

**BEFORE THE ENGINEERING AND LAND SURVEYING EXAMINING BOARD
OF THE STATE OF IOWA**

IN THE MATTER OF:)		
)	CASE NO. 97-11
Geoffrey G Griffin		
GGG Engineering Surveying & Planning)		SETTLEMENT AGREEMENT
241 North Winona Street)		and CONSENT ORDER
Chatfield, MN 55923		
)	
Respondent)	

The Iowa Engineering and Land Surveying Examining Board (Board) and Geoffrey G. Griffin (Respondent) enter into this Settlement Agreement and Consent Order (Order), pursuant to Iowa Code section 17A.10 (1997) and 193C IAC 4.10:

1. The Board has jurisdiction of this matter pursuant to Iowa Code chapters 17A, 542B, and 272C (1997).
2. Respondent is a licensed land surveyor in Iowa.
3. Respondent does not contest the Statement of Charges to be filed with this Order.
4. Respondent has a right to a hearing on the charges, but waives his right to hearing and all attendant rights, including the right to appeal, by freely and voluntarily agreeing to this Order. Once entered, this Order shall have the force and effect of a disciplinary order entered following contested case hearing.
5. Respondent agrees the State's counsel may present this Order to the Board and may have ex parte communications with the Board while presenting it.
6. This Order shall be part of the permanent record of Respondent and shall be considered by the Board in determining the nature and severity of any disciplinary action to be imposed in the event of any future violations. In addition, the Board shall advise the National Council for Examiners of Engineering and Land Surveying of the disposition of this matter.
7. This Order and the Statement of Charges are public records available for inspection and copying in accordance with the requirements of Iowa Code chapter 22 (1997).

8. Failure to comply with the provisions of this Order shall be considered prima facie evidence of a violation of Iowa Code section 542B.21(3) (1997) and 193C IAC 4.2, and shall be grounds for disciplinary action pursuant to Iowa Code section 272C.3(2)(a) (1997). However, no action may be taken against Respondent for violations of these provisions without a hearing as provided in Iowa Code section 542B.22, or waiver of hearing.
9. This Agreement is subject to approval of the Board:
 - (a) If the Board fails to approve this Agreement, it shall be of no force or effect on either party and it shall not be admissible for any purpose in further proceedings in this matter.
 - (b) If the Board approves this Agreement, it shall fully dispose of all issues in this case.

IT IS THEREFORE ORDERED:

A. Reprimand

The Respondent is reprimanded for failure to adhere to the minimum land surveying standards in Iowa Code chapters 354 and 355.

B. Remedial Action

Respondent shall complete a survey for the property described in the Statement of Charges in compliance with all applicable surveying standards in Iowa Code chapters 354 and 355 (1997). Respondent shall submit to the Board by October 4, 1997, a file-stamped copy of the corrected plat of survey and associated affidavit, and file-stamped copies of any needed corner certificates.

TLW

IS

 Geoffrey G. Griffin

9/31/97

 date

IS

 Terry Martin, Chair
 Iowa Engineering and Land Surveying
 Examining Board

10-23-97

 date

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OF THE STATE OF IOWA**

IN THE MATTER OF:)	
)	CASE NO. 97-11
Geoffrey G Griffin)	
GGG Engineering Surveying & Planning))	STATEMENT OF CHARGES
241 North Winona Street)	
Chatfield, MN 55923)	
)	
Respondent)	

COMES NOW the Complainant, Caroline Finch, and states:

1. The Complainant is the Executive Secretary of the Iowa Engineering and Land Surveying Examining Board and files these charges solely in her official capacity.
2. The Board has jurisdiction of this matter pursuant to Iowa Code chapters 17A, 272C and 542B (1997).
3. On May 18, 1995, the Board issued Geoffrey G. Griffin, the Respondent, Iowa professional land surveying license number 13288.
4. Respondent's land surveying license is in good standing until December 31, 1998.

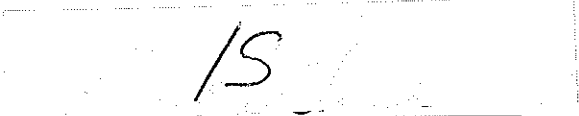
Count 1

Respondent is charged with professional incompetency in the practice of land surveying in violation of Iowa Code sections 272C.10(2) and 542B.21(2) (1997) and 193C IAC chapter 2 and section 4.8, when he prepared a plat of survey for the purpose of drafting a legal description without conducting any field work, locating or setting any government monuments, filing corner certificates, or otherwise complying with the minimum land surveying standards set forth in Iowa Code chapter 354 and 355 (1997).

Circumstances

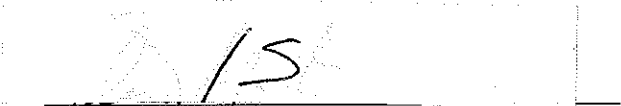
1. Respondent was retained in February 1996, to create a legal description for Neil Fishbauger regarding a parcel of property in Winneshiek County, Iowa.
2. Respondent certified a plat of the survey regarding that property on March 15, 1996, which was recorded with the Winneshiek Count Recorder on March 22, 1996, in Book K at page 259.
3. Respondent informed the Board on May 13, 1997, that he did not complete a formal survey prior to preparing the plat of survey or creating the legal description.

WHEREFORE, the Complainant prays that a hearing be held in this matter and that the Board take such action as it deems appropriate under the law.


Caroline Finch, Executive Secretary

FINDING OF PROBABLE CAUSE

On June 19, 1997, the Iowa Engineering and Land Surveying Examining Board found probable cause to file this Statement of charges and to order a hearing be set in this case.


Terry Martin, Chair
Iowa Engineering and Land Surveying
Examining Board