

STATE OF NORTH DAKOTA  
NORTH DAKOTA STATE BOARD OF REGISTRATION FOR PROFESSIONAL  
ENGINEERS AND LAND SURVEYORS

---

FULL NOTICE OF INTENT TO AMEND ADMINISTRATIVE RULE BY DELETING  
FROM N.D.A.C. 28-02.1-13-01 MOST REQUIREMENTS FOR A SURVEY OR  
SETTING OF MONUMENTS IN THE PREPARATION OR FILING OF DOCUMENTS  
USED IN THE CONVEYANCE OF AN EASEMENT.

---

TAKE NOTICE that the North Dakota State Board of Registration for Professional Engineers and Land Surveyors will hold a public hearing to address the above changes to the North Dakota Administrative Code at 2:00 p.m., January 8, 2009, in Room 2160 at the Best Western Ramkota Hotel, 800 S. 3<sup>rd</sup> Street, Bismarck, North Dakota.

The proposed amendment will amend N.D.A.C. 28-02.1-13-01 so as to nearly eliminate its applicability to descriptions of property used solely for the acquisition of easements. The amended rule will require descriptions used in the conveyance of easements to be retraceable in each section of land over which they cross by using established subdivision or public land survey system monuments, which may require some survey and monumentation in some situations.

The purpose of the proposed amendment is to eliminate the need for a survey that complies with all the requirements related thereto as contained in North Dakota Century Code section 40-50.1-01 and 40-50.1-02. Part of the effect of this will be to eliminate the requirement to set all monuments for easements. The proposed rule has the potential to have an impact on the regulated community in excess of \$50,000; and accordingly a regulatory analysis under N.D.C.C. § 28-32-08 has been prepared.

The proposed amended rule may be reviewed at the office of the North Dakota State Board of Registration for Professional Engineers and Land Surveyors at 723 West Memorial Hwy., Bismarck, North Dakota, 58504, or by calling 701-258-0786 and requesting a copy of the proposed amended rule. Written data, views or arguments on the proposed amended rule may be sent to P.O. Box 1357, Bismarck, North Dakota. The deadline for submission of written comments concerning the proposed amended rule is February 9, 2009. The regulatory analysis for the proposed amended rule may be obtained by calling the above phone number or writing to the above address.

If you plan to attend the public hearing and you will need special facilities or assistance related to a disability, please contact the North Dakota State Board of Professional Engineers

and Land Surveyors at the above telephone number at least five days prior to the hearing.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2008

---

Clifford E. Keller  
Executive Secretary