

BEFORE THE INDIANA STATE
BOARD OF REGISTRATION FOR
LAND SURVEYORS
CAUSE NO.: SBRLS 93-22

STATE OF INDIANA)

Petitioner,)

v.)

TIMOTHY F. OWENS,)
License No. LS80040242,)

Respondent.)

FILED

JAN 23 2001

IPLA

ORDER

The Indiana State Board of Registration For Land Surveyors, having held a hearing on the Board's Order to Show Cause, and being otherwise duly advised, now issues its Order as follows:

Findings of Fact

1. This matter is before the Board on the Board's Order to Show Cause dated September 1, 2000.
2. By its Final Order dated February 21, 1996, as modified by the Board's Findings of Fact, Conclusions of Law and Order issued on June 25, 1996, the Board placed the Respondent's license on probation status. Under the terms of the probation, the Respondent was to submit copies of his surveys to the Board on a monthly basis. These surveys do not comply with 865 IAC 1-12 in many ways.
3. The Respondent fails to discuss the cause and amount of uncertainty in the lines and corners that he finds or establishes as required under 865 IAC 1-12-12(a)(1).

4. The Respondent fails to show angles or bearings as required under 865 IAC 1-12-13(4).

5. The Respondent fails to show all pertinent dimensions as required under 865 IAC 1-12-13(5).

6. The Respondent fails to show sufficient data to clearly indicate his theory of location as required under 865 IAC 1-12-13(15).

7. The Respondent fails to show measurements with the number of significant figures representative of the precision of the work as required under 865 IAC 1-12-7(b)(3).

8. The Respondent failed to show adjoining parcels on all surveys as required under 865 IAC 1-12-13(11).

Conclusions of Law

1. The Respondent is subject to the imposition of further sanctions under the terms of his probation.

2. Further sanctions are appropriate due to these findings and because Respondent failed to comply with 865 IAC 1-12 despite numerous appearances before this Board.

Order

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. The Respondent's license to practice land surveying in the State of Indiana, License number LS80040242, is permanently revoked.

2. The revocation of the Respondent's license to practice land surveying in the State of Indiana is temporarily stayed until December 31, 2002.

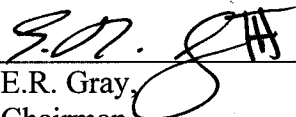
3. The Respondent is placed on probation during this stay with the following terms and conditions:

A. The Respondent shall complete 9 credit hours of the following college level courses with a grade of C or better in each class: Boundary Surveying and Legal Aspects, Property Description Writing and Analysis, and Surveying Law. The Respondent must notify the Board upon completion of these courses.

B. The Respondent is prohibited from practicing land surveying in any way related to original surveys or retracement surveys.

ISSUED this 23rd day of January, 2001.

STATE BOARD OF REGISTRATION
FOR LAND SURVEYORS

By: 
E.R. Gray,
Chairman

Copies to:

Timothy F. Owens
5429 Cove Court
Fort Wayne, IN 46825
CERTIFIED MAIL NO.: 7000 0600 0026 9178 3692

Richard E. Beers
BEERS, MALLERS, BACKS & SALIN
1100 Fort Wayne National Bank Building
Fort Wayne, IN 46802
CERTIFIED MAIL NO.: 7000 0600 0026 9178 3685

Timothy J. Haffner
Laura C. O'Donnell
BAKER & DANIELS
111 E. Wayne Street
Suite 800
Fort Wayne, IN 46802
CERTIFIED MAIL NO.: 7000 0600 0026 9178 3661

David E. McGruder
Deputy Attorney General
Office of the Attorney General

Indiana Government Center South
402 West Washington Street
Indianapolis, IN 46204