

SURVEYING ORDINANCE  
OF CACHE COUNTY UTAH 74-14

Be it Ordained by the Board of County Commissioners of Cache County, Utah, as follows:

An ordinance to regulate the platting and recording of Land Surveys in Cache County, State of Utah.

1. "Land Surveying" includes surveying of areas for their correct determination and description and for conveyancing, or for the establishment or reestablishment of land boundaries and the platting of lands and any subdivision thereof. (Utah Code, Section 58-10-2).

2. Every map, plat, report, description, or other document issued by a licensed land surveyor or professional engineer shall comply with the provisions set forth in this ordinance, whenever such map, plat, report, description or other document is filed as a public record.

3. After making a survey in conformity with the practice of land surveying, the surveyor shall file with the County Surveyor a record of such survey.

4. Within 120 days after the establishment of points, section corners, or lines, the licensed land surveyor shall file with the County Surveyor a record of such survey relating to land boundaries or property lines, which discloses:

(a) Material evidence, which in whole or in part does not appear on any map or record previously recorded or filed in the office of the County Recorder, County Clerk, municipal or county surveying department or in the records of the Bureau of Land Management of the United States.

(b) A material discrepancy with such record.

(c) Evidence that, by reasonable analysis, might result in alternate positions of lines or points.

(d) The establishment of one or more lines not shown on any such map, the positions of which are not ascertainable from an inspection of such map without trigonometric calculations.

5. Any record of survey filed with the county surveyor shall after being examined by him and recorded, be filed in the County Recorder's office or in a location designated by the County Recorder.

6. The record of survey shall be a map, legibly drawn, printed, or reproduced by a process guaranteeing a permanent record in black on tracing cloth, or polyester base film, 18 by 24 inches, as required by the county recorder. If ink is used on polyester base film, the ink surface shall be coated with a suitable substance to assure permanent legibility. A one-inch blank margin shall be left on left edge of the map and at least one-half inch on other borders.

7. The record of survey shall show:

(a) All monuments found, set, reset, replaced or removed, describing their kind, size and location, and giving other data relating thereto.

(b) Bearings or witness monuments, basis of bearings, bearing and length of lines, and scale of map.

(c) Name and legal designation of tract or grant in which the survey is located and ties to adjoining tracts.

(d) Memorandum of oaths.

(e) Certificates required by this ordinance.

(f) Any other data necessary for the intelligent interpretation of the various items and locations of the points, lines and areas shown.

(g) At least two of the monuments shown shall be referenced.

8. 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 requirement of the Surveying

Ordinance No. \_\_\_\_\_ at the request of \_\_\_\_\_  
(Name of person

\_\_\_\_\_ in \_\_\_\_\_, 19\_\_\_\_\_.  
Authorizing Survey)

(Signed and sealed) \_\_\_\_\_

L.S. No. \_\_\_\_\_

COUNTY SURVEYOR'S CERTIFICATE

This map has been examined for conformance with the require-  
ment of the Surveying Ordinance this \_\_\_\_\_ day of \_\_\_\_\_,  
19\_\_\_\_\_.

(Signed) \_\_\_\_\_

County Surveyor

RECORDER'S CERTIFICATE

Filed this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_,  
at \_\_\_\_\_m. in Book \_\_\_\_\_ of \_\_\_\_\_ at page\_\_\_\_\_,  
at the request of \_\_\_\_\_.

(Signed) \_\_\_\_\_

County Recorder

9. A record of survey is not required of any survey:

(a) When it has been made by a public officer in his official  
capacity and a reproducible copy thereof, showing all data required  
by this Ordinance has been filed with the county surveyor of the  
county in which the land is located. Any map so filed shall be in-  
dexed and kept available for public inspection, except that a record  
of survey shall not be required of a survey made by the United States  
Bureau of Land Management.

(b) When it is of a preliminary nature.

(c) When a map is in preparation for recording or shall have  
been recorded under the provisions of the Subdivision Ordinance.

10. Within 20 days after receiving the record of survey, or

within such additional time as may be reasonably necessary, the county surveyor shall examine it with respect to:

(a) Its accuracy of mathematical data and completeness of information as required by this ordinance.

(b) Its conformity to other records or satisfactory evidence of the error of other records.

11. If the county surveyor finds the record of survey to be satisfactory he shall endorse a statement on it of his examination, and shall present it to the county recorder for recording. Otherwise, he shall return it to the person who presented it, together with a written statement of the changes necessary to make it conform to the requirements of this ordinance.

12. If the matters appearing on the record of survey cannot be agreed upon by the licensed land surveyor and the county surveyor within 28 calendar days from the date of submission, an explanation of the differences shall be noted on the map and it shall be presented by the county surveyor to the county recorder for recording.

13. He shall keep proper indexes of such record of survey by the name of grant, tract, subdivision or United States subdivision.

14. The original map shall be stored for safekeeping in a reproducible condition. It shall be proper procedure for the surveyor to maintain for public reference a set of counter maps that are prints of the original maps, and the original maps to be produced for comparison upon demand.

15. Any record of survey filed under the provisions of this chapter may be amended to correct any error in course or distance shown thereon, or to show any course or distance that was omitted therefrom, or to correct any error in the discription of the land which the record of survey comprised. The procedure of ammending will be as directed by the County Surveyor.

16. Monuments set shall be sufficient in numer and durability and efficiently placed so as not to be readily disturbed, to assure, together with monuments already existing, the perpetuation or facile re-establishment of any point or line of the survey.

17. When adequate records exist as to the location of subdivision, tract, street or highway monuments, such monuments shall be located and referenced by or under the direction of a licensed land surveyor at the time when streets or highways are reconstructed or relocated. They shall be reset in the surface of the new construction, a suitable monument box placed thereon, or permanent witness monuments set to perpetuate their location. Sufficient controlling monuments shall be retained or replaced in their original positions to enable land lines, property corners, and tract boundaries to be re-established without devious surveys necessarily originating on monuments differing from the ones which currently control the area. It shall be the duty of every land surveyor to cooperate with such governmental agency in matters of maps, field notes, and other pertinent records. Monuments set to mark the limiting lines of highways, roads, or streets shall not be deemed adequate for this purpose unless specifically noted on the records of the improvement works with direct ties in bearing or aximuth and distance between these and other monuments of record.

18. When coordinates in the Utah Coordinate System are shown for points on a record of survey map the map may not be recorded unless it also shows, or is accompanied by a map showing, the control scheme through which the coordinates were determined from points of known coordinates.

19. Any monument set by a licensed land surveyor to mark or reference a point on a property or land line shall be permanently

and visibly marked or tagged with the certificate number of the surveyor setting it, each number to be preceded by the letters "L.S." or, the name of the firm the surveyor works for or, if the monument is set by a public officer, it shall be marked with his official title.

20. Penalty: Any person, firm, or coporation violating any of the provisions of the above ordinance shall be deemed guilty of a misdemeanor and shall be subject to a fine of not more than \$299.00 or by imprisonment in the County jail of not more than six months or by both fine or imprisonment.

21. Severability: In the event a Court of competent jurisdiction determines that a particular section or portion of this ordinance is unconstitutional, then such declaration shall not affect the remaining provisions of said ordinance, and said ordinance shall remain in full force and effect.

22. In the opinion of the County Commission an emergency exists and this ordinance shall take effect as of July 1, 1974.

Dated this 18th day of June, 1974.

CACHE COUNTY COMMISSIONERS

*[Handwritten signatures of three commissioners]*



Attest:

*[Handwritten signature of the County Clerk]*  
County Clerk

All voted in favor

Publication date: June 21, 1974

(Civil)

# PROOF OF PUBLICATION

STATE OF UTAH,  
COUNTY OF CACHE, } ss.

On this 21 day of June, A. D. 1974

personally appeared before me Donna V. Adams who being first duly sworn,  
deposes and says that she is the chief clerk of the Cache Valley Newspaper Company, publishers of  
The Herald Journal, a daily newspaper published in Logan City, Cache County Utah, and that the  
advertisement Ordinance No 7L-14

a copy of which is hereto attached, was published  
in said newspaper for one (1) Issue  
commencing June 21, 1974 and  
ending June 21 1974

Signed Donna V. Adams

Subscribed and sworn to before me, the day  
and year above written.

Signed J. J. Collier  
Notary Public.

My Commission expires March 20, 1977

## LEGAL NOTICES

### SURVEYING ORDINANCE OF CACHE COUNTY UTAH 74-14

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(b) A material discrepancy with such record.

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## LEGAL NOTICES

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22. In the opinion of the County Commission an emergency exists and this ordinance shall take effect as of July 1, 1974.

Dated this 18th day of June, 1974.

CACHE COUNTY  
COMMISSIONERS  
J.W. Hyde  
M. Ted Karren  
Marion Olsen

Attest:  
Seth S. Allen  
County Clerk  
All voted in favor  
Publication Date: June 21, 1974

requirement of the Surveying Ordinance No. \_\_\_\_\_ at the request of \_\_\_\_\_ (Name of person Authorizing Survey) in \_\_\_\_\_ 19\_\_\_\_ (Signed and sealed) L.S. No.

**COUNTY SURVEYOR'S CERTIFICATE**

This map has been examined for conformance with the requirement of the Surveying Ordinance this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ (Signed)

County Surveyor

**RECORDER'S CERTIFICATE**

Filed this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ at \_\_\_\_\_ m. in Book \_\_\_\_\_ of \_\_\_\_\_ at page \_\_\_\_\_ at the request of \_\_\_\_\_

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