

4. That Respondent, whose address is P.O. Box 412, Hanover, Indiana, 47243, is and was at all times relevant herein, a land surveyor licensed to practice as such in the State of Indiana under registration number LS80900006.

5. That an accurate copy of a land survey prepared by Respondent is attached to the Complaint filed in this matter as Exhibit "A".

6. That said survey does not conform with the requirements of 865 IAC 1-12-12 in that Respondent failed to complete a written surveyor's report.

7. That said survey was not in compliance with 865 IAC 1-12-13(1) in that it did not show the name of the client(s), a date of field work, or a surveyor file number.

8. That said survey was not in compliance with 865 IAC 1-12-13(3) in that it did not show the area, a scale or a graphical scale.

9. That said survey was not in compliance with 865 IAC 1-12-13(4) in that it did not show any angles or bearings.

10. That said survey was not in compliance with 865 IAC 1-12-13(5) in that it did not show all pertinent dimensions with sufficient notations.

11. That said survey did not show all pertinent monuments identified as to their character, size and location relative to the surface of the ground as required by 865 IAC 1-12-13(6).

12. That said survey did not show the location of all monuments and physical evidence of possession on or beyond the surveyed premises on which establishment of the corners of the surveyed premises are dependent as required by 865 IAC 1-12-13(7).

13. That said survey did not contain sufficient data to clearly indicate the theory of location applied in finalizing the location of the corners, the data at variance with this theory, or sufficient data to allow retracement without difficulty as required by 865 IAC 1-12-13(15).

14. That said survey did not conform with the requirements of 865 IAC 1-12-13(16) in that said survey did not include a certificate of survey.

15. That Respondent has, therefore, failed to comply with the provisions of 865 IAC 1-12.

16. That Respondent in this case sealed a field note sketch which was completed for a client, but left unsealed, by the previous owner of his firm a number of years ago. When the client raised concerns years later regarding the bounds of his property, Respondent sealed Exhibit "A" to the Complaint in an effort to stand behind the work that the firm had completed. Though the Respondent realizes and regrets his error, he thinks it important that the Board understand the circumstances surrounding his sealing of this document.

17. That Respondent has provided numerous surveys which comply with the minimum standards of competent practice. It is apparent that Exhibit "A" of the Petitioner's complaint is not representative of Respondent's work product.

18. That Respondent submits herewith Exhibits "1" through "19" which are land surveys displaying Respondent's competence to practice.

CONCLUSIONS OF LAW

1. That Respondent has failed to comply with the provisions of 865 IAC 1-12.
2. That 865 IAC 1-12-1, provides, in relevant part, as follows:
 - (a) This Rule establishes minimum standards for the competent practice of Land Surveying as required by IC 25-21.5-2-14.

3. That under Ind. Code 25-1-11-5(a)(4)(B), a practitioner is subject to disciplinary sanctions if, after a hearing, the board finds that a practitioner has failed to keep abreast of current professional theory or practice.

4. That Section 42 of House Enrolled Act No. 1679 states:

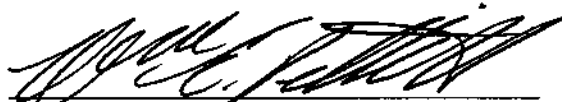
The rules adopted by the state board of registration for professional engineers and land surveyors before July 1, 1991, concerning land surveyors are considered after June 30, 1991, rules of the state board of registration for land surveyors established by IC 25-21.5, as added by this act.

ORDER

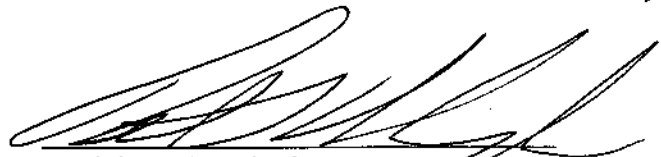
IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

William E. Pettitt is hereby issued the Letter of Reprimand attached hereto as Exhibit "i."

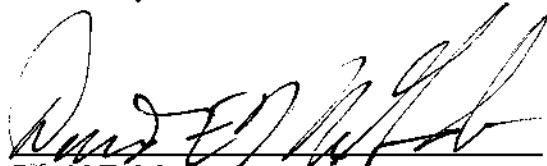
I recommend this proposed settlement to the Board.



William E. Pettitt
Respondent



Patrick N. Cunningham
Board Liaison to the Office of the
Attorney General



David E. McGruder
Deputy Attorney General

William E. Pettitt
P.O. Box 412
Hanover, IN 47243

RE: *State v. William E. Pettitt*, SBRLS 95-15

Dear Mr. Pettitt:

The State Board of Registration for Land Surveyors hereby issues this letter of reprimand for violation of the laws of the State of Indiana. The purpose of this reprimand is to stress the responsibility and obligation you have to the citizens of Indiana, and to insure that you practice land surveying in a competent manner. This letter will become a permanent part of your file.

STATE BOARD OF REGISTRATION
FOR LAND SURVEYORS

by: _____
John McNamara
Chairman

Exhibit "i"