

May 2017



ALTA Surveys

Clearing up Appurtenant Easement Confusion



The 2016 Minimum Standards redefined Optional Table A Item number 19 (formerly item 20 in the 2011 standards) regarding additional responsibilities in reporting information on easement parcels that are appurtenant or provide a benefit to the surveyed property. These easements are sometimes also referred to as off-site easements. The confusion on the part of the user is that an appurtenant easement right will not be addressed on the survey UNLESS Optional Table A Item 19 is negotiated and included in the scope of survey services. By including Optional Table A Item 19, it alters HOW the easement parcel will be addressed. Appurtenant easement rights are addressed within the Schedule A of the title commitment.

Regardless of the inclusion of Optional Table A Item 19, the surveyors responsibilities per the [Minimum Standard Detail Requirements](#), Section 6.C.i are as follows: the surveyor must show “the location, width and recording information of all plottable rights of way, easements and servitudes burdening AND benefitting the property surveyed, as evidenced by documents provided or obtained by the surveyor pursuant to Section 4.” If the surveyor becomes aware of an appurtenant or beneficial easement by reviewing documents, the surveyor’s responsibility is to show the location and the relationship to the surveyed property for any easement that is plottable. This means the surveyor will only indicate the boundary limits of the easement and will not perform any survey work to reconcile the boundary or actually survey the limits of the easement or show any improvements therein.

If the transaction parties wish to learn more about what is transpiring within the easement limits, then Optional Table A item 19 should be negotiated and included. Item 19 requires the surveyor to survey the appurtenant easement parcel and include it within the limits of the survey and makes it subject to the Minimum Standards and the negotiated Table A items for the fee parcel(s).

Unless title work is provided at the time of quoting a survey project, the surveyor is essentially in the dark about the appurtenant easement rights that may benefit the fee parcel(s). Most surveyors will, understandably, take a qualification to their quote making it subject to the surveyor's review of any documents capturing the appurtenant easement right when the client requests Optional Table A Item 19 as the findings may significantly increase the scope of work. The appurtenant right might be to use a driveway on the adjoining property on a small strip of land 30' x 200' or an outparcel to a shopping mall might have the benefit of enjoying the entire 200 acre mall for ingress and egress, etc.

Lastly, when Optional Table A Item 19 is included, the client must seek any necessary permission and provide the same to the surveyor to access the lands of the appurtenant easement. These easements are on the lands of others and even though the subject property has the right to use the land for a specific purpose, it does not give the surveyor permission to perform survey work.

In Other Company News

Bock & Clark Acquired By NV5: Get to Know NV5



On April 17, 2017 it was announced that Bock & Clark Corporation was acquired by NV5 Global, a provider of professional and technical engineering and consulting solutions. Jeffrey Echko, President of Bock & Clark, said "We are excited to have Bock & Clark join NV5 as their entry point into the commercial real estate market. It is a great opportunity for our company and we are looking forward to a successful and prosperous future as part of the NV5 family."

Since the publication of the acquisition, many Bock & Clark clients, friends and colleagues have asked to learn more about NV5. Following is a summary of services.

NV5 is a provider of engineering and consulting services to public and private sectors, offering solutions through five business verticals: Construction Quality Assurance, Infrastructure, Energy, Program Management, and Environmental. With 100 offices nationwide and abroad, NV5 helps clients develop, construct, and operate a wide variety of projects.

NV5 plans, designs, builds, tests, and certifies the infrastructure that connects our communities. They take pride in helping clients build cost-effective, sustainable projects that serve the needs of the communities where we live and work.

The company's five business verticals include:

Infrastructure

NV5 designs the [infrastructure](#) that supports community development. Their turn-key approach focuses on the professional and technical expertise necessary to plan, design, and manage clients' infrastructure projects providing innovative, sustainable solutions to infrastructure challenges.

Construction Quality Assurance

NV5 offers comprehensive [construction quality assurance](#) services for some of the industry's most complex projects. Services include: evaluation of construction sites, building plans, and designs to confirm compliance with the approved construction documents; quality control; and forensic consulting services, upon project completion or for existing properties or upon project completion.

Energy

NV5 delivers engineering and consulting services related to [energy](#) generation, transmission, distribution, construction, and maintenance. They bring a value-added, team approach to every project, to complete projects on-time and within budget.

Program Management

NV5 provides [program management](#) services through project controls, administration, and representation for public and private clients. They assist agencies in the planning, funding, designing, and construction of public works programs providing project transparency and unprecedented collaboration between all parties.

Environmental

NV5 specializes in the protection of people, property, and the environment with a staff that includes registered engineers, geologists, hydrogeologists, archeologists, inspectors, certified industrial hygienists, certified safety professionals, and certified indoor [environmental](#) consultants who provide consulting and testing services. Additional capabilities include field investigations and remediation.

Bock & Clark will continue to deliver high-quality ALTA Survey, Zoning, Environmental and Assessment reports further enhanced by the capabilities of the NV5 service line. For more information on NV5, visit their website at www.nv5.com.

Bock & Clark News and Upcoming Events

- Bock & Clark is a Bronze sponsor of The Real Estate Council's [Young Guns Forum](#) to be held at the Alexan West Dallas on June 22nd.
- Laura Hengle, Bock & Clark Director of Marketing and CREW Network Foundation Director, will be attending the CREW Network Leadership Summit to be held in Toronto, June 22nd and 23rd. To learn more about CREW Foundation or to make a donation to visit www.crewnetwork.org.
- Bock & Clark is a featured sponsor at Bisnow's upcoming [Big West Coast Multifamily Event \(BMAC West\)](#) to be held in downtown Los Angeles on July 20th.

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