey profession to become a member and keep growing through education encouraged and provided by our organization.

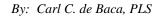
I would like to thank all of those who have helped me to grow over the years and most of all, thank you CLSA.

Linda M. Richardson, P.L.S. - Thanks Linda - Ed.



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On Ethics

In April this year, I traveled to Elko, Nevada for the Tri-State Surveyor's Conference and I had an opportunity to visit a good friend of mine who owns a small surveying business up there. My friend, Bill, and I have been known from time to time, to discuss the greater and lesser truths of our profession, like all surveyors will. As Bill and I share many opinions (or prejudices), our discussions are not really debates but more just discourses on the state of affairs of surveying and surveyors.

Over a beer, (alright, a couple beers), this latest conversation drifted into the importance of conducting one's affairs, personal, professional or business, with integrity and ethics and the sad fact that this concept, once so obvious and so arcane has been subject to much erosion in our society. Bill opined that integrity used to be such a basic aspect that it did not warrant conversation. Most people had it. Most kids learned it from their elders and their teachers. Recent events in the news tend to indicate that this is no longer so. (Apparently the Enron mission statement didn't mention integrity.)

Bill and I rambled on about how professionals were by definition, ethical, honest, reliable, both to their clients and to their peers. And of professionals, traditionally surveyors were among the most ethical, at least that's how we perceived ourselves. I always go back to the fact that three of us made it to Mount Rushmore, (though it must be said they weren't put up there for being surveyors.)

Bill noted that there are certain surveyors in his locale whose marketing strategy consists of "Whatever that guy charges, I'll charge half that." And I replied, "Yeah, we have those too. Privateers who figure that if their fee beats the amount of salary they would have made doing the same work back when they were employees of some firm or another, then they are ahead." This trait helps define our profession, for better or worse, and further divides our already fractious profession, generating more mistrust and less cooperation between individuals and firms. For example, am I likely to give out information from my files to a guy who beat me out on a job by offering to do it for 20% of the fee that I proposed? As John Wayne said, "Not hardly." Does this make me the bad guy? Maybe. Perhaps I have some hidden contempt for free enterprise? No, I don't think so. There is nothing wrong with 'Getting yours', after all, why else be in business? It could be my imagination but lately it seems like that credo has evolved into "Getting the other guy's". We probably all know companies and individuals with that philosophy. I know I do.

Continued on next page



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What's a prospective client supposed to think about enormous spreads in fees between two professionals offering to do the same work? If his kid were to blow out his pitching arm, he's probably going to the orthopedic surgeon with the best reputation, not the one who offers to reattach tendons for a few hundred bucks. Except that there are no such doctors, because that profession discourages fee-based marketing strategies by emphasizing the importance of knowledge and experience in their profession. Yet surveying and engineering services rarely carry this kind of implied value. For these, the client is often shopping for the lowest fee as though he were trying to hire someone to mow his lawn. That's not the client's fault. The surveying profession has perhaps done a poor job conveying its value to those who need our services. Here's a good example: I actually had an attorney tell me recently that he uses a certain surveyor for his cadastral work because the guy works cheap. That hurts.

Our conversation moved on to the surveyor whose findings always seem to favor his client's wishes no matter what the circumstances or evidence would seem to indicate. Bill told me a story about a mining company that got into a dispute with a contractor over the quantity of soil moved on a job. The contractor said he moved some certain amount and the mine said he moved half that. With no resolution in sight, the mine hired a local surveyor, who topo'd the area and prepared a report indicating that the soil moved was what the mine claimed, to the cubic yard! Talk about a happy client! Later another surveyor topo'd the same site with results much closer to the contractor's figures.

Walt Robillard preaches in his seminars that the job of a surveyor is to be a fact-finder. Sometimes those facts favor the client, sometimes they don't. Attorneys get paid to advocate their client's position, fact-based or not, but a surveyor's role is to find and delineate facts. What do we make of those surveyors who see nothing wrong with advocating a particular position by selectively quantifying evidence? What does that do for the credibility of surveyors in general? Now I'm not talking about advocating the client's cause at a planning commission or some such meeting, that's a major part of our jobs. No, I'm talking about ignoring monuments and fences and bona-fide rights and establishing a corner where it ought not to be. The funniest things seem to happen at centers of sections, if you know what I mean.

And so Bill and I carried on until the beer was gone and we hadn't had any insights into how to solve these and other issues of surveying. There was some shrugging, some kicking the dirt, and a feeling that we probably shouldn't have brought this up. The next time we get together, I am going straight for NASCAR, stock market volatility, fishing or anything except surveying. .



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"Surveyor"-The French Connection

Everywhere else in the world, those who ply our trade are called land measurers.

Only in English-speaking countries are we called surveyors.

And the word isn't even English! Anthony Fitzherbert, the putative author of The Boke Of Surveyinge, the first book on the subject written in English (1523), asserts that "The name of a surveyour is a frenche name." (Edmond R. Kiely, Surveying Instruments: Their History, p. 104). We can quibble about it being a name: it never became a surname, like Smith or Steward. But, to complicate matters further, it is not a French word either. It is not in any contemporary French Dictionary and I have no reason to think that it was ever part of French diction. There is the French verb "surveiller," to superintend. But there is no noun "surveillur." The French word for surveyor is "arpenteur" (after the arpent, a French unit of measure) or "geometre" (as in Federation Internationale des Geometers, or FIG). But the word looks unmistakably French. Despite its derivation, the word originated

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in England. The question is when? The earliest quote in the Oxford English Dictionary is 1440, but it is probably much older.

Role Of The Overseer

The word was coined to refer to an established function. According to its etymology, that function is "overseeing." By Fitzherbert's time, it meant determining the use of land. How? In case of a town, the surveyor cannot simply look at it from some vantage point, for then he would not see "the goodly stretes, the fayre buyldngs, for the greate substance of rychesse conteyened on them." In the case of a manor "he may not loke over the hedge and go hes waye, but he muste other [either] ryde or goo over, and see every parcel therof, to knowe howe many acres it conteyneth." Fitzherbert does not explain how to get the area of land. Richard Benese, in the second English book on the subject titled The Boke of Measuring Lande (1537), makes up for the deficiency. Ever since, land surveying is popularly associated with measuring.

The role of the overseer developed in the medieval system of land tenure. In this system, the king had absolute jurisdiction over the land. But nobles exercised considerable jurisdiction over their estates, its extent being reflected in their title. The lowest of these, the baron, had jurisdiction over a manor. Since he had courtly duties, he usually left the administration of his manor to a steward ("sty warden") or else the lady of the manor (Six Medieval Men and Women, by H.S. Bennett, p. 109f)

Large parts of a manor were open field farmed by tenants, who paid for the privilege according to the amount of land they cultivated. The steward also "oversaw" these tenancies. He kept a detailed list (no plan at first) of the cultivated tracts and collected the rent from their use. He even held court, in which the tenants declared their holdings and the amount of their rental was determined, called the "court of survey." Evidently, to achieve equity in this system, an actual inspection of the land has to be made, and it fell upon the steward to make it. (English Rural Society 1200-1350 by J.Z. Titow, p. 19f).

This system was common throughout Europe when the Normans invaded England in 1066. But William did not quite know what he had conquered. To administer his new domain effective (that is, to

Continued on next page

collect the revenues to pay for his own expenditures), he ordered an inventory. Several decades later, the effort resulted in the Domesday Book (1089). Anachronistically, this book is called a survey (even by A.W. Richeson, English Land Measuring to 1800: Instruments and Practices, 1966). At the time it was made, the inventory was called an inquest.

Naming the Profession

Over the next two centuries, other such inquests were made, each more precise. From the beginning, the unit of land was the acre, but its size varied from place to place and according to the use of the land, an acre of wooded land usually being larger than an acre of tillable land. In 1277, the units of measure were standardized (perch = 16.5 feet, acre = 160 square perches).

As a result, the measuring of land became an expertise and needed a name. The foreign origin of its name can be explained by the fact that the nobility's common language was French. But the official language was Latin. The inventories of manorial tenancies, generally began with the words supervisus manerii. Colloquially, supervisus became survey. The saga of surveying in the Middle Ages would be incomplete without a mention of the surveyor's ill repute (which apparently had nothing to do with the origin of the word). Overseers took part in changes to the manorial system,

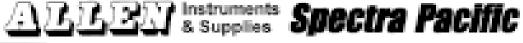
such as the enclosure of open field to raise sheep, which deprived tenants of their traditional use of these fields. By making stricter measurements, they corrected the acreage of the remaining holdings, more than likely to the upside. But the real problem was their lack of knowledge of geometry. Until the first English translation of Euclid's The Elements of Geometry by H. Billingsly in 1570, they would multiply the sides of a field, whether or not it was rectangular, and therefore tend to overstate the area. In the introduction to that translation John Dee ruefully notes "the great wrong and injurie...committed by untrue measuring." Not much later, John Nordon could write: "I have heard much evil of the profession..." (The Surveyor's Dialogue, 1607).

Surveying survived this ill repute and attracted men of high intelligence in the 17th and 18th centuries – incidentally the period of the colonization of America. We know the surveyors played an invaluable part in the westward expansion of this country during the 19th century, and its urban/suburban development during the 20th. The profession and the name served well.

The derivation of the name hardly matters anymore, but its established use is undeniable. The profession wouldn't be the same with another name.

Reprinted from the Missouri Surveyor, December 2001 �

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Online access to Real Property Records and courthouse documents are enabling right-of-way agents, appraisers, engineers, surveyors and other real estate professionals to be more productive by giving them immediate real-time access to public records. This ability to research and obtain real property records online is changing the way surveyors do business.

Traditionally, if you needed to research the ownership of a parcel of land or obtain a copy of a deed, covenants, or easement, you sent someone from your office to the courthouse or contacted a local researcher to obtain the information for you. Now, in many counties the record indexes and documents are available online through the county itself or a private data provider. This online information can save time on unnecessary trips to the courthouse or the time waiting for the researcher or title company to send the documents to you.

Evolution of Public Records – from Paper to Electronic Images

In the past, when legal instruments were recorded in the courthouse, a record of the filing was created in a Grantor – Grantee Index or General Index (which is like a Card Catalog in a library) and copies were organized in books that corresponded to the type of record such as Deed Records, Mortgage Records, Contract Records, etc..., but in most counties these separate records have been combined into what is generally known as the Real Property Records.

When researchers needed a copy of a deed they would pull a book off the shelf, remove the pages, make the copy, and replace the pages. This is still the way it's done in many smaller courthouses. In the late '60's and early '70's courthouses were quickly running out of space and many larger counties moved toward putting their documents on microfilm or microfiche. The advantage of microfilm to the county recorder was that they could have an archival quality reproduction of a document that took up very little space in comparison to books on shelves. Even though this helped Recorder's save space, researchers have not always been fond of microfilm. Microfilm leaves the researcher at the mercy of the viewing equipment quality and generally takes longer to view than it does to open a book and turn to the page you need.

Today

Within the last two to three years, hundreds of County Recorders/ Clerks nationwide have eliminated the archiving of records on microfilm and have moved completely to electronic imaging. Some of the most current records are available in an electronic format but the older records may still be on microfilm or in books.

It is just a matter of time before hard copy and microfilm records are reproduced as electronic images but in many counties there are budgetary constraints and a lack of demand that could slow down these conversion efforts.

Availability of Online Public Records

There are several factors that determine whether or not counties or private companies publish, or plan to publish, Grantor – Grantee Indexes or Real Property documents online:

- The cost of publishing the indexes and images over the internet
- The technology challenges of publishing public records online
- Demand or lack of demand for courthouse information in the area
- Legal and/or Privacy issues

Public Sector

Historically, County Recorders enjoyed revenues from the sale of documents from their walk-in researchers and local citizens needing to purchase copies of deeds and other real estate records. Therefore, many County Offices may not publish the records on the Internet because they are reluctant to give up the income derived from the sale of these documents.

In other counties where County Recorders are publishing records online they are generally doing a commendable job and some are even providing the documents free. Most sites sponsored by the county have disclaimers and some label the electronic documents as an "UNOFFICAL DOCUMENT" which may give small comfort to your client or your legal department.

There are approximately 3,400 County Recorder/Clerk's offices throughout the United States but there are fewer than 200 that currently have indexes and/or images online so in many ways governments are at the very early stage of providing courthouse records via the Internet.

Private Sector

There are private companies that provide indexes and courthouse document images for Real Property Records online. Companies such as TitleX.com (16 counties) out of Palestine, Texas and TitleUSA.com (7 counties) of Edinburg, Texas are putting smaller counties online and in some cases these county records go back to sovereignty. CourthouseDirect.com (181 counties) has concentrated on adding counties in major metropolitan areas and generally the records go back to 1987. These 181 counties represent over 1 billion images online nationwide.

Today, when surveyors, engineers, right of way agents, appraisers and other real estate professionals need to research ownerships,

Continued on next page





Continued from previous page

easements and liens, and need copies of the corresponding documents, they can do so in a matter of seconds from the comfort of their own office while avoiding a drive to the courthouse.

Other Records Available

Although the County Recorder's records are the most requested public records at the county level there are many other records and websites that can be valuable tools for persons negotiating, right of entry, curing title defects or those just simply trying to find the right person to contact:

- Tax Assessor's / Appraisal District Records
- Marriage Records
- Probate Records
- Assumed Name Records
- Uniform Commercial Code Records
- Divorce Records
- Birth Records
- Maps Tax Maps, Utility Maps, FEMA Maps Subdivision Maps
- Telephone Books White Pages, Yellow Page, Reverse Directories
- U. S. Death Records
- Corporation Records

Research

In many cases the best starting point for real estate research is to obtain a tax assessor's map of the area to be researched; more and more tax offices are publishing these maps online. After scanning the tax map for information such as tract numbers, general configuration, and acreage size the researcher then looks at the tax assessor's rolls to find out who is paying the taxes. The taxpayer may or may not be the owner but in many cases they serve as a good starting point for the research. From here the researcher would go to the Grantor / Grantee (General) Index to determine when the property was purchased or the lien was filed and by whom. At this point, the pertinent documents can be downloaded directly to the user's hard drive. Once the document is downloaded in can be immediately viewed, printed, emailed or saved.

Format

The most common format for document images is a .tiff image format. There are several brands of .tiff viewers on the market but almost all PC's using a later version of Windows 95 and all other Microsoft Windows products have a .tiff viewer which can be found by clicking Start/Programs/Accessories/Imaging. This "Kodak". tiff viewer gives the user the ability to turn the pages,

Continued on page 29



Report of the Surveyor-General State of California from august 1, 1890 to august 1, 1892

An Act to Define the Duties of and to License Land Surveyors [Approved March 31, 1891.]

T he People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. Every person desiring to become a licensed land surveyor in this State must present to the State Surveyor-General of this State a certificate that he is a person of good moral character; also, a certificate signed by three licensed surveyors, or a certificate signed by the Board of Examining Surveyors (provided for in section five of this Act), which certificate shall set forth that the person named therein is, in the opinion of the person signing the same, a fit and competent person to receive a license as a land surveyor, together with his oath that he will support the Constitution of the State and of the United States, and that he will faithfully discharge the duties of a licensed land surveyor, as defined in this Act.

SECTION 2. Upon receipt of such certificate and oath by the State Surveyor-General, it shall be his duty to forthwith to issue to such applicant a license, without charge, which license shall set forth the fact that the applicant is a competent surveyor, or that he has had at least two years' experience in the field as a surveyor or assistant surveyor.

SECTION 3. Such license shall contain the full name of the applicant; the technical institution from which he is a graduate (if he be a graduate), or if he be not a graduate, the fact must be stated in the license; his birthplace, age, and to whom issued; the name of the person upon whose certificate the license is issued, and the date of its issuance.

SECTION 4. All papers received by the State Surveyor-General on application for licenses shall be kept on file in his office, and a proper index and record thereof shall be kept by him, and a list of all licensed land surveyors shall be kept by him, and he shall monthly transmit to the County Recorder of each county in this State a full and correct list of all persons so licensed; and it is hereby made the duty of such Recorders to keep such lists in their offices in such a way as they may be easily accessible to all persons.

SECTION 5. Within twenty days after the passage of this Act, the Governor shall appoint three surveyors in good standing, members of the Technical Society of the Pacific Coast, and two other surveyors in good standing, not members of such society, as a Board of Examining Surveyors, who shall conduct such examinations and make such inquiries as to them may seem necessary to ascertain the qualifications of applicants for surveyors' licenses.

SECTION 6. A majority of the Board of Examining Surveyors shall meet on the first Friday of each month during their term of office, in the rooms of the Technical Society of the Pacific Coast, in San Francisco, and at such other times and places as they may select. The

members of the Board shall hold office for the term of one year from the date of appointment, and shall serve without compensation.

SECTION 7. Every licensed surveyor shall have a seal of office, the impression of which must contain the name of the surveyor, his principal place of business, and the words "Licensed Surveyor;" and all maps and papers signed by him, and to which said seal has been attached, shall be prima facie evidence in all the Courts of this State.

SECTION 8. Surveyors' licenses, issued in accordance with this Act, shall remain in force until revoked for cause, as hereinafter provided.

SECTION 9. Every licensed surveyor is authorized to administer and certify oaths, when it becomes necessary to take testimony to identify or establish old or lost corners; or, if a corner or monument be found in a perishable condition, and it appears desirable that evidence concerning such corner of monument be perpetuated; or whenever the importance of the survey makes it desirable, to administer an oath for the faithful performance of duty to his assistants. A record of such oaths shall be preserved as a part of the field notes of the survey.

SECTION 10. Every licensed surveyor is hereby authorized to make surveys relating to the sale or subdivision of lands, the retracing or establishing of property or boundary lines, public roads, streets, alleys, or trails; and it shall be the duty of each surveyor, whenever making any such surveys, except those relating to the retracing or subdivision of cemetery or town lots, whether the survey be made for private persons, corporations, cities, or counties, to set permanent and reliable monuments, and such monuments must be permanently marked with the initials of the surveyor setting them.

SECTION 11. Within sixty days after a survey relating to the sale or subdivision of lands, the retracing or establishing of property and boundary lines, public roads or trails, original cemetery or town sites, and their subdivisions has been made by a licensed surveyor, he shall file with the Recorder of the county in which such survey or any portion thereof lies, a record of survey. Such record shall be made in a good draughts-manlike manner, on one or more sheets of firm paper of the uniform size of twenty-one by thirty inches. This record of survey shall be either an original plat or a copy thereof, and must contain all the data necessary to enable any competent practical surveyor to retrace the survey. The record of survey must show: All permanent monuments set, describing their size, kind, and location, with reference to the corners which they are intended to perpetuate; all bearing or witness trees marked in the field; complete outlines of the several tracts or parcels of land surveyed, within courses and lengths of boundary lines; the angles as measured by Vernier readings, which the lines of blocks or lots, if the record relate to an original town-site survey, make with each other and with the center lines of adjacent

Continued on next page

streets, alleys, roads, or lanes; the variations of the magnetic needle with which old lines have been retraced; the scale of the map; the date of survey; a proper connection with one or more points of an original or larger tract of land, and the name of the same; the name of the grant or grants, or of the townships and ranges within which the survey is located; the signature and seal of the surveyor; provided, that nothing in this section shall require record to be made of surveys of a preliminary nature, where no monuments or corners are established.

SECTION 12. The record of survey thus filed with the County Recorder of any county must be by him pasted into a stub book, provided for that purpose, and he must keep a proper index of such records, by name of owner, by name of surveyor, by name of grant, city, or town, and by owner, by name of surveyor, by United States subdivisions; and he shall make no charge for filing and indexing such records of surveys.

SECTION 13. Upon the failure of any licensed surveyor to comply with the requirements of this Act, and the furnishing of satisfactory proofs of such fact, the State Surveyor-General must revoke his license, and no other license shall be issued to him within one year from such revocation. A violation of section eleven of this Act shall be a misdemeanor, and any person convicted of such violation shall be punished by a fine not to exceed more than one hundred dollars, or imprisonment in the county jail not exceeding thirty days.

SECTION 14. In case said Board shall refuse to meet and examine the applicants for licenses as in this Act provided, and issue to such applicants the certificate or certificates mentioned in this Act, if such person be a fit and competent person to receive the same, they may be compelled to do so by mandamus; and if upon the hearing of such mandamus it appears that they have willfully and wrongfully refused to examine any applicants, or to issue him a certificate when he is entitled to the same, such Board so refusing or failing shall be, jointly and severally, liable for all cost of said mandamus proceeding, including attorney's fees of five hundred dollars, and shall be so jointly and severally liable to any person aggrieved by such refusal, in the sum of five hundred dollars, as fixed, settled, and liquidated damages, which may be recovered in any Court in this State, and the judgment (if it be for plaintiff) in mandamus shall be prima facie evidence of such injury and damage in any action which may be brought to recover damages under the provision of this Act.

SECTION 15. All that part of the Code of Civil Procedure of this State relating to mandamus is hereby made applicable to the provisions of this Act; and all proceedings in mandamus under this Act shall be in accordance therewith.

SECTION 16. This Act shall take effect on the first day of July, eighteen hundred and ninety-one.❖



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Snapshot of a Typical Members Sovings

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Fast-Trak" your one man surveying with Topcon's exclusive RC-2 uptical communication remote and GTS-810 robotic total station



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Powerful L1 or L1+L2 receiver
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CLSA/NALS Conference 2003

Join Us!

The CLSA/NALS 2003 Conference is upon us. This year the Conference will be held at Silver Legacy Resort & Casino in Reno, Nevada. We hope we have included all necessary information regarding the conference, however, please feel free to contact the Conference Registration Office (707)578-6016 clsa@californiasurveyors.org, if you have additional questions. For updated conference information visit the CLSA website at www.californiasurveyors.org or NALS website at www.nvlandsurveyors.org. We hope you will join us March 9-12, 2003.

Reservations

We urge you to make your hotel reservations as soon as possible. Rooms (single or double) are being offered at \$55.00. Silver Legacy Resort & Casino reservations should be made directly with the hotel. The cut off date for hotel reservations is February 19, 2003. After February 19, 2003, rooms are subject to availability.

Silver Legacy Resort & Casino

Group Code: CLSA/NALS

(800) 687-8733

\$55.00 Single/Double

Cut-off Date: February 19, 2003

Cocktail Farty S Scholarship Auction

One ticket included in registration fee.

Don't miss the action at the auction!

Sunday, March 9, 2003

1:00 PM - 1:30 PM	Opening Ceremonies Introduction of 2003 CLSA & NALS Officers
1:30 PM - 2:00 PM	Presentation of Land Surveyors Week Resolutions Keynote Address: The Surveying Profession -
	Hi-jacked or Surrendered?
	Curtis W. Sumner, Executive Director, ACSM
2:00 PM - 3:00 PM	To Accept or Not to Accept
	Dennis J. Mouland, PLS & Wendy Lathrop, PLS
3:00 PM - 3:15 PM	Break
3:15 PM - 5:00 PM	To Accept or Not to Accept
	Dennis J. Mouland, PLS & Wendy Lathrop, PLS
5:30 PM - 6:30 PM	No Host Cocktails in the Exhibits Hall

Monday, March 10, 2003

8:00 AM - 8:30 AM	Exhibits Open/Coffee with Exhibitors
8:30 AM - 10:00 AM	To Accept or Not to Accept (Continued)
	Dennis J. Mouland, PLS & Wendy Lathrop, PLS
10:00 AM - 10:30 AM	Break with Exhibitors
10:30 AM - 12:00 PM	To Accept or Not to Accept (Continued)
	Dennis J. Mouland, PLS & Wendy Lathrop, PLS
12:00 PM - 1:30 PM	Luncheon: A Funny Thing Happened on the
	Way to the Conference
	Jerry Miller, PLS
1:30 PM - 3:00 PM	Thinking Beyond Technology
	Dennis J. Mouland, PLS & Wendy Lathrop, PLS
1:30 PM - 3:00 PM	Photogrammetry, GIS/LIS and the PLS
	Joshua S. Greenfeld, PhD.
1:30 PM - 3:00 PM	Risk Management for Surveyors
	Curtis W. Sumner, PLS
3:00 PM - 3:30 PM	Break with Exhibitors
3:30 PM - 5:00 PM	Thinking Beyond Technology (Continued)
	Dennis J. Mouland, PLS & Wendy Lathrop, PLS
3:30 PM - 5:00 PM	Photogrammetry, GIS/LIS and the PLS
	Joshua S. Greenfeld, PhD.
3:30 PM - 5:00 PM	Contract Law
	Robert B. Jacobs, Esq.
6:00 PM	Exhibitor-Sponsored Cocktail Party &

Scholarship Auction

Silver Legacy Hotel, Reno NV

Tuesday, March 11, 2003

8:00 AM - 8:30 AM 8:30 AM - 10:00 AM	Exhibits Open/Coffee with Exhibitors Liability Exposures for the Professional Land Surveyor
8:30 AM - 10:00 AM	Grant Weaver Introduction to 3D Laser Scanning for Surveying
8:30 AM - 10:00 AM	Tony B. Grissim & Guy Cutting Independent CORS Owner/Operators Gary L. Wiseman, PLS; Mike Strom, Janine L. Hampton, PLS
10:00 AM - 10:30 AM	Break with Exhibitors
10:30 AM - 12:00 PM	ALTA Surveys and Express Map
10.30 AW - 12.00 FW	Roy Minnick, PLS & Cris Perez, PLS
10:30 AM - 12:00 PM	Following in the Footsteps, Field Methods
10.30 AW - 12.00 FW	of the 1880's
	Jim Simpson
10:30 AM - 12:00 PM	Real-Time GPS Networks
10.30 AW - 12.00 FW	Arthur R. Andrew, PLS &
	James P. Swanson, PLS
12:00 PM - 1:30 PM	Luncheon/Program
12.001 101 - 1.301 101	Fred Horlacher
1:30 PM - 3:00 PM	Trig Star - How to Get Started
7.50 1 101 5.00 1 101	Armand Marois, PLS
1:30 PM - 3:00 PM	Evidence & Courtroom Procedures -
7.50 1 101 5.00 1 101	Mock Trial
	Jerry Broadus, Esq.
1:30 PM - 3:00 PM	GPS Real-Time Issues and Specifications
7.50 1 101 5.00 1 101	Tom Taylor, PLS; M. Hussain, PhD., PE
1:30 PM - 3:00 PM	Determining the Value of Your Business
1.001111 0.001111	Dr. David McArthur
3:00 PM - 3:30 PM	Break with Exhibitors
3:30 PM - 5:00 PM	Evidence & Courtroom Procedures -
0.001111 0.001111	Mock Trial (Continued)
	Jerry Broadus, Esq.
3:30 PM - 5:00 PM	CORS Issues
0.001111 0.001111	Cecilia L. Whitaker, PLS; Marti Ikehara, PLS;
	James Marlett
3:30 PM - 5:00 PM	Getting the Most Value From Your Business
	Dr. David McArthur

Virginia City Dinner

6:00 PM - 10:00 PM

Silver Legacy Resort & Casino

Combining Nevada's turn-of-the-century silver mining heritage with state-of-the-art architecture and unrivaled entertainment theming, Silver Legacy Resort Casino is northern Nevada's most spectacular "must see" property. Setting new standards for northern Nevada, Silver Legacy showcases the world's largest composite dome, measuring 180 feet in diameter. A unique environment is created using the latest in lighting, sound and special effects technology. The interior of the dome, an astounding 75,000 square feet, reflects the dramatic skies of Reno, and depicts an entire day from sunrise to sunset. The indoor sky is one of the largest indoor murals ever painted.

The entire complex features collected treasures from Europe, the Far East and Africa, which enhance the themed recreation of Nevada's rich silver mining legacy. Encompassing over two blocks in the heart of downtown Reno, Silver Legacy features 1,720 guest rooms and suites. With dark woods, marble floors and rich, vibrant carpeting, the elegant and refined Resort Casino has six uniquely themed restaurants. Of course, Silver Legacy also features the finest in gaming, with 85,000 square feet of gaming space, including the newly renovated Race & Sportsbook two Keno lounges, 80 table games and 2,500 slot machines. Additionally, Silver Legacy is one of the only Resort Casinos in downtown Reno to accommodate the retail shopping needs of its patrons. New and innovative stores have been created especially for Silver Legacy.

CLSA/NALS Conference 2003

March 9-12, 2003 • Silver Legacy, Reno, Nevada

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REG	ISTRATION FORM	

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COMPANY						
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Registration Package	\$215.00	\$235.00	s	Tuesday Virginia City Dinner	\$45.00	. 5
(Includes Conference Registration Monday & Tuesday Lunchoons	s)			Continuing Education Certificate	\$20.00	\$
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Wednesday, March 12, 2003

Coffee
Evidence & Courtroom Procedures -
Mock Trial (Continued)
Jerry Broadus, Esq. & Clarice Clark
Model Law - A Panel Discussion
Howard L. Brunner, PLS & Rita Lumos, PLS
Update the CSRC Master Plan
Gregory Helmer, PLS & Don D'Onofrio
Break
Evidence & Courtroom Procedures -
Mock Trial (Continued)
Jerry Broadus, Esq. & Clarice Clark
Easements by Map, Easements by Document,
Easements by ?
James R. Dorsey, PLS
Local Area GPS Height Modernization Projects
Marilyn Fitzsimmons, PLS;
Scott P. Martin, PLS; Don D'Onofrio
Closing Ceremonies and
Grand Prize Drawings

Grand Prize Drawing

Plan on attending the Opening Ceremonies at 1:00 p.m. on Sunday, March 9th to receive your ticket for the Grand Prize drawing. This year we will be raffling a digital camera and a PDA. The Grand Prize Drawing will be held at 1:00 p.m. on Wednesday, March 12th. Tickets for the Grand Prize Drawing are limited to Conference full paid registrants. Winners must be present at the closing ceremony.

Continuing Education

The Conference Office will maintain an attendance record of Professional Development Hours (PDHs) for those persons who register for PDHs with the Conference Registration Office. Persons wishing to receive a record of PDHs will be required to register with the Conference Registration Office PRIOR to attending conference sessions. For further information, please contact CLSA Conference Registration Office at (707) 578-6016.

Certification fee: \$20.00 (See registration form)

How Can Our Profession Promote Education and Provide Quality Candidates for Professional Positions?

By supporting CLSA Education Foundation's scholarship program for surveying students and making a tax-deductible donation to the Foundation. Students from accredited survey programs are awarded scholarships based on academic standing, professional association participation and need.

The annual Foundation scholarships include:

James E. Adams Memorial -\$1000

Applicants are evaluated on leadership roles and activity in surveying associations and in educating and helping others.

A.E.''Ed'' Griffin Memorial - \$1000

Applicants are evaluated on their interest in pursuing boundary surveying and their history in the profession.

Presidents Scholarship - \$500

Applicants are evaluated on their activities within professional organizations and their activities promoting the profession to young students.

Local CLSA chapters have joined the Foundation for selection and award of their local scholarships. San Diego Chapter will award their "Curtis Brown" scholarship; San Joaquin Chapter will award their "W.O. Gentry" scholarship; Central Valley Chapter an area scholarship; Northern Counties Chapter an area scholarship; East Bay Chapter an area scholarship. We encourage more chapters to join the Foundation to provide the most surveying students scholarships and avoid individual chapters awarding the same top students multiple awards.

The City of Palo Alto responded to our request last year, for donations of excess survey equipment. We received several tripods, a level, several level rods, a Rhoades Arc and miscellaneous survey equipment that will be available during our scholarship auction in Reno, Nevada during the 2003 CLSA-NALS Conference March 9-12. Contact the Central Office with your donations. We will arrange to pick them up or you may bring them to the conference. We are encouraged by this gift and hope that other public and private organizations will follow their lead. The auction is a lively social event where the good deeds of the participants are rewarded by the satisfaction with helping future surveyors complete their education and become members of our profession.

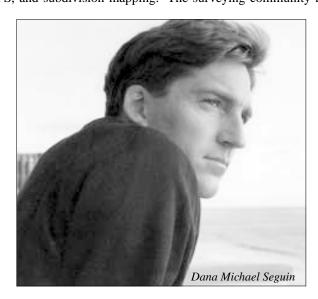
More information on the Education Foundation may be found on the CLSA website at www.californiasurveyors.org.

Obituaries

Dana Michael Seguin, LS 6215 1959 – 2002

On October 30, 2002 California Surveyors lost both a distinguished colleague and a great friend.

Dana's surveying career "commenced" in Washington State in the early 1980s. His work in the Pacific Northwest included surveys in the San Juan Islands and in the surrounding waters of the Strait of Juan de Fuca for underwater communications cables. He also purchased and set up the first computer for the engineering department of the City of Mount Vernon. He moved back "home" to the San Diego area in the late 1980s where he worked for a couple of different firms prior to his hiring at Hunsaker & Associates San Diego, Inc. in 1994. Dana's career really took off at Hunsaker where he headed the mapping department and where he became a partner/vice president in 2000. He received his California Land Surveyors license in 1989 and his Nevada Land Surveyors license in 1993. Dana's career in surveying was "well rounded" with extensive experience in both the field and in the office. He was known and respected for his expertise in many land surveying fields including boundary surveys, control surveys, GPS, and subdivision mapping. The surveying community has



benefited greatly and will continue to do so from many GPS Static Control Surveys throughout San Diego County for which Dana was responsible.

Always active with the San Diego Chapter of CLSA, Dana's services included Chapter President in 1994 (and offices preceding the presidency), Chapter Representative from 1995-1999, and participation in numerous standing and ad hoc committees. Dana donated countless hours helping to organize Chapter sponsored events such as the annual holiday parties and the annual Padres game tailgate parties. And who can forget Dana's

participation with the "Gary Oakie Review" band that performed at a couple of San Diego Chapter holiday parties and at two of the CLSA conferences in the 1990s? At the State level, Dana served on the Professional Practices Committee and chaired the committee until the onset of his illness in 2001. He was a skilled diplomat, representing both his Chapter and CLSA with eloquence and grace.

Dana was a likable and caring person. His wit, sense of humor, and enthusiasm for life had a positive affect on those who had the pleasure of knowing him. Dana went out of his way to offer his friendship to others. He routinely took the time to help make new Chapter members and new employees at Hunsaker feel at home by inviting them to join him in one of the many things that he enjoyed doing which included surfing, mountain biking, playing basketball, jamming with his band, or simply hanging around having a few "cold ones."

Dana valiantly battled pancreatic cancer during the last 15 months of his life. Throughout that difficult time, he displayed amazing courage, always maintaining a positive outlook on life. Although his passing saddens all who knew him, something very positive resulted from his ordeal. Thousands of dollars were raised and donated to the Pancreatic Cancer Action Network (PanCAN) through various fundraisers including charity auctions, a golf tournament, and a 5K walk in Orange County. Additional information about PanCAN can be found at http://pancan.org and donations can be made through:

Pancreatic Cancer Action Network National Headquarters 2221 Rosecrans Ave., Suite 131 El Segundo, CA 90245

Toll Free: 877-272-6226, Phone: 310-725-0025, Fax: 310-725-0029

Email: info@pancan.org

A memorial service for Dana, attended by about 200 friends and relatives, was held on November 8, 2002. Dana is survived by his wife, Lisa, and by his two sons, Devin and Forrest.

Submitted by the San Diego Chapter, CLSA

Paul Neese (LS 2771)

A surveyor for the Marin Municipal Water District for thirty-one years and self-employed in Marin County for a number of years, passed away at his home in Petaluma, California on November 5, 2002 after a brief illness. He was 80 years old. Paul served in WWII as a gunnery instructor 1943-1946. He graduated from U.C. Berkeley in Forestry in 1949.He was proud of his work as a surveyor for MMWD. At one point he supervised the Land Department. After he retired from the Water District he was elected Board Member and served the District for four years.

Paul is survived by his wife of 43 years, Maggie Neese of Petaluma, daughters Paula Neese of Petaluma and Mary

Continued on next page



Stompe of Novato and son, Thomas Neese of Spokane, WA and extended family members.

Lawrence "Larry" August Palm,(LS 4234)

surveyor from Santa Cruz, California passed away suddenly on July 23, 2002. He was born in San Francisco on Aug. 10, 1941. He is survived by his wife and three children.

Desmond "Dez" Creacey (LS 3765) died on April 14, 2002 of pancreatic cancer in Petal Mississippi. He was a land surveyor for the County of San Bernadino for a number of years and retired in 1978.❖

Mario C. Quiros

Malibu resident Mario C. Quiros died on Jan. 7. Born on May 13, 1919, in San Jose, Costa Rica, he was the second-born in a family of seven children.

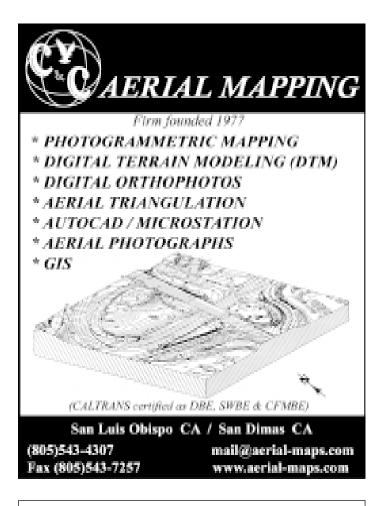
Upon completion of school, Quiros began his career in surveying on a crew staking the alignment of railroad tracks for the Standard Fruit Company in southern Costa Rica, and later the national border in Panama. Then he contracted malaria, which nearly ended his life.

He came to the United States in 1941 and traveled from coast to coast. With limited English, but proficient in math and surveying, he was given a foreman position in the construction of the Liberty ships in Richmond, Calif. He began working in the Los Angeles area in the offices of engineers George Adams and Gerald Fitzgerald. He first worked in Malibu in 1947 with Fitzgerald's crew, which was often called upon by local resident Rhoda Adamson to check the encroachments of her neighbors. He met and soon married Lavonia Robinson in June 1949, with whom he would spend the rest of his life.

Quiros obtained his license as a California land surveyor in 1952, working the greater Los Angeles area. He established an office in Malibu in 1958, and moved his family of three children to the Broad Beach vicinity of West Malibu in 1963. His son, Mario J., and son-in-law, Patrick Morrill, joined Quiros in the surveying profession.

At age 44 he learned to surf, and was quickly a master of "turn and burn" in the beach breaks of Zuma and Trancas. He is survived by his wife, Lavonia; children Mario, Elena and Marta; grandchildren Nora, Xia, Zarrina, Ariel and Matthew; and his beloved pugs.

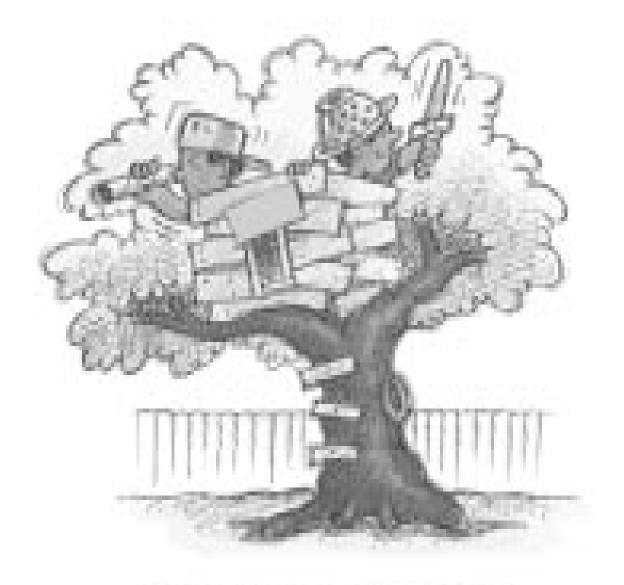
A memorial service took place on the Adamson House grounds at Malibu Lagoon Friday, Jan. 17, at 3:30 p.m. In lieu of flowers, please contribute to the scholarship fund of the California Land Surveyors Association; P.O. Box 9098, Santa Rosa, CA 95405 Phone: 707.578.6016; E-mail, clsa@californiasurveyors.org







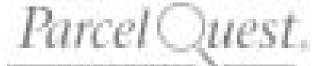
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CORS Applications and Utilizations

Speaker: Cecilia Whitaker, PLS September, 27th - Santa Maria October, 4th - Concord

Visit the CLSA Website for more information: www.ca-surveyors.org

Index To Advertisers
Allen Instruments & Supplies 11
Berntsen International, Inc
California Surveying & Drafting
Cartwright Aerial27
CD Data
C&C Aerial Mapping25
Digital Mapping29
GeoLine Positioning Systems
HJW & Associates9
IRWA 7
Lewis & Lewis9
Mark-It (Desert Engineering)
Microsurvey Software 8
RBF Consulting
Rick Engineering Company 4
Spectra 3D
Surveyors Service Company (SERVCO) 2, 35
Surv-Kap
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Trimble
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Benefits and Effects

Today, companies all over the world are experiencing a tremendous increase in productivity and efficiency by utilizing technology and the power of the Internet.

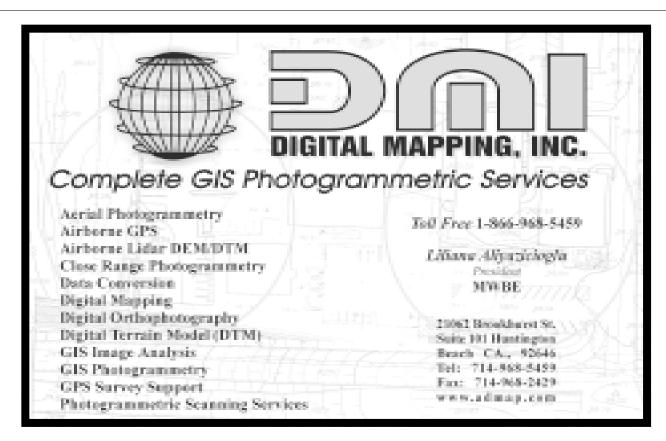
The shift towards a paperless environment in the work place, eliminating the need to store thousands of documents and records on paper by storing them electronically, and the cost savings from less mail and overnight deliveries, all play a part in helping surveyors do more with less.

However, it is perceivable that the greatest savings comes to us in the form of time. Accomplishing, what used to take hours and sometimes days, in just a matter of seconds, is truly revolutionary.

Editors Note:

Recently, the California Land Surveyor's Association approved CourthouseDirect.com as an Affinity Partner. This means that whenever a member uses the designated web page: http://www.courthousedirect.com/clsa the member will receive a \$.07 per page discount on their copies and CourthouseDirect.com will donate \$.12 per page to CLSA.





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Stimping & Handling

Thought you heard it all about easements? How 'bout this one?

ave you read of the City of Salt Lake vs the Mormon Church? Michael Janofsky, of the New York Times reported last fall, that the City of Salt Lake, several city groups and the American Civil Liberties Union are going through the courts - all over an easement! Apparently there is the Main Street Plaza that lies between the LDS temple and their administration building which contain beautiful gardens and fountains, that draw about nine million visitors a year.

About three years ago the City sold the block to the church for \$ 8.1 million, but retained an easement. Subsequent to the sale, the plaza was closed off to vehicles, but not to pedestrians. When the city granted the plaza both parties agreed to ban certain "acts" that might be offensive, such as loitering, committing indecent acts, distributing literature, picketing and loud music. The ACLU and other groups feel a violation of the First Amendment has occurred. In 2001 the lower court affirmed for the church. However, the Court of Appeals overturned the decision . . . the restrictions were

illegal and the easement guaranteed the right to a public forum. The church has appealed to the full court. The loser of that judgment will most likely appeal to the Supreme Court.

Apparently what may have brought this to a head was this: during the Olympics, a Southern Baptist was arrested for trespassing. (He was handing out generic Christian literature. Subsequent to the arrest the charges were dropped.)

The crux of the whole thing is an easement! "Insisting that the easement was the problem and that the city should relinquish it to the church. The church's attorney blamed the mayor for the whole mess, saying, "Without the easement on the table, things have become very difficult."

Only an attorney or a surveyor gets goofy over this kind of news. You heard it second or greater here in the California Surveyor.

Tri-State Photogrammetry 1/2 Page Pickup #135 pg.29

Here's Some Important Information About CLSA

The goal of the California Land Surveyors Association is to promote and enhance the profession of surveying, to promote the common good and welfare of its members, to promote and maintain the highest possible standards of professional ethics and practice, and to elevate the public's understanding of our profession. CLSA represents all Land Surveyors, whether they are employees or proprietors, whether in the public or private sector.

Representation

LOCAL: Your local chapter represents you in local issues. Through your chapter representative to the State Board of Directors, the individual member can direct the course CLSA will take. STATE: The Surveyor is represented at the state level through an active legislative program, legislative advocate, and liaison with the State Board of Registration. REGIONAL: CLSA is an active member of the Western Federation of Professional Surveyors. This Federation is composed of associations throughout the western United States and addresses regional issues. NATIONAL: Through institutional affiliation with the National Society of Professional Surveyors and the American Congress on Surveying and Mapping, CLSA is represented at the national level.

Educational Opportunities

CLSA presents annual conferences which provide technical and business programs, as well as exhibits of the latest in surveying and computing technology. Seminars and workshops are presented to assist in continuing education. CLSA publishes the California Surveyor magazine and the CLSA NEWS to keep the membership abreast of changing legislation, legal opinions, and other items which affect our profession.

Business and Professional Services

CLSA provides a fully staffed central office which is available to answer questions or to provide up-to-date referrals concerning legislation, educational opportunities, job opportunities, or other issues concerning our membership. Professional liability insurance programs are available to members.

JOIN CLSA TODAY!

- CORPORATE MEMBER *\$159.00 + Entrance Fee. Shall have a valid CA Professional Land Surveyor or Photogrammetric license.
- CE CORPORATE MEMBER *\$159.00 + Entrance Fee. Any California registered Civil Engineer who is authorized to practice land surveying pursuant to Article 3, Section 8731 of the PLS Act and must be actively practicing land surveying and show sufficient proof thereof. CE Corporate membership must be approved by the Board of Directors.
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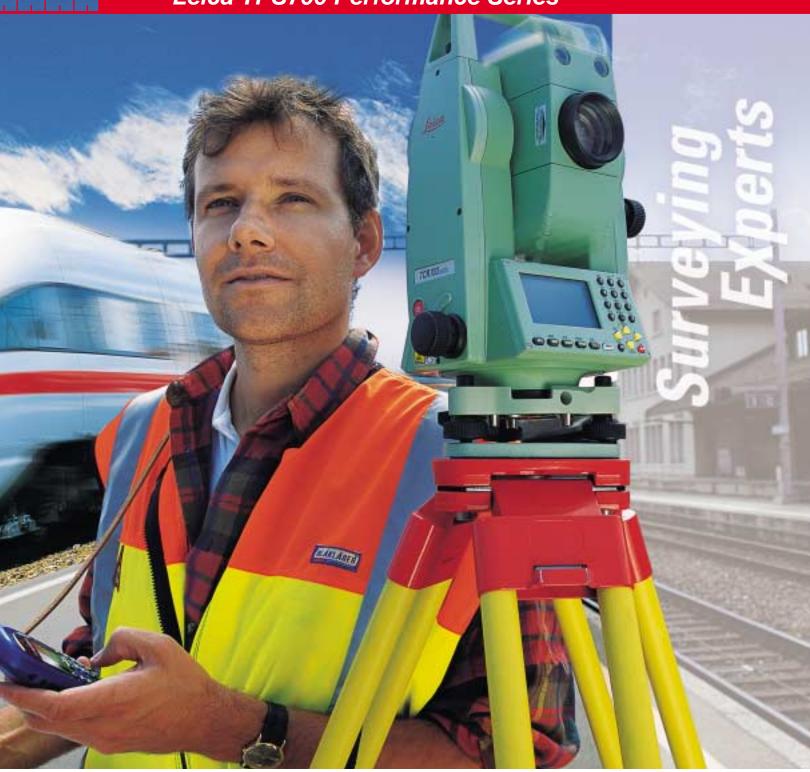
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Membership in the California Land Surveyors Association, Inc. as a Sustaining Member is open to any individual, company, or corporation who, by their interest in the land surveying profession, is desirous of supporting the purposes and objectives of this Association. For information regarding Sustaining Membership, contact CLSA Central Office, P.O. Box 9098, Santa Rosa, CA 95405

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