



STANISLAUS COUNTY DEPARTMENT OF PUBLIC WORKS DEVELOPMENT SERVICES DIVISION

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PRESERVING SURVEY MONUMENTS – FAQ

Purpose & Objective:

The purpose of this Fact Sheet is to document the County’s standard policies with respect to the responsibilities of perpetuating survey monuments in accordance to current laws and regulations.

The objective of survey monument preservation is to safely protect and perpetuate survey control monuments as stipulated by State, Federal, Civil Legal Codes and Business and Professions Code.

The County is responsible for the perpetuation of survey monuments and/or the enforcement of survey monument perpetuation in accordance with California’s Business and Professions Code §8771 (b) and California’s Streets and Highways Code §1810.5. The perpetuation of survey monuments is required and intended to protect both public and private property rights in accordance with federal and state law.

Who is authorized to reference Survey Monuments?

State Business and Professions Code section 8771 requires that a licensed land surveyor or registered civil engineer legally authorized to practice land surveying reference the monuments any time a street, highway, right-of-way or easement is improved, constructed, reconstructed, maintained or resurfaced. If a monument is relocated, it must be reset into the surface of the new construction and recorded with the County Surveyor’s Office; otherwise, monuments must be retained or replaced in their original positions upon completion of the work. The local government agency that has jurisdiction over the project property also must be involved in the monument identification and preservation process.

Where is the Stanislaus County Surveyor’s Office located?

Stanislaus County Surveyor’s Office is currently located at 1716 Morgan Road, Modesto CA 95358 and can be reached by calling (209) 525-4130.

What are Survey Monuments?

A survey monument is a marker that defines a geographic position on the face of the earth. It is tangible evidence of the location of a boundary corner or other survey point. A boundary survey monument is fixed permanently in land and referred to in a legal description or map identifying the land. Monuments can be found in the sidewalk, middle of the street, or at the actual property corner of lots.

The corners of parcels or lines of easements can only be visualized on the ground by setting markers, or survey monuments. A survey monument is a physical marker and tangible evidence that locates a corner or line on the ground. They can be on a line or offset from a line, on, above or below the surface, noticeable or almost invisible. These markers can take many forms, some more durable than others:

- ✓ a chiseled cross in a sidewalk set 60 years ago
- ✓ a nail and brass tag under 2” of pavement

- ✓ iron pipes of any diameter driven into the ground, either buried well below the surface or visible at the surface
 - ✓ wood stakes or posts, with or without identifying tags
 - ✓ old nails or “X” scribed in concrete
 - ✓ rebar, with or without identifying caps
 - ✓ a brass disk
 - ✓ a scribed stone or post
 - ✓ a railroad spike
- The list goes on, and on...

If at any time a monument will be destroyed or covered during construction, it must be perpetuated in accordance with state law.

▶ **Why is it important to preserve and protect Survey Monuments?**

Survey control monuments are critically important to maintaining the position of property lines, right-of-way lines, geodetic positions and elevation control for FEMA Elevation Certificates. Monuments have been used in California for over 150 years to mark ranchos, subdivisions, and all various types of public land holdings. It is a requirement of local Subdivision Ordinances that permanent monument be placed and protected. Almost all survey field measurements are tied to survey monuments, which are set to allow for the retracement (or mark the position) of features and legal rights on the earth's surface. For example, homeowners need to know their boundaries, and Cities and Counties want to maintain their right-of-ways and jurisdictional boundaries. Control surveys monitor earthquake activity, subsidence, flood-control studies and determine accurate positions of navigation aids.

Survey monuments are expensive to establish and even more expensive to re-establish when they are destroyed. Monuments are required by government and local subdivision ordinance for orderly development and to protect the public from unscrupulous developers/sellers. They are an essential element to our legal system of land holdings and various aspects of ownership rights and obligations.

▶ **What are the Benefits of Monument Preservation?**

Some of the benefits of preserving existing Survey Monumentation are:

- ✓ Protection of Private Property Rights - Survey monuments protect the rights of property owners, easement holders, and their adjoining neighbors.
- ✓ Keeping the Law - Malicious removal or destruction of survey monuments is against the law.
- ✓ Stability – Survey monuments provide stability and balance of interests in real property.
- ✓ Avoid liability! - You may be liable for the destruction of monuments caused by your improvements.
- ✓ Cost Savings - It costs much less to preserve a monument than it does to replace it after it is destroyed.
- ✓ Taxpayer Protection and Tax Savings – Survey monuments defining public right-of-ways represent our tax dollars at work. Destruction of these critical points is inefficient and wasteful of public funds, which equals taxpayers' money.
- ✓ Preserve Original Locations

▶ **What Damage Occurs When Survey Monuments Are Destroyed?**

What damage occurs when a monument is destroyed as part of a land improvement project? Extra costs are now imposed on future land surveyors, land owners, and land improvement projects. These extra costs include the following:

- ✓ Additional monument search and recovery costs.
- ✓ Additional monument replacement costs.
- ✓ The costs of land disputes caused by uncertainty over boundary location.
- ✓ Additional survey costs.

- ✓ The requirement to prepare and file additional survey records with public agencies when field surveys reveal monuments are destroyed or when replacement monuments are set.
- ✓ The actual cost of the physical monument and its installation is often just a tiny fraction of these other costs.
- ✓ It's time consuming and very costly to replace.
- ✓ If points on the curb and the street are removed at the same time they are very difficult to replace correctly and then we are required to file a Record of Survey map which is much more involved, can take several months to complete and be very costly.
- ✓ It causes difficulties with the County Surveyor's office, which causes more delay, and therefore more incurred costs.
- ✓ It causes delays and extra costs for surveyors performing private surveys. Just think if it was your property being surveyed and there were no points in the ground to be found.
- ✓ It's a violation of State law.

▶ **Who is responsible to protect Survey Monuments?**

Under state law, governmental agencies and "those actually performing construction work" are jointly responsible to ensure that monuments are protected. Get out in front of the issues and ask questions about the survey monuments on your project before construction begins.

If you are a contractor on a private or public project, speak up and ask whether the monuments in the construction limits have been perpetuated. If you are the project engineer with a governmental agency, you have the ethical and legal duty to ensure that adequate provisions for monument preservation have been addressed contractually and in the field.

▶ **What documentation is required?**

A Corner Record or Record of Survey must be filed by a professional land surveyor in accordance with state law for each and every survey monument that has been impacted.

▶ **How do I locate my property corners?**

You will need a copy of the map and/or deed that created your parcel. You may try to interpret it; however, to insure that all monuments are in the proper location you need to contact a Professional Land Surveyor (or Civil Engineer Registered prior to 1982) licensed by the State Board of Registration.

▶ **Who can perpetuate survey monuments?**

In California, survey monuments can only be referenced and reset by a Professional Land Surveyor or a civil engineer licensed prior to January 1, 1982, with a license number below C33966.

▶ **Does the County Surveyor's Office survey privately held lands?**

No. The County of Stanislaus does not survey private lands. However, our Survey staff will try and answer any questions the public may have regarding land surveying.

▶ **Can you recommend a private land surveyor to survey my property?**

The County cannot recommend one surveyor over another. Professional Land Surveyors are licensed by the State Board of Professional Engineers, Land Surveyors and Geologists and are able to practice anywhere in the state. Most Land Surveyors in private practice are listed in the local Yellow Pages or on the California Land Surveyors Association (CLSA) [find a surveyor](#) webpage. You may also find a surveyor in your area through the [Board of Professional Engineers, Land Surveyors and Geologists](#) .

▶ **How do I obtain copies of fields notes, record maps, as-built drawings or other county drawings?**

Most Recorded Maps are available on the [Stanislaus County Recorded Maps](#) section of the County's GIS website.

► **What are some of the current laws, regulations, and penalties related to Monument Preservation?**

Business & Professions Code §6731, §6731.1, & §6731.2 (Professional Engineers Act)

Business & Professions Code §8725 & §8771 (Professional Land Surveyors Act)

Board Rules (Administrative Code, Title 16, Division 5) 464(d)

California Penal Code §605, §615, & §622

California Streets & Highways Code §732 & §732.5

Government Code §27581

► **For technical assistance and survey advice please contact a professional land surveyor. For your convenience we have listed several known surveyors in our area:**

Surveying Company	Address	City	ZIP	Telephone
Aspen Survey Company	1121 Oakdale Rd., Suite 6	Oakdale	95355	(209)526-9724
Associated Engineering Group	4206 Technology Dr., Suite 4	Modesto	95356	(209)545-3390
Benchmark Engineering	1121 Oakdale Rd., Suite 1	Modesto	95355	(209)548-9300
Chappell Surveying Services	680 Esther Way	Oakdale	95361	(209)845-9694
DF Engineering	3421 Tully Road, Suite J	Modesto	95350	(209)529-7450
Epic Land Surveying	P.O. Box 11930	Oakdale	95361	(209)845-2594
GDR Engineering	3525 Mitchell Rd.	Ceres	95307	(209)538-3360
Giuliani & Kull	440 S. Yosemite Ave.	Oakdale	95361	(209)847-8726
Hawkins & Associates Engineering	436 Mitchell Rd.	Modesto	95354	(209)575-4295
Mid-Valley Engineering	1117 L St.	Modesto	95354	(209)526-4214
Muir Consulting	139 Church Ave.	Oakdale	95361	(209)845-8630
Morris Eng. & Surveying	334 S. Yosemite Ave., Suite D	Oakdale	95361	(209)845-9175
NorthStar Engineering Group	620 12th St.	Modesto	95354	(209)524-3525
O'Dell Engineering	1165 Scenic Dr., Suite B	Modesto	95350	(209)571-1765
Provost & Pritchard	4701 Sisk Rd., Suite 102	Modesto	95356	(209)809-2300
Sierra West Land Surveying	1359 Sand Hill Ct.	Oakdale	95361	(209)845-2773
SKW & Associates	2237 Scenic Dr.	Modesto	95355	(209)523-8323
VVH Consulting Engineers	126 Drake Ave.	Modesto	95350	(209)568-4477
Welty Engineering	521 13th St.	Modesto	95354	(209)526-1515