

# HOOSIER SURVEYOR

MARCH 2026

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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](mailto: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

Incoming ISPLS President Zach Beasley presents Past President Alex Daugherty with the ceremonial gavel in thanks for his service as the Society's president in 2025.

The gavel was presented at the Awards Banquet of the 2026 Annual Convention on Thursday, January 29, 2026.



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# PRESIDENT'S MESSAGE



BY ZACH BEASLEY,  
ISPLS PRESIDENT

I would like to begin by thanking the members of our society for entrusting me with the opportunity to serve as your president. It is both an honor and a responsibility I take seriously, and I look forward to building upon the strong leadership that has guided our organization to this point.

Recently, I had the privilege of attending the Illinois Professional Land Surveyors Association Annual Conference in Springfield, where I was invited to provide remarks during their annual business meeting alongside the president of the Missouri Society of Professional Surveyors. Engagement with neighboring societies strengthens our collective voice and reinforces the shared mission we have as professionals across state lines.

As we look ahead to 2026, one of my primary objectives is to continue advancing our workforce development efforts. The long-term sustainability of our profession depends on attracting, mentoring, and preparing the next generation of surveyors and geomatics professionals. The ISPLS Board of Directors and I remain fully committed to supporting the surveying programs at Vincennes University and Cincinnati State University in any way we can to help students succeed and advance the profession.

I am also exploring the opportunity to partner with Purdue University to host a Geomatics Conference in the fall of 2026 or 2027, bringing together professionals, educators and students to strengthen collaboration, innovation and professional growth.

In addition, I intend to form an Artificial Intelligence Committee tasked with identifying practical and responsible ways AI can advance our profession. By proactively studying emerging technologies, we can improve efficiency, enhance accuracy and ensure our members remain competitive and well prepared for the future. If you are interested in serving on the AI Committee or contributing your insight and experience, please let me know. Your involvement will help shape how our profession adapts and leads in this evolving landscape.

This year marks the 250th Anniversary of the signing of the Declaration of Independence. Many of the signers were surveyors — men who understood land, boundaries and the responsibility of defining a nation. They pledged their lives, their fortunes and their sacred honor to secure the freedoms we enjoy today.

Two hundred and fifty years later, we carry forward a profession woven into the foundation of our country. The lines we establish today help define and protect the very framework of our communities. Let us honor that legacy by leading with integrity, embracing innovation, and committing ourselves to a future worthy of the freedoms they secured.

Together, we will continue shaping that future.

STATE OF INDIANA  
EXECUTIVE DEPARTMENT  
INDIANAPOLIS

Executive Order

# PROCLAMATION

TO ALL TO WHOM THESE PRESENTS MAY COME, GREETINGS:

- WHEREAS, professional surveyors across Indiana will be gathering this week of March along with surveyors throughout the nation in observing the duty, contribution, and promise of the surveying profession; and
- WHEREAS, the role of the surveyor has been and remains vitally important in the development of the State of Indiana and this nation, with former surveyors including presidents Washington, Jefferson, and Lincoln; and
- WHEREAS, the Indiana Society of Professional Land Surveyors strives to hold its membership to the highest of ethical standards and provide invaluable training through continuing education programs; and
- WHEREAS, the Indiana Society of Professional Land Surveyors maintains a watchful eye in order to protect the land we love while serving the community needs of an ever-changing world.

NOW, THEREFORE, I, Mike Braun, Governor of the State of Indiana, do hereby proclaim the 15<sup>th</sup> through the 21<sup>st</sup> of March, 2026 as

## INDIANA SURVEYORS WEEK

in the State of Indiana, and invite all citizens to duly note this occasion.

*In Testimony Whereof, I hereto  
set my hand and cause to be affixed the  
Great Seal of State. Done at the  
City of Indianapolis, this 25th  
day of February the year of our  
Lord 2026 and of the Independence  
of the United States 249.*



BY THE GOVERNOR: Mike Braun

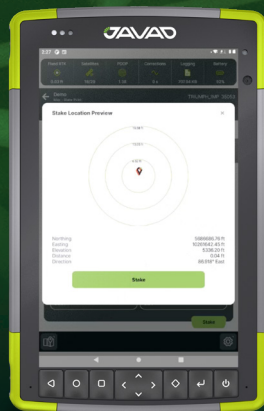


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# 2026 ANNUAL CONVENTION RECAP

The 74th Annual Convention was a success! We spent January 28-30 at the Embassy Suites in Noblesville, IN.

With over 500 attendees and 20 exhibitors, the event was full of networking and camaraderie!

The event featured 15 hours of continuing education, covering various topics and the latest trends in surveying technology.

At Thursday's Awards Banquet, now Past-President Alex Daugherty recognized four individuals with awards.

The Atlas Award is given to one individual each year for service above and beyond to the Geomatics profession.

This individual possesses outstanding leadership skills and devotes their time and energy toward the advancement of the profession while holding the weight of society on their back. This year's Atlas Award recipient was Matthew Badger.



Past-President Alex Daugherty (left) presents Matthew Badger with the Atlas Award.

The President's Award is a recognition of outstanding service and dedication to the profession, selected by the ISPLS President. This year, Alex Daugherty honored Randy Allen, Brian Anderson and Penny Padgett as recipients of the award.

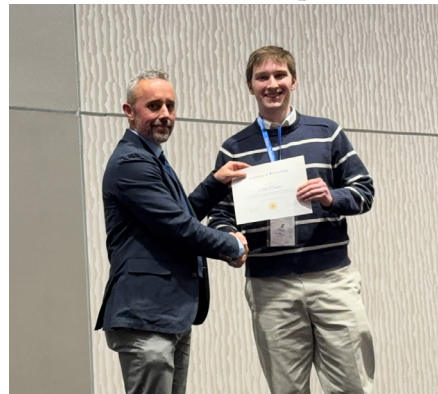
Scholarship recipients were recognized at the Awards Banquet.

Iris Saldana was the 2025 recipient of the Indiana Professional Land Surveyors (IPLS) Foundation Benchmark Scholarship.



Iris Saldana is recognized as the Indiana Professional Land Surveyors Foundation Benchmark Scholarship recipient by Jon Polson, ISPLS Scholarship Chair.

Cole Teany was the Spring 2026 recipient of the John G. McEntyre Endowment Scholarship.



Cole Teany is recognized as the John G. McEntyre Endowment Scholarship recipient by Jon Polson, ISPLS Scholarship Chair.

Lotty Drake was the 2025 recipient of the Peggy Archer Memorial Scholarship. Lotty also received additional scholarship dollars from the IPLS Foundation.



Lotty Drake is recognized as the Peggy Archer Memorial Scholarship recipient by Jon Polson, ISPLS Scholarship Chair.

Additionally, Chapter scholarship recipients were recognized at the Awards Banquet.

In addition to thanking the 2025 Board of Directors for their service over the past year, the 2026 Board of Directors was officially installed and pledged their dedication to the Society for the upcoming year.



Past President Alex Daugherty (right) receives the ceremonial gavel from Zach Beasley, ISPLS President.

Zach Beasley, now current President of ISPLS, thanked Alex Daugherty, now Past President, for his service in 2024 by presenting him with a ceremonial gavel.

Thanks to all who attended the event and our sponsors and exhibitors for their support. We're excited to have next year's convention at the Grand Wayne Convention Center in Fort Wayne, IN from January 20-22, 2027.



2026 Board of Directors: Michelle Slack, John Wilson, Ryan Swingley, Ryan Selby, Don Williams, Vince Barr, Rich Hudson, Eric Meeks, Jacob Hoffman, Alex Daugherty, Zach Beasley, and Jon Polson



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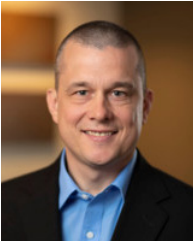
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# LEGAL SURVEYS



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 offer 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](http://www.in.gov/judiciary)) to obtain a more conveniently formatted document. As this is only intended to be a summary of court opinions and I may have left out important information in my summary, 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](mailto:jmccort@hntb.com).

Five cases were reviewed for this quarter's issue of the Hoosier Surveyor. Survey and property rights matters such as prescriptive easements, adverse possession and acquiescence are covered in this article. Happy reading!

## **Philip K. Brown, et al. v. The Charles Sturdevant Post of the American Legion Post 46, Court of Appeals Case No. 25A-PL-513, September 30, 2025.**

This is an adverse possession case involving a 30-foot by 50-foot parcel

behind the building of The Charles Sturdevant Post of American Legion Post 46 ("the Legion"). Wrongfully believing they were the rightful owner of the disputed parcel, the Legion built a fence around it in 2013 and later made other improvements to it. Since 2013, the disputed parcel has been under the exclusive control of the Legion. In 1999, the Legion owned a large area on the block where its clubhouse sits, including what is now the property of Philip K. Brown et al. ("the Browns"). The Browns purchased their property, including the disputed parcel, in 2021.

In 2023, the Legion, seeking a permit to build a structure on the disputed property, was told by the Tipton Plan Commission and the Tipton County Surveyor that the disputed property was not owned by the Legion. In 2024, the Browns filed a complaint against the Legion seeking damages for trespass and the Legion filed a counterclaim to quiet title based on adverse possession. In 2025, the trial court granted the Legion's motion for summary judgment and granted the Legion absolute fee simple title to the disputed area. The Browns appealed.

The Browns conceded that the Legion met the necessary elements of control, notice and intent by building the fence and continuing to use disputed property. The Browns contested only the requirement of duration. They asserted that the Legion had not met the necessary 10-year requirement of possession between December 31, 2013, and December 31, 2023, because the disputed property had changed ownership multiple times during that period. The Browns contended that the 10-year possession period had to be against a single owner.

However, the appellate court cited *Fraley v. Minger*, 829 N.E.2d 476, 486 (Ind. 2005) and *Wetherald v. Jackson*, 855 N.E.2d 624 (Ind. Ct. App. 2006) as cases where the 10-year possession period was met not against a single owner but, instead, by tacking on of years against multiple owners. The trial court's decision was affirmed.

## **GSE Realty LLC, Gordon D. Emmert and Stacey I. Emmert v. Leslie R. Miller, Court of Appeals Case No. 25A-PL-669, October 22, 2025.**

This case is about a prescriptive easement granted by the court over a gravel drive that was built in the wrong place.

GSE Realty LLC, Gordon D. Emmert and Stacey I. Emmert (collectively, "the Emmerts") own Lot 12 in Spencer's Subdivision. Leslie R. Miller ("Miller") owns Lots 10 and 11 of the same subdivision. Lazy Lane is a 30-foot wide private road separating Lots 10 and 11 from Lot 12. The house on Lot 10 was built in 1967. The pole barn on Lot 10 was built in 1975. Gravel was put on Lazy Lane in the 1960s and the location of the road has remained the same since it was built. In 2023, a surveyor hired by the Emmerts concluded that Lazy Lane was built in the wrong location, including being partially on the Emmerts' property. It was also determined that Miller's house and pole barn are also partially on the platted Lazy Lane.

On June 8, 2023, Miller filed a complaint seeking a prescriptive easement. The trial court granted a prescriptive easement in favor of Lot 10 for use of the portion of the gravel driveway on Lot 12.



Location of Lazy Lane by Miller and Emmert properties (Court of Appeals of Indiana, Opinion 25A-PL-669, Page 4, October 22, 2025)

A prescriptive easement benefiting Lot 10 was also granted for that portion of the house and pole barn encroaching on the platted Lazy Lane.

The Emmerts appealed and were successful, to a degree. As noted, the trial court granted Miller a prescriptive easement for all that portion of the gravel drive which was on Lot 12. However, based on testimony from a prior owner of Lots 10 and 11, who said there was no reason to use the drive past her house, and testimony from Emmert, the appellate court excluded the portion of the gravel drive past the Miller house from the granted prescriptive easement.

The Emmerts argued that Miller failed to prove continuous use of the gravel driveway on Lot 12. However, it was established from testimony that the gravel driveway has remained unchanged since the 1960s.

In Indiana, the statutory period necessary to establish Control, Intent and Notice is twenty years (IC 32-23-1-1).

The Emmerts also argued that Miller did not provide evidence that the use of the gravel driveway on Lot 12 was adverse. The trial court determined that Miller or his predecessors never asked permission or were given permission to use the driveway or to build the house and pole barn on the platted Lazy Lane. The appellate court had no objections to the trial court determining adverse use.

Except for reducing the size of the granted prescriptive easement by the trial court, the appellate court affirmed the trial court's decision.

**Anthony J. Giger, et al. v. Joshua L. Hogue, Court of Appeals Case No. 25A-PL-448, October 24, 2025.**

Anthony Giger and his wife (the Gigers) own land that is legally landlocked and is only accessible by an easement partially located on Joshua Hogue's land. Per the Gigers' deed, the easement is 20 feet wide and is for ingress and egress. Hogue's deed also recognizes the easement.

To slow vehicles using the easement road, Hogue installed five speed bumps on the road. The Gigers filed a complaint alleging the speed bumps impaired their ability to use the easement for its intended purpose. Giger testified that speed bumps created a "rough ride" for him and caused him to "speed up and slow down" when driving on the easement road. Giger acknowledged that the speed bumps did not cause him to stop using the easement. Hogue acknowledged the speed bumps interfered with the use of the easements but don't prohibit the use of the easement. The trial court ruled in favor of Hogue, saying the speed bumps did not unreasonably interfere with the Gigers' use of the easement.

Giger appealed. They argued the trial court misinterpreted the law by concluding that they had to prove that Hogue unreasonably interfered with their use of the easement. They also argued that even if Indiana law does allow reasonable interference, the speed bumps are not considered to be reasonable. The appellate court disagreed on both points. For the first point, the court cited two prior cases which show that for the interference of the use of an easement to be considered unlawful, it must be proved that the interference is unreasonable.

For the second point, the court cited multiple cases which concluded that speed bumps were not an unreasonable interference. It was also noted by the court that the owner of property burdened by an easement may use the property in any manner and for any purpose consistent with the enjoyment of the easement.

**Aaron Howe and Kinsey Howe v. Lehe Farms, Inc. and DK Livestock, LLC, Court of Appeals Case No. 25A-PL-226, December 10, 2025.**

Aaron and Kinsey Howe (the “Howes”) purchased farmland in White County

in 2022. Northeast and adjoining the Howe property is property owned by two Lehe family businesses, Lehe Farms, Inc. and DK Livestock, LLC (“the Lehes”). There was a fence that had been used as the dividing line between the two properties. It was determined by a survey that the fence was 15 to 30 feet west of the surveyed boundary. The Howes removed the fence and installed a new fence on what they believed to be the true boundary, thus making claim to a 2.7-acre strip of land. The Lehes file suit, seeking quiet title to the 2.7-acre strip by acquiescence, adverse possession and prescriptive easement.

At the trial court, it was established that owners of both properties had used the fence as the dividing line since at least 1955 when the Lehes purchased their property. Georgia Hendryx, whose family once owned the Howe property, testified that her family, since 1959, had only used the property on one side of the fence. She also testified that she would not have crossed the fence without first asking for permission from the Lehes. Both families helped maintain the fence over the years. The trial court ruled in favor of the Lehes, and the Howes appealed.

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The appellate court considered only title by acquiescence. It was stated in the court's opinion, "title by acquiescence provides a mechanism for resolving boundary disputes when adjoining landowners have, through their conduct, established a practical boundary different from their technical legal boundary. To establish title by acquiescence, a party must prove by a preponderance of the evidence: (1) the two adjoining landowners' agreement as to where the boundary between their properties lies which turns out to be incorrect; and (2) their acquiescence to and use of the agreed upon boundary for 20 years.

The Howes argued for the need for an actual agreement between the property owners and the fence builder at the time the fence was built and since neither family knew who erected the fence or when the fence was erected, no agreement existed. However, the appellate court disagreed. It was stated in the opinion that what was required was evidence of the agreement, either expressly or implicitly by the conduct of the neighboring owners, to treat a particular line as the boundary, regardless of when that boundary was established or who established it.

The appellate court stated that the Lehes met the necessary burden of proof and the trial court's decision was affirmed.

.....

**Janette Sue Jackson, Jody Ann Stanley, and Jeffrey Lynn Jackson v. Jay Thomas Jackson, Court of Appeals Case No. 25A-CT-1575, November 19, 2025.**

Delores Taylor ("Mother") owned property in Woodburn, Indiana (the "Woodburn Farm") and was the mother of Janette, Jody and Jeffrey (collectively, "Siblings") and Jay.

Mother informed Jeffrey that she did not want Jay to receive any interest in the Woodburn Farm. She signed a warranty deed on August 3, 2012, and recorded on August 24, 2012, with her as the grantor and the Siblings and Jay as the grantees. The warranty deed, according to a land surveyor, contained sufficient errors that the property described could not be surveyed or retraced. On August 21, 2012, Mother executed her will, in which her intent to not leave any interest in the Woodburn Farm to Jay was made clear. A second warranty deed, signed on October 19, 2012, and recorded November 15, 2012, was executed by Mother, conveying the Woodburn Farm to herself and Siblings. The second warranty Deed contained an accurate legal description of the Woodburn Farm.

Mother died in February 2018. After Siblings reached an agreement to sell Woodburn Farm, the title company conducted a title search but would not insure the title because of the cloud of title created by the first and second warranty deeds. As such, the sale was not completed.

On January 28, 2022, Jay filed a complaint against Siblings, alleging he had a one-fifth interest in the property. On July 10, 2024, the trial court granted Jay's motion for summary judgment. On May 30, 2025, the parties filed a joint motion to stay the proceedings, and the court granted the motion, pending appeal.

The appellate court reversed and remanded with instructions to grant Siblings' motion for judgment. The reasons cited for the reversal include the incorrect legal description of the first warranty deed which made it invalid and the evidence submitted (her will, the corrective second warranty deed, Mother's conversation with Jeffrey, and a letter from the Allen County Auditor asking Mother to submit a

corrective deed) showing that Mother intended to convey Woodburn Farm to Siblings and not Jay.

.....

*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.*

**INITIAL POINT CHAPTER OF ISPLS**  
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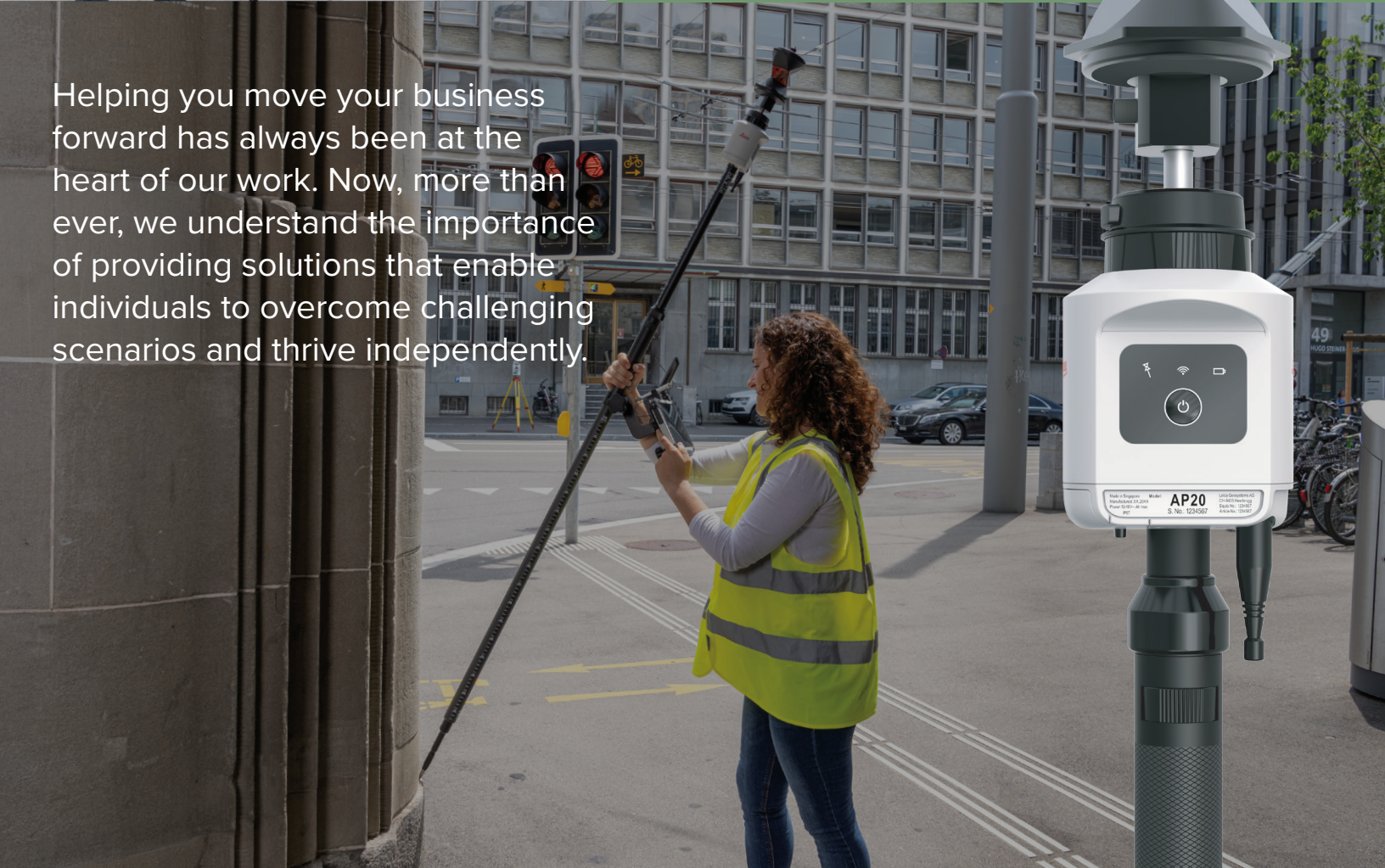


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