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HOOSIER SURVEYOR

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SUBMIT CONTENT FOR THE HOOSIER SURVEYOR

If you have an article to share or a story to tell, we want to hear from you! Please submit content to our Senior Communications Coordinator via email (kanderson@ispls.org).

The Hoosier Surveyor is published quarterly by the Indiana Society of Professional Land Surveyors to inform land surveyors and related professions, government officials, educational institutions, libraries, contractors, suppliers and associated businesses and industries about land surveying affairs.

Articles and columns appearing in this publication do not necessarily reflect the viewpoints of ISPLS or the Hoosier Surveyor staff, but are published as a service to its members, the general public and for the betterment of the surveying profession. No responsibility is assumed for errors, misquotes or deletions as to its content.

COVER IMAGE

Indiana students (L to R) Duncan Lang, Isaac Zwilling, Lotty Bonnell and Gatlin Benish pose in front of the George Washington National Masonic Memorial in Alexandria, VA, during their visit to the Washington, DC, area for the NSPS 24th Annual Student Competition from March 17-20, 2025.

To see more photos from their trip, turn to page 14.



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PRESIDENT'S MESSAGE



BY ALEX
DAUGHERTY, PS,
ISPLS PRESIDENT

As summer winds down and the school year begins, it's the perfect time to remind everyone of the opportunities we have to shape the future of our profession. With students back in classrooms across Indiana, career fairs and school outreach events are ramping up and we need your help.

One of the most impactful ways you can contribute to the future of land surveying within our state is by volunteering to represent ISPLS at these events. Sharing your passion and experience with students not only helps raise awareness of our field but also inspires the next generation of surveyors.

To make volunteering easier than ever, I'm excited to share that ISPLS now has a **dedicated Workforce Development staff member** whose role is to coordinate and support these outreach efforts. This means less planning and logistics for you. Just show up, share your story, and make a difference.

Katie Anderson, who currently serves as the Senior Communications Coordinator for ISPLS, has taken on the additional role of Workforce Development Coordinator. You can reach her at kanderson@ispls.org.

Whether you're a seasoned professional or new to the field, your voice matters. Please consider signing up for an upcoming event or reaching out to learn more about how you can get involved. Together, we can build a stronger, more sustainable future for land surveying in Indiana.

Regards,
Alex Daugherty
President, ISPLS



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TRIG-STAR SPOTLIGHTS SURVEYING

EXAMS CARRY CAREER MESSAGE TO HIGH SCHOOLS

BY RUDY VUGTEVEEN, PS

We have a growing profession we love, yet there are few people who know anything about it. Who do we start with and how do we spread the word? With thousands of high school students looking for a career path each year, how do we spread knowledge and create interest in our field? This is where Trig-Star comes into play.

Trig-Star is a national trigonometry exam administered in a competitive setting to high school students. This competition pushes students to accurately answer as many trig questions as possible in the least amount of time. The idea came from Russell E. Kastle, RLS, who was a member of the North Dakota Society of Professional Land Surveyors, with his purpose being to promote interest in the surveying profession.

Originally starting at the local high school level, this competition opened the door for professional land surveyors to enter math classrooms and clubs and talk about how mathematics, specifically trigonometry, is used to solve real world matters in surveying fields. Over the years it has developed into a national competition with scholarship opportunities.

Testimonials:

Liz Hawk, Eastbrook High School, Math Department Chair:

“I’ve been using Trig-Star in my classroom for about 10 years and have seen how it pushes my students to think in both systematic and creative ways. I appreciate the practice it gives them in coming up with a way to find an unknown quantity that is not easily accessible as much as the experience in persevering through frustration when they must adjust their approach because what they tried at first isn’t working.

“My students have found the competition side of Trig-Star to be motivating and fun. Very few of them have any understanding of what a surveyor’s job entails so they have not considered surveying as a realistic career option, but getting to meet a surveyor who has a passion for his work has been a great way to introduce practical applications of geometry and trigonometry, and has encouraged many of them to consider this field as they look at their future career options.”

Jackson Guard, Eastbrook High School graduate, now pursuing a career in land surveying:

“The Trig-Star exam was such a fun and practical challenge! It helped me become more aware of the surveying profession, something that I am actively pursuing now. It is very important for surveyors to administer this test in their local schools because it exposes students to the shrinking profession, which gives us more Survey Techs and Licensed Surveyors.”

Noah Rhoadarmer, Eastbrook High School graduate

“I was honestly stunned by how fun the Trig-Star is! It’s awesome because it makes you think in ways nothing else does. In reality, Trig-Star isn’t really a test so much as a challenge, a way to prove to yourself that you too can do math. My question for you is, are you ready for that challenge?”

Below is a list of steps you can follow to become a sponsor and administer Trig-Star in your area:

- Visit www.trig-star.com. With each participating high school needing a local sponsor (a local surveyor), this site will break down the details of how to become a sponsor and give information about the competition by giving resources, practice exams and award and scholarship information.
- Contact your local school and math teachers to tell them you are interested in sponsoring the Trig-Star competition.



Get them involved by explaining the details of what Trig-Star is and how it can benefit their students.

- You will need to schedule 30-45 minutes of class time to explain the exam and talk about how it applies to surveying. This should be a short presentation that lets you cover the basics such as what surveying is, the opportunities in the surveying fields, how to get licensed and the importance of what we do. Bring equipment to show off our technology and give the students a hands-on experience. Remember, this is the whole point of getting involved with Trig-Star! Don't be afraid to bring high energy and show your excitement for your love of surveying.
- Schedule the exam. You will need to block out a time of no less than 60 minutes to administer the exam.
- Once the exam has been administered you will need to grade them and give all results to the teacher and your local coordinator.
- The Wabash Valley Chapter awards a \$50 gift card to the winner of each school. This would be an option if your local chapter wants to contribute this prize.

- The state 1st, 2nd and 3rd place winners and their teachers will receive a monetary award from ISPLS. The top student in the state will also take the national exam to compete with other state winners.
- The national 1st, 2nd and 3rd place winners and their teachers will receive a monetary award from NSPS and be showcased on the Trig-Star website.

This is an incredible opportunity to bring surveying to the next generation. Let's get out there and show the future leaders of this world what our great profession is all about.

Please feel free to reach out to me if you have any questions. I would also be happy to assist you with ideas on putting together your teacher and student presentations.

Rudy Vugteveen
ISPLS Trig-Star Coordinator
rvugteveen@rmasurveying
Cell: 765-618-3833

2025 INDIANA TRIG-STAR WINNERS

The Trig-Star program is sponsored locally by the Indiana Society of Professional Land Surveyors and its regional chapters. The program recognizes the best students from high schools throughout the nation.

1st Place Indiana Trig-Star Winner

Levi Sliemers

Illiana Christian High School

Teacher: Doug Gorter

2nd Place Indiana Trig-Star Winner

Aiden Berryhill

Eastbrook High School

Teacher: Liz Hawk

3rd Place Indiana Trig-Star Winner

Emily Lindsay

Eastbrook High School

Teacher: Liz Hawk

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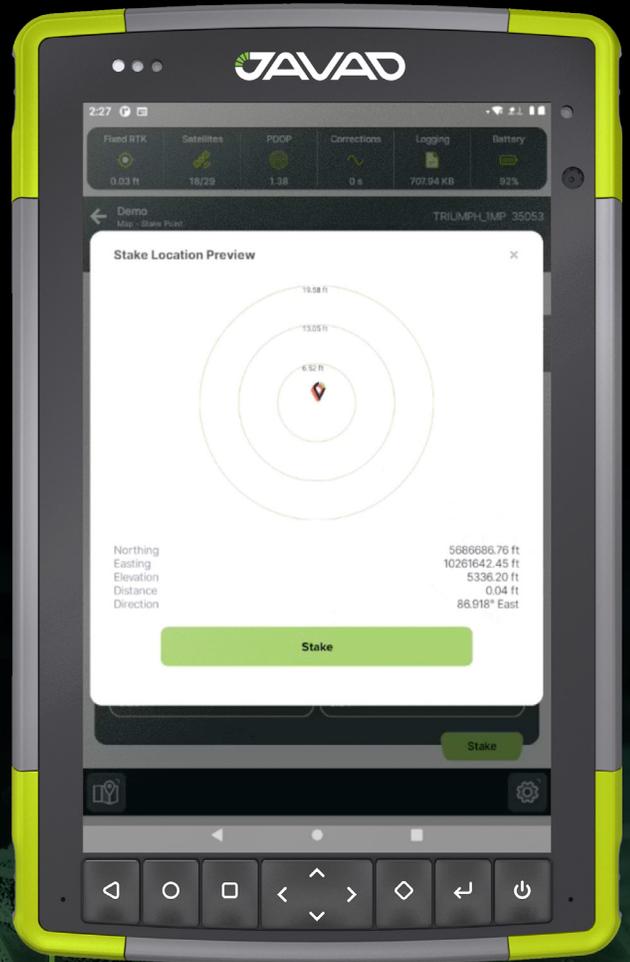


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LEGAL SURVEYS



BY JASON
McCORT, PS

The goal of this column is to provide brief summaries of recent Indiana Court of Appeals and Supreme Court opinions involving topics of interest to land surveyors but not to provide legal advice. I use Google Scholar to search for Indiana cases from the previous quarter and the Indiana Judicial branch website (www.in.gov/judiciary) to obtain a more conveniently formatted document. As what I have written is only intended to be a summary of court opinions, I encourage you to look up the full opinion on either Google Scholar or the state of Indiana website for more detailed information. Comments or suggestions for future columns are welcome by email to: jmccort@hntb.com.

Robert Boehm and Sharon Boehm v. Gary Waninger, Charles Waninger, Alan Waninger and Waninger Brothers, Court of Appeals Case No. 24A-PL-2168, June 20, 2025. MEMORANDUM DECISION - not regarded as precedent

Ronald and Sharon Boehm (the Boehms) own parcels of farmland in Spencer County. Gary Waninger, Charles Waninger, Alan Waninger and Waninger Brothers (the Waningers) own parcels of farmland that are contiguous to the Boehms' parcels.

An easement one rod wide was conveyed in 1903 along the northern and western edges of the Boehms' parcels to provide ingress and egress from the Waningers' parcels.

The Waningers have used the road within the easement for at least 50 years. However, since 2019, they have used wider farm equipment on the road and, as a result, have encroached onto the Boehms' property outside of the easement and damaged the Boehms' crops. The Boehms protested by asking them to stay within the easement boundaries, putting up stakes to mark the easement, and installing metal rods at the edge of the easement to prevent encroachment. The Waningers ignored these protests and even removed the rods and continued to drive their equipment outside of the easement boundaries.

The Boehms sued the Waningers for trespass. The Waningers raised several defenses including that they had a prescriptive easement, easement by necessity and easement by prior uses and laches. The trial court granted summary judgment in favor of the Boehms for the easement by necessity, easement by prior use and laches. However, the court did not rule about the prescriptive easement as "there are disputes of material facts as to the defense of the prescriptive easement." The Boehms appealed.

The Boehms argued that an express easement cannot be altered by a prescriptive easement. The appellate court did not agree with that argument. None of the case law cited by the Boehms prohibits a prescriptive easement on land already burdened by an express easement. As well, Indiana Code 32-23-1-1 does not have an exception for land subject to an express easement.

However, the prescriptive easement defense did fail on another key point. Indiana Code 32-23-1-1 says a prescriptive easement may not be acquired by another person unless there has been at least 20 years of uninterrupted use. The Waningers had been driving their farm equipment outside of the easement for six years, much less than the required twenty years. The trial court's decision was reversed.

Steve Chafin v. Patti Shade and Richard Shade, Court of Appeals Case No. 24A-PL-2224, April 9, 2025.

This is a case involving the installation of a gas line and an access road. I will limit my review to the issue of the access road as it is most relevant to an audience of land surveyors.

Chafin sold an unimproved lot to Patti and Richard Shade ("the Shades"). A purchase agreement ("contract") was executed between Chafin and the Shades and, in respect to the contract, Chafin constructed an access road to the Shades property. Per the contract, the access road was to be within the boundaries of the access easement shown on the approved plat. However, the access road did not completely follow the easement as depicted on the plat. There was an attempt by Chafin to move the road back within the easement. The Shades, however, ordered Chafin and his crew off the property. The Shades filed a complaint against Chafin for, among other things, putting the access road in the wrong place. The trial court ruled in favor of Shades in respect to the access road issue. Chafin appealed.

It was pointed out that the Shades waived their right to a survey which would have shown the location of access road relative to the easement. The waiver provision states that if the buyer waives the right to a survey, the seller is released from all liability regarding issues that would have been discovered by a survey. At the time of the survey, the access road was substantially complete and a survey would have shown the access road being outside of the easement. Also, the plat showing the easement was a "public record." The trial court's decision to rule in favor of the Shades about the access road issue was reversed by the appellate court and it was determined that Chafin was not liable to the Shades for damages related to the access road not being built within the easement.

Kelly Miller v. Robert L. Lucas, Pamela S. Lucas, Christopher A. Shrock, Dixie M. Gary, Kevin D. Hayes, Samantha L. Pinkerton and Randall D. Woods, Court of Appeals Case No. 24A-PL-2451, June 6, 2025.

Kelly Miller ("Miller") acquired Lot 12, Lot 13 and a portion of Lot 11 of Kuhn's Second Addition to Kuhn's Plat ("Second Addition Plat"). A portion of Lot 11 is subject to a boat landing easement per the Plat of Kuhn's First Addition to Kuhn's Plat ("First Addition Plat"). The easement is described as follows:

Unplatted ground South of these lots on the lake is for the exclusive use of lot owners of this plat, to be used as a boat landing.

Robert L. Lucas, Pamela S. Lucas, Christopher A. Shrock, Dixie M. Gary, Kevin D. Hayes, Samantha L. Pinkerton and Randall D. Woods ("Plaintiffs"), as owners of lots in the First Addition Plat, filed a complaint against Miller, seeking a judgment declaring the boat landing easement as being exclusively available to lot owners in the First Addition Plat. The trial court ruled in favor of the Plaintiffs and Miller appealed.

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On appeal, Miller argued that the court erred in determining that he was barred from using or accessing Lot 11 even if his use did not interfere with the First Addition Plat owners' use of the easement. Miller also argued that language in a warranty deed recorded in 1944 for Lot 13 (Charles Kuhn conveyed to R.B. and Mae Correll) provided him the right to use the boat landing area.

The appellate court affirmed the trial court's ruling. Of significant importance is the language of the First Addition Plat which describes the boat landing easement as being exclusive to the lot owners of the First Addition Plat.

Typically, easements are not exclusive in nature except when exclusivity is expressly stated in the easement description, as it is in this case. Regarding the 1944 deed, the appellate court said the attempted conveyance of rights to the boat landing area is void because doing so violated the terms of the exclusive easement described in the First Addition Plat. Kuhn did not convey a boat land easement to Correll because Kuhn did not have an interest in the boat landing area in the first place due to the exclusive boat landing easement described in the First Addition Plat.

Also, Kuhn would not have been able to unilaterally modify the exclusivity of the boat land easement of the First Addition Plat since a lot or a part of a lot of the First Addition Plat had already been sold.

.....
Jason McCort, PS, is a project manager for HNTB Corporation. He holds a B.S. Construction Technology degree from Purdue University. He is a professional land surveyor, licensed in the states of Indiana, Maine, New Jersey and Pennsylvania.



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NSPS ANNUAL STUDENT COMPETITION

INDIANA STUDENTS TRAVEL AND COMPETE IN SILVER SPRING, MD



(L to R) Duncan Lang, Lotty Bonnell, Isaac Zwilling and Gatlin Benish pose with a monument in Silver Spring, MD.



(L to R) Bonnell, Lang, Benish and Zwilling visit the Washington Monument in Washington, DC.



(L to R) Lang, Bonnell, Benish and Zwilling visit the Lincoln Memorial in Washington, DC.



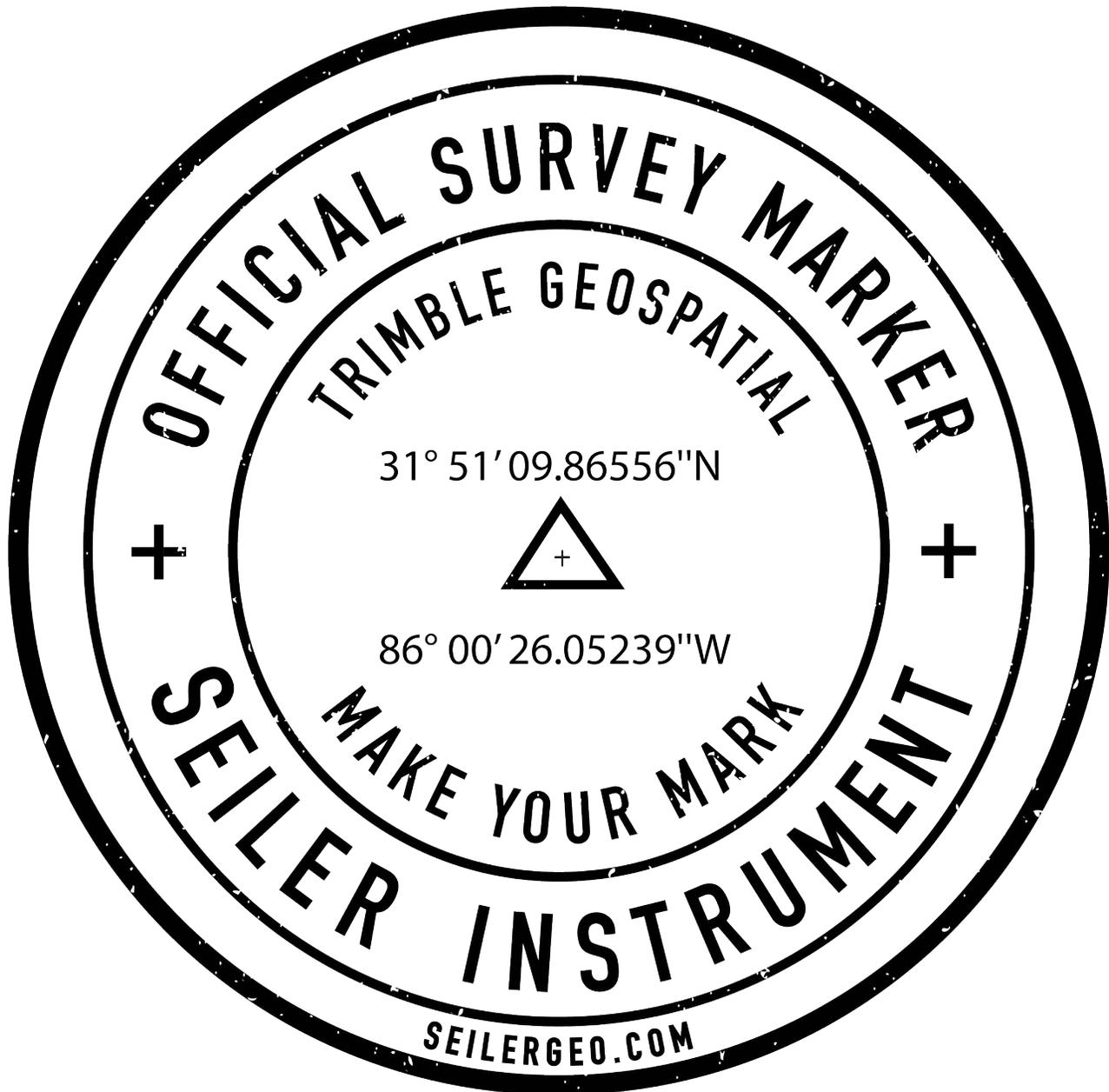
ISPLS Board Members Alex Daugherty and Don Williams have dinner with students Zwilling, Benish, Lang, Team Chaperone Kevin Herrin, and Bonnell.

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