

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

Case #2009-04, in the matter of Charles Presley:

COMPLAINT

The Arkansas Board of Registration for Professional Engineers and Land Surveyors (hereinafter "the Board") received a complaint on January 16, 2009, charging Charles L. Presley (AR-PS #752, hereinafter "Presley") with violation of Arkansas Code Annotated 17-48-102. Specifically, Presley is charged with gross negligence and/or incompetence in the practice of surveying.

FINDINGS OF FACT

1. Presley is a Professional Surveyor in Arkansas, and the Board has jurisdiction over his conduct and the subject matter of this complaint.
2. The Complainant owns or has an interest in real property in Madison County, AR.
3. In 2007, Rodney Woods (AR-PS #1559), of the firm Presley, Brannan & Associates, Inc, surveyed and recorded a series of plats of parcels adjoining the Complainant's interests.
4. Acting upon those plats, the adjoining landholder constructed a fence, resulting in what the Complainant believes to be an encroachment.
5. Additionally, the Complainant is concerned that the existence of the survey plats will complicate the future conveyance of the parcels in which he has an interest.

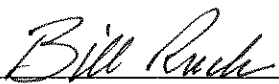
CONCLUSIONS OF LAW

Rodney Woods had responsible charge of the survey which is the cause for the complaint. While Presley is a principle in same firm as Rodney Woods, there is no evidence he was involved in the survey.

ORDER

Based on these findings, the complaint against Presley is dismissed without further action by the Board.

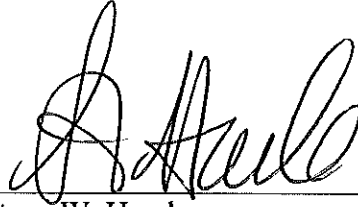
SO ORDERED this 9<sup>th</sup> day of June, 2009

  
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William E. Ruck, President

**CERTIFICATE OF SERVICE**

I, Steve W. Haralson, 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 the same by first class mail with postage prepaid, on this 17<sup>th</sup> day of June, 2009, to:

Mr. Charles L. Presley, PE  
Presley Brannan and Associates Inc  
PO Box 607  
Huntsville, AR 72740-0607

A handwritten signature in black ink, appearing to read 'S. Haralson', written over a horizontal line.

Steve W. Haralson  
Executive Director