

**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 #2009-32

Respondent:)

Mr. William C. Jenkins, AR-PS #688)
Jenkins Surveying)
125 East Township Road, Suite 8)
Fayetteville, AR 72703)

DISCIPLINARY HEARING

On March 30, 2010, the Board of Licensure for Professional Engineers and Professional Surveyors (hereinafter “the Board”) held a formal hearing to consider the referenced matter. Finding proper notice had been given the Respondent, and after considering all evidence presented, the Board issues the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. The Respondent is now, and was at all times relevant to the complaint, a Professional Surveyor licensee of the Board, and the Board has jurisdiction over his conduct.
2. The Respondent was retained by Randy Scaggs (“Scaggs”) to survey a 10-acre parcel in West Fork, AR preparatory to sale to Charlie and Debra Ward.
3. The Respondent performed the survey and filed a plat dated September 22, 2004, with the Washington County Clerk on, who assigned it document #2005-00042082. This plat was filed with the State Surveyor.
4. Sometime after the property was sold, Scaggs again retained the Respondent to survey the same parcel, this time showing a thirty foot access easement along the north

property line and moving the east and west boundaries of the parcel thirty feet to the east, effectively shifting the entire parcel thirty feet to the east. The Respondent filed this plat dated January 27, 2006, with the Washington County Clerk, who assigned it document #2006-00007343. This plat was not filed with the State Surveyor.

5. When a dispute arose over the second plat, Scaggs again retained the Respondent to survey the same parcel, this time depicting the parcel as it had been for the sale. The Respondent filed this plat dated May 10, 2007, with the Washington County Clerk, who assigned it document #2007-00018052. This plat was not filed with the State Surveyor.

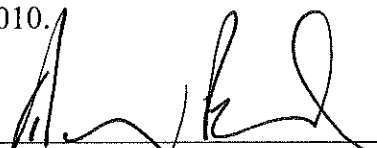
CONCLUSIONS OF LAW

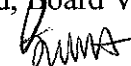
The conduct of the Respondent, as outlined in the Findings of Fact above, constitutes two violations of Article 14.A.5 of the Rules of the Board (failing to file a survey plat with the State Surveyor, in violation of the Arkansas Minimum Standards for Property Boundary Surveys and Plats).

ORDER

Based on these Findings and Conclusions, the Respondent shall pay to the Board a civil penalty of \$100 for the violations described in the Conclusions of Law above, within 50 days of the service of this Order.

ORDERED this 3rd day of June, 2010.



Tommy Bond, Board Vice-President


APPEALS

This Order may be appealed within thirty (30) days of service upon the Respondent, as specified in the Arkansas Administrative Procedures Act, according to the provisions of Arkansas Code Annotated §25-15-212.

CERTIFICATE OF SERVICE

I, James Atchley, Investigator of the Arkansas State Board of Licensure for Professional Engineers and Professional Surveyors, do hereby certify that I have served a copy of the attached order by mailing copies of same, by first class mail and certified mail, with return receipt requested and postage prepaid, on this 3rd day of June, 2010, to:

Mr. William C. Jenkins, PS
 Jenkins Surveying Inc
 1552 Cedar St
 Fayetteville, AR 72703-1301

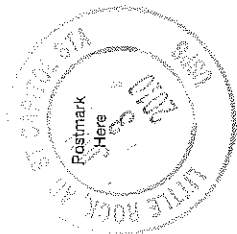
James Atchley

 James Atchley, Board Investigator

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