

SUBSTANTIVE POLICY STATEMENT

Subject: Land Surveying Public Records Repositories in Arizona

This substantive policy statement is advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona administrative procedure act. If you believe that this substantive policy statement does impose additional requirements or penalties on regulated parties you may petition the agency under Arizona Revised Statutes section 41-1033 for a review of the statement.

ARS § 33-105(A) reads:

“A land surveyor shall file a record of a land survey not later than ninety days after its completion with the county recorder of the county where the land is located if such survey establishes points or lines relating to land boundaries or property lines disclosing:”

ARS § 33-105(A)(1) reads:

“A material discrepancy based on the accuracy requirements of the current survey which, in whole or in part, does not appear on any map or record previously recorded or filed with the county recorder, county engineer, highway division of the department of transportation or the United States bureau of land management.”

Substantive Policy Statement

The Board interprets A.R.S. § 33-105(A)(1) to recognize that the offices of County Recorders and County Engineers, pursuant to A.R.S. § 11-562, the Arizona Department of Transportation, pursuant to A.R.S. Title 28, Chapter 2, Article 5, and the Federal Bureau of Land Management are lawful locations to record public land surveys in Arizona where applicable.

Applicable Law: Arizona Revised Statutes ARS §33-105(A), ARS § 33-105(A)(1), ARS § 11-562, ARS Title 28 Chapter 2 Article 5.

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