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**RE: Unwarranted Tampering and Destruction of Important Public Documents**

Dear Mr. McClean,

I appreciate the time you took with me in our telephone conversation yesterday. Please tell The Director I appreciate his time as well.

I have tried to explain and summate the problem that I believe existing at The Geauga County Engineer’s Office to the best of my ability, however, before I get into the issue directly, I think I should give you a brief encapsulated history of The Original Road Records in our county as it directly pertains to the issue at hand. Much of this information is probably common practice among all of the counties but some practices may be specific to Geauga County. I apologize in advance for any redundancy.

The Original Road Records (ORR) date back thru the 1800's. Most (if not all) are simple, sometimes vague, and generally have little information regarding the monuments used at the time, that is, assuming any were used at all. The distances shown on the ORR are usually in miles and/or chains and links and are sometimes accompanied by a bearing system loosely related to magnetic north with an accuracy between 30 minutes and 1 degree. When compared to physical monuments and actual road pavement locations in the field (from actual modern field surveying), it is common to find differences and discrepancies that would lead the modern surveyor to believe many of The ORR were not accurately measured to begin with (if measured at all). In some extreme cases, hundreds of feet in difference. Having said that, The ORR do leave the impression as to an intent, many times referring to Original Lot Lines as the course for the road. In most

instances however, I don't believe that the retracement of a road using The ORR is realistic or possible on the face value of The ORR alone.

From the time of those original surveys, county engineers and county surveyors have retraced and re-located just about all of these roads and have created field books with their findings. In many cases, multiple times, with similar findings. They kept, maintained, and used these field books in their surveys and assumed them to be the accurate centerline and road locations. This was done to the best of their abilities and in most cases with reasonable accuracy for the time period and equipment available. The notes found in these field books usually specify an iron pin, iron pipe or spike reference for the road centerline monument, accompanied by "additional" nail or spike references in trees, telephone poles, guard rails, etc. Since all of the monuments and references were made within the right-of-way of the road, most of the "additional" references were destroyed. In other words, just about all that was left with any physical link to The ORR was the centerline monuments in the field that were called for in the field books (hereafter referred to as "field book monuments").

As roads went from being gravel to asphalt pavement, field book monuments were commonly replaced by iron pin monument box assemblies. These monument box assemblies were based on the original field books and field book monuments. This was done by referencing the field book monument found, or the calculated position that was obtained by using other field book monuments, then installing the monument box assembly. Although the process sometimes incorporated the original field book monument being used, it later became standard practice to replace it entirely with a new, more durable, 1" iron pin. In other words, most 1" iron pin monument box assemblies are replacement monuments, and in many cases, the only viable physical link to The ORR.

Circa 1990-2000 this process was replaced by epoxy borings with 1" iron pin monuments ("box-less monuments"). This newer (cheaper and less durable) process was basically the same: referencing the old monument (the field book monument), removing it (paving), and setting a new one (using the references) in its place.

William Loetz and many other surveyors before him (and in other counties as well) did this on many roads, many times. He made his Centerline Plats accordingly therefrom. They were signed, stamped and dated. They were reviewed by The County Engineer at that time, approved, used and until recently (new engineer) always assumed to be the centerline of the road. Hundreds of monument box assemblies and box-less monuments were set on many roads at much cost to the tax payer. Now for the issues at hand:

Please find enclosed the following:

Huntley Road Original Survey.pdf – unedited original survey  
Huntley Road Edited Survey.pdf – edited, invalidated survey

- 1.) The current Engineer's Office is removing signatures, stamps, and tampering with the intent and validity of these legal surveys (centerline

- plats, centerline retracements, etc.) without the guidance and/or approval of the original surveyors or engineers. By removing signatures, stamps, and pertinent information, and changing the title and certification blocks, they are in effect invalidating these drawings as “concept” or “draft” maps when the intent was very specific and clear. In every case I have seen (20+) putting the text “DRAFT” over the entire plat. I am certain they were intended to be what the title stated them to be: “Centerline Survey”, “Centerline Retracement”, etc... certainly not draft maps.
- 2.) After a brief conversation with William R. Loetz, PS (the original surveyor of the centerline plat enclosed), it is clear that the phrase “Map Depicting Monuments” was not used in any of the drawings that were created by him under the advisement of Robert L. Phillips, PE, who was the acting County Engineer at that time.
  - 3.) The blanket statement put on the edited maps states:  
“BEARING USED HEREIN REFER TO AN ASSUMED MERIDIAN AND ARE INTENDED TO INDICATE ANGLES ONLY”.  
In many cases this is absolutely wrong. Most of these surveys clearly state the orientation of north and datum used. In the case of Huntley Road, on the unedited map, the certification block very clearly states:  
“BEARINGS AND DISTANCES SHOWN ON THIS PLAT WERE DETERMINED USING THE 1983 STSTE [STATE] PLANE COORDINATE GRID SYSTEM. THE GEOID 99 MODEL SYSTEM WAS USED TO DETERMINE THE U.S. ORTHOMETRIC ELEVATIONS DEPICTED HEREON. THE GRID FACTOR FOR THIS SURVEY WAS 0.9999765. I CERTIFY THE ABOVE TO BE CORRECT AND TO THE BEST OF MY KNOWLEDGE AND BELIEF”.  
To remove this text and replace it in this manor invalidates and discredits the map for no apparent reason.
  - 4.) In no instance have I witnessed any field work being done whatsoever by the current engineer to disprove or debate the centerline surveys they are tampering with and changing. I believe they are changing these drawings at the time I request them. This is also taking them longer to process simple research inquiries, wasting everyone’s time.
  - 5.) The Engineer’s Office appears to be discounting these maps based solely on measurements not corresponding with The ORR. I believe this to be a fundamental lack in understanding with regard to The ORR and the processes of surveying in general.
  - 6.) I was always under the impression that it is the duty of the surveyor and engineer to create new drawings that reference discrepancies they believe to exist and show their real findings on them, leaving the original drawings intact to be used as a reference in the future. I believe it is not ethical or professional to destroy, tamper with, or change the intent of another professional’s survey because of any discrepancy... real, imagined, or assumed. The only exception to this rule I can think of would be a judgement in a court of law.

7.) The original title block states:

"CENTERLINE PLAT OF HUNTLEY ROAD, T.R. 115, SECTIONS C AND D"

This was replaced by:

"MAP DEPICTING MONUMENTS FOR T.R. 115, HUNTLEY ROAD, SECTIONS C & D".

I believe this is invalidating the intent of the original map. Also, the text: "SECTIONS C AND D" was used in the original title block. It is obvious to me that the original field book(s) and available field book monuments extrapolated therefrom (as shown on the drawing) were used in this survey as that is where the reference "SECTIONS C AND D" originate.

8.) When asked "why are you changing these drawing and tampering with signatures, stamps, and pertinent information that cannot ever be replaced" one reply given was:

"The 'Map Depicting Monuments' is a draft document created in advance of retracing, by field survey, the subject road due to discrepancies within the original administrative document, and original road records".

The certification block on the unedited version of this drawing states:

"I DO HEREBY CERTIFY THAT THIS CENTERLINE RETRACEMENT SURVEY AND PREPARATION OF THIS PLAT WERE COMPLETED UNDER MY SUPERVISION IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 4733-37 OF THE OHIO ADMINISTRATIVE CODE. DIMENSIONS SHOWN ARE EXPRESSED IN FEET AND DECIMAL PARTS THEREOF. BEARINGS AND DISTANCES SHOWN ON THIS PLAT WERE DETERMINED USING THE 1983 STSTE [STATE] PLANE COORDINATE GRID SYSTEM. THE GEOID 99 MODEL SYSTEM WAS USED TO DETERMINE THE U.S. ORTHOMETRIC ELEVATIONS DEPICTED HEREON. THE GRID FACTOR FOR THIS SURVEY WAS 0.9999765. I CERTIFY THE ABOVE TO BE CORRECT AND TO THE BEST OF MY KNOWLEDGE AND BELIEF".

This certification was signed, stamped, and dated by the surveyor and stamped by the engineer. It clearly and unmistakably indicates its intentions, contradicting the reply and reasoning entirely. It should also be noted that this specific centerline retracement was also used on many occasions by multiple surveyors without complaint. This is not to infer this being an isolated occurrence.

9.) Many of these drawings being tampered with have additional information other than road data that can also be pertinent as evidence in regard to boundaries, easements, lot line locations etc. This information would also be invalidated along with the rest of the drawing. This should also be carefully considered.

10.) It is the duty of The Engineer's Office to provide all centerline surveys, field notes, and all other related road documents and information they possess upon request, doing so in a timely fashion. To revise maps at the

- time they are requested like they are doing and omit the original surveys is, in effect, withholding public information.
- 11.) Legally, if a document were to be presented as evidence in a court case, the edited map certainly would not hold the same weight as the original. The County Engineer's road records are Prima Facie in regard to the centerline of county roads. If the County Engineer invalidates these drawing (as they are doing) it can only discredit them as evidence as well.
  - 12.) One of reasons I was given regarding these drawing being edited was that "they were not even recorded". My thoughts on this are simple: they were prepared by elected and appointed licensed people in a professional manor, after a legal survey was provided. They were signed, stamped, dated, titled and stored in a way that one could find them repeatedly, when needed. They have been stored in this way for a considerable time. They have also been copied and given to the public on countless occasions in the past, unedited, and without pause. At what point and to what definition is something "recorded" if not this? If they aren't recorded in some capacity, then maybe it's time for them to be.

As a solution, I would suggest incorporating a simple stamp or text block (red or another color other than the text used on the map) stating whatever concerns regarding the map exist, and by whom is concerned, their position, license no., date, etc. This of course should not discredit, demean, invalidate, or in any way adulterate the original drawing without warrant.

If an actual survey (actual field survey) is provided that proves discrepancy, no surveyor will care about an older version that isn't any good. They will simply use the new drawing The Engineer's Office provides. Until a viable solution is resolved, I would ask your assistance in this matter. Thank you for your time and consideration.

Sincerely,

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