



# Pennsylvania Society of Land Surveyors

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## PSLS Position Statement for the Preservation of Monuments and Markers

The Pennsylvania Society of Land Surveyors (PSLS), a statewide professional society of individuals interested in the practice of land surveying, has mutual ties with the public and municipalities, including the ethical approach to *“safeguard life, health or property and to promote general welfare”* within the community.

PSLS acknowledges the necessity to update standards, codes, ordinances, regulations and professional practices to preserve the ethical approach. The PSLS educates and promotes these updates to our membership through continued education seminars, flyers, mailings, and local chapter meetings.

Through this process, PSLS has become mindful of existing requirements and the proposed amendments associated with Subdivision and Land Development Ordinances, particularly that portion which pertains to monuments and markers. PSLS applauds the many municipalities making a conscious effort to ensure that monuments and markers are set by a Professional Land Surveyor upon preparation of a plan. However, it has come to our attention that some municipalities are updating ordinances and/or mandating that surveyors establish new monuments or markers where an existing monument or marker exists. PSLS has been informed that municipalities have gone so far as to deny or delay approvals when a surveyor expresses his disapproval of this requirement.

Existing monuments and markers are of paramount importance in performing retracement surveys associated with property lines. Surveyors utilize existing monuments and markers to establish and govern the location of property lines and corners for geometric control, points, and traverse location points within their standard procedures.

Surveyors have been creating, retracing, and setting monuments and markers at property lines and corners in the Commonwealth of Pennsylvania since the time of the grant to William Penn. Surveyors are the foundation for the creation of parcels/tracts of land, developing the configuration while establishing monuments and markers to delineate the corners to illustrate one's belongings, to place the public on notice, and control/establish the location of the property lines and corners. These surveys were and are set in writing in drafts of surveys, plats of surveys, warrants, subdivision plans, land development plans, and grants of conveyance, all typically known as record documents. Once these documents are placed on public record, the monuments “called for” during the performance of “original surveys” then become “record monuments”.

The foundational surveyors, those who came before us, laid the framework for surveying: the principles, practices and fundamentals of surveying. These same fundamentals of surveying are utilized for the basis of property rights and law. The dominating procedure of property retracement surveying is: “Follow in the footsteps of the original surveyor” in order to determine the true boundary as delineated by the original Surveyor.

This typical Survey retracement procedure is as follows (simplified for purpose of this writing): perform record document research and analysis noting “called for” property markers, perform the field survey searching for the original surveyors

### **Surveying Beyond Boundaries**

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footsteps (monuments and markers), review and analyze the measured information to the record documents to develop a professional opinion determining the location of the property lines.

Within these principles, practices, and fundamentals is a hierarchy of surveying evidence and particulars that should be followed when making a determination to the location of the property lines. The simplified list is as follows: monuments, measurements, and calculations (footnote – *Boundary Retracement Principles and Practices for Pennsylvania*, Section 9.1.1). Markers are at the top of the list and are to be relied upon with the greatest of certainty. More specifically, the markers “called for” in record documents as they are the original intended corners.

These markers are relied upon because they are tangible. They are a physical feature placed in or on the surface of the earth illustrating where the original surveyor intended to locate the line/corner. These markers consist of various materials from natural features, i.e... trees, ridge tops, rocks, streams, to manmade markers, i.e. concrete monuments, rebar, pipes, railroad spikes, stakes, nails, and fences.

Again we state, original monuments and markers are of paramount importance and value to the profession and the public. It should be duly noted that the destruction or removal of Survey monuments or marker is a violation of the law as prescribed in Crimes Code (18 Pa.C.S.) and Judicial Code (42 Pa.C.S.) - Destruction Of Survey Monument And Actions Relating To Land Surveying, an Act Of Jul. 7, 2006, P.L. 348, No. 7 - Cl. 18.

The Pennsylvania Society of Land Surveyors understands and appreciates the desire to establish new lot corner markers through the Subdivision and Land Development process, but strongly proclaims “Existing property markers should not be removed or destroyed to allow for the setting of new monuments, but rather the placement of the new monuments should be a factor that can be considered between the Surveyor of record and the municipality at a point on a new lot line, dedicated right of way, or an offset point.”

Surveyors are ready and willing to discuss this matter, whether it be on a project by project basis or on a larger scale as it relates to the overall scheme in Pennsylvania. The Society thanks you for your consideration and can be reached at the above listed contact information for further review and discussion.

*Adopted by the PSLs Board of Directors October 2, 2015*

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