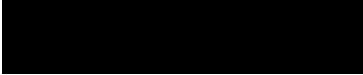


**STATE OF ALABAMA BOARD OF LICENSURE
FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS**

IN THE MATTER OF:

Michael W. Solitro



Respondent

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Case No. 2015-07-B

CONSENT ORDER

Michael W. Solitro, 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 32129) from the Board on August 23, 2011.

Respondent stipulates that on December 10, 2014, the Board received a complaint from Mr. Gerald Byrd that alleged he provided a survey dated 11/07/14 of property identified [REDACTED] [REDACTED] that contained violations of the standards of practice for land surveying in the state of Alabama.

Respondent stipulates he performed a survey dated 11/07/14 of property identified 5763 Old Shell Road, Mobile Alabama.

Respondent stipulates the survey he prepared of [REDACTED]

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) Did not use the proper certification according to Rule No. 1.03 (1.) Although the surveyor did not use the certification as outlined in Rule No. 1.03 (1.), he performed an ALTA/ACSM Land Title Survey, so he used the certification that is required from them. (2) The legal descriptions for parcels B, C, and D, use north, south, east, and west and his plat does not show these directions. The map shows bearings and distances. Parcel B, starts and the Northeast corner of Section 21, then runs West 528 feet, (this is not shown on the plat). (3) The plat does not show the difference between the measured and deed bearings and distances. Rule No. 1.03 (4), (8b.), (9c.) (4) The surveyor does not show on his plat that he set monuments at the Southeast and Southwest corners of Partial B and C, as noted in Rule No. 1.03 (15), (16).”

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 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

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 five hundred dollars (\$500) to the Board via a certified check made payable to PE/PLS Fund with this signed Consent Order.

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

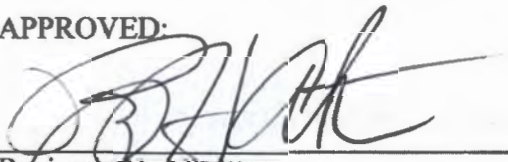
unfairly or illegally prejudice the Board or any of its members from further participation in or resolution of these proceedings. Likewise, if this Consent Order is not accepted, the Board shall not take into consideration the contents of this Order as evidence of an admission.

SIGNED this the 24th day of August, 2015



Michael W. Solitro

APPROVED:



Benjamin H. Albritton
Assistant Attorney General

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

IN THE MATTER OF:)

Michael W. Solitro)



Respondent)

_____)



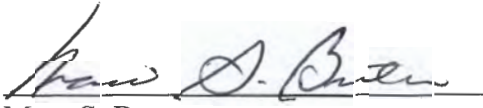
Case No. 2015-07-B

FINAL ORDER

The Alabama Board of Licensure for Professional Engineers and Land Surveyors having considered the Consent Order signed by Michael W. Solitro, Professional Land Surveyor, license number 32129, 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.

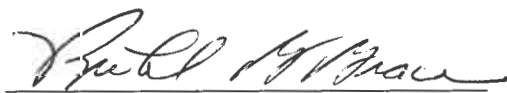
ENTERED this the 24th day of September, 2015



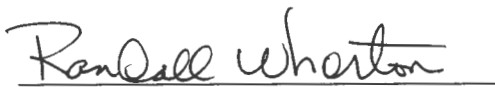
Marc S. Barter



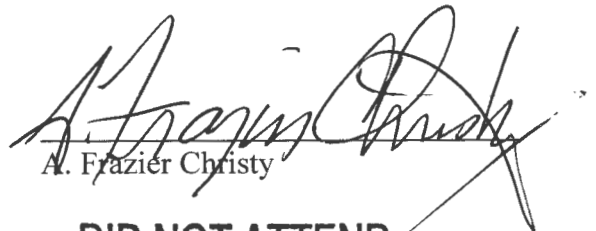
M. Elisabeth Hyde



Richard G. Grace



Randall D. Whorton



A. Frazier Christy

DID NOT ATTEND

Charles P. Willis

RECUSED

Nathan G. Johnson