

BEFORE THE ARKANSAS BOARD OF REGISTRATION FOR
PROFESSIONAL ENGINEERS AND LAND SURVEYORS

IN THE MATTER OF CARL G. TANNER, PLS #610

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

A complaint charging CARL G. TANNER, PLS # 610 (hereafter "Respondent"), with violations of the statute governing registered Land Surveyors in the State of Arkansas has been received by the Arkansas Board of Registration for Professional Engineers and Land Surveyors, (hereinafter "the Board"). The Board met July 13, 2004 to consider the matter and Respondent offered to agree to a settlement of the charges rather than proceed to full hearing. In the interest of a prompt and a speedy settlement of the above-captioned matter, consistent with the public interest, statutory requirements and the responsibilities of the Board, the Board accepted the offer and renders this as a final disposition of this matter. Based upon the evidence before it, the Board makes the following Findings of Fact and Conclusions of Law:

I. Findings of Fact

1. Respondent is a licensed surveyor in the State of Arkansas.
2. The Arkansas Minimum Standards for Property Boundary Surveys and Plats Standards of Practice No. 1, Revised March 14, 1996, (hereafter "Minimum Standards") provide for the protection of the public by requiring certain actions on the part of a surveyor and violation of those standards constitutes a violation of the provisions of A.C.A. Section 17-48-101, *et seq.*

3. On or about August 12, 1999, Respondent provided service as a licensed land surveyor to Babbie Lovette and the Morris Heirs Partnership that resulted in production of the plat attached as "Attachment A" to the Order and Notice of Hearing in this matter. Said plat contained seven (7) violations of the Minimum Standards.

4. Respondent has, before the Board, admitted the above-noted violations of the Minimum Standards.

II. Conclusions of Law

The actions cited in the Findings of Fact constitute seven (7) violations of the Arkansas Minimum Standards for Property Boundary Surveys and Plats Standards of Practice No. 1, Revised March 14, 1996, and the provisions of A.C.A. Section 17-48-101, *et seq.*

III. Order

In view of the Findings of Fact, Conclusions of Law and the Consent of the Respondent as stated on the record in this matter, the Board hereby issues the following Order:

1. It is ordered that the Respondent pay to the Board a civil penalty of Five Hundred Dollars (\$500.00) within one (1) year of the date of this order.
2. Respondent is directed to endeavor to re-enter the property on which the original survey was done and correct the survey and evidences thereof on the land and file a copy of the corrected survey with the State Surveyor.

3. Further, Respondent is directed to present to the State Surveyor for review for compliance with Minimum Standards, prior to filing, any plats which should ultimately be required to be filed with the State Surveyor for a period of six (6) months from July 13, 2004. The State Surveyor is directed to report to the Board any failure of Respondent to comply with this requirement.

ARKANSAS STATE BOARD OF
REGISTRATION FOR PROFESSIONAL
ENGINEERS AND LAND SURVEYORS

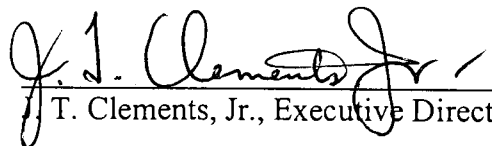
BY: 
Ken Cotter, President

Dated: 7/17/04

CERTIFICATE OF SERVICE

I, J. T. Clements, Jr., Executive Director of the Arkansas State Board of Registration for Professional Engineers and Land Surveyors, do hereby certify that I have served a copy of the foregoing order by mailing a copy of same, by certified mail, with return receipt requested and postage prepaid, on this 22nd day of July, 2004 to:

Carl G. Tanner, PLS # 610
319 Salem Road
Conway, AR 72034-6160


J. T. Clements, Jr., Executive Director

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

7002 0510 0001 8879 9900

Postage	\$.37	7-22-04 Postmark Here <i>[Signature]</i> 7220170 7/22/04
Certified Fee	2.30	
Return Receipt Fee (Endorsement Required)	1.75	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 4.42	
Sent To Carl G. Tanner, PLS #610		
Street, Apt. No., or PO Box No. 319 Salem Rd		
City, State, ZIP+4 Conway, AR 72034-6160		
PS Form 3800, January 2001		See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Carl G. Tanner, PLS #610
 319 Salem Rd
 Conway, AR 72034-6160

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee
Carl Tanner

B. Received by (Printed Name) C. Date of Delivery
 7-23-04

D. Is delivery address different from item 1? Yes
 if YES, enter delivery address below: No

REC'D JUL 26 2004

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number (Transfer from service label) **7002 0510 0001 8879 9900**