

- **Legal Research and the Land Surveyor:**

Ignorance of the law is no excuse. Nowhere is this maxim truer than in the professional services arena. The difference between the good surveyor and the bad surveyor isn't that the good surveyor knows all of the answers. It's that the good surveyor knows how to find the answers. This seminar will explore the law, the sources of the law, and the difference between law and equity. The court system will be studied and legal writings will be introduced. Sources for finding the law will be discussed. The legal research project will be studied from beginning to end. A live internet search will be conducted that will include finding the law on several key areas that affect surveyors in their everyday practice, including the following: liability; statutes of limitations; boundary disputes; property law; deeds and instruments of conveyance; and contracts. Participants will come away with a better understanding of the law and how it affects the professional land surveyor.

- **Survey Evidence and Procedure:**

There is a line of thinking within and without the surveying community that goes something like this: *The surveyor's only role is to deal with the facts as contained in the client's deed; all other issues with regard to boundaries can only be determined by a court of competent jurisdiction.* The obvious problem with this line of thinking is that, if this is truly the case, society does not need land surveyors. Boundary determinations boil down to two questions: A question of law and a question of fact. "The question of what is a boundary line is a matter of law, but the question of where a boundary line, or a corner, is actually located is a question of fact." *Walleigh v. Emery*, (Pa.Super.Court. 1960). "In resolving a boundary line dispute, the trier of fact must evaluate all of the evidence and assess the credibility of the witnesses." *Jackson v. Bownas*, (Tenn.App. 2005). The question of what the boundary is and where the boundary is located can be answered by the land surveyor who has gathered the relevant evidence, evaluated that evidence, and has formed a well reasoned opinion based on the law and the facts in light of the surrounding circumstances. Evidence and procedures for land surveyors will explore this process and the reasonable conclusions to be drawn from it.

WEDNESDAY, MARCH 3, 2010

7:30 A.M. - 8:00 A.M. *REGISTRATION &
CONTINENTAL BREAKFAST*

**8:00 A.M. - 12:00 P.M. Legal Research and the
Land Surveyor**

12:00 P.M. - 1:00 P.M. *BUFFET LUNCH PROVIDED*

**1:00 P.M. - 5:00 P.M. Survey Evidence and
Procedure**

8 HOURS TOTAL PDH'S





Jeffery Lucas, JD, PLS

Jeffery N. Lucas is in private practice in Birmingham, Alabama. Jeff has been in the surveying business since 1976. He is a licensed land surveyor registered in Alabama, Florida, Georgia, Mississippi and Tennessee. Mr. Lucas is also a licensed attorney and member of the Alabama State Bar. Mr. Lucas specializes in land boundary issues and practices throughout the southeast. He has been a seminar leader on surveying topics that include ALTA/ACSM standards, survey technical standards, boundary law, survey law, legal descriptions, state plane coordinates, geodetic surveying, and water boundaries. In addition, he has authored many articles on surveying and boundary issues and writes a regular monthly column for P.O.B. Magazine.

Should any questions arise, please contact:

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The Missouri Board for Architects, Professional Engineers, Land Surveyors and Landscape Architects has approved this seminar for 8 hours of PDU.

THE NORTHEAST CHAPTER OF THE KANSAS SOCIETY OF LAND SURVEYORS



PRESENTS

Jeffery Lucas, JD, PLS

**“Legal Research and the
Land Surveyor”
&
“Survey Evidence and
Procedure”**

Wednesday, March 3, 2010

At

**THE KDOT DISTRICT ONE
CONFERENCE ROOM
121 West 21st Street
TOPEKA, KS**