

**OKLAHOMA STATE BOARD OF LICENSURE FOR
PROFESSIONAL ENGINEERS AND LAND SURVEYORS**



**CORNER PERPETUATION & FILING ACT
TITLE 65 O.S. 3.116-3.123
EFFECTIVE OCTOBER 1, 1978**

SECTION 3-116. CITATION

This act shall be known and may be cited as the "Corner Perpetuation and Filing Act"

SECTION 3-117. PURPOSE

It is the purpose of this act to protect and perpetuate public land survey corners and information concerning the location of such corners by requiring the systematic establishment of monuments and filing of information concerning the marking of the location of such public land survey corners and to allow the systematic location of other property corners, thereby providing for property security and a coherent system of property location and identification; and thereby eliminating the repeated necessity for re-establishment and relocation of such corners once they are established and located.

SECTION 3-118. DEFINITIONS

As used in this act:

1. "Property corner" means a geographic point on the surface of the earth, and is on, a part of, and controls a property line;
2. "Property controlling corner" means a public land survey corner, or any property corner, which does not lie on a property line of the property in question, but which controls the location of one or more of the property corners of the property in question;
3. "Public land survey corner" means any corner actually established and monumented in an original survey or resurvey used as a basis of legal description for issuing a patent for the land to a private person from the United States government;
4. "Accessory to a corner" means any exclusively identifiable physical object whose spatial relationship to the corner is recorded. Accessories may be bearing trees, bearing objects, monuments, reference monuments, line trees, pits, mounds, charcoal-filled bottles, steel or wooden stakes, or other objects;
5. "Monument" means a physical structure that occupies the exact position of a corner;
6. "Reference monument" means a special monument that does not occupy the same geographical position as the corner itself, but whose spatial relationship to the corner is recorded, and which serves to witness the corner;
7. "Surveyor" means any person who is authorized by the laws of this state to practice land surveying;
8. "Board" means the State Board of Registration for Professional Engineers and Land Surveyors; and
9. "Division" means the Office of Archives and Records of the Oklahoma Department of Libraries.

SECTION 3-119. PUBLIC LAND SURVEY CORNER RECORDS - FILING

A. A surveyor shall complete, sign and file with the Division a written record of the establishment or restoration of a public land survey corner. This record shall be known as a "public land survey corner record" and such a filing shall be made for every public land survey corner and accessory to such public land survey corner which is established, reestablished, monumented, remonumented, restored, rehabilitated, perpetuated or used as control in any survey. The survey information shall be filed within ninety (90) days after the survey is completed, unless the public land survey corner and its accessories are substantially, as described in an existing public land survey corner record, filed in accordance with the provisions of this

act.

B. A surveyor may file or record any corner record as to any property corner, property controlling corner, reference monument or accessory to a corner.

C. The Board shall, by regulation, provide and prescribe the information which shall be necessary to be included in the public land survey corner record and the Board shall prescribe the form in which such public land survey corner record shall be presented and filed or recorded.

D. No corner record shall be filed or recorded unless it is signed by a land surveyor as defined herein, or in the case of an agency of the United States government, the certificate may be signed by the survey party chief making the survey.

SECTION 3-120. PUBLIC LAND SURVEY CORNER RECORD BOOK - INDEX - FILING AND RECORDING FEES - EXEMPTIONS

A. The Division shall receive the completed public land survey corner record and preserve it in an appropriate book. The books shall be in numerical order; provided, however, public land survey corner records may also be preserved in the same manner as any other recorded instruments.

B. The Division shall provide a suitable system for indexing said documents, whereby access and recovery of the information contained therein shall be readily accessible and available for the use of the public.

C. The Division may charge a reasonable filing fee for the filing and recording of the information. However, all corners, monuments and their accessories established prior to the effective date of this act, for which a written record is completed as required herein, and which are offered for filing or recording within six (6) months of the effective date of this act, shall be accepted and filed by the Division without requiring the payment of fees therefor.

D. Corner records concerning corners established, reestablished or restored may be filed or recorded before the effective date of this act.

SECTION 3-121. RECONSTRUCTION OR REHABILITATION OF MONUMENT CORNERS

In every case where a corner record of a public land survey corner is required to be filed or recorded under the provisions of this act, the surveyor shall reconstruct or rehabilitate the monument of such corner, and accessories to such corners so that it will be as permanent a monument as is reasonably possible to provide and so that it may be located with facility at any time in the future.

SECTION 3-122. FEDERAL GOVERNMENT SURVEYS

All federal government surveys performed by authorized personnel of agencies of the federal government shall be subject to the provisions of this act but shall be exempt from filing fees required in Section 5 of this act (Section 3-120 of this title).

SECTION 3-123. FAILURE TO COMPLY WITH ACT

A surveyor failing to comply with the provisions of this act shall be subject to the revocation or suspension of his certificate of registration, after a hearing by the Board.