

**STATE OF ALABAMA BOARD OF LICENSURE
FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS**

IN THE MATTER OF:

Steve Braxton Green, PLS
575 Larkin Lane
Montgomery, AL 36109

Respondent

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Case No. 2014-17-B

CONSENT ORDER

Steve Braxton Green, a licensed professional land surveyor (hereinafter referred to as “Respondent”) hereby stipulates and agrees, subject to the approval of the Alabama Board of Licensure for Professional Engineers and Land Surveyors (hereinafter referred to as the “Board”) as follows:

STIPULATED FACTS

Respondent stipulates he received an Alabama professional land surveyor license (number 11843) from the Board on January 9, 1978.

Respondent stipulates that on April 9, 2014, the Board received a complaint from Ms. Louise Rowell that alleged he provided a survey of property identified as the “Tinsley Family Property, Section 6, Township 14 North, Range 26 East, Bullock County Alabama” that contained errors.

Respondent stipulates he performed a survey of property identified as the Tinsley Family Property Section 6, Township 14 North, Range 26 East Bullock County Alabama that bears his signature and professional land surveyor seal, and is dated March 18, 2006.

Respondent stipulates the survey he prepared of the Tinsley Family Property located in Bullock County, Alabama was reviewed by a Board Technical Advisor for compliance with the Standards of Practice for Land Surveying in the state of Alabama. Respondent further stipulates the Board Technical Advisor provided a report that in summary identified the following violations of the Standards of Practice for Land Surveying in the state of Alabama:

(1) The type of survey was not shown on the plat; (2) No references to bearings are shown on the drawing; (3) The discrepancy between the deed description on page 272 for 31 acres and the call for "The west side of the west half of southwest quarter" is obviously in error. The acreage called for and the acreage shown on the plat varies considerably. This could have been shown more clearly with an explanatory note or possibly showing the area in question that lies north of the road and within the deed description from page 272 or both; and (4) The Standards of Practice states that "Surveys of parcels by metes and bounds shall show the following upon the survey drawing: a comparison between recorded directions and distances and field measured directions and distances when they vary." The north line called for in the deed at page 272 calls for an east-west line and the plat shows a bearing of N75°53'08"E. These two bearings vary considerably and the discrepancy should be shown more clearly on the drawing.

STIPULATED CONCLUSIONS OF LAW

Respondent admits he is subject to the provisions of Title 34, Chapter 11, Code of Alabama 1975, § 34-11-11 and the jurisdiction of the Board.

Respondent stipulates his conduct as set forth in the foregoing "Stipulated Facts" constitutes violations of Title 34 Chapter 11 Code of Alabama 1975 Section 34-11-11(a)2 and the Rules of the Administrative Code § 330-X-.14-.05(g) and § 330-X-.14-.06(a)1.

Respondent stipulates his conduct as set forth in the "Stipulated Facts" is a violation of those statutes set forth above, and he is subject to disciplinary action under Title 34, Chapter 11, Code of Alabama 1975, § 34-11-11.

STIPULATED DISPOSITION

Respondent shall not in the future violate the provisions of Title 34, Chapter 11, of the Code of Alabama 1975, and the Rules and Regulations of the Administrative Code of the Board.

Respondent understands this Consent Order and subsequent Final Order will become a matter of public record.

Respondent agrees to pay a fine of one thousand five hundred dollars (\$1,500) to the Board via a certified check made payable to PE/PLS Fund with this signed Consent Order.

Respondent agrees his license to practice land surveying is suspended for six months, with the suspension stayed for two years. Respondent understands that during the time his license is under this stayed suspension period he may continue to practice land surveying in the State of Alabama.

Respondent agrees that he will submit a list of the property boundary surveys he performs at six month intervals for two years from the date of the Final Order. Respondent understands the Board will randomly select survey(s) from the list to be reviewed for compliance with the Standards of Practice for Land Surveying in the state of Alabama. Respondent understands if he fails to submit the list as stipulated, or his work is determined not to comply with the Standards of Practice for Land Surveying in the state of Alabama, the six month suspension will become effective immediately.

Respondent understands this Consent Order is subject to the approval of the Board and has no force and effect until a Final Order based upon it is rendered by the Board.

Respondent agrees to comply with the terms of this Consent Order and understands failure to comply with the terms of the Consent Order may result in additional charges or discipline.

Respondent understands that in order to make a decision relative to approving this Consent Order discussions must take place between Board Members, Board Staff and Board Counsel. Respondent understands that this discussion will take place at a regularly scheduled meeting of the Board.

Respondent understands he has the right to seek the advice of legal counsel. Respondent also understands he has the right to a formal fact finding hearing before the Board, to compel the testimony of witnesses, to cross-examine witnesses against him, and to obtain judicial review of the Board's decision in said formal hearing but expressly waives these rights with execution of this Consent Order and Final Order of the Board.

Respondent expressly waives all further procedural steps and expressly waives all rights to seek judicial review or to otherwise challenge or contest the validity of the Consent Order, the stipulated facts, the conclusions of law and the imposition of administrative action contained herein, as well as the Final Order of the Board incorporating said Consent Order.

Respondent, for the purpose of avoiding further administrative action with respect to this cause executes this Consent Order. Should the Consent Order not be accepted by the Board, it is agreed that presentation to and consideration of the Consent Order by the Board shall not unfairly or illegally prejudice the Board or any of its members from further participation in or resolution of these proceedings. Likewise, if this Consent Order is not accepted, the Board shall not take into consideration the contents of this Order as evidence of an admission.

SIGNED this the 3 day of APRIL, 2015


Steve Braxton Green

APPROVED:


Benjamin H. Albritton
Assistant Attorney General

STATE OF ALABAMA BOARD OF LICENSURE
FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS

IN THE MATTER OF:)

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Respondent)
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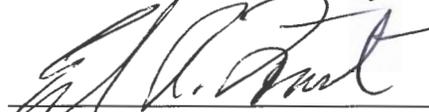
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FINAL ORDER

The Alabama Board of Licensure for Professional Engineers and Land Surveyors having considered the Consent Order signed by Steve Braxton Green, Professional Land Surveyor, license number 11843, in which he stipulated he violated the Code of Alabama 1975, §34-11-11(a)2, and the Rules and Regulations of the Board's Administrative Code § 330-X-14-.05(g) and § 330-X-14-.06(a)(1), hereby adopts the Consent Order and issues this Final Order.

The Consent Order and Final Order take immediate effect upon the signing of this Final Order and the Respondent is **ORDERED** to abide by the Consent Order and Final Order approved by the Alabama Board of Licensure for Professional Engineers and Land Surveyors.

ENTERED this the 30th day of April, 2015



Earl R. Foust



Frazier Christy



Elisabeth Hyde



Nathan G. Johnson

RECUSED

Marc S. Barter



Charles P. Willis



Richard G. Grace