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Question of the Month: Do I need a survey? Every good project starts with a good survey and professional land surveyor - by Kevin Kiernan

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We are often asked by clients, developers, engineers, and friends, "Do I need a survey?" The answer is "Yes." Now my question: What type of survey do you need? Has your attorney informed you that you need an ALTA/NSPS Land Title Survey to begin the loan process? Have you had enough of the catch basin in your parking lot backing up and flooding the entrance way to your property? Did your long-time neighbor decide to start removing your peonies between your lots while you were on vacation to make way for his new retaining wall? Did this year's spring cleaning unearth a deed that references an old easement on the property? If you answered "yes" to any of these, then you need the help of a professional land surveyor.

It has become standard operating procedure for the surveyor to get a frantic call from an attorney needing to close on a loan having never previously spoken to the surveyor about getting an ALTA/NSPS Land Title Survey completed. The conversation always ends with, "I need that delivered by Friday." If the surveyor had been engaged earlier in the project, they could have helped things progress more smoothly. A good quality survey takes time to complete, if the surveyor is contacted early on in the process, any deadline can be met.

After years of watching your parking lot fill with water following a heavy storm event, and witnessing the disruption to your client traffic, a desire for a fix to the situation takes over. While this may seem like a straight ahead civil engineering project, the most cost efficient way to move toward the solution is with a professional land surveyor. A civil engineer will need to be involved in the grading of parking areas, and resizing of drain pipes and structures. The civil engineer's work will be made easier with a professional land surveyor providing them with a solid Existing Conditions Plan of the area, to use as a base plan for their design. In addition, the professional land surveyor may have a working relationship with a civil engineer. Or as in the situation here at this office, be involved in a "one stop shop" where a client's professional land surveying and engineering needs are met under one roof.

While the intent is not to antagonize or isolate a neighbor, the fact of the situation is with the value of

real estate it is more advantageous for everyone to be aware of their property boundaries. In the example of the peonies destroying neighbor, had a professional land surveyor been engaged to stake the property corners when the property was purchased, there would be no confusion as to the location of the proposed retaining wall. The peonies could have been saved, harmony in the neighborhood preserved, and holiday card lists left unrevised.

The basis of land surveying is rooted in the title of the property. We have advised many clients purchasing real estate, be it an investment property, office building, or home, to get it surveyed. A good boundary survey will contain title research which will include a look at the back title of the property. This could lead to the discovery of easements or long forgotten rights that may still exist. The surveyor will “step foot” onto the property to field locate monuments, buildings, and evidence of boundary lines such as fences, stone walls, and hedge rows. Evidence of easements such as overhead wires, pathways, and utilities will also be located. A plan will be produced depicting all the improvements on the lot, and the metes and bounds of the property lines. The plan should be sealed and signed by the professional land surveyor licensed in the state in which the property is located. If so desired, the land surveyor can be engaged to monument the property corners. All this information contributes in making the evidence of the property visible to the world.

I hope I have given you cause to think about the engagement of a professional land surveyor for your next project. Whether it be for preparation of an ALTA/NSPS Land Title Survey in conjunction with the purchase of a multi-million dollar lifestyle center, the re-design of a failing parking lot, the resolution of a boundary line dispute, the location of a long forgotten easement, or the construction staking of foundation corners for a proposed 40,000 s/f warehouse, every good project starts with a good survey. Every good survey starts with a professional land surveyor.

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