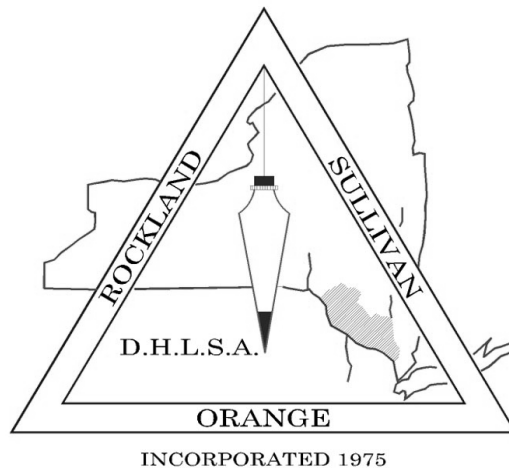


CODE OF PRACTICE FOR LAND SURVEYORS

PREPARED BY

**DELAWARE-HUDSON PROFESSIONAL LAND SURVEYORS
ASSOCIATION**



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HIGHLAND MILLS, NY 10930**

**ADOPTED DECEMBER 9, 1987
REVISED FEBRUARY 9, 1988**

Preamble

We, the Delaware-Hudson Land Surveyors Association, representing the Professional Land Surveyors of Orange, Rockland and Sullivan Counties of the State of New York with concern for the public welfare and our professional obligation, namely:

1. in recognition of the need to define the services and obligations of the profession.
2. in recognition that self-regulation is preferable to mandatory legislation.
3. to promote voluntary adherence to ethical standards.
4. to educate and protect both the professional and the client.
5. to standardize, advance and upgrade the profession.
6. to minimize the misunderstandings that may arise with contractual arrangements.
7. to provide clear, concise and useful information.

To these ends the Code of Practice, of which this Preamble is a part, is hereby adopted and published.

DEFINITION OF SURVEY MAP FOR DEFINING REAL PROPERTY BOUNDARIES:

A survey map is a drawing prepared by a licensed Land Surveyor registered in the State of New York, which graphically depicts the mathematical and physical features of a parcel of land with relation to the record title lines and/or other pertinent reference data based upon an actual field survey.

POLICY GOVERNING PREPARATION OF BOUNDARY SURVEY MAPS:

A survey map shall be prepared for and used only for the specifically identified purpose as stated on the survey map. A survey map shall not be used for any other purpose unless it is brought up to date by the surveyor or the surveying firm which prepared the original survey. The New York State Education Law §7209 provides as follows:

“All plans, specifications, plats and reports prepared by a land surveyor or by a full-time or part-time subordinate under his supervision shall be stamped with his seal and shall also be signed when filed with public officials.”

In all instances, original tracings of the Surveyor’s survey shall remain the property, and in the possession of the Land Surveyor. The purpose of certifying a survey map to the client and other named individuals and/or institutions is to assure those named individuals and/or institutions that the map was based on an actual field survey and conforms to the minimum standards as set forth herein for a specific transaction. In no way is it intended to extend this obligation beyond that transaction: to additional title companies, lending institutions, their successors and/or assigns, subsequent owners, or other individuals

All certified surveys shall conform to the minimum standards set forth in the Code unless limitations or variances from such standards are clearly stated on the survey map. The New York State Education Law stipulates that a note must be placed on all survey maps bearing a Land Surveyor’s seal concerning the alteration thereof.

In order to implement the policy stated above, it is recommended that all certified survey maps bear the following or similar notes:

“Unauthorized alteration or addition to a survey map bearing a licensed Land Surveyor’s embossed seal is a violation of Section

7209, Sub-division 2, of the New York State Education Law.”

“Only copies from the original tracing of this survey map marked with the Land Surveyor’s embossed seal shall be considered to be valid, true copies.”

Certifications indicated hereon signify that this survey was prepared in accordance with the existing Code of Practice for Land Surveyors adopted by the Delaware-Hudson Land Surveyors Association. Said certifications shall run only to those named individuals/institutions for whom the survey is prepared. Certifications are not transferable to additional individuals, institutions, their successors and/or assigns, or subsequent owners.”

MINIMUM STANDARDS:

Boundary surveys shall be prepared in accordance with the following minimum standards:

1. It shall be the responsibility of the client or agent to furnish the Surveyor with a current abstract of title and current deed of record. The use of said abstract and deed of record shall be referenced on the survey map. Should a current abstract of title not be furnished, the survey map should bear the following or similar note:

“Subject to the findings of an up-to-date abstract of title.”

Where necessary to clarify the determination of the location of a particular line, grant, easement, right of way, etc., the reference used shall appear on the survey map, whether the reference be a filed map, deed or otherwise.

Unless specifically contracted for, the Surveyor is not responsible for identifying protected natural features which are under the jurisdiction of a governmental agency: designated D.E.C. wetlands, flood plains, flood ways, protected or endangered flora and fauna, etc.

It is also not the Surveyor’s responsibility, unless specifically contracted for, to determine if the location of existing structures conform to the current local zoning or if they conform to the zoning ordinance in effect at the time of construction.

2. The Surveyor’s field work shall be performed with transit and steel tape, or other modern instruments considered equal or superior.

Measurements shall be in accordance with the United States Standard or International Metric Standards, and shall refer to the horizontal plane.

3. A survey map shall give a clear presentation of the facts with due regard to the scale of the map. A supplementary or exaggerated diagram shall be provided where necessary.
4. On the survey map, the boundaries as well as interior lot lines shall contain all the data necessary to re-establish the mathematical closure of the geometric figures represented. On every boundary line, the bearing and distance shall be shown; where the boundary is curved, at least two elements of the curve shall be shown. In those instances where the curves are not tangent, additional information shall be given sufficient to form a mathematical curve.
5. The north point and bearing system used shall always be indicated: Deed, Filed Map, Magnetic with date, State Plane, etc.
6. A tie distance to the nearest intersecting street or other definitive point shall be given, if pertinent. Any tie in the record description shall also be shown. Surveys or parcels within a large tract shall be related to one of the exterior lines of the tract, preferably by distance, along a street.
7. When the parcel surveyed is laid out on a filed map, the survey map must designate the title of the map, the filing data and the lot(s) and block(s) of the premises. In any case, when all or part of a parcel is or was shown on any other filed map or maps of record that affect the title and have been disclosed to the Surveyor, such lot lines and/or street lines shall be indicated on the survey map. When the street or lot lines are not identical with the record filed map, a notation to that effect shall be made on the survey map.
8. The character of all physical evidence of possession shall be noted and the location thereof shown in relation to the property lines on the survey map. Easements of record and physical evidence of possible easements and rights of way, etc., visible at the time of the field survey shall be shown. If the premises were surveyed when covered with snow so that the above conditions might have been concealed, this fact shall also be indicated on the survey map.
9. On all surveys, the known names of the adjacent property owners shall

be given. Names of adjacent owners and their respective deeds of record are given for information only and are not meant to imply contiguity. Where inconsistencies are found (i.e., overlapping descriptions, hiatuses, gores, excesses or deficiencies, erroneously located boundary lines and monuments), or there is doubt as to the location of the ground of property lines, or where other property rights may exist, the nature of the inconsistencies should be shown.

10. The legal lines of streets, roads and avenues shall be given, if known. Where there is any doubt as to the location on the ground of street lines (i.e., where the authorities laying out the streets have not properly defined the same, or there are no monuments, or there are errors found in the setting of monuments, or there are errors found in the description of the street), the nature of the difficulty shall be noted. If streets abutting the premises are not physically opened, the map should indicate same.
11. The apparent character (i.e., types of construction, number of stories, condition, etc.) and location of all buildings on the parcel surveyed must be shown and referenced to the parcel boundaries. The location of all walls (independent, party or otherwise), fences, adjoiner's buildings, building projections such as fire escapes, bay windows, flue pipes, stoops, patios, trim, eaves, etc. on adjoining property or on abutting streets must be indicated if located within three (3) feet of the common property line and a perpendicular offset to same shall be shown.
12. Location of both side of party walls shall be shown when accessible. If a building on the premises has not independent wall, but uses a wall of the adjoining premises for support, this condition shall be shown and explained. The same shall apply where conditions are reversed.
13. Joint or common driveways must be shown with the width indicated. If an independent driveway along the boundary is encroaching, it shall be shown to the extent of the encroachment.
14. On large tracts, buildings and structures remote to the boundary lines should be shown in approximate scaled positions and noted thus upon the map. If interior improvement are not located and shown, a note should be shown to that effect.
15. On large tracts, springs, streams, rivers, ponds, and wet areas located wholly within the interior of the parcel and remote to the boundary

lines may be omitted on the survey map, but if omitted, so noted.

16. Visible or recorded evidence of cemeteries and burial grounds located within the premises must be shown by actual location.
17. The area of the parcel shall be shown in square feet and/or acres, or square meters and/or hectares, as applicable.
18. Survey maps shall show all monuments, stakes, iron pipes, or other markers found and/or set in close proximity to, or on the property corners or lines of the parcel being surveyed and indicated their relationship to said corners or lines. Permanent monumentation is to be set on all important boundary corners and/or a bearing and distance tie to a permanent object from a property corner in a manner enabling reconstruction of the survey in the field by others. The reference tie should also be shown on the survey map.
19. A metes and bounds description should be written when the survey significantly differs from the record deed or where clarification of the calls can be accomplished by re-describing the parcel. References in the description shall be made to found and set monumentation, ties to property corners, reference datum and the name of the Surveyor. (i.e: **The parcel above is described according to a survey completed Nov. 1987 by John Doe, L.S. Bearings refer to magnetic North of Nov. 1987.**)
20. Subsequent to the initial issuance of a survey map, all revisions thereto shall be specifically noted and dated.
21. Every Boundary Survey shall bear the following or similar certification:

“I hereby certify to the parties listed below that this map is based on an actual field survey completed on _____ and conforms to the minimum standards for land surveys adopted by the D.H.L.S.A. on December 9, 1987, and revised February 9, 1988.”