

AMENDED IN SENATE JUNE 30, 1999

AMENDED IN SENATE JUNE 8, 1999

AMENDED IN ASSEMBLY MAY 6, 1999

AMENDED IN ASSEMBLY APRIL 15, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1342**

---

---

**Introduced by Assembly Member Granlund**

February 26, 1999

---

---

An act to amend Sections 8761, 8765, 8773.1, and 8773.4 of the Business and Professions Code, and to amend Section 1092 of the Civil Code, relating to real property.

LEGISLATIVE COUNSEL'S DIGEST

AB 1342, as amended, Granlund. Real property.

*(1) Existing provisions of the Professional Land Surveyors' Act require every map, plat, report, description, or other document issued by a licensed land surveyor or registered civil engineer to comply with certain record of survey requirements, as specified, whenever the map, plat, report, description, or other documents is filed as a public record.*

*This bill would, instead, require every map or plat issued by a licensed land surveyor or registered civil engineer to show the bearing and length of lines, scale of map and north arrow, the name and legal designation of the property depicted, and the date or time period of the preparation of the map or plat.*

*A violation of the act is a misdemeanor. In revising the elements of an existing crime, the bill would impose a state-mandated local program.*

(2) Existing law, provisions of the Professional Land Surveyors' Act, ~~specifies~~ specify when a record of survey is not required.

This bill would also provide that a record of survey is not required when a survey is made of a mobilehome park interior lot, with certain exceptions.

(3) Existing law requires the Board for Professional Engineers and Land Surveyors, by regulation, to provide and prescribe information necessary to be included in the corner record.

This bill would require the corner record to be a single 8.5 by 11 inch sheet which may consist of a front and back page. It would also exempt from certain record of survey and corner record requirements a survey of a mobilehome park interior lot, with certain exceptions.

(4) Existing law sets out the form in which a grant of an estate in real property may be made. That form provides that if the land has a descriptive name it may be described in the deed by that name.

This bill would delete that authorization and make other technical changes in the form.

(5) *The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

*This bill would provide that no reimbursement is required by this act for a specified reason.*

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes. State-mandated local program: ~~no~~ yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. *Section 8761 of the Business and*  
2 *Professions Code is amended to read:*  
3 8761. Any licensed land surveyor or registered civil  
4 engineer may practice land surveying and prepare maps,  
5 plats, reports, descriptions, or other documentary



1 evidence in connection therewith. All maps, plats,  
2 reports, descriptions, or other documents issued by the  
3 licensed land surveyor or registered civil engineer shall  
4 be signed by the surveyor or engineer to indicate the  
5 surveyor's or engineer's responsibility for them. In  
6 addition to the signature, the map, plat, report,  
7 description, or other document shall bear the seal or  
8 stamp of the licensee or registrant and the expiration date  
9 of the license or registration. If the map, plat, report,  
10 description, or other document has multiple pages or  
11 sheets, the signature, seal or stamp, and expiration date  
12 of the license or registration need only appear on the  
13 originals of the map or plat and on the title sheet of the  
14 report, description, or other document.

15 ~~Every map, or plat, report, description, or other~~  
16 ~~document~~ issued by a licensed land surveyor or registered  
17 civil engineer shall ~~comply with the provisions set forth~~  
18 ~~in Section 8764, whenever the map, plat, report,~~  
19 ~~description, or other document is filed as a public record~~  
20 *show the bearing and length of lines, scale of map and*  
21 *north arrow, the name and legal designation of the*  
22 *property depicted, and the date or time period of the*  
23 *preparation of the map or plat.*

24 It is unlawful for any person to sign, stamp, seal, or  
25 approve any map, plat, report, description, or other  
26 document unless the person is authorized to practice land  
27 surveying.

28 *SEC. 1.5.* Section 8765 of the Business and Professions  
29 Code is amended to read:

30 8765. A record of survey is not required of any survey:

31 (a) When it has been made by a public officer in his or  
32 her official capacity and a reproducible copy thereof,  
33 showing all data required by Section 8764, except the  
34 recorder's statement, has been filed with the county  
35 surveyor of the county in which the land is located. Any  
36 map so filed shall be indexed and kept available for public  
37 inspection.

38 (b) Made by the United States Bureau of Land  
39 Management.



1 (c) When a map is in preparation for recording or shall  
2 have been recorded under the provisions of the  
3 Subdivision Map Act.

4 (d) When the survey is a retracement of lines shown  
5 on a subdivision map, official map, or a record of survey,  
6 where no material discrepancies with those records are  
7 found and sufficient monumentation is found to establish  
8 the precise location of property corners thereon,  
9 provided that a corner record is filed for any property  
10 corners which are set or reset or found to be of a different  
11 character than indicated by prior records. For purposes  
12 of this subdivision, a "material discrepancy" is limited to  
13 a material discrepancy in the position of points or lines,  
14 or in dimensions.

15 (e) When the survey is a survey of a mobilehome park  
16 interior lot as defined in Section 18210 of the Health and  
17 Safety Code, provided that no subdivision map, official  
18 map, or record of survey has been previously filed for the  
19 interior lot or no conversion to residential ownership has  
20 occurred pursuant to Section 66428.1 of the Government  
21 Code.

22 SEC. 2. Section 8773.1 of the Business and Professions  
23 Code is amended to read:

24 8773.1. The board shall by regulation provide and  
25 prescribe the information which shall be necessary to be  
26 included in the corner record and the board shall  
27 prescribe the form in which the corner record shall be  
28 submitted and filed, and the time limits within which the  
29 form shall be filed. A corner record shall be a single 8.5 by  
30 11 inch sheet which may consist of a front and back page.

31 SEC. 3. Section 8773.4 of the Business and Professions  
32 Code is amended to read:

33 8773.4. (a) No corner record shall be filed unless the  
34 same is signed by a licensed land surveyor or registered  
35 civil engineer and stamped with his or her seal, or in the  
36 case of an agency of the United States government or the  
37 State of California the certificate may be signed by the  
38 chief of the survey party making the survey, setting forth  
39 his or her official title.

40 (b) No corner record need be filed when:



1 (1) A corner record is on file and the corner is found  
2 as described in the existing corner record.

3 (2) All conditions of Section 8773 are complied with by  
4 proper notations on a record of survey map filed in  
5 compliance with the Land Surveyor’s Act or a parcel or  
6 subdivision map, in compliance with the Subdivision Map  
7 Act.

8 (3) When the survey is a survey of a mobilehome park  
9 interior lot as defined in Section 18210 of the Health and  
10 Safety Code, provided that no subdivision map, official  
11 map, or record of survey has been previously filed for the  
12 interior lot or no conversion to residential ownership has  
13 occurred pursuant to Section 66428.1 of the Government  
14 Code.

15 This section shall not apply to maps filed prior to the  
16 effective date of this section.

17 SEC. 4. Section 1092 of the Civil Code is amended to  
18 read:

19 1092. A grant of an estate in real property may be  
20 made in substance as follows:

21  
22 “I, A B, grant to C D all that real property situated in  
23 (insert name of county) County, State of California,  
24 bounded (or described) as follows: (here insert property  
25 description.)

26  
27 Witness my hand this (insert day) day of (insert month),  
28 20\_\_\_\_.

29 AB”

30  
31 *SEC. 5. No reimbursement is required by this act*  
32 *pursuant to Section 6 of Article XIII B of the California*  
33 *Constitution because the only costs that may be incurred*  
34 *by a local agency or school district will be incurred*  
35 *because this act creates a new crime or infraction,*  
36 *eliminates a crime or infraction, or changes the penalty*  
37 *for a crime or infraction, within the meaning of Section*  
38 *17556 of the Government Code, or changes the definition*



- 1 *of a crime within the meaning of Section 6 of Article*
- 2 *XIII B of the California Constitution.*

O

