



BOARD FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS

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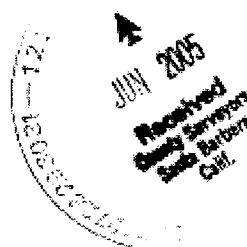
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June 3, 2005

Michael B. Emmons  
County Surveyor  
123 East Anapamu Street  
Santa Barbara, CA 93101



Dear Mr. Emmons:

Thank you for your letter dated April 19, 2005, regarding whether multiple stamps on a Record of Survey is in accordance with our laws.

Enclosed is a legal opinion dated July 8, 1971, which specifically addresses this issue. To the best of our knowledge there is no law or further opinion that would supercede this information. Therefore, we trust that this should address your questions.

Thank you for taking the time to address your questions to the Board.

Sincerely,

CINDI CHRISTENSON, P.E.  
Executive Officer

Enclosure (1)

State of California

# Memorandum

Mr. Logan Muir  
Executive Secretary  
Board of Registration for  
Professional Engineers

Date : July 8, 1971

Subject: Surveyor's Certificate  
on Records of Survey

From : Department of Professional and Vocational Standards  
Executive Offices - Legal Office

JUL 9 - 1971

You have asked if Section 8764.5 of the Business and Professions Code (all references are to that section) permits more than one surveyor to execute a surveyor's certificate on the map.

In our opinion, the section does not contemplate the execution of the certificate by more than one surveyor or civil engineer.

In pertinent part, Section 8764.5 states as follows:

"Certificates shall appear on the map as follows:

### SURVEYOR'S CERTIFICATE

"This map correctly represents a survey made by me or under my direction in conformance with the requirements of the Land Surveyors' Act at the request of .....  
..... in ....., 19.. . Name of Person  
Authorizing Survey

(Signed and sealed) .....

L.S. (or R.C.E.) No. ....

"No other certificates or statements shall appear on the map except those of a technical nature affecting the locations of the survey lines or monuments represented on the map."

The other sections of the Land Surveyors' Act do not specifically state that only one licensee execute the form described. However, when more than one licensee participates in a survey, we believe the Act impliedly requires that only one licensee assume the responsibility for the conduct of the work of the others and that the responsible licensee is the only person authorized to execute the certification on the map. The certification form itself by implication, indicates that only one licensee, who either made the survey or who directed others to do so, execute the described certification.

Mr. Logan Muir  
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If the section permitted more than one licensee to execute the certificate, the form would have properly stated: "This map correctly represents a survey made by me/us or under my/our direction...." (Emphasis added.) In addition, there is only one signature line provided and only one line upon which is listed the surveyor's or civil engineer's license number.

The certification form may not be changed to reflect the execution by more than one licensee since the section expressly provides that no "...other certificates or statements shall appear on the map...."

If the Legislature contemplated that more than one licensee execute a certificate as a condition to its recordation, it could have so expressly provided. This it did not do.

Therefore, in the absence of any indication that multiple signatures are permitted, we conclude that only one licensee may properly execute the certification form.

Pursuant to your request, we are returning herewith the documents submitted with your memorandum of June 17, 1971.

W. S. ANDRUS  
Chief Counsel

  
By JOHN M. HANLEY  
Associate Counsel

JMH:mm

cc: Mr. Frank Reynolds