

BEFORE THE ARKANSAS BOARD OF REGISTRATION FOR  
PROFESSIONAL ENGINEERS AND LAND SURVEYORS

IN THE MATTER OF BRAD CLARK d/b/a: X-ACT SURVEYING

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

On February 17, 2004, the Arkansas Board of Registration for Professional Engineers and Land Surveyors (hereinafter "the Board") held a hearing on the Order and Notice of Hearing charging Brad Clark, d.b.a.: X-ACT Surveying (hereinafter "Respondent") with multiple violations of the following laws and regulations governing the practice of professional engineering in the state of Arkansas: Ark. Code Ann. §17-48-101 *et. seq.* The Respondent did not appear in person nor was he represented by counsel after receiving proper service of the Order and Notice of Hearing whereupon the Board continued in the absence. Based upon the evidence presented, the Board makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

These Orders are based upon the following findings of facts:

These charges are based upon the following facts and allegations:

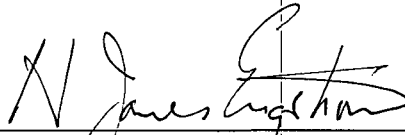
1. Respondent is not now, nor has ever been at any time relevant hereto, a licensed professional land surveyor in the state of Arkansas.
2. In the 2003 telephone directory for Fayetteville-Rogers, Arkansas, at page 356, the Respondent is advertising to provide professional land surveying services in Arkansas as a "Professional Land Surveyor".
3. The Respondent also issued an unsealed and unsigned plot plan of Lot 1, Block 5 Ardwell Subdivision for David Hudiburgh, Drawing Number B26702.
4. These acts of offering to perform surveying work and doing surveying work constitute violations of the statutory prohibition against practicing land

surveying without a license as defined by Ark. Code Ann. § 17-48-101 (2)(A) and also violate Ark. Code Ann. §17-48-201.

ORDER

IT IS THEREFORE ORDERED that the Respondent pay a civil penalty in the amount of TWO THOUSAND DOLLARS (\$2,000.00) for each of the two (2) violations noted above. The total amount of civil penalties to be paid by Respondent in this matter is FOUR THOUSAND DOLLARS (\$4,000.00) to be paid by February 17, 2005.

This Order may be appealed within thirty (30) days of service upon the Respondent as specified in the Arkansas Administrative Procedures Act, Ark. Code Ann. §25-15-201, *et seq.*



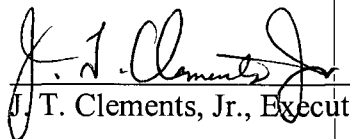
H. James Engstrom, President  
Arkansas Board of Registration for Professional  
Engineers and Land Surveyors

Date 3/1/04

CERTIFICATE OF SERVICE

I, J. T. Clements, Jr., Executive Director of the Arkansas State Board of Registration for Professional Engineers and Land Surveyors, do hereby certify that I have served a copy of the foregoing order by mailing a copy of same, by certified mail, with return receipt requested and postage prepaid, on this 1st day of ~~February~~, 2004 to:  
MARCH

Brad Clark, d.b.a. X - ACT Surveying  
2776 Bella Vista Way  
Bella Vista, AR 72714



J. T. Clements, Jr., Executive Director