More Than 400 Attend 2015 Symposium!

Read “Benchmark” on page 7 for details.

ALSO...

• Unaltered “Land Title” Certification?
• 2015 TSPS Budget
• Surveying Found Him
The Texas Surveyor

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Month three of the New Year and already many projects and events are under way. TSPS began the year with its first quarterly board meeting where the 2015 Budget was approved (see page 18). During this meeting, the Board also voted to invest $60,000 back into its long term fund and allocate $40,000 towards improvements to the TSPS office from the $120,883 in net revenue earned in 2014. The office improvement work will begin in late March and will take approximately three to four weeks to complete. We will invite the membership to come take a look once the office is put back together.

The 2015 dues renewal cycle came to a close in mid February. Everyone that renewed by February 13th will be included in the 2015 Membership Directory. The TSPS staff along with the help of Christine McAllister has begun to design and layout the pages of the directory. We hope to have it printed and mailed by early April.

The membership of TSPS holds strong with 1,490 total members. Now 1,084 RPLS’s (including 10 Life members), 16 Associate/SIT members, 6 Affiliate members, one Geospatial member, 7 Student members and 2 Sustaining members are also NSPS members for a total of 1,116 TSPS members who are participating in the 100% joint membership program with NSPS. Currently NSPS has 14,920 members. Texas will increase NSPS’s membership numbers by 7.5%!

Alamo Chapter 11 (San Antonio) hosted this year’s Symposium with more than 400 in attendance. With two full days of education and many opportunities to network with peers made for record breaking numbers participating in this year’s meeting. Congratulations to the Chapter and Committee Members Trisha Lund, Chester Varner, Butch Evans and Louis duBois who worked hard to make this such a successful meeting.

On March 10th approximately 25 members visited with their State Representatives, Senators and staff at the Capitol during TSPS’s Legislative Day. TSPS had not held a Legislative Day in a number of years and it was time to do so. The relationships our members form with their legislators is of utmost importance especially during a legislative year. Members who participated had the opportunity to communicate their support for the Legislative Budget Board’s 2016/2017 biennium budget for TBPLS (SB2, HB1) and the elimination of the occupation tax (SB765/HB2089) among other items.

The Annual Ray Wisdom BBQ and Auction is scheduled for May 2nd at the Richard Moya Park immediately following the close of second quarterly board meeting. Bring your family, donate to the auction and bid on some great items to help support the TSFI Scholarship Fund. Keep an eye on the Community Calendar on the TSPS website for more upcoming events like Strategic Planning in Horseshoe Bay and the Annual Convention in Dallas.
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“Every one expecting to take an active part in meetings of a deliberative assembly should become sufficiently familiar with the Order of Precedence of Motions…and the Table of Rules…to be able to refer to them quickly.”

– Henry M. Robert, 1915

Some of you may have attended the Board of Directors meeting on January 31, 2015. If so you would have witnessed an event which goes to the heart of why organizations such as TSPS have adopted specific rules of order. As Chairman of that meeting, I made a ruling which identified which version of Roberts Rules of Order would govern our conduct during the meeting. As a follow up to that meeting, I felt it would be of much benefit to our members to give an explanation of why TSPS adopted Roberts Rules, and how we go about conducting our meetings in accordance with these rules.

Henry M. Robert, who was born in 1837 and died in 1923, was an officer in the United States Army Corps of Engineers, retiring in 1901 as a Brigadier General and Chief of the Corps. He was active in church and civic affairs, and when required to chair such meetings, became frustrated with the general lack or order at such meetings, and the lack of a comprehensive guide that would provide direction to chairmen of deliberative societies. Therefore, he took it upon himself to research and write “a work of parliamentary law….based in its general principles, upon the rules and practice of Congress, but adapted, in its details, to the use of ordinary societies.” The first, somewhat basic version of Robert’s Rules of Order was published in 1876, at his own expense. His publisher did not believe that there would be a demand for the 4000 first edition copies, and even Roberts felt it would take 2 or more years to sell the 3000 remaining copies as he had been required by his publisher to give away the first 1000. To everyone’s surprise, the first edition sold out in four months! There was a second edition, expanded by 16 pages in 1876, a third edition with another 26 pages in 1893, with total sales of the three editions amounting to half a million copies. In 1915, Robert’s Rules of Order Revised, the last version written by Roberts himself and expanded over the previous version by 75%.

(See From The President, page 13)
AN ATTORNEY’S ANGLE

MARK HANNA – TSPS LEGAL COUNSEL

Mark J. Hanna practices law in Austin and has served as TSPS Legal Counsel since 1992. In addition to providing legal and legislative representation for the Society, Mr. Hanna specializes in representing the interests of individual business and professional clients located throughout the State.

TEXAS REAL ESTATE LAW RECENT CASES

The following is a summary of the recent Texas real estate law cases as prepared by the Real Estate Section of the State Bar of Texas. For more information regarding these cases or other legal issues of significance to the surveying profession, contact TSPS Legal Counsel, Mark J. Hanna, 900 Congress Avenue, Suite 250, Austin, Texas 78701; telephone: (512) 477-6200; facsimile: (512) 477-1188.

Real Estate Cases - State Courts

1. Leases.

1.1 To be liable for bad faith retention of a security deposit, a landlord must have failed to return the tenant’s security deposit and a written list of itemized deductions, if any, for any portion of the security deposit that the landlord retains. Property Code §93.005. The landlord must send to the tenant the remaining security deposit and the list of itemized deductions within sixty days of the tenant’s surrendering possession of the premises. However, the sixty-day period does not start until after the tenant provides the landlord with a written statement of a forwarding address for the purpose of returning the security deposit. Given the penal nature of the statutory remedy, this requirement is strictly construed.


At trial, Trinh presented no evidence that the Tenant sent the Landlord a written notification of a forwarding address to where the Tenant’s security deposit and list of itemized deductions should be sent. Because this requirement is strictly construed, it does not matter whether or not the Landlord had actual knowledge of an address where the Tenant could be contacted. Thus, because the Landlord had no obligation to send the security deposit to the Tenant, the Landlord was not liable for bad faith retention of the Tenant’s security deposit.

2. Vendor and Purchaser.

2.1 To be entitled to specific performance, an agreement must be valid and enforceable. But, a deed or conveyance that does not sufficiently describe the land to be conveyed is not of such ilk. The agreement merely mentioned the properties by common names, like Sheppard Place and Rutledge Place. When the essential elements of a property’s description are left to inference or to development by the essential elements of a property’s description are left to inference or to development by parol, the description is insufficient to support a suit for specific performance irrespective of whether the parties themselves understood what land formed the subject matter of the conveyance.


When father died, the real property became the corpus of a trust to benefit his widow, Margie. After her death, it was to be distributed to father’s descendants, including his children Bobby and Patricia.

At some point, Margie, as trustee of the trust for her benefit, had the power to convey the property, so she did so by conveying some to Bobby and Patricia. Bobby thought the conveyances were unfair and resulted in Patricia getting more than he did. He came to this conclusion based upon a writing between him, Patricia, and Margie that had “partitioned” the property. He claimed the actual conveyances varied from the agreement.

Bobby, however, argues that there need not be an adequate description in the letter since the document merely evinced a partition of lands. Authority does exist indicating that a partition is not subject to the statute of frauds, but the document in question here was not a partition by existing co-tenants, but an agreement relating to the acquisition of property.

Because Bobby had been praying for guidance and felt very comfortable with proposals that were made and was so sure that the way his sister convinced Margie to make the conveyances was so unfair to him and his family that he could not let the matter go unchallenged, he sued his sister and sought the specific performance of the so-called partition agreement.

Bobby, however, argues that there need not be an adequate description in the letter since the document merely evinced a partition of lands. Authority does exist indicating that a partition is not subject to the statute of frauds. Nonetheless, Bobby’s argument rests upon a false premise. The document at issue cannot be construed as a partition. The latter serves to divide property owned by co-tenants and concerns possession, not title. Neither Patricia nor Bobby had a right to possession of any realty held in the trust. Right to possession resided in Margie, the trustee. This agreement was not a partition.
was published. The 1915 edition has become the standard most used by deliberative societies throughout the United States and elsewhere. It is no longer copyright protected and can be found in most bookstores, and is often considered the “original” or “definitive” work as it is the last version written by Roberts himself.

I have an un-copyrighted instance of this version which I purchased new and have been using since the 1970’s, and it has assisted me for many years. I recently purchased an original 1915 copyrighted version, used of course, but in excellent condition, in order to verify that the copy I have been using since the 1970’s is, in fact, the correct version and it is.

Since Roberts died in 1923, the trusteeship of Robert’s Rules of Order has been passed down through various family members, who have revised and expanded on the 1915 version to the present day. These editions, published in 1943, 1951, 1970, 1981, 1990, 2000 and 2011 are the only “authorized” revisions, and do not, as far as I have been able to discern, contradict the provisions of the 1915 “original” version. They add to, expand on, and elaborate on that version, without being in conflict with it in any significant way. On the other hand, there exists a MULTITUDE of unauthorized versions that are not in any way considered correct or official, and unfortunately, many of us do not know the difference. This causes much confusion and uncertainty, if not bewilderment on the part of many users.

In order to be consistent, we must use only “authorized’ versions that follow from the 1915 version. The latest revision, known as Robert’s Rules of Order Newly Revised, 11th Edition, is likely the best to use. It is available in electronic form, as well as print, and at the official website, www.robertsrules.com, one can view questions and answers, official interpretations, and so on.

In addition, this version has an accompanying “authorized” guide, called Robert’s Rules of Order Newly Revised In Brief, 2nd Edition that I strongly recommend everyone who wishes to understand the basics on Robert’s to purchase. In a short time you can read, in narrative form, how the rules operate, and then if you wish, graduate to the actual 11th Edition for the definitive rulings.

As a result of these findings, it is expected that a revision to the TSPS By-Laws will be proposed for the next Board of Directors Meeting to codify which version of rules will be followed in our deliberations and debates.

I look forward to seeing you all at our next Board of Directors Meeting to be held at the Hilton Austin Airport Hotel on May 2, in conjunction with and followed by the Ray Wisdom Barbecue and Auction, to be held at Richard Moya Park.
UNALTERED “LAND TITLE” CERTIFICATION?

By Alan McLain
RPLS #4511

This year the Texas Society of Professional Surveyors, TLTA/Real Estate Liaison Committee, has been charged by President Gillis to develop a “common certification for a Land Title Survey.” That makes one ponder the question, “What if surveyors had a non-negotiable, TSPS, Land Title certification?”

For years the Surveying community has experienced certification language that literally makes you want to pull your hair out. Have you ever had a lawyer, lender, client or title company, send the Survey Requirements and Specifications for a project, and included a certification that was a page long? Next question, how many hours did you spend on the phone explaining why you cannot certify to “all matters of record” or “there are no violations?”

In Texas, a lot of real estate transactions involving large sums of money, contractually calls for an ALTA/ACSM, Land Title Survey or TSPS, Category 1A, Land Title Survey. With it clearly written in the contract, the parties MUST rely on an “ALTA/ACSM Land Title Survey” or “TSPS, Category 1A, Land Title Survey.”

Back on February 23, 2011 ALTA/ACSM “Land Title Survey” requirements were changed and for the first time the language for the certification was mandated at a national level. In these requirements, the wording states that “the plat or map shall bear only the following certification, unaltered…” It has taken a while, but most of the parties on both sides of a land transaction, are now accepting the unaltered, ALTA/ACSM certification.

Currently, The Texas Society of Professional Surveyors, as set out in its Manual of Practice for Land Surveying in the State of Texas (11th edition), provides the following certification language:

Sec. II Certification (Page 24 & 51)
This Survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specification for a Category 1A (or 1B), Condition___ Survey.

This is nicely worded, but what is there to stop someone from ADDING to this certification? Wording that is in part, re-stating what is in the Standards and Specification and/or asking a surveyor to certify to the impossible.

The TLTA/Real Estate Liaison Committee is looking into the logistics on how to create a “common certification for a Land Title Survey.” And by the way, (although less common) let’s not leave out the “Standard Land Survey.” Similar to the ALTA/ACSM standards, the TSPS Manual of Practice could be revised to possibly mandate a certification that cannot be altered. And if the certification is altered from its original form, then it cannot be called a Texas Society of Professional Surveyors, Manual of Practice, Category 1A, “Land Title Survey” or a Category 1B, “Standard Land Survey.”

Your TSPS, TLTA/Real Estate Liaison Committee has created a draft

(See Unaltered “Land Title” Certification, page 15)
UNALTERED “LAND TITLE” CERTIFICATION?

(version 1.1) of a TSPS Manual of Practice certification as follows:

Certification - The plat, map, sketch or drawing of a TSPS Category 1A or 1B, Condition I, II, III, or IV, Land Title Survey shall have the certification as below, unaltered, except as may be required pursuant to Section (XXXX) above:

Addressed To:

(name of proposed insured), (name of lender, if known), (name of insurer) along with the working addresses of each:

That this plat, map, sketch, drawing (chose your appropriate wording) and the survey on which it is based were made in accordance with the 2015 Minimum Standard Detail Requirements for a TSPS Category 1A (or 1B) Condition (I,II,III,IV[choose]) Land Title Survey, as established and adopted by the Texas Society of Professional Surveyors, and includes Items ___________ of Table A thereof. The field work was completed on (enter a date).

______________________________
(Surveyor’s signature, printed name and seal with Registration Number)

Any TSPS member wanting to express their thoughts on this “draft version” for consideration, please email:

Manny Carrizales at: Manny.Carrizales@dannenbaum.com

Subject: TLTA/Real Estate Liaison Committee.

The 2014-2015 committee members are Chair, Manny Carrizales, John Nall Jr., David Dossey and Alan McLain.
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<table>
<thead>
<tr>
<th>Category</th>
<th>15 Budget</th>
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<th>14 Budget</th>
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**OFFICERS & COMMITTEES**

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<th>Category</th>
<th>15 Budget</th>
<th>14 Actual</th>
<th>14 Budget</th>
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**DIRECT MEMBER SERVICE**

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## APPROVED 2015 TSPS BUDGET

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### GENERAL EXPENSES

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When the November 2014 issue of The Texas Surveyor arrived, several readers likely smiled when they saw “James” on the cover. Others may have wondered, “So, who is James?”

James “Jaime” Aranda was born in Crowell, Texas (“Wild Hog Capital of the World”), a small North Texas town located 115 miles north of Abilene. James’ father worked as a diesel mechanic at the local J.I. Case dealership, and his mother was a nurse at the hospital in nearby Vernon.

One summer when James was in high school, David Seitz, head of the local Soil Conservation Service office, found himself in need of a rodman to conduct “topos” with plane table and alidade on the wheat fields of North Texas in order to design terraces and spillways. Seitz walked over to J.I. Case and asked James’ dad what his son was doing for the summer. Thus began James’ unplanned career in the field of surveying.

After working as a rodman all summer, James returned to Crowell High School and completed his senior year. As James prepared to leave for Lubbock to attend Texas Tech University, his father was paid a visit by a close friend, Torre Piper. Torre told him, “Once James gets to Lubbock, I want you to have him call my son, Stan.” Stan Piper worked for Hugo Reed and Associates, Inc., a prominent land surveying and civil engineering firm in Lubbock. As a result of that connection from home, James got a job at the firm, working part time while attending school full time. While he was pursuing a career in engineering, once again, James found himself working in the field of surveying.

For three-and-a half years, James went to school at Tech and worked at Hugo Reed. One day, he walked into the university’s Student Union. A flyer posted on the wall caught his attention. The Corps of Engineers was recruiting college students for their summer work study program. James decided to apply and was hired to be an assistant field engineer on a Corps dam-building project in Knox County. When the Corps and the contractor learned of his experience as a rodman, chainman, instrumentman, and junior party chief, as well as his work with Hugo Reed and Associates, they placed James on the survey crew, laying out and staking the construction of the dam. Surveying had found him again.

At the end of the summer, James returned to Tech for his senior year, but toward the end of the first semester, he learned about another Corps project in San Diego that needed surveyors. By this time, James was thinking, ‘This surveying biz ain’t such a bad gig. In fact, I like it!’ He went home for the holidays, now intent on going to work on the survey crew for the Corps’ San Diego dam project.

In January of that year, 1981, James’ uncle invited him to McAllen. “I want to show you this beautiful city,” his uncle told him. The breathtaking sunrises and sunsets were James’ first draw to the Rio Grande Valley, but meeting his future wife, Beatrice, sealed the deal. Forget San Diego. James found his new home in Deep South Texas.

A serendipitous trip to open a bank account resulted in James getting a job as a draftsman at Palmer Steel, which was right next to the bank. But then, surveying (which always seemed to find its way back into James’ life) started tugging again when James was hired by Noe Garza, a local engineer and surveyor, to be his party chief. This eventually led to a partnership with Joe Hernandez, a local engineer who started a surveying and engineering firm in McAllen.

In 1986, Hernandez retired from the business, generously leaving it to James, who had recently earned his license as a Professional Land Surveyor in the State of Texas. “And thus,” said James, “Aranda & Associates was born.”

By 1990, Aranda & Associates had established itself as a forerunner in...
“We were one of the first surveying firms to invest in what was then a new and obscure space-based satellite navigation system called Global Positioning System or GPS.”

– James Aranda

Texas Surveyor’s November issue by coincidence. Like the career, these people, too, “found” him.

“I am a surveyor, yes, by choice.” James said, “because I have always loved it. But surveying found me: I didn’t find surveying. It’s like I always tell my children (a daughter, Christina, and a son, James Alex), ‘Don’t worry about finding the right career right now because that career will find you some day. Concentrate on your education, get your diploma, and once you have bona fide credentials, your career will find you.’”

(Feature article courtesy of Chris Ardis, Freelance Writing and Consulting Services.)
**DON’T LET THIS HAPPEN TO YOU …**

(You’ll read about some real-world examples of surveyor error and its consequences in this new, recurring column on E&O claims. Don’t let this happen to you ... but be prepared just in case.)

Recently, a Texas land surveyor was hired by a construction company to establish control and set grade stakes for a large railcar loading/unloading facility expansion project. During the initial survey to establish project control and set rough grubbing area stakes, the construction company asked the land surveyor to set additional control monuments in the rear of the project for use by the dirt contractor, who used GPS machine controlled equipment for grading.

All control was established by GPS and observations post processed by the surveyor in accordance with NGS standards. However, the surveyor failed to run a digital level loop through the rear control monuments to validate the elevations.

Subsequently, an error was found in the elevations for the rear control after the dirt contractor had placed dirt and limestone base.

Cost to correct: $242,909.00.

(The above real scenario was provided by Gina O’Hara with ANCO Insurance. Visit www.insuranceforsurveyors.com for information or to request a quote.)

**COMING EVENTS**

**MARCH**

<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
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<tr>
<td>March 15-21</td>
<td>Texas National Surveyors Week</td>
<td>Texas holds its annual Surveyors Week in conjunction with National Surveyors, this year during the week of March 15-21. Visit the NSPS website at <a href="http://www.nsps.us.com">www.nsps.us.com</a> for Career Day outreach materials. View the official State of Texas - Office of the Governor resolution on page 1.</td>
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**APRIL**

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<tr>
<td>April 18</td>
<td>TSPS Chapter 6 Seminar - Beaumont</td>
<td>The course, to be determined, will be held at the MCM Elegante Hotel in Beaumont, Texas. Lunch will be provided. Course, instructor and registration details coming soon to <a href="http://www.tspso.org">www.tspso.org</a>! Mark your calendar today!</td>
</tr>
<tr>
<td>April 25</td>
<td>SIT Prep Course - Onsite or Online</td>
<td>The course will be streamed online, and you can also attend onsite at the Conrad Blucher Institute on the TAMUCC campus. The cost of attending (live or online) is $100. All proceeds go to supporting the GISSO/TSPS student chapter.</td>
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**MAY**

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<td>May 2</td>
<td>Board of Directors Mtg / Ray Wisdom BBQ &amp; Auction</td>
<td>The 2nd Quarterly Board of Directors Meeting of 2015 will be held at 1 p.m. at the Hilton Austin Airport Hotel in Austin, Texas. The 2015 Ray Wisdom BBQ and Auction, benefitting the TSFI education scholarship fund, will follow the board meeting and be held at Richard Moya Park, Shelter 3, 10001 Burleson Rd, Austin, TX 78719. This is a family event - all are encouraged to attend! Bid on auction items and take home a prized possession while pouring resources into land surveying scholarships! Auction items are also needed, so consider providing an item or two and encourage your chapter to participate by providing auction items for bid. Email Shane Neally at <a href="mailto:sneally@tspso.org">sneally@tspso.org</a> for more info.</td>
</tr>
<tr>
<td>May 9</td>
<td>Certified Survey Technician Exam - DFW Airport</td>
<td>North Lake College - West Campus 1401 Royal Lane DFW Airport, Texas 75261 Proctor: John Pierce <a href="mailto:jpfierce@sam.biz">jpfierce@sam.biz</a> Exam starts at 8:15 a.m.</td>
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SAFETY COMMITTEE

By Joe Breaux
Safety Committee Chair

For the longest time I thought the safety rules in my workplace were simply my employer’s requirements to follow as good practice to keep us safe. Well these requirements are to keep us safe, but I have recently learned that many of these “rules” are actually state law. Yes, state law, in the form of the Texas Transportation Code. These laws apply to all drivers within the state, whether a resident or a non-resident visitor, during work or at any other time. So what am I talking about?

I know people who, when they park their vehicle, they set the parking brake. Is that just habit or good training? Could it be a law that applies? You bet, there is a state law that applies. The law states: “An operator may not leave the vehicle unattended without: (1) stopping the engine; (2) locking the ignition; (3) removing the key from the ignition; (4) setting the parking brake; (5) if standing on a grade, turning the front wheels to the curb or side of the highway.” The first 3 items don’t seem to need explanation- stop the engine, lock the ignition by turning off the key to off, then remove the key. Setting the parking brake will keep the vehicle from rolling if, by chance it slips out of gear. Both automatic transmissions and standard transmissions have had this happen. Turning the wheel away from the driving lane will keep the vehicle from rolling into the traffic. This law is found in the Texas Transportation Code, Title 7. Vehicles and Traffic, Chapter 545. Operation and Movement of Vehicles, Subchapter I., Miscellaneous Rules, Section 545.404 Unattended Motor Vehicle. It was passed by the 74th Legislature and became effective on September 1, 1995. Not a new law, but I sure didn’t know of it until recently. By reading further, both before and after the above mentioned law, one finds numerous other “unknown” laws that affect us. All intended to keep us and others safe.

So what about new or recent cell phone or portable, hand-held electronic device restrictions. Texas only has limited state laws restricting or eliminating cell phone use for all drivers, all of the time. But, many cities do. Austin was the first city to pass a no texting ordinance in 2009. Other cities have followed and some have passed additional ordinances. Use of hand-held cell phones or other hand-held devices by drivers (operators of motor vehicles) is now against the law in the cities of Austin and San Antonio. Both cities passed laws last year that became effective on January 1, 2015. After a 1 month education/grace period, enforcement and ticketing began in February 1, 2015. Other Texas cities that recently passed no texting or no cell phone or hand-device use ordinances include Denton and Corpus Christi. There may be others. The Texas Department of Transportation has a list posted on their web site. The list appears to be current though it may not be complete. It includes 40 cities and towns. The website is available at: http://www.txdot.gov/driver/laws/cellphones.html.

Austin’s new city ordinance bans use of any portable electronic hand-held device while operating a motor vehicle or bicycle, while the vehicle is in motion. This includes all hand-held devices such as GPS, MP3 players or any other type of hand-held device. Few exceptions are allowed. From the ordinance, it is an affirmative defense against prosecution if the vehicle is not in motion, if the device is in hands free mode, if the device is a mounted GPS unit and use is to change the display, if the device is used to report a crime, an emergency, or to prevent a crime, of if the user believes their life is in jeopardy. Not included are use of a hand-held device by emergency response personnel acting in their official capacity.

The new law in San Antonio expands the prohibition of use of a hand-held cell phone device at any time to make calls, access the internet, email, play games or for any reason while driving, in addition to while the vehicle is not in motion. The fine can range up to $200.

Other cities with cell phone or hand-held device use restrictions are Alamo, Alice, Amarillo, Aransas Pass, Arlington, Austin, Bellaire, Brownsville, Canyon, Conroe, Converse, Corpus Christi, Denton, El Paso, Farmers Branch, Galveston, Grand Prairie, Harlingen, Helotes, Laredo, Magnolia, Maypearl, McAllen, Meadowlakes, Mission, Missouri City, Mount Vernon, Nacogdoches, Palmview, Pampa, Penitas, Richwood, Rowlett, San Antonio, Shoreacres, Sinton, Stephenville, Tomball, Universal City, and West University Place.

The types of cell phone or hand-held use restriction ordinances are basically 3 types, 1) a ban on texting and other manual uses of wireless communication devices while driving, 2) a ban on texting while driving, and 3) a ban on all uses of wireless communication devices while driving. Fines vary from $200 to $500 per violation.

Around six new no texting or cell phone/ hand-held device restrictions of use bills are presently filed with the state legislature. It is certain that some will merge with others, drop out or be considered in this 84th session of the state legislature. Whether this session or another session, it seems inevitable that a bill will pass and become state law. Why, because there is concern about public safety. The safety of the driver who may become distracted by using a hand-held device and of the driving public who could be harmed by the distracted driver is of great concern and importance. The increasing number of accidents that can be attributed to distracted driving by cell phone/hand-held device use indicates that action should be taken. We should voluntarily curb our own use of these devices while driving, but if we don’t, a law may be needed.

So, turn your engine off, lock the ignition, turn off and remove the key, set your parking brake and turn your wheels to the curb or away from the highway. And don’t become distracted by using a cell phone or hand-held device while driving, wait and pull over to a safe place. Be safe.
Samir “Sam” G. Hanna, RPLS
CEO & President

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Kurt Willis
Hayter Engineering
4445 SE Loop 286
Paris, Texas 75460

GEOSPATIAL

Brian Davies
Applied Science Technologists & Technicians of British Columbia
Surrey, British Columbia V3R 0S4
RPLS/SIT/Senior CAD Tech - Austin, Texas

Ideal applicants will have 5+ years’ experience as a project manager, researching, assembling and producing topographic and boundary surveys. A comprehensive knowledge of ALTA surveys, boundary analysis, topographic surveys, preparation of easement documents, legal descriptions, final plat preparation, construction staking and the ability to utilize Trimble survey field equipment and software is essential. Proficiency with AutoCAD Civil 3D for design and drafting activities is required. The candidate must have the ability to manage multiple tasks, to coordinate projects, and to interact with other design services.

Senior Party Chief – Austin, Texas

Ideal applicants will have 3 to 5 years’ experience as a survey crew chief, conducting topographic and boundary surveys. Construction staking experience required. Thorough knowledge of Trimble Robotics/GPS survey equipment and Survey Pro/Trimble Access software preferred. Some travel may be required. SIT or SIT-track applicants preferred.

To submit your resume, please email to sduarte@4wardls.com.

Arborleaf Engineering & Surveying is currently seeking a RPLS/SIT/Project Surveyor. The responsibilities include:

- Daily administration of surveying schedules, activities, and objectives with various crews
- Point of contact for survey crews
- Perform deed research on various projects
- Set and adhere to timelines and budgets for various projects
- Process and verify the accuracy and sufficiency of collected data
- Ensure compliance to applicable regulations and industry standards (e.g. boundary calculations, legal descriptions, etc.)
- Assist President of company with business development and client management
- Utilize AutoCAD, Civil 3D, and Micro Survey as needed to complete projects
- Establish standards for future growth in Survey Department

Qualifications for the RPLS/SIT/Project Surveyor position are as follows:

RPLS and/or SIT certification(s) required

- Experience using AutoCAD, Civil 3D, and Micro Survey (or similar) required
- Proficient in technical math, including Geometry and Trigonometry
- Experience in boundary and topographic surveys required
- 2-year or 4-year degree in Surveying (or similar) a plus
- Experience managing a surveying department/team a plus
- Willingness to be taught by others

Arborleaf Engineering and Surveying is growing every year, and we are looking for hard-working, honest candidates who would like to grow with our firm. To apply, please email info@arborleaf.com with your resume.

RPLS/SIT/Project Surveyor Position(s)

Arborleaf Engineering & Surveying is currently seeking a RPLS/SIT/Project Surveyor. The responsibilities include:

CONSTRUCTION SURVEYOR / CAD TECHNICIAN - Wharton, Texas

Barnard Construction, a heavy civil construction company has employment opportunity for surveying positions at the Lane City Reservoir Project, a 40,000 acre-foot reservoir located 8 miles south of Wharton, TX at Lane City.

CONSTRUCTION SURVEYOR

Seeking a hard working individual with experience in topographic surveys, construction layout/staking and as-built surveys. Experience with Trimble GPS equipment is preferred.

CAD TECHNICIAN

AutoCAD Civil3D technician experienced in quantity estimates, surveying, surface volume calculations and 3D modeling.

Please email resume to Chris.Muhlbeier@Barnard-Inc.com or call Chris Muhlbeier at 979-531-8150 to schedule an interview. All inquiries are confidential.

MULTIPLE POSITIONS AVAILABLE

MERIDIAN SURVEYING & MAPPING - HOUSTON: is a multi-disciplined firm providing surveying, mapping, and GPS services on a wide variety of commercial, industrial, residential, municipal, and telecommunication projects. We are conducting a search for qualified professionals to fill multiple positions including: RPLS, SIT, Party Chiefs, I-Men, Survey Techs, and Draftsmen. We offer a strong benefits package which includes Medical, Dental, LT Disability, Life Insurance, Vision, Tuition Reimbursement, Job Training and opportunities for advancement. If you are interested in a confidential interview please fax you resume to (713) 722-7613 or email to spike@mersurvey.com.

MULTIPLE POSITIONS AVAILABLE

WINDROSE LAND SERVICES - AUSTIN: is a multi-disciplined firm providing surveying, mapping, and GPS services on a wide variety of commercial, industrial, residential, municipal, and telecommunication projects. We are conducting a search for qualified professionals to fill multiple positions including: Party Chiefs, I-Men, Survey Techs and Draftsmen. We offer a strong benefits package which includes Medical, Dental, LT Disability, Life Insurance, Vision, Tuition Reimbursement, Job Training and opportunities for advancement. If you are interested in a confidential interview please fax you resume to (512) 326-2770 or email to Ronnie.willis@windroseaus.com.

An EXCELLENT opportunity to purchase a very profitable land surveying business in the Dallas area that has been successfully run by its owner for over 20 years. 80% of the current business is from repeat customers that value the integrity, quality and consistency of the service. The owner has established a reliable and professional support organization of field personnel to assist in serving their clients. The owner is willing to support a new owner(s) on a successful transition of the business to a buyer.

Listing Price: $399K
Total Sales: $515K
Cash Flow: $282K

For details, contact Donald Wendel at 214-751-3911 or by email at d.wendel@murphybusiness.com.
CREW CHIEF / JR. CREW CHIEF - Cedar Park, Texas

SURVTEX, LLC is currently seeking field personnel for the following positions at our location in Cedar Park, Texas:

Crew Chief - The successful candidate must have at least five years of experience as a crew chief. Experience using GPS is required. Preference will be given to candidates with a diverse set of experience, especially one that includes TxDOT.

Jr. Crew Chief - The successful candidate must have at least two years of experience as a crew chief. Experience using GPS is required.

Please send your resume to: jobs@survtex.com or fax 512-249-5040. For more information about our company, please visit www.survtex.com.

JUNIOR PARTY CHIEF/INSTRUMENT MAN

CRIADO has an immediate full-time opening for a Survey Jr. Party Chief/Instrument Man at our Dallas location, assisting in the daily surveying activities under the supervision of a Party Chief. The position requires experience in Digital Leveling, Total Stations, and GPS data collection.

Position offers full benefits package. Salary is competitive and commensurate with experience.

Email resume to cmarkus@criadoassociates.com or fax to 972-392-9192.

RPLS-Southeast Houston-Direct Hire / Full Benefits and Competitive Comp

Responsible for directing surveys and mapping projects from field to finish within required time frames, budgets and contract requirements.
Verify the accuracy of collected data, and supervises preparation of all data, charts, plots, maps, progress sketches, records, documents and deliverables related to the survey Aid in planning, organizing and directing survey projects.
Minimum of 10 years of work experience (RPLS) in Texas.
Experience managing own projects and running crews.
Candidate must be legally eligible and insurable to drive to regular assignments.

Experience in EPC projects including construction projects and pipeline.

Email resumes to shari.moreno@yahoo.com or call 832-414-3268.

OFFICE MANAGER – Boerne, Texas

Texas Landmark Surveying is a family-owned and operated firm dedicated to integrity, excellence and customer service.

Located in Boerne, Texas, we are looking for a motivated and competent individual to join our growing team. The candidate must have a minimum of 2 years office management experience including the use of QuickBooks. Experience with MS Office suite is required, and knowledge of AutoCAD LDD software is a plus. Overall computer proficiency is needed, as well as excellent interpersonal, oral and written communication skills.

The Office Manager’s primary function is to process accounts receivable, payroll, and human resources. Other duties as needed include job preparation, call handling, marketing, purchasing, etc.

Position includes a flexible benefit package, competitive salary based on experience and drug-free, professional work environment. TxLMS will work with the right candidate by providing a flexible work schedule and education reimbursement to assist in obtaining SIT / RPLS.

Please send resumes to: info@landmarksurveying.net. No phone calls please.

LAND SURVEYING BUSINESS FOR SALE

We are pleased to offer for sale a home-grown, locally owned, profitable land surveying firm in the North San Antonio area. The firm has been in business for over 7 years with all of its project files indexed and soon to be geo-referenced through Google Earth. Over 75% of its business is from repeat clients that have become loyal customers due to our exceptional service and passion for excellence in all we do. The owner has established an experienced and professional support staff in the field and office to serve our clientele. The owner is willing to assist a new owner with the successful transition of the business.

For details contact Rob at rob.rugloski@gmail.com or call 830.822.0394.

RPLS / SIT – ARLINGTON, TEXAS

Mycoskie McInnis Associates, Inc. (mma), located in Arlington, Texas is looking for motivated individuals to join our team of experienced surveyors. The positions available are as follows:

Registered Professional Land Surveyor (RPLS) – mma is seeking an RPLS (registered in the State of Texas) to join our survey team. The successful candidate will be responsible for assisting in the coordination of office duties, overseeing field crews, technicians, and quality assurance and quality control. The candidate must have a reasonable knowledge and understanding in boundary reconstruction. Experience with AutoCAD, Carlson software, Leica GPS processes and general construction layout a plus.

Survey Technician or SIT - must have a valid SIT certificate or have obtained a two year degree in survey technology or related discipline, military survey or a combination of education and experience. Experience with AutoCAD, Carlson software, Leica GPS processes and general construction layout a plus.

Send resumes to: mmiller@mmatexas.com (Merle)

FIELD PERSONNEL / CAD TECHNICIAN - Waco, Texas

Walker Partners, L.L.C. a civil engineering and surveying firm has employment opportunity for surveying positions at our home office located in Waco, TX.

FIELD PERSONNEL

Highly motivated field personnel to perform ALTA, boundary, topographic, engineering design, construction staking, and as-built surveys. Some short term travel is required. Experience with Leica GPS equipment is a plus.

(See CLASSIFIED ADS, page 28)
CLASSIFIED ADS

CAD TECHNICIAN
AutoCAD technician experienced in boundary, land title and topographic surveys is required. Experience with Civil 3-D is a plus.

Benefits include health insurance, 401(k), vacation, sick leave, and holidays, in addition field personnel receive bad weather pay.

Please email resume to khessel@walkerpartners.com or call Kevin Hessel at 254-714-1402 to schedule an interview. All inquiries are confidential.

CAD TECHNICIAN - Corpus Christi, Texas
Frontier Surveying Company is actively seeking a qualified candidate for the following position in our Corpus Christi office:

CAD Technician - Perform drafting and CAD services to internal and external clients of Frontier Surveying and complete legal descriptions. Work closely with survey/instrument personnel to assure accuracy on jobs. Ensure compliance with the Professional Services Procurement Act and Frontier Surveying policies and procedures. Adhere to safety regulations according to industry standards and all policies and procedures defined by Frontier Surveying.

Qualified applicants, please submit your resume via email to hr@frontiersurveying.com.

INSTRUMENT OPERATOR/RODMAN – Austin, TX
McGray & McGray Land Surveyors, Inc. has immediate openings for Instrument Operators and Rodmen.

- Must pass pre-employment drug screen.
- Benefits include Medical/Dental/Simple IRA.
- Hourly rate commensurate with experience.

Email resume to chrisc@mcgray.com or fax (512) 451-8791.

SURVEY CREW CHIEF – Keller, Texas
DeOtte, Inc. in Keller, Texas has an opening for a survey crew chief with 5 years experience in boundary surveys, topographic & tree surveys, title surveys & construction staking. Experience with Trimble robotic and GPS with Survey Pro/ Simplicity system Ranger collector a plus. Good pay & benefits for the right candidate. Please send cover letter and resume to yvette@deotte.com.

INSTRUMENT MAN - Dallas, Texas
Brockett Davis Drake Incorporated is seeking individuals with a good work ethic for instrument man positions. Experience in ALTA, boundary, topographic, construction staking and Topcon equipment preferred. Firm offers benefits and competitive pay.

Email resume to sdial@bddeng.com or fax to 214-824-7064.

CAD TECHNICIAN - Cleburne, Texas
Cad Technician needed - Carlson is what we use.

Office in Cleburne TX – New highway access to Fort Worth open.

We are small company with variety of clientele and deliverables. Please email resumes to:

info@transtexassurveying.com

SENIOR SURVEYING TECHNICIAN
Established surveying and engineering firm looking for a Senior Surveying Technician. Duties include: scheduling and directing field crew operations, title and easement research, drafting boundary and topographic surveys, and writing field notes. All work will be supervised/reviewed by an RPLS.

Email resumes to neil@atkinsonengineers.com.

SURVEY TECH MANAGER – Temple, TX
Ronald Carroll Surveyors, Inc., a Temple based land surveying company, is searching for an experienced Survey Tech Manager. In business since 1979, RCS is a survey firm focused on providing our residential, commercial and governmental clients throughout Texas and Oklahoma with accurate, dependable Surveying and global Mapping services.

This position requires a hands-on individual with the ability to complete assignments on-time while leading and managing a small department of survey techs. Candidates should have at least 4 years’ experience in AutoCAD in a surveying environment and have a strong desire to lead and develop people. Current SIT certification or working toward SIT certification is a plus but not required. Candidates should be an organized and task-driven individual.

Duties and Responsibilities include:

- Daily processing of survey data, including evaluating accuracy and sufficiency and ensuring compliance to applicable regulations and professional and industry standards related to boundary calculations, legal descriptions, etc.
- Prepare survey plats and drawings, legal descriptions and alignment drawings
- Provide technical office support
- Perform quality control checks of plats and drawings prepared by other technicians
- Set schedules and productivity objectives for department
- Conduct training sessions for team members
- Conduct performance evaluations

Required Experience, Education & Skills

- 2-year or 4-year degree in Surveying, Geography, GIS or related field is required
- Excellent computer and technical skills, including AutoCAD and MS Office Suite
- Proficient in technical math, including Geometry and Trigonometry
- Strong listening, writing and verbal communication skills
- Experience in boundary and topographic surveys

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The Texas Surveyor/March 2015
RCS offers competitive salaries and an excellent benefit package. Send resumes to hr@rcsurveyors.com

Ronald Carroll Surveyors, Inc. is an EEO Employer. If you are interested in applying for employment with RCS, Inc. and need special assistance to apply for a posted position, please contact 254-773-1447 to leave a message or send an e-mail to hr@rcsurveyors.com.

S&V Surveying Offers Employment in North Houston

RPS (Texas)

Candidate will function as a project surveyor on boundary, Right-Of-Way, utilities and land development projects, knowledge of oil and gas facilities, pipelines and industrial surveying is optional. Hands on experience in project management, project coordination, quality control, scheduling and client relationships. Must hold a current Texas RPLS license with minimum of 1 year experience. Must be proficient in AutoCAD, Civil 3D 2012-2014 and/or MicroStation V8i.

Survey/CAD Technician

Candidate will be responsible for preparation of topographic, Land Title and boundary surveys, subdivision plats, easement descriptions, and terrain modeling. Responsible for processing field data, production of maps and drawings using Civil 3D 2012-2014 and/or Microstation V8i. Minimum 3 years of experience in AutoCAD, data processing, boundary surveys, ALTA/ACSM Land Title surveys and utility route surveys. Civil 3D 2012-2014 knowledge preferable. Must have a valid driver's license and an acceptable motor vehicle record. Subject to drug screening.

Please send resume for consideration to mcarey@svsurveying.com.

Professional Land Surveyor

Brown & Gay Engineers, a Texas consulting engineering firm, is seeking a newly registered to experienced RPLS in the Houston area. Candidates should be a RPLS in the state of Texas with excellent communication skills, project management experience and working knowledge of Civil3D software. Surveying and mapping experience in the areas of land development, site development, public works and transportation/TxDOT are beneficial but not required.

For a full list of openings and to apply visit the careers section at www.browngay.com.

Registered Professional Land Surveyor

Goodwin-Lasiter-Strong
Central Texas Office

Registered Professional Land Surveyor
Minimum 2 years experience as a Survey Manager. Duties include crew management, boundary analysis/description preparation, office/client coordination, and proficiency in AutoCad/Survey Software.

Survey Technician
Experienced Survey Technician position available. Job duties include assisting RPLS with boundary related activities, data reduction, calculations, and field crew management.

Obtain application at www.glstexas.com and submit along with resume to kraymond@glstexas.com

RPLS - San Antonio, Texas

San Antonio Engineering firm seeking experienced RPLS to assist with drafting, research, boundary resolution, legal descriptions, plats and construction staking. The ability to manage multiple tasks, coordinate projects and effective communication skills are a must. Knowledge of Microsoft, GPS and AutoCAD Civil 3D required. Apply on our website at www.cudeengineers.com

Crew Chiefs and Field Crew

KFW Engineers & Surveying is a growing San Antonio-based civil engineering firm. We are currently hiring qualified Survey Crew Chiefs with a minimum of 5 years’ experience and Field Crew with a minimum of 2 years’ experience to join our team.

Requirements:

- Must have experience in construction staking, topographic/tree surveys, control surveys, etc.
- Knowledge of and ability to use Leica GPS and robotic equipment preferred but not required.

Please send cover letter and resume to careers@kfwengineers.com to be considered.

www.KFWEngineers.com

KFW Engineers & Surveying has a vision to offer superior customer service by way of our high quality civil engineering practices. We provide quality services during every project phase including site selection, concept planning, design, permitting, and construction; all the way through to project close-out.

Surveyor in Training (SIT)

KFW Engineers & Surveying is looking for a qualified candidate who has obtained their SIT to join a growing Land Surveying firm in San Antonio, Texas. The candidate must have a minimum of 5 years’ experience working with boundary, topographic, construction surveying, and experience managing a team. Candidate must have working knowledge of AutoCAD and GIS is a plus.

Requirements

- Must have sufficient knowledge of using AutoCAD Land Development desktop, importing and analyzing field data, and creating staking sheets.
- Must have experience in doing deed research to create survey base drawings and working with topographic surfaces.

Experience

- Experience as a field crew party chief is a plus
- Experience overseeing and scheduling field survey crews and AutoCAD technicians.
- Ability to use Civil 3D 2015 is a plus.
Licensing/Certifications

- SIT license required
- If operating a motor vehicle for the purpose of completing job duties, must possess a valid Texas Motor Vehicle Operator’s License.

www.KFWEngineers.com

KFW Engineers & Surveying has a vision to offer superior customer service by way of our high quality civil engineering practices. We provide quality services during every project phase including site selection, concept planning, design, permitting, and construction; all the way through to project close-out.

SURVEY AUTOCAD TECHNICIANS

San Antonio-based KFW Engineers & Surveying is growing and currently hiring qualified Survey AutoCAD Technicians with a minimum of 5 years’ experience.

Requirements:

- Must have sufficient knowledge of using AutoCAD Land Development desktop, importing and analyzing field data, and creating staking sheets.
- Must have experience in doing deed research to create survey base drawings and working with topographic surfaces.

Experience:

- Minimum 5 years of experience working as a land surveying AutoCAD technician is required.
- Crew chief experience a plus.

Please send cover letter and resume to careers@kfwenengineers.com to be considered.

www.KFWEngineers.com

KFW Engineers & Surveying has a vision to offer superior customer service by way of our high quality civil engineering practices. We provide quality services during every project phase including site selection, concept planning, design, permitting, and construction; all the way through to project close-out.

SURVEY TECHNICIAN / CAD OPERATOR

Survtech Surveyors    Conroe, Texas

- Works under the direction of Survey Project Manager - Performs calculations and prepares CAD Drawings and other documents for a variety of projects, including boundary, right-of-way, topographic and title surveys, plats, easements etc.
- Reads and understands various technical documents including deeds, plats and title reports, construction plans etc.
- Prepares instructions for field staking and coordinates with field crew as needed.

Submit Resumes to Stephen@survcorp.com

MULTIPLE POSITIONS AVAILABLE - Midland, Texas

John F. Watson & Company, based in Midland, Texas is a land surveying firm focusing on wind, solar and oil & gas projects. Applications are being accepted for the following positions:

- RPLS
- Party Chief
- Instrument Tech
- CAD Tech
- Project Managers

Please submit resumes to jwomack@windearthwater.com.

SURVEY CREW CHIEF - Austin, Texas

Baseline Land Surveyors in Austin, Texas has an opening for an experienced survey crew chief with 5 years’ experience in site design, topographic & tree surveys, title surveys & construction staking. Experience with robotic instruments & Trimble GPS a plus. Good pay & benefits for the right candidate. Contact Bruce Bryan at bruce-baseline@austin.rr.com with resume.

SURVEY PROJECT MANAGER RPLS

Location: Houston, TX; San Antonio, TX

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T. Baker Smith is committed to precision, integrity and ingenuity in providing tailored solutions to our associates and clients. The Survey Project Manager will:

- Is responsible for administering surveying activities which include oversight of manpower, technical resources, and client communication for multiple projects.
- Play a key role in business development

Requirements:

- 5 years’ experience with knowledge of Oil/Gas exploration and Pipeline.
- Proficient in AutoCAD, and GIS.
- RPLS registration in TX or ability to become registered within 1 year.
- Must possess excellent communication, diplomacy and listening skills; specifically, be accessible and responsive to the needs of clients and associates.

We offer an excellent compensation package including base salary, profit sharing, 100% match 401k, education reimbursement and health benefits. For more information about this position and T. Baker Smith please go to our website: www.tbsmith.com

EOE

MULTIPLE POSITIONS – TEXAS, LOUISIANA, OHIO

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