

Rich County Ordinance Amending Ordinance 87-3, Delineating Technical Requirements for Surveys Conducted and Filed in Behalf of Rich County, Utah, Separating the office of the Rich County Surveyor from the Office of the Rich County Recorder, and Delineating the Recorder's Office as a Depository for Survey Plats and Related Documents

Whereas: Utah Code Annotated 17-5-77, (1953) as amended, grants the Board of County Commissioners of Rich County the power to make and pass all ordinances and rules necessary to the faithful execution of their office, which are not repugnant to law; and

Whereas: Utah Code Annotated 17-16-2, (1953) as amended, defines the officers of a county, among those being the County Surveyor and County Recorder; and

Whereas: Utah Code Annotated 17-16-3, (1953) as amended, provides the Board of County Commissioners, when in their discretion the public interest will best be served thereby, may separate the duties of county officers by proper ordinances; and

Whereas: In order to institute an orderly, efficient system for the filing of surveys conducted in Rich County, and establish uniform guidelines and rules to be followed by all surveyors that is in the best interests of Rich County: and

Whereas: Utah Code Annotated 17-23-17, (1953) as amended, provides that an office within the county may be designated to act as a depository for all documents filed to comply with Title 17, Chapter 23, of the Utah Code Annotated (1953).

Now therefore, the Board of County Commissioners of Rich County, Utah ordain as follows:

Section 1. Purpose and definitions.

- (1) This chapter is enacted for the purpose of providing a method for preserving the evidence of land surveys by establishing standards and procedures for monumenting and for filing surveys for public record.
- (2) The Rich County Recorder's office is designated as depository for all documents filed to comply with Title 17, Chapter 23 of the Utah Code Annotated (1953) as amended.
- (3) Definitions.

- (a) Boundary monument. Any physical object, regardless of type of material or marking, intended to represent a property corner or line, whether it be at the corner, on the line, or a recorded distance from the corner or line.
- (b) Land surveyor. Means a person who is qualified to practice land surveying by reason of special knowledge of the technique of measuring land, the basic principles of mathematics, requirements of law for adequate evidence, and the requisites to surveying of real property, and who is licensed pursuant to Utah Code annotated, 53-22-1, et seq., 1953, as amended or who qualifies under one of the non-licensing exceptions of U.C.A. 58-22-10, 1953 as amended.

Section 2. Filing of plats.

- (1)
 - (a) Any land surveyor making a survey of private lands within Rich County who establishes or re-establishes any private property boundary monument shall file a map of the survey that meets the requirements of this section with the county recorder, as designated office, within 90 days of the establishment of the boundary monument.
 - (b) The county recorder, as designated office, shall file and index the map of the survey.
 - (c) The map shall be a public record in the office of the county recorder, as designated office.
- (2) This map shall show:
 - (a) The location by quarter section or lot number, section number, township and range.
 - (b) The date of the survey, meaning the date the monuments were placed.
 - (c) The scale at which it is drawn and a North arrow. When viewing the plat with the long dimension in a horizontal position, North or East must be to the top of the plat.
 - (d) The distance and bearing of all lines traced or established by the survey. If such a line is a curve, the radius, arc length, and central angle must be shown. If the curve is not tangent to straight lines at the point of curvature, the chord bearing must be shown as well.

- (e) The basis of bearings for the survey. The words "Basis of Bearing" must be shown on the plat between two existing, described government monuments. The government monuments may be section corners, city or county street monuments, or horizontal network stations maintained by a government agency. The Rich County State Plane Grid bearing must be used where it is readily available. There shall further be included the bearings from known monument to roads, right-of-ways and other described lines of record.
 - (f) A measurable mathematical relationship between the property and the monument from which it is described. If that monument is not in place, its mathematical location must be shown as well as a mathematical, relationship to a monument in place.
 - (g) All measured bearings or distances separately indicated from those of record if not in agreement.
 - (h) A written boundary description of the property surveyed.
 - (i) The mathematical relationship between all monuments found or set.
 - (j) A detailed description of all monuments found or set including type, size, length and how marked.
 - (k) The name of the person purchasing the surveying services.
 - (l) The seal or stamp and signature of the Registered Land Surveyor responsible for the survey.
 - (m) The surveyor's business name and address.
- (3) (a) The map shall contain a written narrative that explains and identifies:
- (i) The purpose of the survey.
 - (ii) The basis on which lines were established. The surveyor should explain what decisions he made in formulating the boundary such as the basis of bearing for the description or the use of any proration methods.
 - (iii) The found monuments or deed elements that controlled the established or reestablished lines. If the description calls for any monuments in the broad sense of the term (right-of-way

lines, subdivision boundaries, fences, etc.) the surveyor should indicate what he found relating to these calls.

- (b) If the narrative is a separate document, it shall also contain:
 - (i) Location by quarter section or lot numbers, section number, township and range.
 - (ii) Date of survey.
 - (iii) Surveyor's stamp or seal and signature.
 - (iv) Surveyor's business name and address.
- (c) The map and narrative shall be referenced to each other if they are separate documents.
- (4) (a) Maps shall be filed on linen or 5 mil (min) mylar at one of two sizes; 18" x 24" or 24" x 36".
 - (b) Separate narratives shall be filed on 8 1/2" x 11" linen or 3 mil (min) mylar.

Section 3. Fees.

The County Recorder, as designated office, shall collect a filing fee per survey filed to cover administration costs. The County Commission shall fix such fees by ordinance. Until such time as a fee is fixed the County Recorder, as designated office, shall collect the sum of \$10.00 filing fee per survey filed.

Section 4.

In violation of the provisions of this ordinance or conducting a survey without a license shall constitute a Class-B Misdemeanor carrying the applicable penalties as prescribed by law.

That the effective date of this ordinance is as provided in Utah Code Annotated Section 17-16-3, (1953) as amended, which provides that this ordinance shall take effect within less than three months after the passage thereof, and every such ordinance shall take effect of the first Monday of January next succeeding a general election.