

Section 1270.56 Minimum Standards of Practice

The minimum standards of practice set forth in this Section are intended to provide protection for the public by insuring that surveying services defined in this Section are completed in accordance with prevailing professional practices and current technological methods, and to provide a means by which professional performance of the individual practitioner can be assessed. These standards are to be binding upon every person and firm practicing land surveying in the State of Illinois, except where differing federal, State or local laws, ordinances or rules may be more stringent, or when special conditions exist that effectively prevent the survey from meeting these minimum standards. When special conditions exist any necessary deviations from the standards shall be noted on the plat of survey. It shall be a violation of this Part to use special conditions to circumvent the intent and purpose of the minimum standards. Any of the professional services set forth in this Section are greatly influenced by the evaluation of recorded information and field observations, and all those services shall be accomplished in compliance with these standards to ensure that they are located, described and platted in a professional manner. All terms used in these Minimum Standards of Practice shall be interpreted to agree with the definitions of those terms in the most current publication of Black's Law Dictionary, Definitions of Surveying and Associated Terms published by the American Congress on Surveying and Mapping (ACSM) and the American Society of Civil Engineers (ASCE), and Glossary of the Mapping Sciences published by American Society for Photogrammetry and Remote Sensing (ASPRS), ACSM and the ASCE.

a) ALTA/ACSM Land Title Survey.

- 1) An ALTA/ACSM land title survey is a specialized survey that meets the specific needs peculiar to title insurance purposes, to enable title insurance companies to insure title to land without exceptions as to survey matters.
- 2) All land title surveys shall be subject to the "2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys", published jointly by the American Land Title Association (ALTA), 1828 L. St., N.W., Suite 705, Washington, D.C. 20036 and the National Society of Professional Surveyors (NSPS), 6 Montgomery Village Avenue, Suite #403, Gaithersburg MD 20879. This incorporation does not include any later amendments or editions.
- 3) All ALTA/ACSM land title surveys are to be performed to the current ALTA/ACSM Minimum Standard Detail Requirements. It is incumbent upon the licensed professional land surveyor to discuss with the client additional or optional requirements to be provided.

b) Boundary Survey.

- 1) A boundary survey is a land survey that requires study, investigation and evaluation of major factors affecting and influencing the location of boundary lines and that culminates in the deliberate location or relocation of the perimeters, division lines or boundaries of a certain lot, parcel or quantity of real estate, according to the record title description of the parcel or parent tract. This description should be furnished by the client, unless otherwise jointly agreed upon by the client and surveyor.
- 2) The purpose of a boundary survey is to establish or re-establish the extent of title lines, and to define and identify those lines so as to uniquely locate each lot, parcel or other specific land area in relation to well recognized and established points of reference, adjoining properties, and rights of way.
- 3) A boundary survey shall include, but not be limited to, the following:
 - A) Clear and legible field notes containing all pertinent information, measurements and observations made in the course of the field survey.
 - B) Unless requested otherwise by the client or his/her agent, a plat of survey.
 - C) A legal description for any parcel surveyed.
 - D) Unless requested otherwise by the client or his/her agent, monuments or witness points shall be set for all accessible corners of the survey.
- 4) Information Research Required. Sufficient information to perform the survey shall be either furnished by the client and/or his/her agent or obtained by the surveyor by agreement with the client. The following appropriate factors must be evaluated by the surveyor:
 - A) A property description describing the subject parcel. If, in the opinion of the surveyor, the description furnished or obtained is insufficient to fully define the extent or location of the parcel to be surveyed due to ambiguity or calls for adjoining deeds, prior recorded survey plats, etc., it is the duty of the client (unless agreed upon otherwise) to furnish the additional information requested by the surveyor. This is not to be construed to indicate that the surveyor has an obligation to research the title of record.
 - B) A reproduction of the recorded subdivision plat that created the subject lot, block or parcel.
 - C) A reproduction of the Government Township Plat and pertinent Monument Records if the survey is of a section or aliquot part of a section.
 - D) Relevant data provided by the client regarding special circumstances, such as unrecorded easements, judgements or Court decrees that may influence the location of boundaries of the survey.
- 5) Monuments. Monuments set or called for, whether artificial or natural, bear witness to the footsteps of a surveyor and his/her professional opinion as to the proper marking of a desired position. Monumentation for public land survey systems corners shall be in accordance with the Land

Survey Monuments Act. The following shall be considered acceptable types of artificial monuments for all other corners:

A) Types.

- i) Iron bars or rods shall be a minimum of $\frac{1}{2}$ " in diameter by 24" in length. Iron pipes shall be a minimum of $\frac{1}{2}$ " in diameter by 24" in length, with a minimum wall thickness of $\frac{1}{8}$ ". Where rocky soils prevent specified lengths, the bar, rod or pipe should be driven to refusal at depths where it will remain stable.
- ii) Concrete monuments shall be a minimum size of 5" in diameter by 24" in length, or 4" square by 24" in length, and shall have a precise corner mark and shall be reinforced by at least a $\frac{1}{4}$ " re-bar or $\frac{1}{2}$ " or larger iron pipe.
- iii) Stone monuments shall be a minimum size of 4" square by 24" in length and shall have a precise corner mark.
- iv) Commercial cast iron or aluminum survey markers no less than 24" in length. Non-ferrous markers shall have ceramic magnets attached to aid in recovery.
- v) Other monuments, such as drill holes, chiseled marks in stone, concrete or steel, punch marks, precast bronze discs, nails or spikes, etc., shall be of sufficient size, diameter or depth to be definitive, stable and readily identified as a survey marker. Objects upon which the marks or markers are placed shall be of a stable and permanent nature.

B) Requirements.

- i) Where placement of corner monuments is a condition of the survey and it is physically impossible or impractical to set a monument at the corner, a witness corner or corners will be set, or noted if existing witness corners are found. Witness corners shall be referenced to the survey corner or survey lines.
- ii) Monuments must be set to a sufficient depth so as to retain a stable and distinctive location. Material and size for monuments shall be chosen in regard to the terrain and situation that exists at the site of the survey. All monuments shall be set vertically whenever possible.

6) Plats. On all boundary surveys the completed plat shall be drawn on a stable and durable medium with a minimum size of $8\frac{1}{2}$ " by 11" and shall contain the following:

A) Firm name, address and registration number.

B) Professional land surveyor seal, signature, date of signing, and license expiration date. Rubber-stamp signatures, computer generated signatures or other reproduced signatures are prohibited.

C) Client's name.

D) North arrow.

E) Scale-written or graphic.

F) Date of completion of field work.

G) Legal description of the property.

H) Legend for all symbols and abbreviations used on the plat.

I) Monuments or witness corners, whether set or found, intended to represent or reference corners of the survey, shall be shown and described as to size, shape and material, and their positions noted in relation to the survey corners.

J) Sufficient angles, bearings or azimuths, linear dimensions and curve data must be shown on the plat to provide a mathematically closed figure for the exterior of the survey. Where record angular dimensions, bearings or azimuths, linear dimensions or curve data exist, such data shall be shown on the plat and distinguished from measured dimensions or data. Area of the survey is to be shown on the face of the plat unless otherwise requested by the client.

K) Where bearing, azimuth or coordinate systems are used, the basis or proper names of the system shall be noted on the plat.

L) If the survey is a parcel in a recorded subdivision, any adjacent rights of way or easements and setback lines shown on the recorded plat that affect the subject parcel are to be shown and dimensioned.

M) Visible physical evidence of possession or occupation either way from the exterior lines of the survey shall be shown and dimensioned.

N) Show visible evidence of improvements, rights of way, easements, or use when requested by the client.

O) Exculpatory statements that attempt to restrict the uses of boundary surveys shall not be affixed to any plat.

- P) The following statement shall be placed near the professional land surveyor seal and signature:
"This professional service conforms to the current Illinois minimum standards for a boundary survey."
- 7) Field Procedures. All field work shall be performed by a professional land surveyor or a person under his/her direct control and supervision in accordance with accepted methods of surveying theory, practice and procedures. It is the responsibility of the professional land surveyor to insure conformance with the following specific requirements:
- A) All surveying instruments shall be kept in proper adjustment and calibration.
 - B) All corners or monuments called for in the information provided or obtained under subsection (b)(4) that affect the location of the boundaries of the land to be surveyed shall be physically searched for in a methodical and meticulous fashion. Each corner or monument recovered shall be evaluated as to its agreement by description and location with the information in subsection (b)(4).
 - C) Other evidence that could influence the location of the lines or corners of the survey shall be located and evaluated.
 - D) When the survey is of an aliquot or divisional part of a larger tract, sufficient field work must be performed to ensure that the existence of excess or deficiency, if any, in the parent tract can be determined and distributed by the professional judgment of the surveyor.
 - E) All field data, including electronic field notes, shall be retained in a legible and orderly fashion that will be understandable to other surveyors.
- 8) It shall be the responsibility of each professional land surveyor to monitor his/her work and that of those working under his/her supervision, so that the methods used to perform the survey and produce the plat and/or report will be of such quality that the accuracy, precision and positional tolerance of the final product delivered to his/her client will equal or exceed that which would be provided by another competent surveyor under similar circumstances.
- c) Condominium Surveys. Condominium surveys are a specialized class of boundary surveys and are governed by the Condominium Property Act [765 ILCS 605]. The plat requirements referred to in Section 5 of that Act must be the result of actual field measurements and are not to be transcribed from plans or other informational materials. The exterior boundaries of a condominium parcel shall be monumented as required by the Plat Act [765 ILCS 205]. Notes on the condominium plat must indicate whether the interior measurements shown are referring to finished or unfinished surfaces or planes and what data was used for any elevations depicted on the plat.
- d) Subdivision Surveys.
- 1) Subdivision surveys are properly included in the boundary survey category and are primarily governed by the Plat Act. Subdivision surveys differ from the typical boundary survey in that monumentation for subdivision surveys is mandatory according to the statute. All exterior corners of the subdivision must be monumented prior to recordation of the subdivision plat. If, in the opinion of the subdividing surveyor, a disproportionate number of interior monuments would be destroyed by grading, utility installation, etc., monumentation of the interior corners may be delayed unless local regulations or ordinances specify otherwise. Interior corners of the subdivision must be monumented prior to the conveyance of any lot, block, parcel or unit within the subdivision and in all cases the monumentation must be in place within 12 months after the recording date of the subdivision plat. All of the interior corners subject to delayed staking shall be denoted on the record plat as "to be set", either by labeling or appropriate symbols. Upon completion of the monumentation the subdividing surveyor shall file an affidavit with the Recorder of the county in which the subdivision is located certifying that the monumentation of the subdivision has been completed. The affidavit shall include the name of the subdivision, date of plat recording and recording location information (book and page and/or document number).
 - 2) Vertical subdivisions, i.e., subdivisions that divide property by horizontal, vertical, and oblique planes, require that all exterior boundary corners of the subdivision be monumented at its ground elevation prior to recordation of the subdivision plat. The physical features, if any, controlling the limits of the subdivided property must be defined on the subdivision plat. The datum used to control the dividing horizontal planes must be defined on the subdivision plat together with the benchmark used to determine the elevations of these planes. The interior corners or any lot or block corners other than those that are required for monumenting the exterior boundary corners do not require monumentation.
- e) Mortgage Inspection. A Mortgage Inspection does not approach the standards of other survey categories, though by the provisions of Section 5 of the Illinois Professional Land Survey Act of 1989 [225 ILCS 330/5] the services of an Illinois Professional Land Surveyor are required. A mortgage inspection is not a type of boundary survey or ALTA/ACSM survey and does not constitute a boundary survey of the subject real property. A mortgage inspection includes field investigation, measurements and graphic representation of improvements.

- 1) Purpose. The mortgage inspection is intended for use by a mortgage lender and/or title insurer and is only a professional opinion of the relationship of improvements with respect to the deed lines and the existence, location and type of building on the property, the intent of which is to assist in the determination of the property's suitability to serve as collateral for a mortgage. It is not an opinion as to deed, title or platted lines. It is not to be used in matters of boundary disputes, legal actions between landowners, or for construction purposes. No new legal descriptions can be created from a mortgage inspection.
- 2) Product. A complete mortgage inspection will produce a drawing entitled "Mortgage Inspection" and, if required, a written report of the surveyor's findings and determinations.
- 3) Information.
 - A) The following information shall be furnished by the client and/or his/her agent:
 - i) Legal description and address for the tract of land.
 - ii) Copy of commitment of title insurance for the tract of land, if possible.
 - B) The following information shall be obtained by the surveyor:
 - i) Copy of recorded subdivision plats (if applicable).
 - ii) Recorded section corner tie monuments and original government surveys (if applicable).
 - iii) Other necessary surveying information.
- 4) Monuments. No monuments shall be set.
- 5) Tolerances. Tolerances cannot be mandated for a mortgage inspection since the very nature of recovering deed lines and other information for that purpose precludes a rigid adherence to any standard value.
- 6) Field Procedures. The following procedures should generally be considered as minimum, but deviations as dictated by specific conditions shall be allowed:
 - A) Preliminary search and recovery of existing monument evidence.
 - B) Field location of tract through measurement from some controlling locations, such as: street intersection, subdivision corner, section corners, etc., sufficient to eliminate the possibility of gross error in location of the premises.
 - C) Through field measurements, locate and dimension relevant improvements.
 - D) If evidence of deed lines does not exist, the surveyor is obligated to refuse to perform a mortgage inspection until satisfactory evidence is obtained, either through a boundary survey or a land title survey.
 - E) If evidence exists of the possibility that the improvements on the subject property or adjoining property are on or very near the apparent deed lines, the surveyor is obligated to note his/her findings and recommend that a boundary survey or land title survey be performed.
- 7) Drawing.
 - A) Minimum size: 8½" x 11".
 - B) The drawing shall be entitled:

MORTGAGE INSPECTION

THIS DOES NOT CONSTITUTE A BOUNDARY SURVEY

(The above two lines shall be of the same letter size and shall be twice the letter size of all other lettering on the drawing.)
 - C) A North arrow, scale of drawing, date and drawing legend shall be included.
 - D) Building dimensions and type of structure shall be shown.
 - E) Boundary dimensions shown shall be based on the public record or description provided; field measurements do not need to be shown.
 - F) No dimensional ties from structures or other improvements to apparent deed lines are required.
 - G) The legal description of the tract shall be given on the face of the drawing.
 - H) Use of the word "survey" in the title, or any implication in a certification that this drawing represents a "survey", is prohibited.
 - I) Professional land surveyor seal, signature, date of signing, and license expiration date. Rubber-stamp signatures, computer-generated signatures or other reproduced signatures are prohibited.
 - J) Address of the tract.
 - K) No found corner, boundary line or other survey monumentation shall be shown on the drawing.
 - L) Preceding the legal description and in the same size letters as the legal description the following statement shall appear:

"This mortgage inspection and drawing is not a boundary survey or plat of survey. This mortgage inspection was prepared to assist the mortgage company and title insurance company and is not to be used for any purposes of boundary disputes, location of actual deed, title or platted lines, or for construction of new improvements. Graphic representation shall be deemed approximate and no reliance should be placed on the scale of the drawing."

M) The following statement shall be placed immediately above the signature of the surveyor and in the same size letters as the legal description:

"This professional service conforms to the current Illinois minimum standards of practice for a mortgage inspection and is not a boundary survey."

f) Topographic Survey.

- 1) Topographic Survey. A topographic survey is the delineation of horizontal and/or vertical locations of the existing natural or man-made features of a portion of the earth's surface, subsurface or airspace and the graphic representation of the results of such delineation. Topographic surveys that also depict land boundaries shall be entitled "Boundary and Topographic Survey" or "ALTA/ACSM Land Title and Topographic Survey", and shall be subject to the current minimum standards established for the ALTA/ACSM Land Title Surveys or Boundary Surveys by this Part, except where differing federal, State or local laws, ordinances or rules may be more stringent. When the position and/or extent of a topographic survey is not defined by land boundaries, enough information must be shown on the survey to enable the client to locate the survey on the ground. A licensed professional engineer knowledgeable in topographical survey may perform a topographic survey specific to his/her design project. A licensed professional engineer may not, however, offer topographic surveying services independent of his/her specific design project.
- 2) Information Research Required. Sufficient information to perform the survey shall be furnished by the client or his/her agent or obtained by the surveyor by agreement with the client. The following appropriate factors must be evaluated by the surveyor.
 - A) A specific description of the survey site, along with designated areas outside the actual survey site where topographic information is required.
 - B) The location, description, datum and elevation of all benchmarks to be used for the survey. The datum should be based on a nationally accepted datum whenever practical, unless instructed otherwise by the client or as mandated by a governmental organization having jurisdiction in the area the survey is located.
 - C) The location and description of all horizontal control points to be used for the survey.
 - D) If contour lines are required by the client, the contour interval should be agreed upon by the surveyor and client.
 - E) Location and elevations of utilities is often an important part of a topographic survey. The surveyor and client must have a clear understanding of which utilities are to be located and what information on each utility is to be shown.
 - F) The surveyor shall be furnished a clear, concise description of the intended use of the survey.
- 3) Field Requirements.
 - A) All surveying instruments shall be kept in proper adjustment and calibration.
 - B) The surveyor may apply procedures that most efficiently meet the requirements of the client without sacrificing the accuracy of the acquired information.
 - C) All field data, including electronic field notes, shall be retained in a legible and orderly fashion that will be understandable to other surveyors.
- 4) Plats. On all topographic surveys, the completed plat shall be drawn on a stable and durable medium with a minimum size of 8½" by 11" and shall contain the following:
 - A) Firm name, address and registration number.
 - B) Professional land surveyor seal, signature, date of signing, and license expiration date.
 - C) "This professional service conforms to the current Illinois minimum standards for topographic surveys." This statement shall be placed near the professional land surveyor seal and signature.
 - D) Client's name.
 - E) North arrow.
 - F) Date of completion of field work.
 - G) Scale as agreed upon by surveyor and client.
 - H) Location and elevation of benchmarks at or near the survey shall be shown, and the datum noted.
 - I) Legend for all symbols and abbreviations used on the plat.
 - J) If elevation points are to be shown, such elevations shall be shown to the nearest one-hundredth of a foot on hard surfaces and to the nearest tenth of a foot elsewhere, unless requested otherwise by the client.
 - K) Description of horizontal control points used in the survey, which shall be noted and shall be shown on the plat if possible.
 - L) The location of permanent structures, including buildings, retaining walls, bridges, culverts, street or road paving and sidewalks.
 - M) Existing contour lines indicating the relief of the entire parcel, unless required otherwise by the client. Elevation points, if shown, may be in a grid pattern or at high points, low points

and grade changes, a combination of both methods, or at locations requested by the client.

N) Location and water surface elevations of lakes, rivers, streams and drainage courses on or near the surveyed parcel, and direction of flow if any.

O) If boundary line information is shown on the plat, the source of the boundary line information.

P) If topographic information is to be delivered via electronic media, a suitable format shall be agreed upon. In every case, the surveyor shall also provide a signed and sealed hard copy drawing or representation of the survey. This drawing shall be the official survey and shall be deemed to be correct and superior to the electronic data.

g) Minimum Standards for Writing Parcel Legal Descriptions. A description defining land boundaries written for conveyance or describing the extent of a survey or for other purposes shall be complete, providing definite and unequivocal identification of the property lines or boundaries of a unique parcel. The description shall be sufficient to be platted, located on the ground and, when appropriate, mathematically closed. The description shall commence at or relate to a physically monumented corner or boundary control line of record.

1) If the land is located in a recorded subdivision, the description shall contain the number or other description of the lot, block or other part of the subdivision, or shall describe the parcel by reference to a known corner of the lot, block or other recorded reference.

2) If the parcel is not located within a recorded subdivision, the description shall state the section, township, range, principal meridian and county, and shall describe the parcel by reference to quarter section, quarter-quarter section, government lot, or metes and bounds, beginning/commencing at a monumented corner and referencing an established and monumented line in the United States Public Land Survey System.

3) In any case, when a new description is created or a previous description is rewritten, enough of the original description should be maintained so as to form a trail or chain to follow the history of the parcel.

(Source: Amended at 36 Ill. Reg. 4818, effective May 1, 2012)