

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



Wisconsin Department of Regulation & Licensing Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Regulation & Licensing website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Regulation and Licensing from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Regulation and Licensing data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Regulation and Licensing, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Regulation and Licensing is shown on the Department's Web Site under "License Lookup." The status of an appeal may be found on court access websites at: <http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>.
- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DRL website: An individual who believes that information on the website is inaccurate may contact the webmaster at web@drl.state.wi.gov

**STATE OF WISCONSIN
BEFORE THE EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS, PROFESSIONAL ENGINEERS,
DESIGNERS AND LAND SURVEYORS – LAND SURVEYOR SECTION**

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST : **FINAL DECISION AND ORDER**
:
ANTHONY J. WALKER, :
RESPONDENT. : **LS0311134LSR**

Division of Enforcement Case No. 02 LSR 003

The parties to this action for the purpose of Wis. Stats. sec. 227.53 are:

Anthony J. Walker
5964 Linda Ct.

Mazomanie, WI 53560

State of Wisconsin Examining Board of Architects, Landscape Architects,
Professional Engineers, Designers and Land Surveyors
Land Surveyor Section
P.O. Box 8935
Madison, WI 53708

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Land Surveyors Section (Section). The Section has reviewed the Stipulation and considers it acceptable.

Accordingly, the Section adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. **Anthony J. Walker** ("Walker"), date of birth 10/17/60, is licensed in the State of Wisconsin as a Land Surveyor having license # 8-1957. This license was first granted to him on 03/03/88. Walker's most recent address on file with the Department of Regulation and Licensing is 5964 Linda Ct., Mazomanie, WI 53560.
2. On February 1, 2000, Walker's Wisconsin Land Surveyor license expired and was not renewed by him until April 30, 2002.
3. On or about September 7, 2001, Walker prepared a Certified Survey Map # 10191 for Carolyn May on lands known as Lot 7 and Lot 10, Block 23 Mears-Remington addition to the Village of Black Earth, Wisconsin.
4. Dane County Certified Survey Map # 10191 signed and stamped by Walker, dated September 7, 2001,

failed to describe the monumentation at the ends of the boundary lines and show the bearing and distance between them, as required by Wis. Admin. Code secs. A-E 7.03 and A-E 7.04, and Wis. Stat. secs. 59.73(1) and 236.20(3)(b). A copy of the Certified Survey Map # 10191 is attached as **Exhibit 1** and is incorporated herein by reference.

5. In order to correct the deficiencies on Map # 10191, Walker prepared Certified Survey Map # 10501.

6. Dane County Certified Survey Map # 10501 signed and stamped by Walker, dated July 26, 2002, contained the following deficiencies:

- a. Failed to show the exact length of the easterly and westerly boundary lines of the survey, as required by Wis. Stat. sec. 236.20(2)(a) and (c).
- b. Incorrectly tied the North reference to the East line of Mills Street, instead of the West line of Mills Street as required by Wis. Stat. sec. 236.20(2)(i).
- c. Failed to include a legend explaining that dimensions shown in parenthesis represent recorded dimensions which vary from field measurement, as required by Wis. Adm. Code sec. A-E 7.05(3).

A copy of the Dane County Certified Survey Map # 10501 is attached as **Exhibit 2** and is incorporated herein by reference.

CONCLUSIONS OF LAW

1. The State of Wisconsin Land Surveyors section of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors has jurisdiction to act in this matter and is authorized to enter into the attached Stipulation pursuant to Wis. Stats. sec. 443.12.

2. Respondent **Anthony J. Walker** has violated:

- a. Wisconsin Administrative Code section A-E 8.03(3)(a) and section 443.02(4)(a) of the Wisconsin Statutes by practicing as a land surveyor with an expired license from February 1, 2000, until the license was renewed on April 30, 2002.
- b. Wisconsin Administrative Code sections A-E 7.03 and A-E 7.04 and sections 59.73 and 236.20(3)(b) of the Wisconsin Statutes by having failed to include the items identified in Findings of Fact, Paragraph 4, Map # 10191.
- c. Wisconsin Statutes sections 236.20(2)(a),(b), (c) and (i) and Wisconsin Administrative Code sections A-E 7.05(3), A-E 7.05(4), A-E 8.03.(3)(b), and A-E 8.06(1) by having failed to include the items identified in Findings of Fact, Paragraph 6, Map # 10501.

3. In light of the foregoing violations, Walker has misconducted himself in the practice of land surveying, as provided in Wisconsin Administration Code A-E 8.03(3)(a) and (b).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that the attached Stipulation is hereby accepted.

IT IS FURTHER ORDERED, that the Respondent **Anthony J. Walker**, license #8-1957, is hereby **REPRIMANDED**.

IT IS FURTHER ORDERED, that the Respondent **Anthony J. Walker**, pay full costs of this matter in the amount of \$1,000.00 within 30 days of the date of this Order. Payment shall be made by **certified check or money order**, payable to the Wisconsin Department of Regulation and Licensing and sent to: **Department Monitor, Division of Enforcement, Department of Regulation and Licensing, PO Box 8935, Madison, WI 53708-8935.**

IT IS FURTHER ORDERED, that in the event Respondent **Anthony J. Walker** fails to pay the \$1,000.00 **costs** within the time and manner as set forth above, then and in that event, and without further notice to the Respondent **Anthony J. Walker**, his land surveyor's license shall be suspended without further hearing and without further Order of the Board, and said suspension shall continue until the full amount of said costs have been paid to the Department of Regulation and Licensing and his failure to pay the costs shall be considered a violation of this Order by the Board.

IT IS FURTHER ORDERED, that the Respondent **Anthony J. Walker**, pay a forfeiture of \$500.00 within 30 days of the date of this Order. Payment shall be made by **certified check or money order**, payable to the Wisconsin Department of Regulation and Licensing and sent to: **Department Monitor, Division of Enforcement, Department of Regulation and Licensing, PO Box 8935, Madison, WI 53708-8935.**

IT IS FURTHER ORDERED, that in the event Respondent **Anthony J. Walker** fails to pay the \$500.00 **forfeiture** within the time and manner as set forth above, then and in that event, and without further notice to the Respondent **Anthony J. Walker**, his land surveyor's license shall be suspended without further hearing and without further Order of the Board, and said suspension shall continue until the full amount of said costs have been paid to the Department of Regulation and Licensing and his failure to pay the forfeiture shall be considered a violation of this Order by the Board.

IT IS FURTHER ORDERED, that the Wisconsin Land Surveyor License of Respondent **Anthony J. Walker** is hereby LIMITED for a period of one year in the following respects:

1. Commencing on the date of this Order, all final Plats, Preliminary Plats, Assessor's Plats and all Certified Survey Maps produced by Respondent and/or any firm owned or operated by him, shall be reviewed by a licensed land surveyor who shall be approved by the Land Surveyor Section of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors.

Each of these reviews shall be completed prior to the release of any such survey map to any client or other member of the public. Respondent and/or his firm must correctly make all corrections to the map or plat as noted by the approved reviewing land surveyor prior to placement of the Registered Land Surveyor stamp and signature of a Registered Land Surveyor.

2. Respondent shall not engage the services of any land surveyor licensee as an employee during the period of limitation on his license.

3. The terms and conditions of this license limitation may only be modified by further written Order of the Land Surveyor Section of the Examining Board of Architects, Landscape Architects, Professional Engineers,

4. Respondent may petition the Land Surveyors Section in writing for modification or termination of this Order at any time after six months from the date of this Order. Any petition filed with the Section shall be signed by Respondent under oath and shall state whether or not Respondent has complied with all the terms and conditions of this Order. Any petition filed with the Board by Respondent shall be accompanied by a minimum of ten land survey maps prepared by Respondent subsequent to the date of this Order. All of these surveys must show the signature of Respondent and that they were reviewed by the approved reviewing land surveyor. The Section shall review the petition and the accompanying land surveys for compliance with this Order. The Section may require Respondent to make a personal appearance before it for the purpose of requesting further information from him. The Section's final decision on any petition for modification or termination of this Order shall be at its reasonable discretion.

5. Failure by Respondent to comply with any term of his Limited Land Surveyors License as set forth herein shall be considered a violation of this Order and subject Respondent to further discipline to the provisions of Chapter 443 of the Wisconsin Statutes.

IT IS FURTHER ORDERED, that file 02 LRS 003 be, and hereby is, closed.

Dated this 13th day of November, 2003.

LAND SURVEYOR SECTION

Ricky Van Goethem

A member of the Section