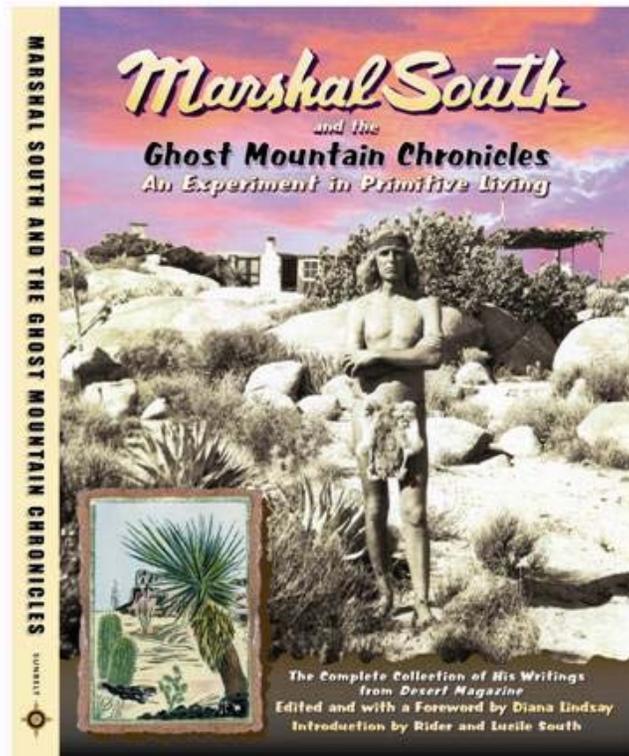


SURVEY NOTES

Volume 11 Issue 9

September 2005

CALIFORNIA LAND SURVEYORS ASSOCIATION, SAN DIEGO CHAPTER
5519 Clairemont Mesa Blvd, Mail Box 261, San Diego, California 92117
sd-surveyors.org



Chapter Meeting
Wednesday, September 21st

Guest Speaker:
Diane Lindsay, Desert Author and Anza-Borrego Artist

Diane Lindsay is the editor and has written the foreword for *Marshal South and the Ghost Mountain Chronicles: An Experiment in Primitive Living* (Sunbelt Publications 2005). As a historian, she has ferreted out the unknown background of Marshal South and has told his never-before-known story. Her lecture includes a Microsoft PowerPoint presentation and rare film clips of the South family in Julian and on Ghost Mountain in Anza-Borrego Desert State Park. It incorporates some interesting survey stories that pertain to our group and to surveying in our local desert.

Chevy's Fresh Mex

1202 Camino Del Rio South

San Diego, CA (619) 297-5667
6 p.m. Social/Networking
6:30 p.m. Dinner
7:15 p.m. Program

Leave your name with Lisa Mejia. Email is preferred: lmejia@hunsakersd.com
Or: 858 558-4500 - No later than noon Monday, September 19th

Build Your Own Taco Bar - \$20

*Salsa Chicken and Picadillo Ground Beef
plus Crispy and Soft Shells and Nachos Grandes*
Price includes tax & tip

NSPS Foundation, Inc., Disaster Relief Fund **Urgently Needs Your Help!**

We have all seen the devastation on our television screens! Hurricane Katrina, possibly the worst natural disaster ever to hit the United States, has laid waste to 90,000 square miles of our "Gulf Coast".

There are massive relief efforts currently underway by a host of charitable and government agencies.

The foundation Trustees are asking you to help our family of Surveyors and Mappers in the effected areas. We are asking for your generous, Tax Deductible, contributions to the NSPS Foundation Disaster Relief Fund.

I cannot imagine what desperate conditions the survivors of this disaster are in. Surely many of them, along with their employees, have lost their homes, businesses, records and equipment. There may not be any insurance to help them recover. The long-term prospects of them being able to reestablish their lives in that area are in doubt.

The Foundation will be working through the State Society Affiliates to deliver the needed assistance. I pledge that every dollar collected will be given to those people identified by the Affiliates. 100% of what is collected will be given.

Please be generous! Make checks payable to the National Society of Professional Surveyors Foundation, Inc. (NSPSF) or visit <http://www.acsm.net/nspsf/disasterfund.html> for a credit card form.

Mail checks to:

NSPS Foundation, Inc.
6 Montgomery Village Avenue
Suite 403
Gaithersburg MD 20879

Attention: Disaster Relief Fund

If you have any questions please contact Pat Canfield - 240-632-9716, ext. 113 or pat.canfield@acsm.net

Thank You, The National Society of Professional Surveyors Foundation, Inc. (NSPSF)

EXECUTIVE BOARD MEETING

August 17, 2005

Meeting held at the Best Western Seven Seas, at 411 Hotel Circle South, prior to the General Meeting.

ATTENDING: Anne Hoppe, Don Woolley, Dave Ambler, Tony Nothdurft, Andy Karydes, Michael Hart, DK Nasland and Gary Chapman .

Presidents Report

Anne Hoppe opened the meeting at 5:15. The nominating committee reported on the progress of selecting 2006 new officers for the upcoming election. We seem to be having trouble finding an interested candidate for secretary. The committee will continue to search.

Vice Presidents Report

Next meeting, September 21st, will be held at Chevy's Mission Valley. This meeting will be our annual election of officers for 2006. There will not be a guest speaker. The Christmas Dinner Party will be held at Tom Ham's at the westerly end of Harbor Island.

Treasurer's Report

The General Fund has \$10804 and the Education Fund has \$4776. Andy said our smaller CD could be transferred into the large CD in January. Don requested \$ 500 to be used as a deposit for the annual Christmas Dinner.

Secretary's Report

A brief summary of previous meetings minutes was given and the minutes were accepted as submitted.

Education Committee

Mike Hart will talk to Mesa College about the possibility of having some LS Review classes.

Membership Committee

Dave reported that we now have over 169 paid and 5 life members. 120 are licensed surveyors and 8 are RCE's. We should have enough members to qualify for one more Chapter Rep. The new 2005 roster should be ready by next meeting.

Legislative Committee - No report

JPPC Report

DK reported there are no new cases before the committee.

Chapter Representatives

The State Chapter meeting was held in San Diego on July 30th. It was well attended by our chapter.

Unfinished Business

Web site was discussed.

The Chapter Golf Outing is going to be held at the Rancho Bernardo Inn on August 26th with a 12:00 noon shot gun start. Food and awards will follow:

New Business

The deadline for submitting information to be published in the Chapter News Letter will be the second Saturday after the Board/General Meeting.

Next Board & General Meeting – September 21, 2005 At the Chevy's Mission Valley

GENERAL MEETING – August 17, 2005

The August Meeting was held immediately following the Board Meeting. The Guest Speaker, Dorothy Calegari was introduced by Vice Pres. Don. Dorothy is Executive Director for both the California Land Surveyors Association and Nevada Association of Land Surveyors. She gave a fine presentation about what the State Organization does. She and her small staff work very hard to keep our chapters running smoothly. It was a pleasure to have her attend our meeting.

Presidents Report

Anne thanked Dorothy for her interesting presentation. Then ask for officers and committee reports.

Vice Presidents Report

The next meeting will be held September 21st. at the Chevy's Mission Valley. This will be our election meeting for 2006 officers. A joint meeting with Orange County will be held on October 13th. We will be taking the train up to OC.

Submitted by,

E. Gary Chapman, PLS
Secretary, 2005

Education/Seminars/Workshops

CLSA PRESENTS: Subdivision Map Act

by: Michael P. Durkee, Esq. Friday, September 16, 2005.
Hilton Ontario Airport - 700 North Haven Avenue Ontario, CA 91764 (909) 980-0400

This course uses legal interpretation and practical experience to provide guidelines for effective use of the Subdivision Map Act. The instructor will discuss the responsibilities and powers of local agencies under the act, as well as particular issues regarding when the act applies.

The instructor will also discuss recent changes and court cases that have affected the SMA or its application.

- contact CLSA Central Office at (707) 578-6016 for more information or see attached PDF file.

Dan Hall sent this in - CLSA is having a seminar in Bakersfield Sept 23 2005 on "**New Evidence and Procedures for Boundary Location**". The presenter is Walter G. Robillard. Location Hodel's restaurant 5917 Knudson Dr. (6610 399-3341) time 7:30-4:00 for info call Sam Walker (661)834-4814 or sswalker@earthlink.net

The Latest Developments In Public Works Construction

- San Diego, September 27th, 2005. Seminar ID 349633. Overview of public works construction law including the bidding and contracting process, prevailing wage and project closeout. Contact www.lorman.com , (866) 352-9539 or customerservice@lorman.com

Law Of Easements: Legal Issues And Practical Considerations - Los Angeles, CA Oct, 26, 2005. Contact www.lorman.com , (866) 352-9539.

Subdivision Map Act In California Oct. 4, 2005 Costa Mesa, CA. Contact www.lorman.com , (866) 352-9539.

Eminent Domain Nov. 18, 2005 San Diego. Contact www.lorman.com , (866) 352-9539.

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Trimble Dimensions 2005 has over 150 unique track sessions that can show you how to improve your organization's productivity. For the complete list of sessions go to www.trimbleevents.com/tracksessions.

October 23 - 26, 2005 - Mirage Hotel, Las Vegas, Nevada www.trimbleevents.com 1-800-353-9374. Or contact Dan McMahon @ 760-271-4681 or Jeff Young @ 310-486-3413.

TRIMBLE STATIC TRAINING CLASS

OCTOBER 4TH, 5TH, & 6TH 2005

Trimble Post-Process Introduction

- This course will enable new Static GPS users to collect and post-process data. Multiple outside field sessions are included throughout the course. Following is a list of Trimble equipment and software to be reviewed:

Receivers: 4700/4800/5700/5800/R7/R8 Data Collectors: TSC1 (V7.7x)/ TSCe (V10.X)/ ACU (V10.X)/ TCU (V11.X)/ TSC2 (V11.X) Trimble Geomatics Office Software, Post-Process (V1.60/V1.62)

- Location: Allen Instruments & Supplies 2940 E. La Palma Ave., #E/F Anaheim, CA 92806. Call 714-238-3441 or call 800-215-2737.

45th Annual Geomatics Engineering Conference - New and Improved! Jan. 26-28, 2006. Contact 559-278-6244 or go to: www.csufresno.edu/geomtaics.

Survey, LSIT and LS review seminars – Contact Pacific Land Seminars. paul@pacificland.com or call 949-642-0335. See Pacific Lands website - www.pacificland.com.

Geospatial Analysis and Technology – Seminars, courses and software training. Contact register@ucx.ucr.edu or call 951-827-4105. Web-site: www.UCRExtension.net/geo.

CSU Fresno Geomatics Engineering Dept. – Contact www.csufresno.edu/geomatics/ for program and on-line courses.

CSU Pomona Surveying Program -

http://www.csupomona.edu/%7Ece_surv/surveng/index.html.

Cuyamaca College - Surveying courses taught and organized by Ken Schumaker. www.cuyamaca.edu. Or 619-668-4040.

Santiago College GIS/GPS Surveying Program - see www.sac.edu/degrees/geography_information_degree.htm

GIS Certification – thru URISA

<http://www.urisa.org/certification/2certific.htm>

CLSA San Diego Survey Student Stipends:

- The Stipend program's goals are to: provide funding for local students working towards a degree in a surveying related field at a Junior College in San Diego County. They will receive \$100 for an A, \$75 for a B, \$50 for a C. It will be limited to one survey class per student per semester. The class must have been completed within the last 6 months.

- Applicants need to mail in a copy of their grade (of a surveying class) and address to: CLSA San Diego, P.O. BOX 80697, MAIL BOX 261, SAN DIEGO, CALIFORNIA 92138

California Land Surveyors Association CLSA Education Foundation

P.O. Box 9098, Santa Rosa, CA 95405
Telephone: (707)578-6016 FAX: (707)578-4406

- see attached PDF file for scholarship application or contact the foundation.

EMPLOYMENT

Note: Employment ads will be placed for one month. If an extension is needed, please contact Allan Wake each month as needed. This will reduce the costs of the newsletter and keep ads current. Thanks.

Walsh Engineering & Surveying, Inc.

We are looking for a Professional Land Surveyor with a broad range of experience to manage and help build our Survey Department. The right candidate will possess local knowledge of Boundary and Construction methods, good communication and management skills and a desire to expand the Survey Department. Excellent salary and benefits will be negotiated due to the upcoming vacancy at this position and the need to fill it as soon as possible.

If you feel you are ready to take your career (and your department) to the next level of professionalism and success, this might be the opportunity you have been looking for. If you are serious about your profession, I would like to talk to you. Let me make it perfectly clear: I am looking for one of the top Professional Land Surveyors in San Diego to partner with and continue the phenomenal growth and reputation this company has enjoyed since we started in 1999. This is a very unique

and exciting opportunity for you. Please call me at 619-818-4772 and/or send your resume to larry@walsh-engineering.com

Announcements

2006 Slate of Chapter Officers

Dave Ambler, Gary Chapman and Tony as members of the nominating committee have nominated Sean Englert for the office of Secretary in 2006 and Marvin Sylakowski has accepted the move from alternate to a full term Chapter Representative.

The slate for 2006 as nominated is:

President Don Woolley
Vice President Andrew Karydes
Treasurer E. Gary Chapman
Secretary Sean Englert
Immediate Past President Anne Hoppe

Chapter Representatives
Steve Martin
Jeff Safford
Gary Hus
Tony Nothdurft
Mike Hart
Marvin Sylakowski

Alternate Representatives
David P. Viera
Lonie Cyr
Jack Roth
Anne Hoppe

LS Test - The LS pass rate was 9.35%. 46 candidates passed. The passing score is 177/397. More info to follow.

Golf Tournament - brief results from Dave Viera – more info at the Chapter meeting: Mike Butcher's team: which included Mike Pallamary and a couple of ringers, won the tourney with a 61. There were several scores in the low to mid 60s. All in all, it was as great time.

Incredibly, I came within what must have been a millimeter from making a hole in one for the 2nd year in a row. The ball, which was rolling right toward the hole, somehow ended up 5 inches BEHIND the hole. Oh well, it was good enough the win the closest to the pin for that hole.

- thanks for the update - better luck next year Dave!

Welcome Back Beth! - after a year off, I've returned to work part-time as a consultant to other surveyors, handling analysis and mapping of overflow work and rush jobs, from ALTAs to Parcel Maps to Vacations. In the other "part-time" of my life, I'm President of the North Park Community Association and manager of the website www.northparksd.org. Contact Beth at bswersie@cox.net, 619-299-1571.

From Steve - the **CLSA forum** has a couple of .pdf files on the AG's opinion of a Right of Way issue and an Appeals court

decision on a timely filing issue for Tentative Maps (Bodega Bay Vs. Sonoma Co.). You can join in or read the Forum chats on this and many other topics and issues – Check it out!!! The Forum is very informative. And jump right in!

FUSCOE ENGINEERING ANNOUNCES PROMOTION OF WAYNE SAVOIE TO SURVEY COORDINATOR

- Wayne Savoie has been promoted to the position of Survey Coordinator. Wayne brings over 40 years of construction surveying experience to our team. Wayne attended Grossmont College, California Apprenticeship of Land Surveyors, and California State University at Fresno and is a member of the California Land Surveyors Association.

Theft of BLM GPS equipment

I just heard that the BLM got a Trimble 4000 Rx & Pacific Crest radio modem stolen about 3 weeks ago out in the Imperial Valley.

RTKing away, and all of a sudden they lost lock... Keep an eye on your gear... – Rob McMillan DOT
The equipment was stolen at 1:30PM on June 1, 2005. It was located at a control point established for surveys we were performing on the Torres Martinez Reservation, near the 1/4 section corner of sections 15 and 16, Township 7 South, Range 8 East, San Bernardino Meridian (west of Mecca on the northern end of the Salton Sea). The theft was reported to police and to BLM law enforcement.

Descriptions of the stolen equipment:

Trimble GPS Receiver Model No. 4000SSE, S/N 3502A09251, w/carrying case
GPS antenna: Zephyr
Pacific Crest Radio S/N 99089144

I am grateful for any publicity that you can provide.

Thanks,
Jim McCavitt BLM California Field Section Chief
916-978-4312

Newsletter

- Members are encouraged to receive email newsletters. To receive an email only newsletter contact Dave Viera at DViera@HunsakerSD.com.

-Articles are encouraged for publication in the newsletter. Send reports and articles to Allan Wake by Saturday before the first Wednesday of the month. Please email to awake@sandiego.gov and at 48wake@cox.net.

Advertising policy approved by the Board:

1) full page one time in newsletter \$150.00 charge. 10% discount one year paid in advance. 2.) ½ page one time in newsletter \$100.00. 3) Business card size ad one year in newsletter \$150.00. 4) Employment offers by a member free for 1 month. If an extension is needed, please contact Allan Wake email: 48wake@cox.net each month as needed.

5) Web-site banner \$100.00. Other Web-site advertising charges to be determined.

Hi everybody,

I wanted to share some "Good News" for a change with everybody. Today I received a letter from the Board for Professional Engineers and Land Surveyors that says.....

CONGRATULATIONS!

We are pleased to inform you that you have successfully passed the recent Professional Land Surveyors examination.....

As Jack Buck said on the radio side of the microphone when Kirk Gibson hit that famous homerun in the 1988 World Series in the bottom of the 9th inning for the L.A. Dodgers against the Oakland A's..... Unbelievable.....I don't believe what I just saw.....

Well, considering the type of year that I have been having that pretty much describes the way I feel right now and I just wanted to

THANK YOU ALL FOR YOUR SUPPORT....

Jack Gechter-PLS
1206 Robin Place
Chula Vista, CA
91911
(619) 421-7715
jackgechter@cox.net

Whew!!! I finally made it thru the LS exam!

Hello to everyone there at the San Diego Chapter of CLSA from Julie Eckman (formerly with the City of San Diego Map Check section) who is now the recipient of LS 8076. I am now back with the Right-of-Way Engineering section of Caltrans in Oakland. Even though I did not do a copious amount of studying for this last LS exam, I think that going thru the LS Review Class really helped me to pass the exam. I think writing down much of the information that was given in the review made it stick in my head. So...I would like to give a big "THANK YOU" to all the people that were so gracious to take their time to help us applicants out: Thank you to Vern Klassen, Jas Arnold, Tony Northdurf, Lee Hennes, Don Woolley, and especially Vance Breshears (being persistent with the time frame reminders) for passing on your wealth of knowledge. And so I won't sound like I'm giving a speech for an Academy award, thank you to all the other persons that provided support for this review session and supported me with this endeavor.

Once again, thank you for helping get this exam off my shoulders; you're great people there in San Diego.

Julie Eckman, LS 8076
Caltrans, District 4
Office of Right-of-Way Engineering
111 Grand Avenue, 13th floor
Oakland, CA 94612-3717
(510)622-8809; Fax (510)286-4960
julie.eckman@dot.ca.gov





Congratulations to the New LS's

Congratulations to all who passed the very difficult test. To any who have had a problem with the test and get discouraged – don't give up - keep on point with your preparation. Talk to Jack Gechter who just passed the test after being confounded, turned up side down and bumfuzzled many times over this dadburn test. A hearty hooray to all the new 2005 LS' s in San Diego County: Joseph Gerard Cresto LS 8050 Michael Rodney Donoho LS 8042, J Jason Douglas LS 8053, Jack Gechter LS 8051, Dennis Wayne Good LS 8084, Michael Albert Slawson LS 8068, Julie Eckman LS 8076.



Sad News – Alan Perry, Attorney, Pueblo Lands Historian, Friend to Surveyors has departed

From the San Diego Union Tribune - For the last word on real estate law, San Diego's legal community usually looked to an expert who jokingly called himself a "dirt lawyer."

Alan R. Perry dispensed legal advice with the same insight that characterized his lectures and slide shows on his favorite topic: San Diego's historic pueblo lands.

"No attorney in town knew more than Alan in the area of real estate law," said Alan Zuckerman, his partner at Musick, Peeler & Garrett's San Diego office.

Mr. Perry, who practiced law in San Diego for more than 50 years, died Aug. 18 at his son's home in El Cajon. He was 83.

The cause of death was complications from a staph infection, said his daughter, Margaret Perry, a Washington, D.C., attorney.

In addition to representing such high-profile clients as the San Diego Port District and the San Diego Unified School District, Mr. Perry provided pro bono work for the past 25 years to the YMCA of San Diego County. He received the YMCA's Golden Circle Award for his efforts, which included serving on the board of directors as a general counsel and assistant secretary.

"He was a great deal maker, a problem solver," Zuckerman said. "He knew how to listen and reach a conclusion that satisfied both parties. As a legal writer, he drafted forms that are used in many law firms."

Beginning in 1986, Mr. Perry was listed repeatedly in "The Best Lawyers in America," a biennial referral guide. In 1995, he was inducted into the Building Industry Association of San Diego's Hall of Fame.

Known for his lively sense of humor and commanding voice, Mr. Perry often amused friends and family with an Irish brogue. "He loved telling jokes and stories," his daughter said.

Mr. Perry shared his legal expertise for more than 15 years as an adjunct professor at California Western School of Law. He also conducted classes at his law firm and wrote two textbooks, "California Cases and Materials on Secured Land Financing" and "Introduction to Drafting California Legal Instruments."

Groups throughout San Diego County, including lawyers and city employees, were treated to his lectures on the history of pueblo lands. His pamphlet "San Diego's Great Hispanic Heritage: The Pueblo Lands" was published in 2001.

Alan Ramsay Perry was born Oct. 21, 1921, in Kelso, Wash.

When his family moved from Seattle to La Mesa in 1939, he looked forward to playing his favorite sport, tennis, year-round.

He competed in tennis and distinguished himself in debate at Grossmont High School, graduating in 1940.

In 1941, Mr. Perry joined the Army and studied meteorology at Pomona College. When the program was discontinued because of a greater need for infantrymen, he was assigned to Gen. George Patton's 3rd Army.

He served in Germany and reached the rank of sergeant, his daughter said.

After the war, Mr. Perry earned his law degree at the University of Southern California, graduating Phi Beta Kappa.

He began practicing law in San Diego in 1950. With partner William Jenkins, he built his practice around real-estate and land-use issues. In 1990, his firm merged with Musick, Peeler & Garrett, which today has 107 lawyers throughout California.

Mr. Perry was named general counsel in 1995 for Lambda Alpha International and received its International Fellow and Crystal Globe awards in 2000.

In 2004, he received the Bernard E. Witkin Award from the San Diego Law Library Justice Foundation for excellence in the teaching and practice of law.

"He was humble about all those things," his daughter said. "He really didn't want to talk about them or be the center of attention."

By Jack Williams

UNION-TRIBUNE STAFF WRITER August 29, 2005 © Copyright 2005 Union-Tribune Publishing Co.

Alan was the guest speaker at a well attended March 2004 Chapter meeting. I had also heard him on another occasion. Mr. Perry's discussion on San Diego history and the Spanish Land Grants was real interesting and informative – he was a great speaker and had a lot of enthusiasm. Alan provided a detailed history of San Diego's Pueblo Lands. He started out at by humbly noting he was honored to be invited to our meeting, that it was something he had been looking forward to for some time. He was enthusiastic to finally join the local Surveyors on this topic, as his father had an Engineering and Surveying background. He showed several copies of old Spanish Maps of San Diego that he had hand copied himself. Alan has a vast knowledge of the subject and could have gone on all night as it was a well organized and fascinating history. Every slide that he showed had a good story to go with it and he barely scratched the surface. One of the interesting facts he presented was the hierarchy of Spanish land grants. First, there was the Mission lands. These lands were granted by the Spanish Crown to the Church to establish a base for the Church missions. These lands had a water source and bountiful land so they could be self sustaining. Then, the next valuable lands were the Rancho lands - large tracts of land given as favors - areas suitable for farming and ranching. Then the least valuable of lands were the Pueblo lands which were given typically to retired military as a small place to retire. The Pueblo lands included such worthless places as Point Loma, La Jolla, Soledad, and the Pueblo of Los Angeles. We wished Alan could join us again for more continuations of his research on this. I'm glad to have met Mr. Perry and am sorry he has left us.

- thoughts from Mike Pallamary - Thanks for acknowledging Alan. Last fall, he and I wrapped up a four week trial together. We had a great time. The case involved a challenge to a 45-year old easement out on Mount Helix that had been dropped out of the subsequent deeds. Two maps had been filed and there was a lot of discussion about whether or not the maps wiped out the old easement. They did not and could not. The rest of the argument involved whether or not the easement had been abandoned. It had not been. I argued as the trial expert on deed construction and forensics (historic context, etc.) and Alan argued, as the legal expert about the operative language of the deed including appurtenance, intent, affected parties, etc. We had a swell time.

We won the lawsuit and it was a bit of a treat as the court essentially adopted our conclusions as set forth in our joint opinions. I spent quite a bit of time with him as you can imagine in prepping for a four week trial. We had a lot of fun on that one. Whenever we'd meet, we'd always talk about the Pueblo Lands and we were always trading information.

Alan was a good friend and I will miss him. A few months before he took ill, he referred a new case to me and we just settled that one two weeks ago. It too was out on Mount Helix. I swear that place is haunted!

Alan was a remarkable man and a good friend.



CALIFORNIA LAND SURVEYORS ASSOCIATION

SAN DIEGO CHAPTER

5519 Clairemont Mesa Blvd, Mail Box 261, San Diego, California 92117

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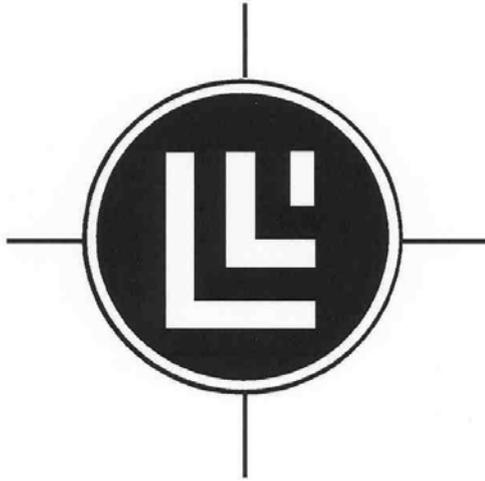
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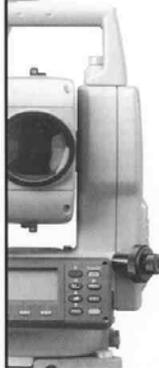
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PRESENTS:

Subdivision Map Act

by: Michael P. Durkee, Esq.

A One-Day Seminar in Three Locations:

Friday, September 16, 2005
Hilton Ontario Airport
Ontario, California

Friday, September 23, 2005
Hilton Concord
Concord, California

Friday, September 30, 2005
Embassy Suites
San Luis Obispo, California

