onument Conservation xcerpts from California Law

& Professions Code §8771

nonuments exist that control the location of is...roads, streets or highways...the monube located and referenced by or under the falicensed land surveyor or registered civil rior to the time when any streets, highways, s-of-way, or easements are improved, conconstructed, maintained, resurfaced, or red a corner record or record of survey of the shall be filed with the county surveyor....

ernment agency performing or permitting in or maintenance work is responsible for lat either the governmental agency or land-

forming the construction or maintenance

des for monument perpetution required by

& Professions Code §8725

nlawful for any person ...to set, reset, replace, any survey monument on land in which he no legal interest, unless he or she has been specifically exempted from licensing under r.



Penal Code §605

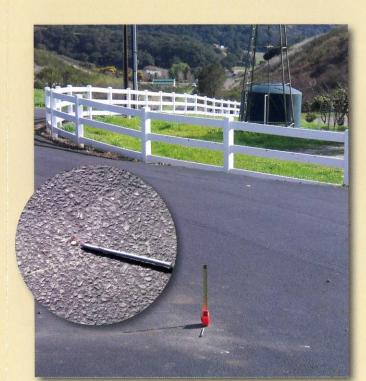
Every person who either:

- 1. Maliciously removes any monument erected for the purpose of designating any point in the boundary of any lot or tract of land, or a place where a subaqueous telegraph cable lies; or,
- 2. Maliciously defaces or alters the marks upon any such monument; or,
- 3. Maliciously cuts down or removes any tree upon which any such marks have been made for such purpose, with intent to destroy such marks.
 - -- Is guilty of a misdemeanor.

Government Code §27581

All monuments located in public highways shall be placed with the top not less than 12 inches below the surface of the ground, but when not located in public highways, they shall be placed with the top six inches above the surface of the ground...

Note: These excerpts from California law have been edited to provide relevant portions in a limited space. You must refer to the complete text of the statutes and laws for full meaning and context.





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Survey Monuments?

ners of parcels or lines of easements can ualized on the ground by setting markers, nonuments. A survey monument is a physithat locates a corner or line on the ground. e on a line or offset from a line, on, above ne surface, noticeable or almost invisible. ters can take many forms, some more dupthers:

d cross in a sidewalk set 60 years ago
d brass tag under 2" of pavement
s of any diameter driven into the ground,
ried well below the surface or visible at
ce
ikes or posts, with or without identifying tags
or "X" scribed in concrete
ith or without identifying caps
I stone or post placed in or on the ground,
es with a rock mound around it
... the list goes on.

Survey Monuments Important?

monuments are used to maintain the integntinuity of adjoining properties, neighbordivisions, roads, highways, cities, counties, even countries.

d surveying community has observed an inhe mortality rate of survey monuments set way control, public, and private property . With their destruction, the potential for ind uncertainty of boundaries arises.

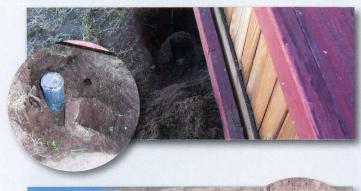
a Land Surveyor Help?

y be able to recognize a survey monument ove the surface of the ground. But your local yor is experienced and qualified to research ly identify what markers may still exist near ct – and to find and recover them without



What are the Benefits of Monument Conservation?

- ✔ Protection of Rights Survey monuments protect the rights of property owners, easement holders, and their adjoiners.
- ✓ 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 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.
- ✓ Tax Savings Resetting road, property or easement monuments after a public improvement project adds significant costs which will ultimately be borne by the tax-paying public.
- ✔ Preserve Original Locations Property lines and easements can be easily identified in their original location when monuments are preserved.
- ✓ Stay out of Court Avoid possible civil actions based on unknown boundary locations when monuments are preserved.





How to Avoid Monument Destruction & Penalties

Use the skills and expertise of your local Land Surveyor! He or she can provide the following services to conserve survey monuments before and after construction...

Before Construction or Project

- ✓ research research record information for existence of markers and benchmarks
- ✓ locate & identify search for and find existing markers and benchmarks, whether visible or buried
- ✓ reference set reference marks to original monuments that will remain throughout and after construction

After Construction or Project

- ✓ replacement set replacement markers in original position using reference marks if original monuments are disturbed or destroyed
- ✓ document file proper documentation with the proper agency(ies) showing original and replacement monuments
- preservation set protective posts or structures near monuments for future identification

Be sure to obtain copies of the Surveyor's documentation and/or take photos of monuments, whether original or replacement monuments.

REMEMBER – \$1 of prevention is worth \$10 "cure" - replacing a monument AFTER it is destroyed takes 10 times the cost to protect it BEFORE it is destroyed.

