

2011

10TH BIENNIAL REPORT TO THE LEGISLATURE
Department of Licensing and Regulatory Affairs
State Survey & Remonumentation Program

July 01, 2009 - June 30, 2011

1990 PA 345 provides for the remonumentation of the original U.S. public land survey corners that originally served as the basis for all public and private property locations in Michigan by creating the State Survey and Remonumentation Commission within the Department of Commerce, currently the Department of Licensing and Regulatory Affairs (LARA).

Executive Reorganization Order 1996-2 transferred the statutory authority, powers, duties, functions and responsibilities of the Commission from the Department of Commerce to the Director of Consumer and Industry Services by a Type II transfer. The authority, powers, duties, functions and responsibilities of the Executive Director of the State Survey and Remonumentation Commission were transferred to the Director of the Department of Consumer and Industry Services by a Type III transfer, eliminating the Commission's Executive Director. Executive Reorganization Order 1997-12 transferred the statutory authority, powers, duties, functions and responsibilities of the Commission to the Director of the Department of Consumer and Industry Services by a Type III transfer, eliminating the State Survey and Remonumentation Commission.

MCL 54.266 requires the Department to coordinate "the restoration, maintenance, and preservation of the land survey records of vertical and horizontal monuments, the public land survey system, and the property controlling corners established by the United States public land survey and by the national geodetic survey within this state..." and submit a report to the Legislature on a biennial basis regarding the status of the program.

This tenth biennial report addresses the requirements.

1. Department activities regarding administration of this Act

- a. As required by Section 6(1)(e), the Department has established and administered county remonumentation work programs for all 83 Michigan counties since the program began in 1993 in compliance with each county's Remonumentation Commission-approved plan, the Act, and the Administrative Rules adopted in 1992.
- b. Section 6(1)(d) requires the Department to "*coordinate the collection and preservation of information obtained from surveys made by persons or organizations authorized to establish monuments or land boundaries...*"

The Department developed and entered into cooperative agreements with the Departments of Transportation and Natural Resources to coordinate relevant work and their survey and monumentation efforts with those conducted by county remonumentation activities.

- c. Section 6(1)(c) requires the Department to "*coordinate the extension, densification, and maintenance of the horizontal and vertical control networks initiated by the federal government through the national geodetic survey and the United States geological survey.*" The Department coordinated with the National Oceanic and Atmospheric Administration/National Ocean Service/National Geodetic Survey (NGS) to establish High Accuracy Reference Network (HARN) stations in 51 participating counties. Eighty (80) stations were created as the result of this joint effort.

In 2006, NGS initiated additional high accuracy spirit leveling and GPS measurements for a height modernization project in Macomb, Oakland, St. Clair and Wayne Counties. The Department coordinated work with these counties to include the necessary control station recoveries identified by the NGS in their 2006 work program and encouraged counties to prioritize their work program to achieve maximum benefit by the county, NGS and DOT.

The Survey and Remonumentation Program increased statewide efforts to "densify" the number of continuous operating reference stations (CORS), allowing highly accurate GPS measurements and increasing the accuracy and efficiency of field measurements. Forty-four (44) CORS were established by NGS, DOT and the participating counties.

- d. Section 6(1)(f) requires the Department to "*establish and maintain a data base of information on approved monumented horizontal and vertical control in the state.*"

The Department obtained a computerized record of all horizontal and vertical control stations within the state from NGS and provided this to all 83 counties in November 1993. Currently, all nationally published data of horizontal and vertical control stations is available on the NGS website.

- e. Sections 6(a) and 6(b) requires the Department to "*coordinate the restoration, maintenance, and the preservation of the land survey records of vertical and horizontal monuments, the public land survey system, and the property controlling corners established by the United States public land survey and by the national geodetic survey within this state*" and "*establish, maintain and provide safe storage facilities for a comprehensive system of recordation and dissemination of land information records*".

The Department developed a Memorandum of Understanding with the U.S. Bureau of Land Management, the federal agency responsible for the survey of public lands throughout the country.

In 1993 the Department developed and provided all counties with computer software to enable them to enter the data for each public land survey corner they monument or remonument. This data is maintained on the Department's website, and all information is available for public use.

2. An assessment of the progress of the implementation of county monumentation and remonumentation plans throughout the state

Based upon the completed reports of annual work programs submitted by all 83 counties as part of their annual survey and monumentation grants from 1993 through the first half of 2011, the following work is reported:

Number of corners monumented - 129,171

Number of monumented corners with determined coordinate values - 16,570

3. A statement regarding the amount of money received and disbursed from the fund

1990 PA 346 amended 1961 PA 236 which increased the fee for recording an instrument with the county register of deeds and provided that \$2 be remitted to the State Survey and Remonumentation Fund. This fee was increased by 2002 PA 700 and provided \$4 to be remitted to the fund, with a sunset provision eliminating the additional \$2 in 2013.

In 2006, a one-time transfer of \$15 million from the Remonumentation Fund to the State General Fund was authorized by 2006 PA 76. Following the transfer, 2006 PA 662 was passed amending 1961 PA 236 to extend the sunset date on the additional \$2 filing fee for most recording documents at the county registers of deeds from the year 2013 to 2023.

To date, approximately \$131 million has been deposited into the fund by 83 counties, and approximately \$106 million has been awarded in annual grants to the counties.

4. An assessment of how much money is necessary to carry out monumentation or remonumentation of the entire state

Currently, it is estimated that counties will need approximately \$250 to \$300 million to finalize the remonumentation of their public land survey corners. An additional estimated \$150 to \$200 million would be required for all counties that elect to determine coordinate values for these corners according to their county plans. All county plans allow for the determination of coordinate values for these corners, and if each county elects to perform this function, it is estimated that an additional \$150 to \$200 million would be required.

5. An assessment of whether the money received in the Fund is adequate to implement this Act

Approximately \$140 million will be deposited into the Fund over the 20-year time period. Based upon the current estimate of the total cost of the program, the projected deposits will not be adequate to complete the initial remonumentation work within this timeframe.

While some counties may complete monumentation and remonumentation within their 20-year plans, many will not.

6. Department Recommendations

- a. If counties wish to perform a non-mandated activity of determining coordinate values for their monumented corners, it is recommended the counties seek additional funding. If the additional necessary funding cannot be obtained, it is recommended counties cease with this activity which will enable them to accomplish their remonumentation plans more expeditiously and enter the perpetual maintenance portion of the program.
- b. It is recommended the Department no longer maintain a database of approved horizontal and vertical control since this function it is performed by NGS, and legislative action should be taken to remove MCL 54.266(1)(f) from 1990 PA 345.