

2105 West County Line Road * Suite 8 * Lakewood, NJ 08701 * Tel: 732-905-5463 * Fax: 732-905-5464

WAIVER

**To:
Ultimate User**

Name:

Address:

Township: **County** **St**

CONTRACT FOR PROFESSIONAL SERVICES TO PROCEED WITH PROPERTY SURVEY AS REQUESTED

Clearpoint Services will prepare a Property Survey for the property known as

Block: **Lot:** **Township:**

Ref # **Job #**

We will perform necessary field surveying, deed review and survey analysis to provide a Location Survey in accordance with minimum standards as set forth by the NJ State Board of Engineers and Land Surveyors. The Location Survey will be certified to the parties indicated by you. Should you desire markers to be set, we would be happy to provide you with a separate fee for this service. All services provided will be invoiced at the time of completion and are due and payable upon receipt. In the event of litigation relating to the subject matter of this Agreement, the non-prevailing party shall reimburse the prevailing party for all reasonable attorney fees and costs resulting there from

Purchaser MUST complete This Section and Option A or B.

Upon signing this contract, the Purchaser agrees to pay any Fees for a completed or cancelled survey.

Accepted this _____ day of _____, 20____. Contact Phone Number: (_____) _____ - _____

Purchaser (Print): _____ Signature: _____

Address: _____

City: _____ State: _____ Zip: _____

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OPTION 'A'
WAIVER AND DIRECTION NOT TO SET PROPERTY CORNERS

This is to advise that I/we have been made aware of my/our right to have corner markers set as part of a survey to be performed on the aforementioned property. In addition, I have been made aware of the potential impact of signing the waiver including: (1) the possible need for a future survey as a result of physical improvements to the property, such as a fence, addition, deck, pool or shed, and (2) the potential inability of the ultimate user to identify the actual boundary of the property which could result in a boundary dispute with an adjoining property owner and/or property improvements not accurately situated on my property. The right to have corner markers set is hereby waived, and you are directed to perform the land survey without the setting of corner markers as provided by the regulation (N.J.A.C. 13:40-5.2) of the State Board of Professional Engineers and Land Surveyors.

Purchaser (Print): _____
 (Signature): _____ Date: ___/___/___

Witness (Print): _____
 (Signature): _____ Date: ___/___/___

Address: _____ City: _____ State: _____ Zip: _____

OPTION 'B'
DIRECTION TO SET PROPERTY CORNER

Purchaser (Print): _____
 (Signature): _____ Date: ___/___/___

Iron Pin Property Corners \$90.00 each
 Concrete Monument \$200.00 each

I, Anthony Romeo, hereby certify that I have:

1. Advised the ultimate user of the impact of signing the corner marker waiver, which shall include, but not be limited to, the possible need for a future survey as a result of physical improvements to the property and the potential inability of the ultimate user to identify the actual boundary of the property.
2. Reviewed the waiver to ensure that it was properly signed by the ultimate user and witnessed by a person other than a land surveyor; and
3. Performed physical measurements of the property.

(Signature): _____ Date: _____

(Surveyors Signature): _____ Date: _____

CLARIFICATION FOR WAIVER AND DIRECTION NOT TO SET CORNER MARKERS

The Ultimate User should recognize that the Setting of Corner Markers does not guarantee that the new or updated survey will not be required in the future. The Surveyor has no control over the requirements of other individuals or government, financial agencies that may require a new or updated Survey of the Property.

The Survey being prepared by the Land Surveyor is for a specific purpose and directed by the Client/Ultimate User. It is not realistically possible for the surveyor to prepare a survey that meets All Local, County and State requirements without specific directions from the Client or Ultimate User. The additional time and cost to prepare such a survey are factors in need for consideration at the time the Survey is ordered by the Client or Ultimate User.

The Client or Ultimate User should recognize that the Settings of Corner Markers may not help in visually locating the boundary lines now or in the future due to a number of reasons, such as but not limited to the following;

- 1) Boundary Lines obstructed by changes in ground elevation, wooded areas or other natural or man made features of the property.
- 2) The length of the Boundary Line may make the visible location of the lines difficult or impossible.
- 3) Boundary Markers being covered or otherwise hidden removed or destroyed by natural changes to the property or by the actions of others.
- 4) Improvements or construction of structures, fencing, landscaping, etc. that may move, alter the

Because of the above, additional survey work may be required to recover or replace Boundary Markers or provide additional markers along the long lines. When requested by the Client or Ultimate User, this work will be performed at an additional cost.

The Client or Ultimate User should be aware that Physical Measurements of the Property are required as part of New Jersey State Board of Professionals Engineers and Land Surveyors regulations, and are always taken by the Surveyor at the time the Survey fieldwork is performed on any Survey.

The Surveyor has prepared these clarifications to the waiver Form to assure that the Client or Ultimate User has a better understanding of the intent and purpose of the form. The Surveyor should be contacted if the Client or Ultimate User has any questions.