CLIENT RELATIONS

Your land surveyor renders a highly technical and complex service. This work is the foundation upon which your project is built. In case of a misstep, your surveyor may appear in court on your behalf as an expert witness or provide written legal opinions on why a dispute about a boundary exists.

Many land surveyors act on behalf of their client at planning commission meetings and/or courts. To recover survey errors on a neighbor's property some distance away from the parcel being surveyed, these distant survey documents may influence court decisions, affecting costs.

AMOUNT OF EXISTING DEEDS ON PROPERTY: Existing evidence left by previous surveyors may assist your land surveyor; for example, iron, wood, or stone monuments (markers), old fences and other evidence of boundaries erected. Testimony by long-term residents may be required and valuable.

DIFFICULT NEIGHBORS: When neighbors are cooperative, a controversial boundary line location may be set through boundary line agreements at considerable cost savings. When neighbors dispute a boundary, access to important boundary evidence may be difficult, thereby affecting costs.

SEASON: In the summer, thick foliage may result in more field labor; winter weather may slow travel as well as conceal critical evidence. Fall is the ideal field evidence collection time.

TITLE COMPANY/RENDERER REQUIREMENTS: Landowners should have a good understanding of the costs and documents required to render a survey. Your land surveyor can assist you in understanding these requirements.

OTHER FACTORS: State law requires filing of a survey map with the County Surveyor whenever a boundary monument is established. Most counties charge recording fees to maintain these records, which may be costly. Due to the potentially litigious nature of property law, some companies carry professional liability insurance as additional protection for their clients.

There are many variables that make it difficult to determine precise survey costs in advance. However, based on experience, some surveyors should be able to provide a cost estimate. If a surveyor you choose may require a contract for their services that details the work to be done and the compensation.

SURVEY COSTS

The cost for most land surveys is based on the following factors:

1. SURVEY TYPE: The complexity of a survey and the presence of any disputes are significant factors. The development of large industrial sites or rural land could require many hours of effort as compared to the survey of a residential lot. Cost is proportional to the time needed to complete a survey but is not necessarily proportional to parcel size.

2. RECORD SEARCH: Research varies by (a) the number of parcels; (b) the number of past transactions; and (c) the quality of land description in the parcel book, which may require examining property ownership documents; e.g., deed records, road records, and planning records.

3. PROPERTY SIZE AND SHAPE: An irregularly shaped parcel has more property corners to remap and renumber and may contain the same area. The property size, along with features such as water boundaries, has a direct effect on the time required to survey the land.

4. SECULARIZED SURVEY WORK: Oregon rural properties are typically based on work that was performed more than 100 years ago by General Land Office (GLO) surveyors. Following in the footsteps of these "secularized" surveys (a section - one square mile) could require considerable effort. Looking for evidence of old surveys is an art and can require extensive fieldwork.

5. EASEMENT: A level parcel of urban land is easier to survey than a mountainous rural parcel.

6. VEGETATION: Branches, brush, and small trees must often be cleared near the property boundaries to provide a line of sight. Shrubs, flowers, and trees on both sides are normally not disturbed but may require additional field time to avoid when placing final corners.

7. ACCESSIBILITY: The time needed to perform surveying work varies with the distance to and difficulty in reaching property boundaries. Your land surveyor may recover survey monuments on a neighbor's property some distance away from the parcel being surveyed. These distant survey documents may influence court decisions, affecting costs.

FREQUENTLY ASKED QUESTIONS

1. WILL A LAND SURVEYOR TELL ME WHERE MY BOUNDARY LINES ARE? In Oregon, as in most states, only a court of law can decide questions of property ownership. Your land surveyor locates the boundaries of your property on the ground as described in your deed, marking the property corners with physical monuments if none exist, provides a map and documents survey results. This map will be recorded with the County Surveyor in the county in which the property is located. If conflicts exist, your land surveyor will explain why and advise on proper remedies. Only the courts can settle disputes over ownership.

2. WILL I KNOW IF ENCROACHMENTS ON THE PROPERTY EXIST? Typically, you will be provided with the existence of encroachments as a result of research. Encroachments may not be shown to be encroaching on the boundaries as shown on the map submitted for filing with the county surveyor. A separate map may be necessary.
SELECTING A LAND SURVEYOR

Only a Professional Land Surveyor (land surveyor) licensed through the Oregon State Board of Examiners for Engineers and Land Surveyors (OSBEEES) is authorized to perform land surveys in Oregon.

Before selecting a land surveyor, a property owner or developer needs to consider the surveyor’s qualifications. Details of the surveyor’s past experience and references should be requested. Like many professions, price is not the sole indicator of the quality of work that will be done for you. Select a land surveyor only when you are confident the person has the necessary facts as well as a thorough awareness of your needs and the requirements of governmental agencies.

In more complex land development projects or where boundary disputes occur, a land surveyor is often part of a team comprised of other professionals; e.g.: attorneys, engineers, architects, planners and environmental specialists.

SURVEY DEFINITIONS

ADJOINER: The next-door neighbor or the property next to the owner’s.

ADVERSE POSSESSION: A situation where ownership can be claimed by use or occupation. As defined by law, certain rules apply which are best understood through consultation with a land surveyor or legal counsel.

AGREED BOUNDARY: When adjoining reach agreement where boundary locations are in conflict. This can save thousands of dollars that would otherwise be wasted in resolving disputes.

ENCROACHMENTS: Physical evidence that may represent intrusion or trespass by someone with no legal rights to use the property as described in a deed (use of an owner’s land without permission).

OCCUPIED BOUNDARY: Land the property owner occupies that may be defined by fences, hedges or other improvements constructed near or on boundary lines, erected by either the owner or neighbors (adjoiners).

OWNERSHIP BOUNDARY: The perimeter of a parcel of land as defined in a deed or represented on a subdivision/partition plat. When the “Record Title Boundary” and the “Occupied Boundary” agree without evidence of unwritten “Encroachments,” a parcel is considered to be free of encumbrances. If the deed is in conflict with the “Occupied Boundary” or evidence exists of unwritten rights only the courts can settle the issue of ownership; e.g.: the public creates a path across property without securing permission from the owner.

RECORD TITLE BOUNDARY: The limits of land conveyed as described in a property owner’s deed.

A GUIDE TO SELECTING AN OREGON LAND SURVEYOR

VALUE OF RETAINING A LAND SURVEYOR

As a property owner, have you been in the position of needing a land surveyor? If so, the Professional Land Surveyors of Oregon (PLSO) has prepared this brochure to help you better understand this process.

Surveying is a highly technical field that requires expertise in real property law, public records research, evaluation of historical survey evidence, mathematics, statistics, measurement systems, planning regulations and current computer technologies.

Surveyors are often retained:

- Prior to purchasing real property
- Prior to beginning any construction improvements within property boundaries
- When dividing parcels of land for sale or adjusting existing parcel boundaries
- When property ownership disputes arise
- To investigate written records and historical survey evidence

Employing the services of a land surveyor can help property owners avoid lawsuits or unnecessary expenses relating to land ownership or a potential land purchase.

Provided by the Professional Land Surveyors of Oregon
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