

**BEFORE THE ARKANSAS STATE BOARD OF LICENSURE FOR
PROFESSIONAL ENGINEERS AND PROFESSIONAL SURVEYORS**

Complainant:

Arkansas State Board of Licensure for
Professional Engineers and Professional
Land Surveyors

Case #2009-14

Respondent:

James E. Higby, PS
Cornerstone Land Surveying Inc
1403 W Taylor Street
Clarksville, AR 72830-3347

DISMISSAL ORDER

The Arkansas Board of Licensure for Professional Engineers and Professional Surveyors (hereinafter "the Board") recorded a complaint on May 26, 2009, charging James E. Higby (AR-PS #1364, hereinafter "Higby") with violation of Arkansas Code Annotated §17-48-102 (being negligent and/or incompetent in the practice of surveying).

FINDINGS OF FACT

1. Susan Brooks ("Brooks") owns a parcel of land in Johnson County.
2. Higby was retained to survey the property, primarily with the intention of placing monumentation for the corners.
3. After the survey was completed, Brooks felt the corner monumentation was incorrectly located, and brought the complaint.
4. Higby provided evidence that he had set the monumentation in accordance with the Minimum Standards for Boundary Surveys in Arkansas.


CONCLUSIONS OF LAW

Upon review of the evidence in its possession, the Board finds the conduct by Higby described in the Findings of Fact does not warrant further investigation or other action.

ORDER

Based on these findings, the complaint against Higby is dismissed.

SO ORDERED this 15th day of February, 2010



Frank Vozel, Board President

Frank Vozel 2-4-10

CERTIFICATE OF SERVICE

I, Steve W. Haralson, Executive Director of the Arkansas State Board of Licensure for Professional Engineers and Professional Surveyors, do hereby certify that I have served a copy of the foregoing order by mailing a copy of the same by first class mail on this 3rd day of March, 2010, to:

Mr. James E. Higby, PS
Cornerstone Land Surveying, Inc
1403 W Taylor Street
Clarksville, AR 72830-3347



Steve W. Haralson
Executive Director