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

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
CHRISTOPHER J. KUNKEL,	:	
RESPONDENT.	:	LS0507273LSR

Division of Enforcement Case No. 02 LSR 007

The parties to this action for the purpose of Wis. Stat. §227.53 are:

Christopher J. Kunkel
14195 W. Beechwood Tr.
New Berlin, WI 53151

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

PROCEDURAL HISTORY

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 Wisconsin Land Surveyor Section (Section). The Section has reviewed this Stipulation and considers it acceptable.

Accordingly, the Section in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Christopher J. Kunkel (“Respondent”), date of birth 07/13/55, is duly licensed as a Land Surveyor in the State of Wisconsin having license # 8-1755. This license was first granted to him on 05/04/83 and is current through 01/31/06. Respondent’s last reported address on file with the Department of Regulation and Licensing is 14195 W. Beechwood Tr., New Berlin, WI 53151.
2. On or about August 17, 2000, Respondent prepared a certified survey map #200398 for Theodore Losby for property located at W281 N3438 Taylor Woods Rd., Delafield, WI.

3. Waukesha County Certified Survey Map # 200398 signed and stamped by Respondent, dated August 17, 2000, contained the following deficiencies:

- a. Failed to note that the measured boundary along the northwesterly line varied from that recorded in the deed as required by Wisconsin Administrative Code § A-E 7.05(3). Respondent measured the boundary for the northwesterly line as 63' but the deed identifies this boundary as 73'. The survey map does not note the discrepancy.
- b. Failed to describe all monuments used for determining the location of the parcel and show by bearing and distance their relationship to the surveyed parcel and indicate whether such monuments were found or placed as required by Wisconsin Administrative Code § A-E 7.05(4).

4. A copy of Waukesha County Certified Map #200398 is attached as **Exhibit 1** 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. Stat. § 443.12.

2. Respondent has violated:

- a. Wisconsin Administrative Code §§ A-E 7.05(3), and A-E 7.05 (4) by having failed to include the items identified in Findings of Fact, Paragraph 3.
- b. The errors made by Respondent as set forth above constitute misconduct in the practice of land surveying as defined in Wis. Adm. Code § A-E 8.03(3)(a) and (b).

ORDER

NOW THEREFORE, IT IS HEREBY ORDERED:

1. That Respondent Christopher J. Kunkel, license #8-1755, be and hereby is REPRIMANDED.

2. That Respondent shall, within 90 days from the date of this Order, pay COSTS of this proceeding in the amount of \$1300.00. Payment shall be made payable to the Wisconsin Department of Regulation and Licensing, and mailed to:

Department Monitor
Department of Regulation and Licensing
Division of Enforcement
1400 East Washington Ave.
P.O. Box 8935
Madison, WI 53708-8935
Telephone (608) 267-3817
Fax (608) 266-2264

3. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. In its discretion the Section may, in the alternative, impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to timely submit payment of the costs as set forth above, Respondent's license (#8-1755) SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order. [\[smg1\]](#)

4. This Order is effective on the date of its signing.

LAND SURVEYOR SECTION

By: Ricky Van Goethem

Date: July 27, 2005

A member of the Section

[\[smg1\]](#) This section should be the standard summary suspension provision: **Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order.** Where the terms of discipline consist of a forfeiture, costs or continuing education, alternative "self-effectuating" language should be utilized. E.g.: **In the event Respondent fails to timely submit any payment of the forfeiture as set forth above, the Respondent's license(#1550) SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.**