

HOOSIER SURVEYOR



QUARTERLY PUBLICATION OF THE
INDIANA SOCIETY OF
PROFESSIONAL LAND SURVEYORS, INC.

VOLUME 23
NUMBER 2
FALL 1996



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AMERICAN CONGRESS ON
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ISPLS
45th ANNUAL CONVENTION
January 15-16-17, 1997
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(See pages 18-19)

HOOSIER SURVEYOR

VOLUME 23 NUMBER 2 FALL 1996

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EDITORS NOTE

Deadlines for copy for various planned issues of the Hoosier Surveyor are as follows: Winter - December 31; Spring - March 31; Summer - June 30; Fall - September 30.

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 contents.

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PRESIDENT'S THOUGHTS

by Richard L. Hudson, PLS, Valparaiso, IN

Well, it is that time again! Dianne has called, and my page is open and waiting for some thought. This will be the last penning of my presidency. A lot of changes have taken place since January



of this year. I am a year older, much wiser and about to turn over the reins of the ISPLS Board of Directors.

Financially, ISPLS has changed. We now have a financial manager and goals have been set. One goal which was achieved just recently has to do with scholarship. At the recom-

mendation of the ISPLS Scholarship Committee, the Purdue University and Vincennes University scholarships were increased by \$2,000. This brings the total dollar amount of each scholarship to \$3,000. The original \$1,000 amount dates back to the early to mid 1970's. Our commitment to both universities, I feel, made this change inevitable.

It was also agreed that the recipients of these awards will be recognized at the annual convention. With this change we are providing scholarship for our future generation. This is one of the most important functions of our Society.

Seminars are changing. More Chapters have been hosting these necessary functions on their own. Now there is an 80/20 split on any profits or losses from the seminars (Chapters is 80% ISPLS 20%). This means our Society membership, through our Chapters, is becoming more active. We are interested in education. We do want to improve ourselves. I feel with this type of involvement by the Chapters, we are well on the road to attaining our goal of "continuing education". When the time for mandatory "continuing education" arrives, ISPLS will be first in line. By the time this issue of the Hoosier Surveyor hits your desk the tree identification seminar sponsored by the Tecumseh Chapter will have happened. I've also heard rumors of the Northwest Chapter sponsoring a legal seminar with Attorney Ron Hansell. Education is on the move.

There, also, appears to be some changes being proposed by the Indiana Land Surveyors Registration Board relative to educational requirements. Recently, the ISPLS University Cooperation Committee met with the Registration Board to discuss the proposed increase in the educational requirements. No decision was made on the number of required hours, but members of the Committee agreed with the Board that a change is needed. As talks with the Registration Board continue, ISPLS will keep the membership informed.

Education is important. It is the only way we learn. It is the only way we as land surveyors can grow. We have an obligation to the public we serve, our peers, ourselves and the future genera-

tion of surveyors who will follow in our footsteps to be as educated as possible. We, existing land surveyors and those hoping to become licensed, need to invest our Society's time and energies to help our peers, when in need, to improve their practice. We as a Society, have an obligation to provide this help. I want to tell you that this process, which is a change, is about to take place. ISPLS is taking the lead to help educate.

Finally, I would like to personally remind and invite all the membership to join me and the ISPLS Board of Directors to attend the 45th Annual Convention/Conference being held in South Bend, Indiana on January 15th, 16th and 17th, 1997. The program will be EDUCATIONAL.

I have enjoyed my time as your president and I will continue to serve the Society through the end of the Annual Conference. In closing, I offer the following thought by Burton Hill:

"Too many folks spend too much of their lives chasing something that they eventually discover isn't worth catching".

Yours Professionally,

Richard L. Hudson, P.L.S.

NEW REGISTERED LAND SURVEYORS IN INDIANA

The Indiana State Board of Registration for Land Surveyors will hold the certificate presentation for new Professional Land Surveyors on Thursday, November 21st, 1996. The ceremonies will be held at the Government Center South Auditorium, Indianapolis. The following land surveyors will be awarded certificates:

Charles Bevington	Angola, IN	29600007
Scott Zeigler	Albion, IN	29600008
Jeffrey French	Versailles, IN	29600009
William Nielson	Bloomington, IN	29600010
Gerald Byrnes	Valparaiso, IN	29600011
Bradley P. Ott	Franklin, IN	29600012
Donald R. Mosson	Frankfort, IN	29600013
William J. Renberger	Porter, IN	29600014
Kevin W. Rowland	Princeton, IN	29600015
Perry E. Jones	Wadesville, IN	29600016

ISPLS BOARD OF DIRECTORS MEETING HIGHLIGHTS

by Dianne Bennett, Executive Director

June 29, 1996

The ISPLS Board of Directors held a meeting on Saturday, at ISPLS headquarters. President Hudson called the meeting to order at 10:10 a.m. Guest present was Ron Wharry. The minutes and treasurer's report were reviewed and approved.

Staff Activity Report - A written report was submitted and reviewed. The report is stated under individual topics listed below.

Adjustment to the agenda was made to allow Agency Associates to make a presentation to the board. They presented a benefit package that would cover individual car and home owners insurance. A base of 750 potential customers is needed in order to offer this program. A motion was made and approved to allow employees of Firm Members to participate in the insurance program.

Membership - The following membership applications were reviewed and approved: Student - Marc H. Norrod; Junior - Dennis N. Helms, Kenneth D. Smith; Member - Glenn H. Kracht (Reinstate), Life - James L. Milligan.

Review of Module 1 & 2 from Butler Consulting Group for the membership marketing program was discussed. A copy of the consulting agreement was sent to Ron Hansell to review. Action on Module 1 & 2 was tabled until the next meeting.

Chapters - The Northwest Chapter had a local surveyor come to their last meeting and give a presentation on how he built violins.

The Hoosier Hills Chapter discussed three topics at their last

meeting. The statewide GPS network, the annual banquet and seminars.

No chapter reports were received from Initial Point, Central Indiana, St. Joseph, Northeast, Southwest and Tecumseh.

Convention Coordination - They are still talking with Milton Denny about being a speaker.

Education - Professor Steve Johnson of Purdue University will present the August 9th workshop on "State Plane Coordinates". The Education committee asked that the board approve 6 PDH for this seminar. A motion was made and passed to approve 6 PDH.

A letter from Tony Gregory, Chairman Education committee went out to the chapter presidents outlining chapter sponsoring of seminars and workshops. The letter outlines the profit or loss split between ISPLS and the chapter.

Ethics - The committee met June 28th at headquarters. Four complaints were discussed.

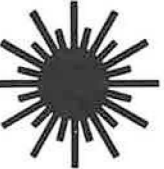
Headquarters - ISPLS accountant, Capin Crouse & Co., is scheduled to review ISPLS's 1995-1996 fiscal year on July 18th.

Scholarship - The Vincennes Scholarship Award amount was for \$1500.00.

University Cooperation - A letter was submitted from Tony Gregory on the June 11th committee meeting.


County Surveyors - Don Bengel has been appointed Chairman

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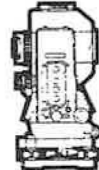
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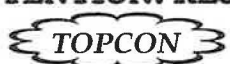


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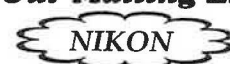
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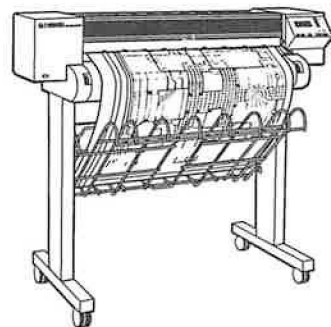
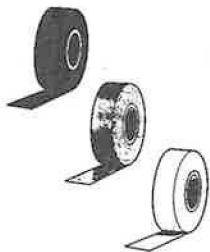
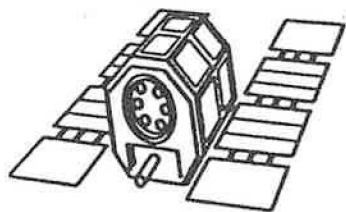
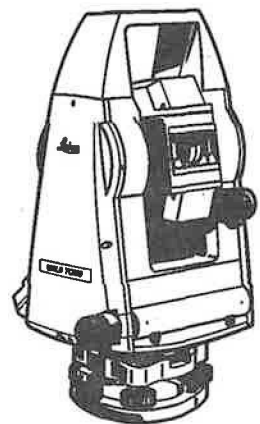


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ISPLS MINUTES

...continued from Page 3

of the Legislative committee.

NSPS Governor and Great Lakes Council - The next national meeting will be in Denver, November 16, 1996.

GIS/LIS - There has been 60% response from the counties. INDOT has given a verbal commitment to sponsor 24 points on the H.A.R.N. program. INDOT will make the money available in the next years budget.

Old Business - Internet - ISPLS.ORG is the registered name on the Internet for ISPLS. Seven firm members said they would pay \$200 per year to sponsor the ISPLS Web pages. This would give that firm a quarter page ad on the web page to help offset the cost to ISPLS. A motion was made and passed to start the Internet web page and to try to offset the remaining cost by finding more sponsors, at a cost of \$200.00 per year for a quarter page and \$50.00 per year for business cards. A motion was made and passed to purchase a modem for Dianne's computer so she can enter the web page.

Indiana-Ohio Boundary Resurvey - The state of Ohio is beginning the process of resurveying the Indiana-Ohio State Boundary. They will be setting a monument every half mile.

Announcements - Purdue University will be offering a GPS course (CE 597Q) that will be taught on television. A newsletter was sent from Purdue University outlining their Continuing Engineering Education Program for 1996.

August 10, 1996

The ISPLS Board of Directors met on Saturday, August 10, 1996 at headquarters. President Hudson called the meeting to order at 10:15 a.m.. Guests present were Bob Gross, Brad Ott, Bill Pettitt, Randy Miller and Jason Miller. The minutes and treasurer's report were reviewed and approved. The year end treasurer's report was also reviewed.

Finance Committee - A motion was made and passed to set up a new cash account with Charles Schwab. A written report will be provided from Wallington Asset Management at the next board meeting.

A motion was made and passed to purchase a new computer for headquarters.

Staff Activity Report - A written report was submitted and reviewed. The report is stated under individual topics listed below.

Chapter - Dr. Van Gelder addressed the Initial Point Chapter's May meeting about the H.A.R.N. The chapter is looking to plan an annual picnic.

Tecumseh Chapter - They will host the 1998 convention at the University Inn, W. Lafayette and are having a seminar on "Tree Identification" November 16th at Ross Hills Park.

Wabash Valley - Randy Miller discussed the plans of several surveyors in Kokomo, Marion, Anderson, and Muncie area to start a local chapter of ISPLS and name it the "Wabash Valley Chapter". Ideas on how often a chapter should meet, elections of officers, ISPLS chapter application, chapter members being ISPLS members, etc. were discussed.

Convention Coordination - Milton Denny will be a speaker at the '97 Convention. He will speak twice.

The '98 convention will be in West Lafayette.

Education - Scheduled workshops:

Northwest Chapter / August 9th / State Plane Coordinates

Hoosier Hills Chapter / August 30th / Boundary Law

ISPLS / October 4th / Error Analysis & Adjustments

Initial Point Chapter / November 8th / Route Surveying

Tecumseh Chapter / November 16th / Tree Identification

Hoosier Surveyor - In progress, will go out August 12th.

Membership - The following membership applications were reviewed and approved: Life - Chester J. Ziemniak; Associate - Kevin P. Enright; Junior - Glen E. Boren, Scott T. Sumerford, James J. White, Richard P. McPhail; Student - Eric Meeks; Student to Junior - Coralina L. Mitchell, Jason E. Sanford; New SIT - Junior - Stephen L. Marshall; Tech Level 3 - Junior - Brian K. Rayl.

Public Relations - Ron Wharry will have a committee meeting at headquarters August 30th with BOD and Dr. Gerald Speth.

Scholarship - A letter from Dan Nicoson from Vincennes University was reviewed. Vincennes fourth quarter was submitted for review.

Standards - A letter was reviewed from David Blankenbeker regarding Plot Plans as to who can certify drawings. This was sent on to the Government Affairs committee for comment.

University Cooperation - A letter sent to John McNamara, State Registration Board Chair from Tony Gregory, Chair University Cooperation was presented.

Indiana State Board of Registration - Ken Curtis was re-appointed to the board for a four year term.

GIS/LIS - Next meeting is August 21st at ISPLS headquarters.

Old Business - Internet - Chris Marbach is looking for a new provider. The old provider tried to increase the original fees quoted to ISPLS.

Antique Equipment Appraisal - Brad Ott said he could get the equipment appraised for \$100. A motion was made and passed to have the antique equipment appraised. Brad is currently looking into ways that the equipment can be displayed.

New Business - Ideas were discussed about having an annual ISPLS picnic.

There was discussion on "wetland surveys", are they covered under minimum standards?

September 21, 1996

The ISPLS Board of Directors met on Saturday at ISPLS headquarters. President Hudson called the meeting to order. Guests present were Randy Miller and Ron Wharry. The minutes and treasurer's report and Wallington Asset Management report were reviewed and approved.

Staff Activity Report - A written report was submitted and reviewed. The report is stated under individual topics listed below.

Chapters - Northwest Chapter held a meeting on September 12th and discussed the new chapter by-laws.

Hoosier Hills Chapter reported that Ken Anderson wants to do a seminar relative to the Initial Point. A motion was made and passed to support Ken Anderson's efforts to preserve the Initial Point.

Wabash Valley Chapter - Randy Miller presented a petition for

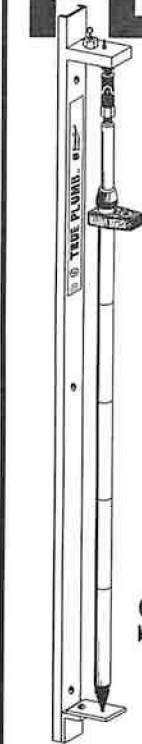
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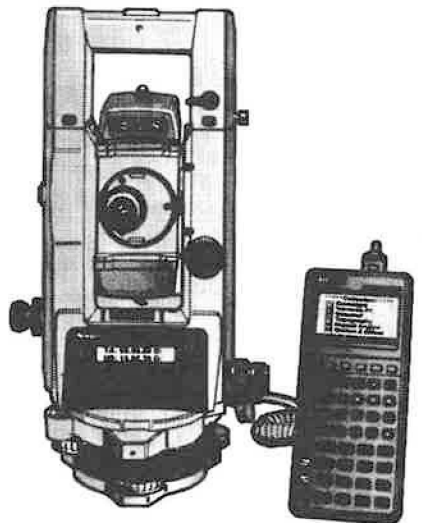
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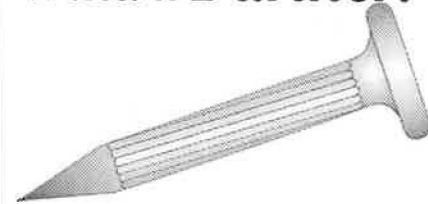


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ISPLS Minutes

...continued from Page 5

a new chapter. The chapter will be called the Wabash Valley Chapter. Along with the petition was a membership roster and a map of the chapter area. Officers of the new chapter are: Randy Miller, President; John Stephens, Vice President; Larry Manship, Sec./Treasurer. A motion was made and passed to accept this group as the Wabash Valley Chapter of ISPLS.

Tecumseh Chapter - They have established the committee for the 1998 convention.

No reports were presented from Initial Point Chapter, Central Indiana Chapter, St. Joseph Chapter, Northeast Chapter, and Southwest Chapter.

Convention Coordination - The registration forms are about ready and all the programs are set.

Education - Scheduled workshops:

ISPLS / October 4th / Error Analysis & Adjustments

Initial Point / November 8th / Route Surveying

Ethics - A letter was submitted to the board regarding a complaint. After discussion a motion was made and passed to send this matter back to the ethics committee to address if there were any Rule 12 violations. The Ethics committee was asked to attend the next board meeting.

Finance - Submitted was the financial report for the year.

Government Affairs - There was discussion on adding a seventh member to the registration board.

Under Indiana Fire Prevention and Building Safety Commission there are some codes that may limit what a surveyor can do as far as site development and sanitary and storm sewer design. The committee is working on trying to resolve these issues. Owner affidavits were also discussed.

Membership - The following membership applications were reviewed and approved: Associate - Christopher W. Alpha, George Van Til, Shanlong Kuang; Junior - Thomas Martin (Reinstate), James A. Butcher, Jeff H. Gustke, New SIT; Student - Andrea R. Johnson, Kenton W. Ross, Michael R. Williams, Jason M. Copperwaite, Jason B. Sluzas, Chris H. Nielsen (Reinstate)

Nominations & Elections - President-Elect nomination was Rick Miller.

Public Relations - The committee reported that they met with Dr. Gerald Speth to discuss public relations (press releases). A motion was made and approved to send a letter to the Butler Group telling them that ISPLS is not interested in any of the modules at this time.

Indiana State Board of Registration - Modifications to Rule 12 are complete. Educational requirements are going to be greater for the L.S. exam.

Old Business - Internet - Chris Marbach has found someone to host the ISPLS Website. Cristal Software, Inc. has agreed to design the website. A motion was made and passed to sign with Cristal Software, Inc.

New Business - A letter was received from Larry Greene of NCEES asking ISPLS to help fund a Professional Ethics Correspondence course. Currently NCEES is asking ISPLS to pledge \$10 to \$1500. After discussions a motion was made to pledge \$1,000.

INITIAL POINT WORKSHOP NOVEMBER 8, 1996

The Initial Point Chapter of ISPLS presents a one day seminar on "Route Surveys in Indiana" by Gary Kent, PLS, Friday, November 8, 1996 at the Indiana University Southeast (IUS), New Albany, Indiana, Knobview Hall, Room 230. Continental breakfast, lunch and breaks provided. Parking provided (parking tags will be given to registrants)

TECUMSEH CHAPTER WORKSHOP NOVEMBER 16, 1996

The Tecumseh Chapter of ISPLS presents a one day seminar on "Tree Identification - Wintertime Challenge" by Marc Widmer, Landscape Architect, on Saturday, November 16th at Ross Hills Park, W. Lafayette, Indiana. There will be discussion and visual aides detailing techniques for properly identifying trees (with and without foliage). There will be an outdoor identification lab in the afternoon. Handouts will be "50 Trees of Indiana" handbook. The workshops will run from 9:30 a.m. to 4:00 p.m. (lunch will be provided at noon).

For more information contact Ted Darnall at 317-742-6479.

COMPUTERS ARE CHANGING DESIGN FINANCIAL PRACTICES December 3, 1996

Consulting Engineers of Indiana will present a 1/2 day seminar on "Computer Are Changing Design Financial Practices" on December 3, 1996 at the Indianapolis Marriott from 1:00 p.m. to 5:00 p.m. The presenter is William F. Fanning, founder and president of Design Management Consulting, Inc., a financial management consulting firm serving A/E professionals.

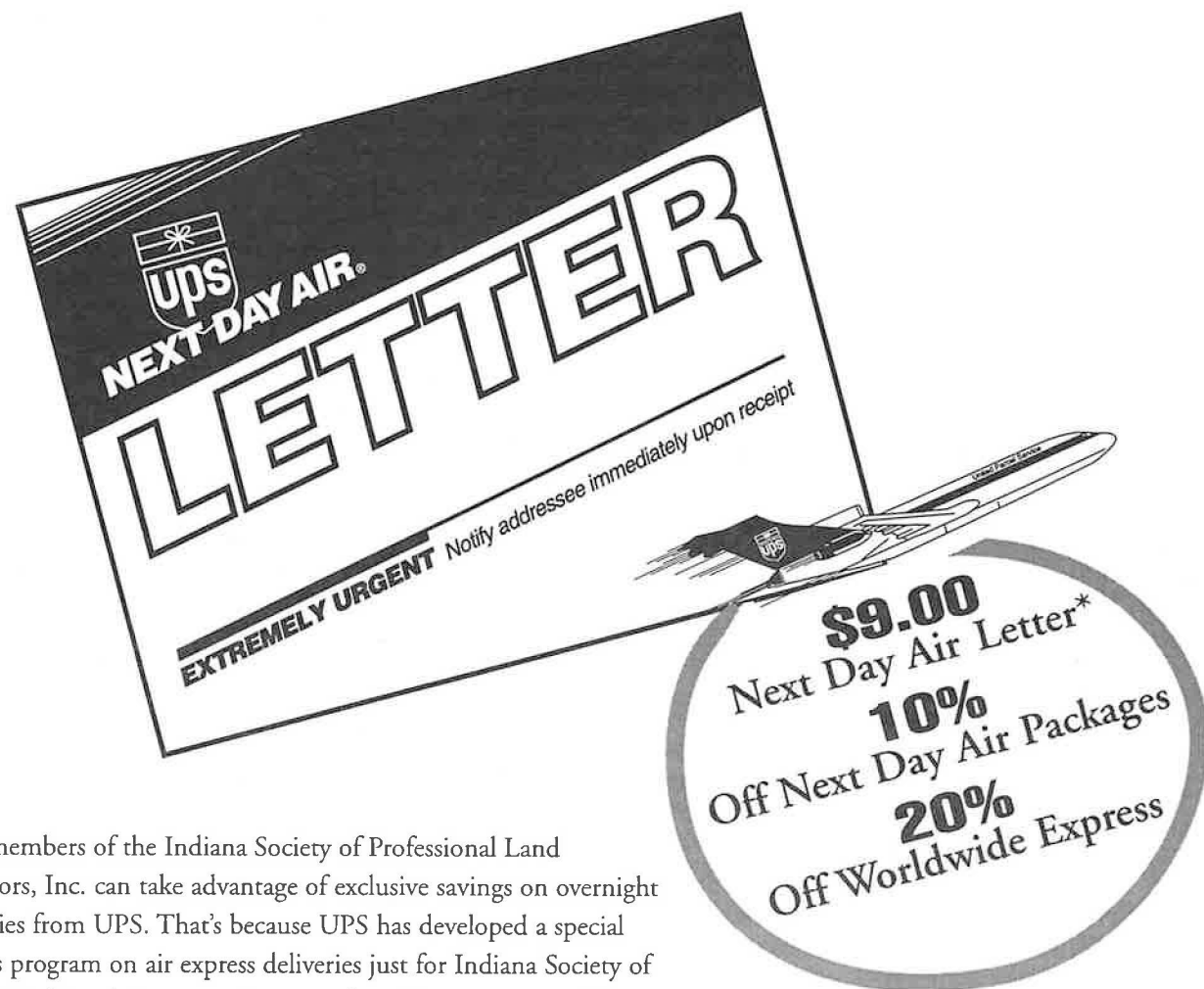
For more information contact CEI at (317) 637-3563. Registration deadline is November 22, 1996. ISPLS members cost - \$99.

INDIANA FLOODWAY CONFERENCE

Indiana Department of Natural Resources along with Consulting Engineers of Indiana and American Society of Civil Engineers SW Branch, will co-sponsor four conferences around the state. The second "Indiana Floodway Conference" will be held Tuesday, December 10, 1996, 9:00 a.m. to 3:30 p.m. at the Days Inn Airport, Evansville, Indiana.

For more information contact CEI at (317) 637-3563

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ADVERSE POSSESSION

by R. Stephen Hansell, P.E., P.L.S., Attorney at Law
Indianapolis, Indiana

There was a fair amount of interest in the discussion of the doctrine of adverse possession at the 30 August 1996 Fall Workshop at Spring Mill State Park, co-sponsored by the Hoosier Hills Chapter and ISPLS. The portion of the seminar addressing the doctrine is reproduced and amplified below at the request of the ISPLS Board of Directors.

In an article written for the Indianapolis Business Journal, Mark Voightmann wrote about a Vermillion County resident who assumed that a fence located on the northern boundary of his property actually marked the property's north boundary. The case was *Harold E. Clark, Jr. et ux, et alia, v. Malcolm H. Aukerman et ux, No 61A04-9311-CV-436, appealed from Parke Circuit Court Cause No. 61C01-8906-CP-145*.

In 1966 an Indiana company decided to sell some, but not all, of a large expanse of its land holdings in Vermillion County. The sale was completed and both Seller and Purchaser thought, without deep analysis, that the boundary between the sold and the unsold portions of land was an old fence. Both were wrong. The deed conveyed land by a legal description which described a very different boundary indicating that the Purchaser acquired substantially less land than either party thought, as the dividing line was substantially farther north.

No one checked the deed, and for "more than two decades" (twenty years in metric measurement) both Purchaser and Seller acted as if the fence were the true boundary between their respective domains. The Purchaser even removed the old fence and constructed a fancy new one--extending the fencing all the way across the two properties. The Purchaser also removed the underbrush and mowed the grass right up to the fence.

Purchaser placed "No Trespassing" signs all along the fence, and both owners permitted hunters on their respective parcels, warning them to stay on the permitting owner's side of the fence. That situation existed until 1989, when a successor to the original Seller had a survey performed and discovered the decades-long mistake. By that time it was too late by about thirteen (13) years. Purchaser had acquired the tract of land from the fence to his deed line by adverse possession, acquiesced in by the original Seller.

Mark sheepishly added that "No new legal ground--pardon the pun--was broken" by the decision of the Court of Appeals, the Court restated what elements are required to confiscate another's property by adverse possession:

First, the Purchaser had to do something to actually possess the land in an open and visible manner. In the Vermillion County situation, that requirement was satisfied. The Purchaser had exercised considerable control over the property by clearing trees and mowing grass, erecting a new fence, and generally telling anyone who would listen that the land was his.

Second, the possession had to be exclusive. If everyone in the county had acted as if that strip of land

belonged to them, there would be no adverse possession.

Third, the Purchaser had to assert a claim in a "hostile" manner. This doesn't mean that you must openly and publicly taunt your neighbor and dare him to file suit against you. "An adverse claimant's possession of land is hostile where he does not disavow his right to possess the property or acknowledge that it is subservient to the title of the true owner."

Fourth, the "possession" must continue uninterrupted for ten (10) years. Had the Purchaser discovered the true facts (perhaps after reading his deed, or having another survey done and actually reviewing it) five years into his occupation and taken a two-year hiatus from mowing, maintaining, clearing, building, etc. before resuming his "claim", the ten-year clock might have to be reset to zero when he resumed the occupation. That situation didn't exist in the Vermillion County case, where the occupation had existed for over twenty (20) years.

(As an aside, another legal concept would apply to allow the rescission of the contract, in that it was entered into under a mutual mistake of fact--both parties thought the boundary was the fence--but the rescission would have to be reasonable, and not after twenty-three years. As a second aside, Indiana law requires that the adverse possessor must have paid all of the requisite real property taxes for the parcel in dispute. This requirement is virtually meaningless in contiguous property disputes, as the tax assessment is not that precisely located or calculated.)

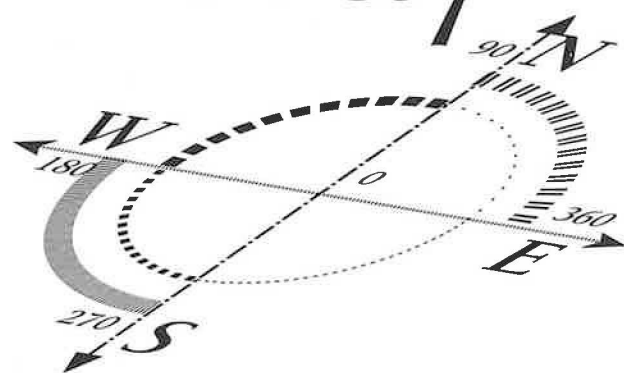
In the earlier Boundary Law Seminar at the 1996 ISPLS Annual Meeting, the historical five requisite aspects of adverse possession were discussed in detail, viz: (1) Actual, (2) Open and Notorious, (3) Hostile or Adverse, (4) Exclusive, and (5) Continuous, and that Indiana added the additional condition that the claimant shall establish that he "shall have paid and discharged all taxes and special assessments of every nature falling due on such land or real estate during the period he claims to have possessed the same adversely" after 16 May 1927 (IC 32-1-20-1). It was, however, also noted that the additional condition was not particularly onerous, as it is generally ignored as irrelevant in cases of contiguous ownership by virtue of the inability to calculate or attribute precisely the taxes imposed against a particular tract of land.

Prescriptive easements are similar to adverse possession, but require twenty (20) years to establish and only grant such access or other "dominant estate" over the land of another as is equitable. Other than the 20 years versus ten (10) years for adverse possession of ownership of a parcel, the "exclusivity" requirement need not be met for a prescriptive easement, as the fee of the land remains with the "servient estate", or title owner. Obviously, the requirement for

...continued Page 10

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Adverse Possession ...continued from Page 9

payment of taxes is not imposed against the easement holder.

The doctrine of adverse possession is fairly universal in the United States, but in Indiana it does not arise from a statute specifically addressing adverse possession. The elements come from case law and "*stare decisis*" over years of legal decisions. The term of ten years comes from the Statute of Limitations dealing with "suits to recover interests in real estate" of Indiana Code (IC) Title 34, while the twenty-year term for prescriptive easements is addressed directly in the real estate statutes of Title 32.

NOTE TO PARTICIPANTS IN HOOSIER HILLS CHAPTER FALL SEMINAR "BOUNDARY LAW" AUGUST 30, 1996

R. Stephen Hansell, P.E., P.L.S., Attorney

Implied Way of Necessity

The question arose whether one "could" create a landlocked parcel by conveying a portion of a tract. Under Indiana law, "when land is conveyed in such a manner as to leave the grantee completely landlocked, an easement of necessity may be found over the land of the grantor." *State v. Innkeepers of New Castle, Inc.*, 375 NE2d 1129 (1978). "Where land as conveyed had access to a highway, a way of necessity of ingress and egress could not be imposed." *Hunt v. Zimmerman*, 218 NE2d 709, 139 Ind. App. 242 (1966). "When one conveys part of his land in such form as to deprive himself of access to the remainder unless he goes across the land sold, he [the grantor] has a way of necessity over the portion conveyed, and where the part of the land conveyed is in such form that grantee cannot reach same except over the part not conveyed, the grantee has a way of necessity thereto over land of the grantor not conveyed." *Pyramid Coal Corp. v. Pratt*, 99 NE2d 427, 229 Ind. 648, 25 ALR2d 1245 (1951). Also, where consecutive conveyances occur, the earlier grantee having no outlet to the public highway is entitled to a way of necessity. Cases indicate that traditional access would be the favored way of necessity.

Therefore, while it is possible to convey land so as to create a landlocked parcel, upon application the grantee (or grantor or grantor's successor in title) may be granted a way of necessity so as to "unlock" the parcel.

ISPLS MEMBERS OFFERED CITIZENS HOME, AUTO INSURANCE

Through a special program with Citizens Insurance, members of the Indiana Society of Professional Land Surveyors, Inc. are eligible for complete insurance coverage for their homes and automobiles at reduced rates.

Members can receive a 5% discount from Citizen's standard rates for auto insurance and a 7% discount from the company's standard rate for homeowners or rental insurance.

Agency Associates Inc. in Zionsville is the administering agency, but ISPLS members can apply for Citizens Insurance with any of the company's 175 independent agency locations throughout the state.

Although the program is available to all ISPLS members, it is not a true group plan. Applicants will be individually underwritten.

Last fall Citizens introduced franchise programs, a new approach to marketing personal lines insurance in Indiana, offering special discounts to members of qualifying professional organizations and associations. The insurer worked with the ISPLS to create a franchise program for its members. The program was reviewed and approved by the ISPLS board of directors.

"The intent of franchise programs is to reward better-than-average risks with a desirable class of business", said William Schramm, vice president and general manager of Citizens Indiana operations. "Favorable experience within a franchise program will result in experience credits, which are passed on as premium discounts for the individuals within the program."

ISPLS members will receive a detailed brochure on the program.

SURVEYOR ELECTED AIC OFFICER

Congratulations are in order for Jeff Souder who was recently elected as an Association of Indiana Counties District Officer. He will be representing the Southeast District.

Jeff Souder has been the Washington County Surveyor since 1984. He received his BSLS from Purdue in 1983. Jeff served the County Surveyors Association of Indiana as President for two years. He was also named Outstanding County Surveyor in 1992.

ANN ARBOR PRESS PUBLISHES TWO BEST SELLERS

Two best-selling books, *The Global Positioning System and GIS; An Introduction* and *GPS for Land Surveyors*, gain strong acceptance in the marketplace. After exhausting the initial print runs in only 60 days, Ann Arbor Press will release the second printings on September 27, 1996. "We knew the books would be popular, but thought we printed enough stock to last at least six months. The first printing was sold almost exclusively in the United States and once the European marketing hits, we'll probably be on the presses again," says Skip DeWall, President, Ann Arbor Press.

The Global Positioning System and GIS: An Introduction uses Trimble hardware and ESRI software, and has a free CD-ROM that contains some useful exercises and related information. It features step-by-step instructions to using these combined technologies, and is used widely as a teaching textbook in academic programs.

GPS for Land Surveyors is an introductory guide to the use of GPS. It is written in a simple, straight-forward format, specifically for practicing surveyors interested in using GPS, and for students in surveying programs. The book will appeal to anyone who needs to know the fundamentals of GPS.

The Global Positioning System and GIS: 268 pages, \$54.95, 6 x 9 hardcover, ISBN 1-57504-017-4 includes free CD-ROM

GPS for Land Surveyors, 210 pages, \$54.95, 6 x 9 hardcover, ISBN 1-57504-041-7

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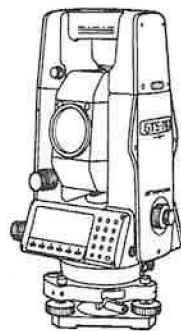
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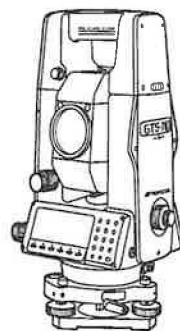
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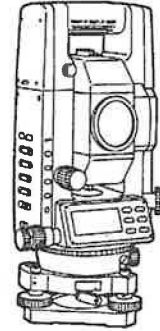
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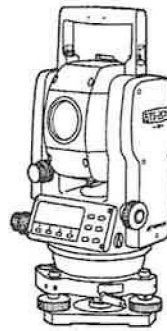
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HOME COMPUTER DEDUCTIONS

If you use your home computer for work, you've probably wondered about taking a tax deduction for it. There's no simple answer. Some people will be able to take a deduction while others may find it very hard to qualify. Here's a summary of the rules.

If you are self-employed or have a sideline business, you can usually deduct all or part of the cost of a computer you use in your business. Generally, you take the deduction as depreciation using a five-year life, although in certain cases you can deduct the full cost in the year of purchase. If you mix business and personal use, you can only deduct that percentage of the cost that corresponds to business use, and you must keep records to document the time the computer is used for each purpose. It's a good idea to keep a log beside the computer and update it after every use.

If you are an employee and use the computer when you bring work home on weekends or evenings, you probably won't qualify for a deduction. The IRS says that the computer must be required as a *condition of employment* in order for the costs to be deductible. It's not enough that it is convenient for you or your employer, but you must be unable to do your job without it. That leaves room for interpretation, and the courts have not always sided with the IRS, but be prepared for an IRS challenge if you claim a deduction.

There's another complication if you're a salaried employee. You must claim the deduction as an unreimbursed business expense, and such expenses are only deductible to the extent they exceed 2% of adjusted gross income. If you plan to take the deduction, you should try to accumulate as many miscellaneous itemized deductions as possible to improve your chances of meeting the 2% threshold.

It's also hard to qualify if you use your computer to manage your investments or for tax planning. The rules allow you to take a deduction for the annual depreciation, but again you must separate out any personal use, maintain good records, and the same floor of 2% of adjusted gross income applies.

The rules on deducting a home computer and the depreciation calculations are not simple. Call if you'd like more information or assistance.

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Greenwood, IN 46143
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COMPLETED CAREER

WILLIAM T. DAVIES, SR., PLS, 57
Chesterton, ISPLS Member

William T. Davies, Sr. is remembered by his friends and colleagues for his dedication, professionalism and caring.

Mr. Davies, a Chesterton resident since 1964, was a self-employed professional land surveyor and developer who worked tirelessly for the improvement of the area.

One of his most important projects was his efforts to relieve the drainage woes of Chesterton residents on the west side of the town.

Attorney Charles Lukmann has known Mr. Davies for as long as he's been an attorney. They worked together on the Peterson Ditch project for several years.

"I've known Bill for 17 years," Lukmann said. "A nicer man you won't find. He was always a pleasure to work with and always a good guy."

Mr. Davies, 57, passed away September 28, 1996.

A native of Crystal, Mich., Mr. Davies was licensed as a surveyor in both Indiana and Michigan. He was a member of several professional organizations, and also was one of the developers and part-owners of the Porter Cove subdivision.

Kenneth Cool, who just recently retired as the executive secretary of the Porter County Plan Commission, knew Mr. Davies for many years.

"He was a great guy," Cool said. "He always had a smile and was a joy to work with."

Mary Cable, the executive assistant to the Porter County Plan Commission, also knew Mr. Davies for more than ten years and worked with him on both small and large projects. She remembered him for his expertise and efficiency.

"He was always professional," she said. "I always had a good working relationship with him. He was an enjoyable person. He'll be missed."

The employees of Mr. Davies said that they respected him and will miss him very much, as he was such a nice employer and person.

Mr. Davies is survived by his wife of 32 years, Mary L. Davies; son, William T. Davies, Jr. of West Lafayette; grandchild, Amiee Marie Bridges of Porter; and sisters Jerry (Chuck) Radecki and Phyllis Schoen, both of Grand Rapids.

Services were held at the Edmonds and Evans Funeral Home in Chesterton with the Rev. Christoph Armiger officiating. Interment took place at the Chesterton Cemetery.

LAND SURVEYING ENGINEERING PROGRAM STUDENTS INDUCTED INTO LAMBDA SIGMA

by Steven D. Johnson, Lafayette, Indiana

Lambda Sigma is an honorary society for land surveying students. The society was founded in 1978 at Purdue University to recognize and encourage high academic achievement.

On Sunday, March 31st, 1996 eight undergraduate and three graduate students from the Land Surveying Engineering program at Purdue University were inducted into Lambda Sigma. Also inducted as an associate member was Purdue Surveying Engineering Professor, Edward M. Mikhail.

During the ceremony a new chapter at Ferris State University was approved and sixteen new members from the surveying engineering program at Ferris State University, Big Rapids, MI, were inducted. Ferris State becomes the first school other than Purdue to form a chapter of Lambda

Sigma. We are excited to form this association with the surveying community at Ferris State and we are looking forward to developing more chapters at other schools in the future.



Purdue Lambda Sigma Initiates - 1995/96

Front Row (L to R) Scott Lutz (DeKalb, IL), Tim Beyer (Cincinnati, OH), Tom Ackerman (Brownstown, IN), Prof. Mikhail
Top Row (L to R) Jim Kapustiak (Wilmette, IL), Craig Steffensmeier (Pilot Grove, IA), Andy Canopy (Peoria, IL), Jeff Franciski (Munster, IN), Chris Burke (Milwaukee, WI), Brad Ott (Franklin, IN), Aaron Blank (Walton, IN), Tom Riley (Knox, IN)

ISPLS ANTIQUE EQUIPMENT

by Brad Ott, PLS, Franklin, IN

The following ISPLS Antique Equipment is available for public display in Indiana:

- One K & E Transit dated approximately 1941.
- One K & E Transit dated approximately 1952.
- One K & E Plane Table & Alidade dated approximately 1951.
- One K & E Hand Transit dated approximately 1898.
- One unique cylindrical slide rule dated approximately 1900-1920.

This public display is intended to promote the history of the land surveying profession to the general public in Indiana. It is also intended to promote public relations for ISPLS.

We have posted this list via an email newsletter "Communique", generated by the Indiana Historical Society and sent to interested historians across the state. We have also asked that this list be included in the next bulletin of AIM (Association of Indiana Museums), which reaches approximately 300 local Indiana Museums.

A short term and immediate possibility for public display of this equipment is a sort of traveling display to go to places as suggested by YOU, the individual member of ISPLS. Some possibilities might be FIRM member offices, interested member offices, local libraries, or schools.

Other items, books, monuments, information, stories, display cabinets, indoor tripod stands, suggestions, volunteers, help and support will be gladly accepted in any form (loans, gifts, donations, devises, etc.).

We need Your thoughts and suggestions.

Please contact Brad Ott at home:

Phone: (317) 736-0264

Address: 675 N. Main Street, Franklin, IN 46131

RECENT INDIANA LAND SURVEYOR REGISTRANTS (1995-1996)

The following have passed the Indiana land surveying registration examination (and associated educational and experience requirements) during the past two years and are fully registered as professional land surveyors in Indiana with all the rights, privileges, and responsibilities associated therewith.

LS 29500000	Harold Tunget, 219 E. State Street, Pendleton, IN 46064	LS 29500025	Adam DeHart, 8360 Lafayette Rd, Indianapolis, IN 46278
LS 29500001	Mark A Schepers, 8851 Lesley Lane, Brownsburg, IN 46112	LS 29500026	James Wayman, 7168 N County Rd 825 West, Norman, IN 47264
LS 29500002	Ryan C. Wisheart, 3540 N. Meridian, Suite 101, Indianapolis, IN 46208	LS 29600000	Stephen Roeschlein, 8334 Dove Court, Indianapolis, IN 46256
LS 29500003	Matthew W. Meunier, 9013 Wooded Glen Rd., Louisville, KY 40220	LS 29600001	Daniel Binz, 6547 Brooks Road, Harrison, OH 45030
LS 29500004	Mark H. Landstrom, 10324 S. Kenneth, Oak Lawn, IL 60453	LS 29600002	Mel Wahlert, 45 Meads Ridge Road, Patriot, IN 47038
LS 29500005	Russell Dillon, 616 Wheeler, Griffity, IN 46319	LS 29600003	Jeffery Stenger, 29283 Blue Creek Road, Sunman, IN 47041
LS 29500007	Michael Huter, 4332 Lucky Court, Indianapolis, IN 46203	LS 29600005	Robert Peterson, 10130 E. 96th Street, Fishers, IN 46038
LS 29500008	Daniel Minor, 1124 W. Walnut, Kokomo, IN 46901	LS 29600006	Ted Darnall, 6122 S 1000 E, Lafayette, IN 47905
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LS 29500015	Mary Lou Carr, 2310 Portsmouth, Toledo, OH 43613	LS 29600012	Bradley Ott, 675 N. Main Street, Franklin, IN 46131
LS 29500016	Paul Breeze, 800 Old Sand Road, New Harmony, IN 47631	LS 29600013	Donald Mosson, 6872 E Co Road 100 N, Frankfort, IN 46041
LS 29500017	Timothy Gouloff, 1134 W. Oakdale, Fort Wayne, IN 46807	LS 29600014	William J. Renberger, 700 N. Waverly Road, Porter, IN 46304
LS 29500018	Barrie Bunnell, 489 West Maple Street, Wabash, IN 46992	LS 29600015	Kevin Rowland, 729 South Hall Street, Princeton, IN 47670
LS 29500019	Richard Vermillion, 214 N. Seventh Street, Vincennes, IN 47591	LS 29600016	Perry Jones, 10701 Downen Road, Wadesville, IN 47638
LS 29500020	James Smale, Rt #9 Box 678, Bedford, IN 47421		
LS 29500021	Kenneth Harris, 12636 Monroeville Road, Monroeville, IN 46773		
LS 29500022	Denise Anderson, 6515 New Harmony Rd., Martinsville, IN 46151		
LS 29500023	Radu Irimescu, 13144 Schubert Street, Cedarlake, IN 46303		
LS 29500024	Mike Falk, 3118 Woodbine Court, Portage, IN 46368		

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Diana Martinez, Secretary, (317) 232-2531

INDIANA SOCIETY OF PROFESSIONAL LAND SURVEYORS

2nd Annual Map/Plat Competition
South Bend, IN - January 15-17, 1997

OFFICIAL ENTRY FORM

The 1997 ISPLS Map/Plat Design Competition is now open for entries.

This will be a juried contest. A maximum of two maps per style and category will be selected and exhibited at the Annual Conference in South Bend, IN. Entries must be submitted by a member of ISPLS. Entrants need not be members of ISPLS. A member of ISPLS must sponsor the map, plat, or project under consideration and their name must be so noted on the nomination form. The entry must have been completed after June 30, 1996 and may not have previously been entered in any state or national contest. The entry may be freehand, machine drafted, or computer drafted.

Submit eight prints for each entry with a maximum map size of 34" by 44". Entries must be folded to fit in a 9" by 12" envelope. Submissions must be a single drawing; it may originate as part of a set of drawings, however, it must

be entered as a single sheet. All entries must be post-marked by December 31, 1996. Use one entry form per document submitted.

All entries will be judged on adherence to the minimum standards as set forth by the State of Indiana and NSPS. The judges will consider interpretability, content and layout of data shown, presentation, innovation, applicability to typical client or persons using this type of map, and correctness. Neatness and accuracy of scale will also be considered. Winners will be forwarded to the ACSM/NSPS national competition at ISPLS expense in categories where three or more entries are received. The decisions of the judges are final.

Categories

- 1. Subdivision Plats
 - 2. Boundary/Cadastral Maps
 - 3. Topographical Maps
 - 4. ALTA/NSPS Survey Maps
 - 5. ILTA/Miscellaneous Maps
- (Only one Category may be checked)

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Title of Entry: _____
 Description of Project: _____

Name and address of Nominator if other than entrant.

Name: _____
 Address: _____
 City: _____ State: _____ Zip: _____
 Phone: (Work) () _____ (Home) () _____

Submit entries with this to:

ISPLS
ISPLS Map/Plat Contest
Attn: Dianne Bennett
55 Monument Circle, Suite 1222
Indianapolis, IN 46204

(Use one entry form per document)

This form may be reproduced for use in submitting additional entries.

I give my permission for this entry to be placed on display at any ISPLS function. Also, I understand that entries may be reproduced in any ISPLS sanctioned publication, and that winning entries may be duplicated, reproduced, or copied and sold by ISPLS. No entries will be returned. The decisions of the judges are final.

If forwarded by ISPLS to the national competition, I further give my permission for this entry to be placed on display at any ACSM or NSPS sanctioned exhibit on cartography or map design. Also, I understand that entries may be reproduced in any ACSM or NSPS sanctioned publications, that winning entries may be duplicated, reproduced, or copied and sold by ACSM or NSPS, and that the winning contest entries may be placed in the map collection of NSPS at the Michigan Museum of Surveying. No entries will be returned. The decision of the judges are final.

Signature _____ Date: _____

THE INDIANA HARN

by Boudewijn H.W. van Gelder, State Geodetic Advisor & Asst. Professor of Civil Engr. Purdue University
 Thomas A. Mahon, Graduate Research Assistant, Highway Extension & Research Project for Indiana Counties & Cities

The people of the state of Indiana are preparing to implement a High Accuracy Reference Network to support activities involving geographic information. Such activities have historically included surveying and mapping but this information is now being put to a whole host of new uses. Some of these new uses include the establishment of global positioning systems base stations; differential GPS for navigation and precision farming; aerial photography using GPS; and data collection for geographic information systems. For a number of reasons, county governments are sponsoring much of the HARN. If any of these counties are your clients, by virtue of either your design work, surveying services, or geographic information systems development, you could do them a very good service by helping them to understand the information that is presented in the remainder of this paper.

The Indiana HARN will be a subset of today's existing horizontal (control stations) and vertical (bench marks) points augmented by a few new points where necessary. After the HARN survey is completed (scheduled for May-July 1997), all HARN points as well as all existing horizontal control stations within the state will be adjusted/readjusted using least squares techniques to provide new coordinates for all horizontal control points.

The HARN will do two things for geographic information users. It will provide about 100 very high accuracy points throughout the state from which high accuracy differential GPS surveys can be referenced. These 100 HARN points will have a relative accuracy of about one part in one million (as compared to existing first order points with a relative accuracy of one part in one hundred thousand). The high accuracy of these HARN points will then be used during the adjustment/readjustment to improve the relative accuracy of all existing horizontal control points throughout the state.

To take optimal advantage of the high accuracy of these HARN points, however, we need both horizontal coordinates and elevations for each proposed HARN point prior to the HARN survey. These coordinates must be referenced to the existing horizontal (NAD '83) and vertical (NGVD '88) reference systems and can be obtained using conventional surveying techniques such as triangulation and differential spirit leveling.

Some existing points make better HARN candidates than others. An existing point with both horizontal coordinates and an elevation might make an excellent candidate for a HARN point because no additional surveying need be performed. An existing bench mark could be used as a HARN point after obtaining horizontal coordinates via a traverse or a single frequency GPS survey. And an existing horizontal control point could be converted into a HARN point after obtaining an elevation via differential spirit leveling.

A number of counties are currently preparing for the HARN by choosing the existing points they would like to convert into HARN points and obtaining any missing information. This information may include horizontal coordinates absent from vertical bench marks, elevations absent from horizontal control points, or both horizontal and vertical information absent from completely new points.

Whatever the scenario, the surveys used to obtain this missing information must comply with appropriate standards and specifications of

the National Geodetic Survey and must be blue booked (submitted in a particular format). Horizontal and vertical surveys follow different criteria and it is important to distinguish between the two.

Horizontal coordinates can either be established via conventional ground techniques or GPS. When using conventional ground techniques, such as triangulation or traversing, the *Standards and Specifications for Geodetic Control Networks*, dated September 1984, apply. When using GPS the *Geometric Geodetic Accuracy Standards and Specifications for Using GPS Relative Positioning Techniques*, reprinted with corrections on August 1, 1989 apply. In either case, using conventional ground techniques or GPS, work must meet or exceed the requirements of third order surveys.

Elevations are different from horizontal coordinates in the sense that only one set of criteria applies. That is, elevations must be established in accordance with the *Standards and Specifications for Geodetic Control Networks*, dated September 1984 and they must meet or exceed the requirements of third order leveling surveys. This means that **elevations can not be established on proposed HARN points using GPS!** There are a number of reasons for this. The one most easily explained to your client may be this: the conventional ground technique criteria is more stringent than is the GPS criteria. Let's look at an example.

Take a one kilometer long base line. One end of the base line has a known elevation while the other end has an unknown elevation. With differential spirit leveling one would run a level loop from the known end to the unknown end and close back on the known end to check. Assuming the length of the leveling loop is 2.0 km (one out and one back), the third order criteria allows for a maximum loop misclosure, in mm, of

$$12 \sqrt{E}$$

where E is the perimeter of the loop in km. This translates into a maximum loop misclosure of 17 mm or 1.7cm. With GPS, on the other hand, the criteria is simply one part per 10,000 for third order work. And one part of 1.0 km base line is 10 cm. So while they are both third order surveys, conventional differential spirit leveling allows less than one fifth the error over 1.0 km.

Use a similar example only this time use a 10 km base line. In this case differential spirit leveling only allows a maximum loop misclosure of 54 mm, or 5.4 cm. With GPS, one part in 10,000 translates into an error of 100 cm, or 1.0 m. That's over 18 times the error allowed using differential spirit leveling!

So the answer is not necessarily that GPS is not capable of providing "good" elevations. It is a matter of how strict or tight the different criteria are. Differential spirit leveling criteria are very strict and for good reason. They were developed to assure sufficient knowledge of elevation differences when public works type of projects were involved requiring water to flow down hill. One part in 10,000, as required of third order GPS projects, may be fine for some purposes, but not when it comes to projects involving water, sewers, or objects under the influence of gravity. So when it comes to blue booking points for future use as HARN points, GPS works great for horizontal control. But have your clients stick to differential spirit leveling when having vertical control established.

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PROGRAM PREFERENCE SELECTION

Please indicate those sessions which you would like to attend. A selection at this time does not mean you must attend those sessions at the Convention - it is merely to help the Program Committee ascertain the proper room, seating, hand-outs, etc. Your cooperation is appreciated.

Thursday, January 16

- Construction Surveying in the 90's
- Indiana Harn Bluebooking
- Writing Survey Reports
- OSHA and Confined Spaces
- Surfing the Internet

Friday, January 17

- Positioning the Survey Firm for the 21st Century
- Practical Applications for GPS
- Surveying in the 17th -19th Centuries
- Update on Environmental and Land Use Issues
- Management and Marketing the Survey Firm
- Early Court Decisions Regarding Land Disputes
- Innovative Wetland Management in Subdivisions

SPOUSE PROGRAM

THURSDAY, JANUARY 16

- 9:00 - 4:00 Tour Notre Dame University & St. Mary's College. Shop at bookstores and have lunch at Morris Inn
- 6:00 - ??? Banquet and Awards Presentation

FRIDAY, JANUARY 17

- 9:00 - 3:00 Trip to Copshaholm and lunch at Tippecanoe Place

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Term contracts or fifty per cent off of what? The pitch goes like this: "You sign up with XYZ Long Distance Carrier today, commit to stay with us for three years and we'll give your company fifty per cent off."

With this scenario, it's very likely that the "discounted" price that the company would be paying is the phone program's lowest base rate anyway, with or without the term contract. Bottom line: if you're offered a discount, ask what the original base rate is that they are reducing.

Small, unknown networks: some savings, lots of headaches. Companies offering lower rates typically use smaller, unknown networks. They may be able to save you some money, however, the busy circuits (because they aren't able to handle the volume) and billing and switching problems just aren't worth it. Although they may be cheaper, the old adage holds true: "You get what you pay for."

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TRICKLE DOWN SAFETY?

by Ron Koons, RoSaKo Enterprises
 Safety Consultants, Middletown, Indiana

No, we're not in an economics class, but I borrowed some terminology to make a point. Safety doesn't start at the bottom and work its way up... it starts at the top and trickles down. You might feel that once management has established the safety policies it is then just up to employees to obey the policies. IF THAT IS YOUR ATTITUDE, YOUR SAFETY PROGRAM WILL NOT BE EFFECTIVE! Bear with me a little and maybe this statement won't seem so abrasive.

There are many ways to start a safety program, but the outcome needs to be in the form of a Written Safety Program for your company. This establishes regulations in your work place to ensure that employees perform their jobs in a safe manner. So you have the regulations... now what? In some fashion these regulations have to be conveyed to your employees. Do you just pass out a copy of the program and tell your employees to obey everything, or do you plan a very extensive, detailed 10 minute safety meeting to convey the information? Obviously, if you have a thorough program the conveyance of this information will take a lot longer than 10 minutes, but I have seen companies spend a lot of money to develop a program only to let it fail by not properly informing and training employees. Their attitude seems to be "if I give them a copy, tell them to obey the regulations, and they get hurt; it's their own fault!" The individuals at the very top must make a firm commitment to the safety effort. This not only includes money to establish a program, but also the determination to make it work. Upper management must be involved and those at the top must set an example. How about a few ideas...

Wear your safety belt while driving. If you have a safety regulation requiring employees to buckle up (I certainly hope you do) make a point to always have your belt properly fastened.

Spill coffee, water, or a soft drink on the floor? Make certain it is promptly cleaned up.

Visiting a construction site? When you get out of your vehicle put on your hard hat and safety glasses. I have personally seen many owners, managers, and supervisory personnel walk into areas requiring PPE without having the required protection.

Need something off your top shelf? Maybe the closest object that will support you is your swivel chair, so up you go. Take the time to get a step stool or ladder.

Attend your company safety meetings. Even if you aren't the one conducting the meeting, MAKE SURE YOU ATTEND! Nothing sets a better example for your employees than taking your time to be involved in the safety process.

Safety is not a "Do as I say, and not as I do" type of policy, it is more of a "Monkey see Monkey do". Over the past twenty years I have observed many companies where the minute a boss comes on the job every employee puts on a hard hat and safety glasses.

What do you suppose happens when the boss leaves? Every level of management must pass on the importance of workplace safety. If you show them how important the safety policies are to your company, an employee is much more likely to obey the rules when your back is turned.

So why have I used "Trickle Down" instead of "Open the Hydrant and Let It Flow?" An effective safety program doesn't occur overnight. It takes an effort over a long period of time to see permanent results. An initial push will see some immediate short term results, but to keep your workers safe takes a continuing effort from everyone employed by your company. Employees also need to be involved. Safety committees are great for employee involvement, but do to the size of many surveying operations this isn't always practical. Management in your company needs to determine the best way to get your employees involved.

Since I am stealing phrases today, just like "It Takes a Village to Raise a Child", "It Takes an Entire Company to Raise Workplace Safety".

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CALENDAR

November 16, 1996

Tecumseh Chapter Workshop, "Tree Identification - Wintertime Challenge", Speaker - Marc Widmer, Ross Hills Park, W. Lafayette, Contact person: Ted Darnall (317) 742-6479

November 16-22, 1996

ACSM/ASPRS Fall Meeting and GIS/LIS '96, Denver Convention Center, Denver, CO.

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