

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



Case No. 2015-18-B

IN THE MATTER OF:)
)
Glen A. McCord, PLS)
PO Box 1990)
Alabaster, AL 35007)
)
)
Respondent)
)
_____)

CONSENT ORDER

Glen A. McCord, a licensed professional land surveyor (hereinafter referred to as “Respondent”) hereby stipulates and agrees, subject to 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 20694) from the Board on June 18, 1999.

Respondent stipulates he produced a survey for Jordan Anderson in April 2012 of a parcel of land lying in the NE ¼ of the NW ¼ of Section 9, T-12-N, R-4-E, Marengo County, Alabama containing (34.8) acres more or less. Respondent stipulates a Board Technical Advisor reviewed the survey he prepared and noted the following:

1. The Certification Statement on the survey does not match the statement in the Standards of Practice.
2. There was not an accurate determination of the boundaries as required in 103.6 of the Standards of Practice.
3. The sources of information used on the survey were not shown on the plat, nor

were any discrepancies from markings to actual measurements.

4. The measured and recorded distances were not shown on the plat.
5. Possession lines were not shown on the plat.
6. Encroachments were not shown on the plat.
7. The Surveyor should have shown all possession/occupation evidence on the ground, should have reviewed all the record documents to determine the correct location for all deeds and should have acquired enough sectional data to make a determination of the boundary of the Northeast Quarter of the Northwest Quarter of Section 9.
8. The Sectional Corners/Monuments and evidence of possession/occupation should have been shown to enhance and defend the definition of the boundary.

Respondent stipulates the items detailed in the report prepared by the Board Technical Advisor are violations of the standards of practice for land surveying in the State of Alabama.

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 one thousand five hundred dollars (\$1,500) fine 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 that suspension stayed for two years from the date the Board issues the Final Order. 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 to submit a copy to the Board of any survey he performs during this stayed suspension period. Respondent understands the Board may select any of these surveys to be reviewed for compliance with the Standards of Practice for Land Surveying in the State of Alabama.

Respondent understands this Consent Order is subject to the approval of the Board and has no force and effect until the 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.

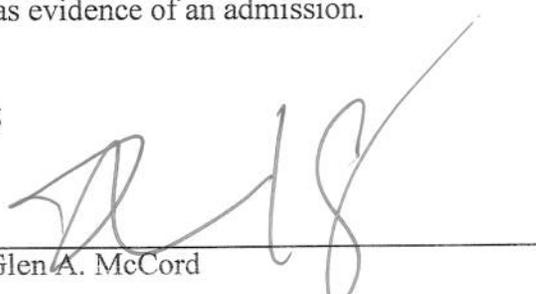
Respondent understands in order to make a decision relative to approving this Consent Order discussions must take place between Board Members, Board Staff and Board Counsel. Respondent understands that this discussion will take place at a regularly scheduled meeting of the Board.

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.

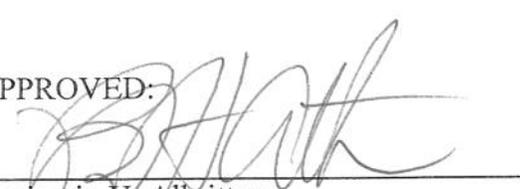
Respondent expressly waives all rights to seek judicial review, or to otherwise challenge or contest the validity of the Consent Order, the stipulated facts, conclusions of law and imposition of administrative action contained herein, and the Final Order of the Board incorporating the Consent Order.

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 5th day of May, 2015


Glen A. McCord

APPROVED:


Benjamin H. Albritton
Assistant Attorney General

