

ERRATA SHEET

The following was inadvertently omitted from page 59, under section 38-51-106:

- (2) Plats as required in paragraph (1) of this section shall:
 - (a) Conform to the requirements set forth in section 38-51-105;
 - (b) Depending on the location of the land, contain in the title block the following information:
 - (i) For parcels of land located within the United States rectangular survey system, the section, township, range, and principal meridian; or
 - (ii) For grant or unsurveyed parcels of land, information relating to the system of indexing the county assessor already has in place.
 - (c) Be deposited with the public office designated by the county commissioners within six months from the date the monument was set or accepted in the field.

The following sections appearing on the original report's page 52 have not been changed - the heading was changed from 26B to 25B to correct a typographical error and for clarification of the intent of the recommendation.

25(B) REPEAL THESE SECTIONS FROM TITLE 38, ARTICLE 50 AND REENACT THEM IN TITLE 30, ARTICLE 10

30-10-903(3) (**Formerly 38-50-102**). County surveyor to administer oaths. County surveyors shall have authority to administer an oath or affirmation to deputies and assistants acting under them faithfully and impartially to discharge their duties as deputies and assistants.

30-10-903.5 (**Formerly 38-50-107**). Disputed boundaries - notice. (1) Whenever the proper location of any section corner or quarter section corner is in dispute, the corner monument shall be established in the following manner: The county surveyor of the county in which said corner is located, upon the application of any of the parties in interest, accompanied by the estimated payment provided for in subsection (3) of this section, shall within two weeks give notice in writing to all the parties whose property rights might be affected by the establishment of said monument, naming a day when he will be in the vicinity of the disputed corner to gather evidence and start the necessary surveys to establish the said monument, and, if such service of written notice cannot be made upon all said parties or their agents by reason of nonresidence or if there are more than fifty known landowners whose property rights might be so affected, then such notice shall be published for four consecutive weeks in some newspaper published in the county or, if there is no newspaper published therein, then in some newspaper of general circulation published nearest such county. The county surveyor shall also notify, to the extent practical, all professional land surveyors who have filed a monument record on the disputed corner or on any aliquot corner within one mile thereof and all professional land surveyors known by him to have performed land surveys in the vicinity of the disputed corner.

(2) The proper notice having been given, the county surveyor, upon the day named in the said notice, shall proceed to establish such monument in accordance with the rules laid down for the subdivision of sections in section 38-51-102, and with the field notes of original surveys made by the United States, he shall firmly plant a monument at the points so found by him, shall accurately take and note courses and distances from said point to one or more prominent objects of a permanent nature if there are any in the vicinity, shall make a plat or map of the survey made by him, and shall record the same, together with a statement of the whole proceedings, including the application, notice, and names of the parties in interest, in the records of his office. Such monument established as provided in this section shall be the true and legal monument defining the boundary corner as stated in the record of said survey.

(3) The reasonable fees and expenses of the county surveyor in establishing a corner shall be paid by the party applying therefor. At the time the original application is made, the county surveyor shall estimate the probable fees and expenses which will be incurred in establishing the corner, and he shall collect this amount from the applicant at the time the application is filed. After the corner has been established, if the estimated amount exceeds the actual fees and expenses, the excess shall be refunded. If the fees and expenses exceed the estimated amount, the applicant shall pay the difference to the county surveyor.

On page 48 of the original document, please replace the word "document" in paragraph 2, line 13 with the word "monument". The revised sentence should read as follows: A monument record is a written and illustrated document describing the physical appearance of a survey **monument** and its accessories ...

FAX

DATE:

TO:

FROM:

FAX NUMBER:

NUMBER OF PAGES INCLUDING COVER SHEET: