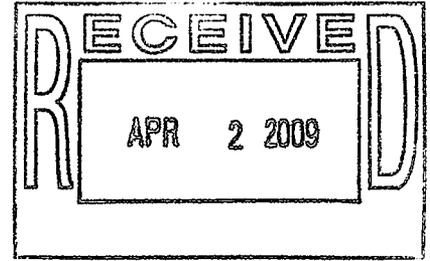


STATE OF ALABAMA
BOARD OF LICENSURE FOR
PROFESSIONAL ENGINEERS AND
LAND SURVEYORS



IN RE THE MATTER OF:

LEE Y. GREENE, SR

Case No. 07-38-B

CONSENT ORDER

Lee Y. Greene, Sr. (hereinafter referred to as "Respondent") hereby stipulates and agrees, subject to approval of the State of Alabama Board of Licensure for Professional Engineers and Land Surveyors (hereinafter referred to as the "Board") as follows:

STIPULATED FACTS

Respondent stipulates that on January 17, 1974 he obtained a professional land surveyor's license (license number 10273) from the Board and has held that license continuously since that date.

Respondent stipulates on July 27, 2007 based on information obtained in another investigation (Case No. 07-37-B) a complaint was filed by Ms. Regina A. Dinger, Executive Director of the Board of Professional Engineers and Land Surveyors (hereinafter referred to as "Complainant") alleging Respondent placed his seal and signature on a land surveying plat containing the name "Talon Engineering, Inc" without obtaining a Certificate of Authorization for land surveying from the Board.

Respondent stipulates that on September 18, 2006 he placed his professional seal and signature to a survey plat for Greenway Place Subdivision in Trinity, Alabama with the firm name "Talon Engineering, Inc" that contained violations of the standards of practice for land surveying in the State of Alabama.

STIPULATED CONCLUSIONS OF LAW

Respondent, in his official capacity as a professional land surveyor, admits in such capacity that he is subject to the provisions of Title 34, Chapter 11, Code of Alabama 1975, § 34-11-9(a)(5) and the jurisdiction of the Board.

Respondent stipulates his conduct as set forth in the foregoing “Stipulated Facts” constitutes a violation of Title 34, Chapter 11, Code of Alabama 1975, § 34-11-9(a)(1), § 34-11-11(a)(2) and the Board’s *Administrative Code* § 330-X-15-.01(1) and § 330-X-14-.06(a) (11)

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

STIPULATED DISPOSITION

1. Respondent shall not in the future violate the provisions of Title 34, Chapter 11, Code of Alabama 1975.

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

3. Respondent agrees his professional land surveyor license shall be subject to six (6) months **Probation** immediately upon issuance of the Final Order of the Board.

5. Respondent shall pay a fine of \$500.00 (five hundred dollars) to the Board within thirty days of the date of the Final Order.

6. Respondent shall **Cease and Desist** placing his professional seal and signature to documents that bear the firm name “Talon Engineering, Inc” until such time as firm obtains a certificate of authorization to practice land surveying in the State of Alabama from the Board.

7. Respondent agrees failure to submit payment of specified penalty within six months of date of Final Order shall cause Respondent's license to practice land surveying in the State of Alabama to be revoked (pending ratification of the Board). This matter will then be presented to the Board for ratification at its next regularly scheduled meeting. Respondent understands he has the right to appear at that meeting and present any facts or extenuating circumstances to the Board.

8. Respondent agrees 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.

9. Respondent agrees any violation of the terms of this Consent Order may result in the Board filing additional charges in accordance with Title 34, Chapter 11, Code of Alabama 1975.

10. 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 this discussion will take place at the Board's regularly scheduled meeting on April 30, 2009 in Montgomery, Alabama. Respondent understands he has the right to be present when this matter is discussed but hereby waives that right.

11. 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.

12. 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, conclusions of law and imposition of administrative action contained herein, and the Final Order of the Board incorporating said Consent Order.

SIGNED this the 31ST day of MARCH, 2009.



Lee Y. Greene, Sr.
Respondent

APPROVED:



Benjamin M. Albritton
Assistant Attorney General

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

IN RE THE MATTER OF:

LEE Y. GREENE, SR.

CASE NO. 07-38-B

FINAL ORDER

On May 1, 2009 the Alabama Board of Licensure for Professional Engineers and Land Surveyors convened for a regularly scheduled Board meeting. The Board Members in attendance at the meeting were: Mr. Don T. Arkle, Mr. Al I. Reisz, Mr. William C. Ulrich, Jr, Mr. C. Michael Arnold, and Mr. Preston L. Jackson. Also present at the Board Meeting were Ms. Regina Dinger, Executive Director of the Board, and Mr. William R. Huett, Assistant Executive Director and Investigator for the Board. Mr. Benjamin Albritton, Assistant Attorney General, appeared as counsel for the Board.

This Final Order is presented to the Board based upon a Consent Order signed by Mr. Lee Y. Greene, Sr. and dated March 31, 2009. In said Consent Order, Mr. Greene stipulated he violated the Code of Alabama 1975 § § 34-11-9(a)(1), § 34-11-11(a)(2) and the Board's *Administrative Code* § 330-X-15-.01(1) and § 330-X-14-.06(a) (11).

Upon Consideration of the above it is ORDERED the Consent Order dated March 31, 2009 is adopted by the Board and hereby made a part of this Final Order. It is further ORDERED that Mr. Greene abide by the Final Order in this manner.

ENTERED this the 1st day of May 2009.

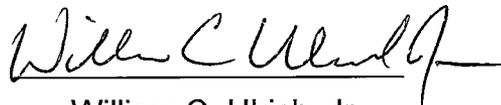


Don T. Arkle

RECUSED



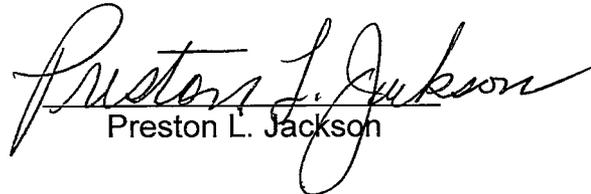
Al I. Reisz



William C. Ulrich, Jr



C. Michael Arnold



Preston L. Jackson