

Illinois Statutes and Standards

Illinois Professional Land Surveyors Association

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Definitions

225 ILCS 330/4(d)

"**Direct supervision and control**" means the personal review by a licensed professional land surveyor of each survey, including, but not limited to, procurement, research, field work, calculations, preparation of legal descriptions and plats.



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Definitions

The personal review shall be of such a nature as to assure the client that the professional land surveyor or the firm for which the professional land surveyor is employed is the provider of the surveying services.



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Definitions

225 ILCS 330/4(e)

"**Responsible charge**" means an individual responsible for the various components of the land survey operations subject to the overall supervision and control of the professional land surveyor.



Practice of Land Surveying Defined

225 ILCS 330/5

Any person who practices in Illinois as a professional land surveyor who **renders, offers to render, or holds himself or herself out as able to render**, or perform any service, the adequate performance of which involves the special knowledge of the art and application ...



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Practice of Land Surveying Defined

... of the principles of the accurate and precise measurement of length, angle, elevation or volume, mathematics, the related physical and applied sciences, and the relevant requirements of **applicable boundary law principles and performed with the appropriate standard of care**, all of which are acquired by education, training, experience, and examination.



Practice of Land Surveying Defined

Any one or combination of the following practices constitutes the practice of land surveying:



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Practice of Land Surveying Defined

(a) Establishing or reestablishing, locating, defining, and making or monumenting land boundaries or title or real property lines and the platting of lands and subdivisions;



Practice of Land Surveying Defined

(b) Determining the area or volume of any portion of the earth's surface, subsurface, or airspace with respect to boundary lines, determining the configuration or contours of any portion of the earth's surface, subsurface, or airspace or the location of fixed objects thereon, except ...



Practice of Land Surveying Defined

... except as performed by photogrammetric methods by persons holding certification from the American Society of Photogrammetry and Remote Sensing or substantially similar certification as approved by the Department, or **except when the level of accuracy required is less than the level of accuracy required by the National Society of Professional Surveyors Model Standards and Practice;**



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Practice of Land Surveying Defined

(c) Preparing descriptions for the determination of title or real property rights to any portion or volume of the earth's surfaces, subsurface, or airspace involving the lengths and direction of boundary lines, areas, parts of platted parcels or the contours of the earth's surface, subsurface, or airspace;



Practice of Land Surveying Defined

(d) Labeling, designating, naming, preparing, or otherwise identifying legal lines or land title lines of the United States Rectangular System or any subdivision thereof on any plat, map, exhibit, photograph, photographic composite, or mosaic or photogrammetric map of any portion of the earth's surface for the purpose of recording and amending the same by the issuance of a certificate of correction in the Office of Recorder in any county;



Practice of Land Surveying Defined

(e) Any act or combination of acts that would be viewed as offering professional land surveying services including:

...



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Practice of Land Surveying Defined

(f) [horizontal and vertical positions and state plane coordinates]

(g) [Creating, preparing, or modifying electronic or computerized data or maps]

(h) [Determining or adjusting any control network or any geodetic control network or cadastral data ...]

(i) [Preparing and attesting to the accuracy of a map or plat showing the land boundaries or lines and marks and monuments of the boundaries...]



Practice of Land Surveying Defined

- (j) [Executing and issuing certificates, endorsements reports, or plats that portray the horizontal or vertical relationship...]
- (k) [Acting in direct supervision and control of land surveying activities or acting as a manager...]
- (l) [Boundary analysis and determination of property, easement, or right-of-way lines on any plat...]



Practice of Land Surveying Defined

(m) [Offering or soliciting to perform any of the services set forth in this Section]



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Definitions

225 ILCS 330/4(k)

"**Standard of care**" means the use of the same degree of knowledge, skill, and ability as an ordinarily careful and reasonable professional land surveyor would exercise under similar circumstances.



Definitions

225 ILCS 330/4(I)

"Establishing" means performing an original survey.

An original survey establishes boundary lines within an original division of a tract of land which has theretofore existed as one unit or parcel and describing and monumenting a line or lines of a parcel or tract of land on the ground for the first time.

An original surveyor is the creator of one or more new boundary lines.



Definitions

225 ILCS 330/4(m)

"Reestablishing" or "locating" means performing a retracement survey.

A retracement survey tracks the footsteps of the original surveyor, locating boundary lines and corners which have been established by the original survey.

A retracement survey cannot establish new corners or lines or correct errors of the original survey.



Definitions

225 ILCS 330/4(n)

"**Boundary law principles**" means applying the decisions, results, and findings of land boundary cases that concern the establishment of boundary lines and corners.



Definitions

Section B - **NSPS Model Standards for Property Surveys** (Approved 3/12/02)

1. Introduction

Standards for property surveys have been adopted by almost all of the state associations and professional registration boards. This model standard is not intended to take the place of those standards, but to serve as a guide to review and evaluate existing or proposed standards.



Definitions

Section C – NSPS Classification and Accuracy Standards for Property Surveys

2. Relative Positional Accuracy

Relative Positional Accuracy of a survey is a value expressed in feet or meters that represents the uncertainty of the location of any point in a survey relative to any other point in the same survey at the 95 percent confidence level.



Definitions

Section C – NSPS Classification and Accuracy Standards for Property Surveys

4. Classification of Survey by Land Use

The degree of precision and accuracy necessary for a particular property survey shall be based upon the intended use of the land. If the client does not include information regarding the intended use, the classification of the survey shall be based upon the current use of the land.



Definitions

NSPS Model Standards

5. RELATIVE POSITIONAL ACCURACY

Classification of Survey	Acceptable Relative Positional Accuracy
Urban	0.07 feet (21 mm) plus 50 ppm
Suburban	0.13 feet (40 mm) plus 100 ppm
Rural	0.26 feet (79 mm) plus 200 ppm

Accuracy is given at the 95 percent confidence level.



Seal

225 ILCS 330/15

A Professional Land Surveyor **shall seal all documents** prepared by or under the direct supervision and control of the Professional Land Surveyor.



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Illinois Administrative Rules

Title 68: Professions and Occupations

Chapter VII: Department of Financial and
Professional Regulation

Subchapter b: Professions and Occupations

Part 1270 Illinois Professional Land Surveyor
Act of 1989

Section 1270.56 Minimum Standards of
Practice



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Minimum Standards of Practice

Section 1270.56

The minimum standards of practice set forth in this Section are intended to provide protection for the public by insuring that surveying services defined in this Section are completed in accordance with prevailing professional practices and current technological methods, and to provide a means by which professional performance of the individual practitioner can be assessed.



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Minimum Standards of Practice

Section 1270.56

Binding upon every person and firm practicing land surveying in the State of Illinois, except where differing federal, State or local laws, ordinances or rules **may be more stringent**, or when **special conditions** exist that effectively prevent the survey from meeting these minimum standards.



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Minimum Standards of Practice

Section 1270.56

When special conditions exist any necessary deviations from the standards **shall be noted** on the plat of survey.

It shall be a violation of this Part to use special conditions to circumvent the intent and purpose of the minimum standards.



Minimum Standards of Practice

Section 1270.56

(a)(2) All land title surveys shall be subject to the "2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys", published jointly by the American Land Title Association (ALTA)... and the National Society of Professional Surveyors (NSPS)...

This incorporation does not include any later amendments or editions.



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Minimum Standards of Practice

Section 1270.56

(a)(3) All ALTA/ACSM land title surveys are to be performed to the **current** ALTA/ACSM Minimum Standard Detail Requirements. It is incumbent upon the licensed professional land surveyor to discuss with the client additional or optional requirements to be provided [Table A].



Minimum Standards of Practice

Section 1270.56

(b)(1) **A boundary survey is** a land survey that requires study, investigation and evaluation of major factors affecting and influencing the location of boundary lines and that culminates in the deliberate location or relocation of the perimeters, division lines or boundaries of a certain lot, parcel or quantity of real estate, **according to the record title description of the parcel or parent tract.**



Minimum Standards of Practice

Section 1270.56

This description **should** be furnished by the client, unless otherwise jointly agreed upon by the client and surveyor.



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Minimum Standards of Practice

Section 1270.56

(b)(2) **The purpose of a boundary survey** is to establish or re-establish the extent of title lines, and to define and identify those lines so as to uniquely locate each lot, parcel or other specific land area **in relation to** well recognized and established points of reference, **adjoining properties**, and rights of way.



Minimum Standards of Practice

Section 1270.56

(b)(3) A **boundary survey** shall include, but not be limited to, the following:



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Minimum Standards of Practice

Section 1270.56(b)(3)

(A) Clear and legible field notes containing all pertinent information, measurements and observations made in the course of the field survey.



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Minimum Standards of Practice

Section 1270.56(b)(3)

(B) Unless requested otherwise by the client or his/her agent, a plat of survey.



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Minimum Standards of Practice

Section 1270.56(b)(3)

(C) A legal description for any parcel surveyed. [?]



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Minimum Standards of Practice

Section 1270.56(b)(3)

(D) Unless requested otherwise by the client or his/her agent, monuments or witness points shall be set for all accessible corners of the survey.



Minimum Standards of Practice

Section 1270.56(b)(4) Information Research Required

(A) A property description describing the subject parcel. If, in the opinion of the surveyor, the description furnished or obtained is insufficient to fully define the extent or location of the parcel to be surveyed due to ambiguity or calls for adjoining deeds, prior recorded survey plats, etc....



Minimum Standards of Practice

Section 1270.56(b)(4) Information Research Required

... it is the duty of the client (unless agreed upon otherwise) to furnish the additional information requested by the surveyor.

This is not to be construed to indicate that the surveyor has an obligation to research the title of record.



Minimum Standards of Practice

Section 1270.56(b)(5) Monuments

(5) Monuments set or called for, whether artificial or natural, bear witness to the footsteps of a surveyor and his/her professional opinion as to the proper marking of a desired position.

Monumentation for public land survey systems corners shall be in accordance with the Land Survey Monuments Act.



Minimum Standards of Practice

Section 1270.56(b)(5) Monuments

(A) Types

- (i) Iron bar or rod - 1/2" by 24" minimum
- (ii) Concrete monuments – 5" dia or 4" sq. by 24" w/min. 1/4" rebar or 1/2" iron pipe
- (iii)-(v) Stone, cast iron/aluminum, misc.



Minimum Standards of Practice

Section 1270.56(b)(6) Plats

(6) Plats.

(F) Date of completion of field work

(G) Monuments

(I) Legal description

(J) Sufficient geometry

(K) Basis of bearings

(M) Evidence of possession



Minimum Standards of Practice

Section 1270.56(b)(6) Plats

(6) Plats.

(N) Visible evidence of improvements, rights of way, easements and use when requested by client

(O) Exculpatory statements that attempt to restrict the uses of boundary surveys shall not be affixed to any plat



Minimum Standards of Practice

Section 1270.56(b)(6) Plats

(6) Plats.

(P) The following statement shall be placed near the professional land surveyor seal and signature: "This professional service conforms to the current Illinois minimum standards for a boundary survey."



Minimum Standards of Practice

Section 1270.56(b)

(7) Field Procedures



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Minimum Standards of Practice

Section 1270.56(b) (8) Surveyor's responsibility

It shall be the responsibility of each professional land surveyor to monitor his/her work and that of those working under his/her supervision, so that ...



Minimum Standards of Practice

Section 1270.56(b) (8) Surveyor's responsibility

... the methods used to perform the survey and produce the plat and/or report will be of such quality that the accuracy, precision and positional tolerance of the final product delivered to his/her client **will equal or exceed that which would be provided by another competent surveyor under similar circumstances.**



Minimum Standards of Practice

Section 1270.56

- (c) Condominium Surveys
- (d) Subdivision Surveys
- (e) Mortgage Inspections
- (f) Topographic Surveys



Minimum Standards of Practice

Section 1270.56 (g) Minimum Standards for Writing Parcel Legal Descriptions

(3) In any case, when a new description is created or a previous description is rewritten, enough of the original description should be maintained so as to form a trail or chain to follow the history of the parcel.



Questions?

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