

201 KAR 18:150

Standards Of Practice

201 KAR 18:150. Standards of practice.

RELATES TO: KRS 322.290(1)(a), (2)(f)

STATUTORY AUTHORITY: KRS 322.290(2)(f)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 322.290(1)(a) authorizes the board to administer KRS Chapter 322. KRS 322.290(2)(f) requires the board to establish standards of practice. This administrative regulation establishes standards of practice for professional land surveyors in Kentucky.

Section 1. Definitions.

- (1) "Boundary" means the perimeter of a parcel or tract of land.
- (2) "Boundary survey" means a survey to:
 - (a) Determine either the entire perimeter of a parcel or tract of land, or a portion of the perimeter of a parcel or tract of land;
 - (b) Establish or reestablish a parcel or tract of land's corner or monument; or
 - (c) Divide or consolidate the parcels or tracts of land surveyed.
- (3) "Completion Date of Survey" means the last date when all the monuments were either found or set for the plat of survey area.
- (4) "Corner" means a point that designates a change in the direction of the boundary.
- (5) "Field work" means that work performed by a land surveyor on the ground in connection with the parcel or tract being surveyed.
- (6) "GIS" means Geographic Information System and is any system that captures, stores, analyzes, manages, and presents data that are linked to a land location and is the merging of cartography and database technology.
- (7) "GNSS" means Global Navigation Satellite Systems. The standard generic term for satellite navigation systems that provide autonomous geo-spatial positioning with global coverage.
- (8) "GPS" means the United States NAVSTAR Global Positioning System, a space-based global navigation satellite system that when used in conjunction with suitable GPS receivers and processing software, provides reliable location information to the level of precision specified in this administrative regulation, in all weather and at all times and anywhere on the earth where there is an unobstructed line of sight to four (4) or more GPS satellites.

(9) "Meander point" means a survey point or station marking a change in direction along a linear feature such as a watercourse, ridge, road, or cliff.

(10) "Monument" means an artificial, manmade or natural object that is used as, or presumed to occupy, any of the following locations:

- (a)** A property corner;
- (b)** A point on the boundary; or
- (c)** A reference point.

(11) "Plat" means any representational drawing created by a land surveyor reflecting work falling within the definition of land surveying.

(12) "Plat of survey" means a finished drawing of a completed survey of a parcel or tract of land, used to depict the final results of a boundary survey, drawn on a dimensionally stable media suitable for reproduction of copies.

(13) "Point on Line" means a point on a boundary line other than a corner.

(14) "Reference monument" means a monument:

- (a)** That does not occupy the same defined position as a property corner; and
- (b)** Whose relationship to the corner of the property is established by bearing and distance to the actual corner.

(15) "Relative Positional Accuracy" means the value expressed in feet that represents the uncertainty due to random errors in measurements in the location of any point on a survey relative to any other point on the same survey at the 95 percent confidence level.

(16) "Retracement survey" means a boundary survey of an existing parcel or tract of land.

Section 2. Application.

(1) Boundary surveys. The standards of practice established in Sections 1 through 12 of this administrative regulation:

- (a)** Shall apply to the work product related to:
 - 1.** Boundary surveys used for the purpose of creating, depicting, or locating interests in land;
 - 2.** Partial surveys;
 - 3.** Boundary surveys of leases; and
 - 4.** Deed descriptions written by professional surveyors;

(b) Shall be the minimum standards of practice for a professional land surveyor; and

(c) Shall not limit the establishment of more stringent standards of practice for a professional land surveyor by:

1. An agency;
2. An owner;
3. A contract; or
4. The professional land surveyor.

(d) Shall not apply to surveys to determine or define political areas including historical, school, fire, voting, utility or magisterial districts, municipal or county limits, or governmental permit limits.

(2) Land surveying work other than boundary surveys. The standards of practice established in Sections 1, 2, 3, and 13 of this administrative regulation:

(a) Shall apply to the work of the professional land surveyor falling within the definition of land surveying, but not falling within the definition of a boundary survey;

(b) Shall be the minimum standards of practice for a professional land surveyor for that work; and

(c) Shall not limit the establishment of more stringent standards of practice for a professional land surveyor by:

1. An agency;
2. An owner;
3. A contract; or
4. The professional land surveyor.

Section 3. Compliance.

(1) Failure to comply with this administrative regulation shall constitute misconduct, gross negligence, incompetence, or a combination of these violations in the practice of professional land surveying.

(2) A professional land surveyor shall not represent that:

(a) A boundary survey determines land ownership; or

(b) A boundary survey provides more than evidence of rights in land; or

(c) Land ownership can be established by any survey

Section 4. Actual Boundary Survey.

- (1)** The marks and monuments on the ground as found and verified, or as set by a professional land surveyor shall constitute the actual boundary survey.
- (2)** Any plat of survey shall accurately represent the actual boundary survey.
- (3)** Record research and field work required by the provisions of this administrative regulation:
 - (a)** Shall be used by a professional land surveyor to determine the location of the boundary of the property to be surveyed; and
 - (b)** Shall not be used by a professional land surveyor to determine title.

Section 5. Record Research.

In performing a boundary survey, a professional land surveyor shall conduct research to obtain and evaluate the following:

- (1)** The present and relevant historical record descriptions of:
 - (a)** Each parcel to be surveyed; and
 - (b)** Each adjoining parcel;
- (2)** The description of the physical monument that represents each property corner;
- (3)** All other relevant documents of record including deeds and prior plats and surveys;
- (4)** All other relevant public agency records including tax maps, GIS maps, and topographic maps; and
- (5)** Any other available data or documents pertinent to the boundary survey.

Section 6. Field Work.

A professional land surveyor shall thoroughly:

- (1)** Search for the physical monuments that represent each boundary corner;
- (2)** Search for other physical monuments set out in the description of the parcel or tract of land being surveyed;
- (3)** Gather, analyze, and document evidence of occupation and physical evidence;

(4) Gather, analyze, and document relevant parcel evidence; and

(5) Compare evidence discovered by field work, with that discovered by record research, to determine or reestablish the boundary of the tract or parcel of land being surveyed.

Section 7. Measurement Specifications.

(1) Every measurement made as a part of a boundary survey shall comply with the following:

(a) The standards for accuracy and precision established by the provisions of this section; or

(b) Standards for accuracy and precision that exceed the standards established by the provisions of this section but are:

- 1.** Requested by the client;
- 2.** Required by contract;
- 3.** Required by the agency or entity to which the plat of survey is to be presented; or
- 4.** Deemed desirable or necessary by the land surveyor.

(2) A professional land surveyor shall conduct measurements with instruments and equipment that are properly:

(a) Adjusted;

(b) Maintained; and

(c) Calibrated to meet the appropriate tolerance required for the classification of survey as specified in subsection (5) of this section.

(3) A boundary survey shall be conducted utilizing a method of measurement that achieves the appropriate minimum tolerance specified in subsection (5) of this section.

(4) A boundary survey for platting or describing a parcel or tract of land shall be classified as "Urban" or "Rural".

(a) An Urban survey shall:

1. Consist of urban or suburban land; and

2. Include a parcel or tract of land lying within, or adjacent to:

a. A city or town limit;

b. A commercial business area;

c. An industrial area; or

d. A residential area that is outside a city or town limit and contains subdivided lots smaller than five (5.0) acres.

(b) A Rural survey shall apply to all land not classified as "Urban".

(5) Table of Specifications by Class: Classification of Surveys.

	Urban	Rural	Remarks
Unadjusted Closure (Minimum)	1:10,000	1:5,000	Loop or Between Control Monuments
Angular Closure (Maximum)	15" N	30" N	N = Number of Angles in Traverse
Accuracy of Distances	+/- 0.05'+100 PPM	+/- 0.10'+200 PPM	100PPM=1:10,000
Relative Positional Accuracy	+/- 0.05'+100 PPM	+/- 0.10'+200 PPM	

Section 8. Global Positioning Systems.

(1) It shall be acceptable practice to incorporate the use of survey grade GPS equipment into any boundary survey. The accuracy and precision of all measurements made with that equipment shall, at a minimum, meet all other accuracy and precision standards required otherwise by law or rules under Section 7(5) of this administrative regulation. If using GPS equipment in the course of a boundary survey, the professional land surveyor shall state on the face of the plat of survey, the following:

- (a)** A note stating what portion (or all) of the boundary survey was performed using GPS equipment;
- (b)** The type of GPS equipment used, including manufacturer and model number, and whether single or dual frequency receivers were used;
- (c)** The type of GPS survey that was performed, including static, real time kinematic ("RTK"), network adjusted real time kinematic, etc.;
- (d)** A note that discloses the precision of the GPS work done, either in relative positional accuracy, or vector closure.
- (e)** A statement identifying the horizontal datum, the vertical datum, and the Geoid model used; and

(2) The professional land surveyor shall at a minimum retain adequate documentation, in either paper or electronic format, of raw field data, adjustment calculations and

closure, or relative positional accuracy calculations or computations necessary to support the accuracy and precision of the work product.

Section 9. Monumentation.

(1) Monumentation standards established in this section shall apply to all boundary surveys:

(2) Unless an adequate monument already exists at each boundary corner, a professional land surveyor shall set a monument or a reference monument at each corner of the boundary as provided in this section.

(3) A monument or reference monument set by a professional land surveyor shall conform to the following categories and shall meet the following criteria:

(a) "Typical and Preferred" an iron rod, iron pipe, or iron pin that is:

1. Not less than one-half (1/2) inch in diameter and eighteen (18) inches in length;
2. Equivalent to, or greater than, schedule-forty (40) weight if pipe is utilized; and
3. Identified with a cap bearing the license number of the professional land surveyor under whose direct supervision the survey was performed, and which cap does not display any other license number.

(b) "Non-typical" to be used only when it is not practical to set the monuments described in subsection (a) of this subsection, and that:

1. Preferably contains a ferrous material or is otherwise capable of being located with a magnetic locator, and may include P. K. or mag nails at least one 1 1/2 and one-half inches in length; and
2. Is identified with the license number of the professional land surveyor under whose direct supervision the survey was performed, and does not display any other license number.

(c) "Alternate" to be used only when it is not practical to set the monuments described in subsections (a) and (b) of this subsection and may include railroad spikes, mine spikes, cross-cuts, chisel cuts, drill holes and curb notches, and shall be referenced to a durable, physical feature.

(4) A boundary corner shall be identified by a reference monument if it is impractical to set a monument at the corner for either of the following reasons:

- (a)** The corner is likely to be disturbed; or
- (b)** The corner is inaccessible.

(5) A reference monument shall be set on the boundary line, if practicable, to perpetuate the location of each corner.

(6) A professional land surveyor shall set each monument in a manner to avoid or minimize the likelihood of its destruction.

(7) A professional land surveyor may use a tree as a monument under the following conditions:

(a) A tree may be established as a corner monument only on a Rural boundary survey. Each tree utilized as a monument shall be marked in a conspicuous manner that is both physical and permanent and will not otherwise be harmful to the tree.

(b) A tree that a professional land surveyor establishes as a corner monument shall meet the following criteria:

1. Be at least ten (10) inches in diameter at breast height;
2. Be in sound condition;
3. Be marked in a conspicuous manner that is both physical and permanent; and
4. Be clearly described by size, species, and method of marking, on the plat and in the written description.

(c) Trees shall not constitute more than fifty (50) percent of the established monuments for a rural boundary survey.

(d) For an urban retracement survey in which a tree is found to be the monument of record, the tree shall be reference-monumented.

(8) A corner monument that a professional land surveyor has determined is not of sound condition, fails to meet the standards established in this administrative regulation, or is inadequate under the definition of monument within this administrative regulation, shall be reference-monumented to perpetuate the corner location. All existing record monuments discovered during the performance of the survey shall be preserved and shall not be altered or destroyed.

(9) **(a)** Linear monuments may consist of a watercourse, ridge, road, or cliff, and:

- (b)**
1. The point at which a boundary line intersects a linear monument shall be monumented or reference monumented; and
 2. A physical feature that represents a linear monument shall be monumented or reference monumented at a minimum of every 1,000 feet, and those monuments shall be set in intra-visible pairs not to exceed 1,000 feet in spacing between pairs.

(10) All monumentation shall be set prior to the time the plat of survey, or record plat is issued by the surveyor. The signing and sealing of a survey plat is certification by the professional land surveyor that all corners shown on the plat are set on the ground.

Section 10. Documentation of Boundary Surveys.

- (1)** A plat of survey shall be required to be given to the client when the professional land surveyor does any of the following:
- (a)** Surveys a new boundary line;
 - (b)** Retraces the boundary lines of a previously established boundary; or
 - (c)** Determines that the current physical description or plat does not accurately depict the actual conditions found during the course of performing the survey.
- (2)** A professional land surveyor shall retain as permanent records the original plat of survey prepared by the land surveyor, or a copy thereof, and a copy of any new physical description that was prepared from the survey.
- (3)** A professional land surveyor shall retain as permanent records the following items used to perform a boundary survey:
- (a)** Research documents including notations stating the source of each;
 - (b)** Field and office notes;
 - (c)** Electronic and magnetically stored field data;
 - (d)** Documents of calculation stating the:
 - 1. Relative positional accuracy or closure as required by Section 7 of this administrative regulation;
 - 2. Adjustment method;
 - 3. Bearing reference datum; and
 - 4. Determination of corners;
 - (e)** Plat of survey and written description, if any, of the surveyed parcel or tract of land;
 - (f)** All other pertinent information necessary to reproduce the boundary survey; and
 - (g)** All other pertinent information supporting the location of the boundary lines and corners of the boundary survey.
- (4)** Written description. A written description prepared by a professional land surveyor shall be complete, shall accurately describe the actual boundary survey and, contain the following information:
- (a)** The general location of the land that was surveyed;
 - (b)** The specific location of the land in reference to a major physical feature or recognized control network;
 - (c)** The reference of at least one (1) boundary corner to a corner of the parent tract;
 - (d)** The direction and length of each line, as follows:
 - 1. Each bearing represented in degrees, minutes and seconds with each distance represented to the hundredths of a foot;
 - 2. Any geometrically-curved line identified with a beginning point, terminus point, and sufficient curve data to define the curve; and

- (e)** A complete description of each found monument that complies with the following:
1. It is sufficiently accurate and adequate for subsequent identification by another professional land surveyor; and
 2. To the extent possible, the description shall include the monument's dimensions, type of material and the identifying cap or identifier, or lack thereof;
- (f)** Reference of at least one (1) corner to at least one (1) of the following:
1. A corner of the parent tract;
 2. A durable and recognizable physical object; or
 3. A properly identified primary control network;
- (g)** The name of each road, along with any record source thereof;
- (h)** The name and record sources of each adjoiner;
- (i)** The name and record sources of each adjoining subdivision;
- (j)** Any apparent encroachment discovered in the course of the survey;
- (k)** The reference meridian and whether its basis is:
1. True;
 2. Grid;
 3. Record, including the source of the record meridian;
 4. State plane; or
 5. Magnetic, including the date and location of the observation;
- (l)** A vicinity map of sufficient detail to locate the parcel or tract of land being surveyed, unless the location of the parcel or tract of land is clearly shown by the plat itself;
- (m)** A statement, as appropriate, of:
1. The unadjusted error of closure for the traverse; and
 2. The relative positional accuracy for a GPS based survey;
- (n)** A statement identifying the classification of the survey as rural or urban;
- (o)** A statement as to whether the directions and distances shown on the plat are based on an adjusted traverse;
- (p)** The location of a cemetery or grave site that is observable or evident during the performance of the field work or discovered from the required research;
- (q)** A dated signature and the seal of the professional land surveyor under whose direct supervision the boundary survey was performed;
- (r)** A written and graphic scale; and
- (s)** A title block containing the following:
1. Name and address of the client;
 2. Name and address of the property owner of record;
 3. Title of the survey;
 4. Statement that the plat of survey represents a boundary survey and complies with 201 KAR 18:150; and
 5. Name and business address of the professional land surveyor who performed the survey and, if applicable, the name and address of the surveying firm; and

(t) The following information shall be placed conspicuously on the face of the plat of survey:

1. The record source of the tract or parcel of land surveyed; and
2. The location or address of each tract or parcel of land surveyed.

Section 11. Identification of Drawings and Plats.

(1) A plat of survey shall be signed, sealed, and dated by the professional land surveyor under whose direct supervision the survey was performed.

(2) Working drawings or unfinished plats of not yet completed boundary surveys shall be prominently marked or stamped in at least sixteen (16) point type or its equivalent, as follows: Preliminary - Not For Recording or Land Transfer.

Section 12. Partial Boundary Surveys.

(1) In performing a boundary survey, a professional land surveyor shall not be required to survey the parent tract in its entirety in order to create a smaller tract for conveyance if the following conditions are met:

- (a)** Adequate evidence exists that conforms to the deeds of record;
- (b)** Sufficient monumentation exists that is verifiable to establish the lines common to the boundary of the parent tract; and
- (c)** There is sufficient evidence and monumentation to establish the lines common to the adjoining tracts without adversely affecting the property interests of any adjoining owners.

(2) In performing a boundary survey, a professional land surveyor is not required to survey the entire boundary of a tract of land in order to mark a boundary line or replace a boundary corner when the following conditions are met:

- (a)** Sufficient evidence is found and verified to establish the record location of that portion of the boundary being surveyed; and
- (b)** The marked boundary line or reestablished boundary corner does not adversely affect the property interests of any adjoining owners.

(3) A plat of survey for that part of the boundary surveyed pursuant to this section of this administrative regulation, shall be required to comply with this administrative regulation for the part of the boundary that was surveyed, and shall graphically delineate and designate that portion of the boundary covered by the survey.

Section 13. Plats, Drawings, and Graphic Representations of Non-Boundary Survey Work Mandatory Disclosures.

(1) Plats, drawings, and graphic representations created by a professional land surveyor, not representing either a plat of survey, or a preliminary plat, drawing, or graphic representation of a boundary survey, shall meet the following criteria:

- (a)** Be clearly marked as to their intended use; and
- (b)** State affirmatively in a title block in at least twelve (12) point type or its equivalent, that the work does not represent a boundary survey and is not intended for land transfer; and
- (c)** May be signed and sealed by the professional land surveyor under whose direct supervision the work represented by the plat, drawing, or graphic representation was performed or the document was prepared.

(2) A professional land surveyor shall state in a note or notes, on the face of any plat, drawing or graphical representation of any work product falling within the definition of land surveying but not constituting either a plat of survey, or a preliminary plat, drawing or graphic representation of a boundary survey, the following mandatory informational disclosures for the work product:

- (a)** For whom and by whom the work product was created;
- (b)** The purpose of the work product;
- (c)** The method employed to create the work product and its underlying values and specifications;
- (d)** The location of the parcel or tract of land with which the work product is concerned;
- (e)** The date or dates that the work was performed;
- (f)** The date of any certification of the work product by the licensee;
- (g)** The mathematical scale employed in any graphic representation of the work performed; and
- (h)** The degree of accuracy or level of quality of the work product expressed in terms of mathematical precision.

B. DAVID COX, Executive Director

APPROVED BY AGENCY: August 9, 2010

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CONTACT PERSON: Jonathan Buckley, General Counsel, Kentucky State Board of Licensure for Professional Engineers and Land Surveyors, 160 Democrat Drive, Frankfort, Kentucky 40601, phone (502) 573-2680, fax (502) 573-6687. (12 Ky.R. 291; eff. 9-10-85; Am. 16 Ky.R. 592; 1157; eff. 12-6-89; 24 Ky.R. 1540; 1866; 2062; eff. 3-12-98; 37 Ky.R. Am. 768; Am. 1178; eff. 12-3-2010.)

201 KAR 18:200

Minimum Standards Of Practice For Mortgage Inspections In Kentucky

Note: Sections 1, 2, 3, and 13 of 201 KAR 18:150, Standards of Practice, also apply to Mortgage Inspections in Kentucky

201 KAR 18:200. Minimum standards of practice for mortgage inspections in Kentucky.

RELATES TO: KRS Chapter 322

STATUTORY AUTHORITY: KRS 322.290(2)(f)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 322.290 requires the Board of Licensure for Professional Engineers and Land Surveyors to adopt appropriate standards of practice. This proposed administrative regulation will establish minimum standards of practice for mortgage inspections in Kentucky.

Section 1.

(1) A professional land surveyor shall meet the minimum standards established in this administrative regulation.

(2) He shall demonstrate a thorough knowledge of the property that is the subject of a mortgage inspection by:

- (a) Conducting adequate research which at a minimum would be to obtain the subject deed and the adjoining deeds; and
- (b) Obtaining and retaining sufficient recorded documentation.

Section 2. Work Order Required.

(1) Prior to conducting a mortgage inspection, a professional land surveyor shall obtain a work order:

- (a) Stating that the borrower or purchaser has been advised of the:
 - 1. Types of services available; and
 - 2. Scope of each type of service; and
- (b) That has been signed by the borrower or purchaser.

(2) If the work order requires a flood plain certification, statements regarding the flood plain shall contain the source or basis of the statements by reference to:

- (a) Flood plain maps, by map identification number and date; and
- (b) Any levels run by the surveyor to verify the elevation of the property.

(3) A work order shall include the following, the:

- (a) Name of the borrower;
- (b) Date the work was ordered;
- (c) Name of the person ordering the work;
- (d) Address or location of the parcel;

- (e)** Record source of the parcel;
- (f)** Anticipated closing date;
- (g)** Required delivery date; and
- (h)** Statements in subsection (4) of this section.

(4) The work order shall include the following statements:

(a) Mortgage inspection. The sole purpose of this inspection is to obtain mortgage title insurance. This is the minimum service that your lender requires for closing your loan. It is a location of improvements and cursory check for violations or encroachments onto or from the subject property based on existing but not confirmed evidence. This does not constitute a boundary survey and is subject to any inaccuracies that a subsequent boundary survey may disclose; no property corners will be set; and, it should not be used or relied upon for the establishment of any fence, structure or other improvement. Flood plain certification is restricted to a review of the Flood Insurance Rate Maps (FIRM) (latest revision), and shall not be construed as a confirmation or denial of flooding potential.

(b) Boundary survey and improvement location. A boundary survey of the subject property will be made and the property corners will be located and verified or reset. The improvements on the property will be located and a check for violations or encroachments onto or from the subject property will be made. This survey may be used by the property owner for the construction of a fence or other improvement. Flood plain certification is restricted to a review of the Flood Insurance Rate Maps (FIRM) (latest revision), and shall not be construed as a confirmation or denial of flooding potential.

(c) ALTA/ACSM land title survey. This is the most comprehensive type of survey and improvement location. It covers all the aspects of the boundary survey and improvement location and identification for any additional evidence of possession or use which could be adverse to the interest of the purchaser. This survey may include definitive statements regarding the flooding potential in addition to a review of Flood Insurance Rate Maps (FIRM).

(5)

(a) A board "work order" sample form may be used.

(b) "Work Order (8-93)" is incorporated by reference.

(c) It may be inspected, copied, or obtained at Kentucky State Board of Licensure for Professional Engineers and Land Surveyors, 160 Democrat Drive, Frankfort, Kentucky 40601, 8 a.m. to 4:30 p.m., Monday through Friday.

Section 3. Recorded Documentation and Boundary Evidence.

- (1)** A professional land surveyor shall obtain recorded documentation pertaining to the property boundary that is sufficient to demonstrate general knowledge of the given area which at a minimum would be to obtain the subject deed and the adjoining deeds.
- (2)** Field crews shall be provided with current information necessary to determine property dimensions in the field.
- (3)** Field crews shall conduct a diligent search for existing boundary evidence.
- (4)** The highest available order of monumentation shall be used.
- (5)** The boundary monumentation, or evidence used shall be shown on the drawing.
- (6)** Conflicting boundary information shall be:
 - (a)** Clearly shown on the drawing; and
 - (b)** Reported to the client and the buyer in writing.

Section 4. Field Procedures.

- (1)** A field crew shall be provided with current information necessary to determine the property dimensions in the field.
- (2)** A diligent search for existing boundary evidence shall be made by a field crew.
- (3)** The highest order of monumentation and boundary evidence shall be used.
- (4)** Detailed notes shall be:
 - (a)** Taken on all mortgage inspections; and
 - (b)** Kept as part of the professional land surveyor's permanent record.
- (5)** If the field survey methods selected by the surveyor do not produce a level of certainty sufficient to determine whether encroachments exist, the surveyor shall recommend a boundary survey to the borrower or purchaser.

Section 5. Drafting of the Parcel.

(1) A drawing of a parcel that is inspected shall be used in support of the certificate of mortgage inspection.

(2) The following items shall be identified on a drawing of a parcel that is inspected:

(a) Property lines shall be shown by:

1. Boundary dimensions and bearings from the deed; or
2. Boundary dimensions and bearings from a record plat; or
3. By actual field measurement.

(b) The method of determination or basis of property lines shall be clearly shown.

(c) Major improvement locations shall be shown:

1. With dimensions to the nearest property lines;
2. With a minimum of three (3) dimensions; and
3. In a manner sufficient to locate the major improvement.

(d) Location dimensions shall be shown:

1. By offsets perpendicular to straight property lines; or
2. By offsets radial to curved property lines.

(e) Major improvements shall include:

1. Residences;
2. Garages;
3. Outbuildings;
4. Barns;
5. Driveways;
6. Pools;
7. Porches; and
8. Patios.

(f) Apparent encroachments shall be:

1. Noted and described; and
2. Clearly shown.

(g) Means of access shall:

1. Be shown clearly and graphically; and
2. Include shared access and shared driveways.

(h) Platted and apparent easements shall be clearly identified.

(i) The source of record information for platted and apparent easements shall be identified by:

1. Deed book and page of recording; or
2. Title company commitment, including the name of title company and commitment number; and
3. For apparent easements for items such as power lines, the name of the easement holder.

(j) Platted setback lines shall be shown graphically.

(k) Adjacent owner and record source shall be noted on the drawing.

1. Lot numbers may be used for adjacent properties located in recorded subdivisions.
 2. Conflicting boundary information shall be:
 - a. Clearly shown on the drawing; and
 - b. Reported to the client and the buyer in writing.
- (l) If the address of the inspected parcel is:
1. Posted, it shall be shown; or
 2. Not posted, a statement to that effect shall be included.
- (m) A north arrow with the basis for the meridian shall be shown on the drawing.
- (n) A graphic scale shall be shown on the drawing.
- (o) All apparent encroachments shall be:
1. Noted and described on the drawing; and
 2. Clearly shown on the drawing.
- (p) A flood plain certification required by the work order shall reference:
1. Flood plain maps by map identification number and date; and
 2. Levels run by the surveyor to verify the elevation of the inspected property.
- (q) The following caption shall appear prominently on the sketch:

MORTGAGE INSPECTION

**This does not constitute a boundary survey
and is not a recordable document.**

- (r) If the certification and the drawing are on separate pieces of paper, this shall be stated in the report as: (Example: page 1 of 2, page 2 of 2).
- (s) The sign and seal of the surveyor and the date of the mortgage inspection.

Section 6. Certification.

- (1) A mortgage inspection shall not contain the word "survey" in any part of the certification.
- (2) The mortgage inspection certification shall contain:
- (a) The name, address and telephone number of the professional land surveyor responsible for the mortgage inspection;
 - (b) The name of the party who ordered the work;
 - (c) A statement that the mortgage inspection was conducted either by the professional land surveyor or under the surveyor's direct supervision;
 - (d) The date the inspection was made;
 - (e) The record source of the property;
 - (f) A statement that:

1. The accompanying sketch or drawing is a true representation of the conditions found at the time of the inspection;
2. The mortgage inspection is prepared for mortgage title insurance purposes only;
3. The document does not constitute a boundary survey;
4. The mortgage inspection is subject to any inaccuracies that a subsequent boundary survey may disclose;
5. No property corners were set;
6. The information shown on the sketch should not be used to establish any fence, structure or other improvement;
7. The linear or angular values shown on the drawing are based on record information, and have not been verified unless so noted.

(3) A mortgage inspection by a professional land surveyor shall:

- (a)** Be signed by the surveyor;
- (b)** Bear his seal; and
- (c)** Note the date of the mortgage inspection.

(20 Ky.R. 871; Am. 1579; eff. 12-6-93.)

**STANDARDS OF PRACTICE
FOR BOUNDARY SURVEYS
DESCRIPTION CHECKLIST**

201 KAR 18:150 Effective 11-9-2010

PLS Name _____

PLS License No. _____

Project ID _____

Review Date _____

1. Location caption:
 - a. General location _____
 - b. Specific location _____
 - c. Reference to parent tract _____

2. Direction and length of each line:
 - a. Bearings in degrees, minutes & seconds _____
 - b. Distances to the hundredths of a foot _____
 - c. Curves with sufficient data _____
 - d. Description of prominent terrain feature _____

3. Monument notations:
 - a. Set or found _____

4. Identification of tree monuments:
 - a. Breast height diameter _____
 - b. Species _____
 - c. Method of marking _____
 - d. Notation – new or record _____

5. Complete description of each set monument:
 - a. Length _____
 - b. Diameter _____
 - c. Type of material _____
 - d. Identifying cap or identifier _____

6. Complete description of each found monument:
- a. Dimensions _____
 - b. Type of material _____
 - c. Identification cap or identifier _____
7. Cemetery location description: _____
8. Record source:
- a. Of the land surveyed _____
 - b. Adjoiner names _____
 - c. Adjoiner record sources _____
9. Calculated area:
- a. To the nearest hundredth of an acre _____
10. Land Surveyor information:
- a. Name _____
 - b. Certification date _____
 - c. License number _____
 - d. Seal/stamp _____
 - e. Firm name, if any _____
11. Completion date of the boundary survey: _____

**STANDARDS OF PRACTICE
FOR BOUNDARY SURVEYS
PLAT OF SURVEY CHECKLIST**

201 KAR 18:150 Effective 11-9-2010

PLS Name _____

PLS License No. _____

Project ID _____

Review Date _____

1. Direction and Length of each line:
 - a. Bearings in degrees, minutes and seconds _____
 - b. Distances to the hundredths of a foot _____
 - c. Curves with sufficient data _____
 - d. Depiction of prominent terrain feature _____

2. Calculated area to the hundredths of an acre: _____

3. Monument notations:
 - a. Set or found _____

4. Identification of tree monuments:
 - a. Breast height diameter _____
 - b. Species _____
 - c. Method of marking _____
 - d. Notation – new or record _____

5. Complete description of each set monument:
 - a. Length _____
 - b. Diameter _____
 - c. Type of material _____
 - d. Identifying cap or identifier _____

6. Complete description of each found monument:
- a. Dimensions _____
 - b. Type of material _____
 - c. Identifying cap or identifier _____
7. Reference of at least one corner to:
- a. Corner of the parent tract _____
 - b. Durable physical feature _____
 - c. Primary Control network _____
8. Each Road:
- a. Name _____
 - b. Record source _____
9. Each Adjoiner:
- a. Names _____
 - b. Record source _____
10. Each Adjoining Subdivision:
- a. Name _____
 - b. Record source _____
11. Apparent encroachments discovered: _____
12. Reference Meridian basis:
- a. True _____
 - b. Grid _____
 - c. Record, including the source _____
 - d. State plane _____
 - e. Magnetic, including date and location _____
13. Vicinity map with sufficient detail to locate the parcel: _____
14. Statement, as appropriate, of the:
- a. Unadjusted error of closure _____
 - b. Relative positional accuracy _____

15. Statement identifying the class of the survey (rural or urban): _____

16. Statement as to whether the directions and distances are based on an adjusted traverse: _____

17. Cemetery Location _____

18. Dated signature and seal of professional land surveyor: _____

19. Scale a. Written _____

b. Graphic _____

20. Title Block containing: a. Name and address of the client _____

b. Name and address of property owner _____

c. Title of survey _____

d. Statement that the survey complies with 201 KAR
18:150 _____

e. Name and business address of surveyor _____

f. Name and address of firm _____

21. Place conspicuously on the plat a. Record source of tract surveyed _____

b. Location or address of tract _____

This is a sample of the form which should be used when complying with 201 KAR 18:200 Minimum Standards of Practice for Mortgage Inspections in Kentucky.

SAMPLE

WORK ORDER

Borrower: _____ Date _____

Lender: _____ Ordered by: _____

Common Address: _____

Record source: _____

Deliver _____ copies to: _____

Anticipated closing date: _____ Need-by date: _____

Is estimate of fee required prior to service? Yes _____ No _____

PLEASE READ CAREFULLY AND INDICATE THE TYPE OF SERVICE YOU WISH TO ORDER.

_____ Mortgage Inspection: The sole purpose of this inspection is to obtain mortgage title insurance. This is a minimum service that your lender requires for closing your loan. It is a location of improvements and crsory check for violations or encroachments onto or from the subject property based on existing but not confirmed evidence. This does not constitute a boundary survey and is subject to any inaccuracies that a subsequent boundary survey may disclose, no property corners will be set and it should not be used or relied upon for the establishment of any fence, structure or other improvement. Flood plain certification is restricted to a review of the Flood Insurance Rate Maps (FIRM) (latest revision) and shall not be construed as a confirmation or denial of flooding potential.

_____ Boundary Survey and Improvement Location: A boundary survey of the subject property will be made and the property corners will be located and verified or reset. The improvements on the property will be located and a check for violations or encroachments onto or from the subject property will be made. This survey can be used by the property owner for the construction of a fence or other improvement. Flood plain certification is restricted to a review of the Flood Insurance Rate Maps (FIRM) (latest revision) and shall not be construed as a confirmation or denial of flooding potential.

_____ ALTA/ACSM Land Title Survey: This is the most comprehensive type of survey and improvement location. It covers all the aspects of the boundary survey and improvement location and identification for any additional evidence of possession or use which could be adverse to the interest of the purchaser. This survey may include definitive statements regarding the flooding potential in addition to a review of Flood Insurance Rate Maps (FIRM).

I (WE), the undersigned borrower(s)/purchaser(s), have read, understand and have indicated above the type service desired and have authorized the work to be performed.

Signature of Buyer/Owner

Signature of Buyer/Owner