

## BOARD OPINION

### Sealing and Signatures on a Record Plat

This opinion by the Board of Licensure for Professional Engineers and Land Surveyors supersedes the views of the Board distributed by letter dated June 10, 2015. This opinion will only address the sealing and certification requirements for subdivision record plats.

When looking at a subdivision plat there are two basic sections: the map itself and a section containing all the certification statements. The mandatory requirements for the signatures, seals, and certification statements are located in various sections of the Code of Alabama, 1975. There are sometimes additional requirements and certifications for what must be included on the map required by the local authority, whether it is a local planning commission, city, or county. This opinion will cite the state level requirements and will not cover the additional requirements that have been added by a city, county or other local authority.

The map portion of the plat depicts boundary lines and as such must be prepared by or under the direction of an Alabama licensed professional land surveyor (Section 34-11-1(8), Code of Alabama, 1975). The information required to be placed on a record plat is defined in Code of Alabama, 1975, Section 35-2-50 as:

*Any person, or his administrator, executor or guardian, desiring to subdivide his lands into lots shall cause the same to be surveyed by a competent surveyor, if not already surveyed, and shall cause a plat or map thereof to be made showing the subdivisions into which it is proposed to divide the same, giving the length and bearings of the boundaries of each lot and its number; and, if it is the purpose of the owner to divide the lands into town lots, such plat or map shall show the streets, alleys and public grounds and give the bearings, length, width and name of each street, as well as the number of each lot and block. Such plat or map must show the relation of the lands so platted or mapped to the government survey.*

The map portion of the plat requires the seal, signature and date of the licensed professional surveyor who is responsible for the development of the plat. In addition to the sealing requirements, the professional land surveyor must ensure that all standards of surveying are met.

State requirements are defined in Code of Alabama, 1975, Section 35-2-51(a) as:

*The plat or map having been completed shall be certified by the surveyor, which certificate must also be signed by the owner his duly authorized agent or attorney, executor, administrator or guardian and acknowledged by such owner, agent or attorney, in the same manner in which deeds are required to be acknowledged. The plat or map, together with the certificate of the surveyor and*

*acknowledgement, shall be recorded in the office of the judge of probate in the county in which the lands are situated, in a suitable book to be kept for that purpose; and such acknowledgment and record shall have the effect and certified copies thereof and of such plat or map may be used in evidence to the same extent and with like effect as in the case of deeds.*

The above citation requires three signatures on every plat – the licensed surveyor who made the plat, the owner (or designee), and the city or county engineer.

In addition to these certifications, there may be other certifications required by local jurisdictions. These may include a certification statement and Seal, signature, and date, from the professional engineer of record attesting that all improvements have been constructed in accordance with the approved plans, a statement that certain specific design criteria have been met, approval from the fire and/or health department, and statements from various utility companies. Regulations of a local jurisdiction may require that these certifications be obtained before the plat can be recorded, and may require that the certifications be shown on the plat.

Under the guidelines of the Board, a licensee may affix their seal and signature to drawings and documents depicting the work of two or more professionals provided it is designated by a note under the seal stating the specific subject matter for which each professional is responsible, and the certification of a professional engineer should specifically identify the matter being certified.

The Board suggests that the jurisdictions which are responsible for the creation of the subdivision regulations and plat requirements attempt to limit the information which is required to be shown on a plat. The surveyor that prepares the map is encouraged to organize the map in such a manner that the certifications and signature blocks are located in a place on the map that provides for ease of reading the map contents. Furthermore, all certifications should be clearly labeled to indicate their specific intent.

Adopted by the Board on June 2, 2016