

RETRACEMENT VI
Based on the September 2023 Edition
EXAMINATION NO. 1
1.5 Contact Hours of Continuing Education Credit

Signature: _____ Date: _____
Typing your name in the above space constitutes your signature and is your verification that you took this test on the date indicated hereon.

State and License Number: _____

ANSWER "TRUE" OR "FALSE" (Check the Appropriate Answer)

1. This month's case, *Akin v. Godwin*, Florida Supreme Court, 1950, is a boundary dispute caused by civil engineer Garris who surveyed the common boundary between the parties as a measurement and math stakeout task, instead of as a true retracement survey.
 True False
2. A plaintiff in an ejectment suit must recover upon the strength of his own title and must show title in himself and a right to the possession of the land sued for in the proceedings.
 True False
3. In making a resurvey, the question is not where an entirely accurate survey would locate the lines, but where did the original survey locate such lines.
 True False
4. It is generally held, therefore, that a resurvey that changes lines and distances and purports to correct inaccuracies or mistakes in an old plat is not competent evidence of the true line fixed by the original plat.
 True False
5. Another way of say "not competent" is "incompetent."
 True False

MULTIPLE CHOICE (Check Answer that is Most Correct)

6. Mr. Garris, a civil engineer, testified that he made his survey of the common boundary between Lots 3 and 4 of the City of Miami plat by:
- A. ascertaining the block boundaries, as marked by the city monuments establishing the locations and boundaries of the streets on the four sides of Block Fifty.
 - B. pro-rating any excess or deficiency in Block Fifty, and that the sketch of Lot Four represented the true dimensions of that lot as pro-rated.
 - C. talking to Mr. Akin about the boundary and how he determined the location of the line when he erected the pillars for the porch roof.
 - D. A and B, only.
 - E. None of the above.
7. Mr. Cormack, also a civil engineer, testified about the survey he conducted on the same common boundary surveyed by Garris and that he:
- A. conducted his survey from original wooden-stake monuments set by Knowlton and not the city monuments.
 - B. had a discussion with Akin about the boundary and how he determined the location of the line when he erected the pillars for the porch roof.
 - C. ultimately utilized the small iron stake pointed out to him by Akin and held the existing fence line between the properties as the best available evidence of the true location of the property line.
 - D. All of the above.
 - E. None of the above.
8. Which surveyor/engineer set the city monuments around Block Fifty:
- A. Knowlton.
 - B. Klyce.
 - C. Garris.
 - D. Cormack.

9. In the opinion of the Editor of TLL, this case/opinion is:
- A. a classic retracement case full of retracement theory.
 - B. an important case in American jurisprudence on the crucial issue of meander lines as property boundary lines.
 - C. full of details about the surveys conducted by all four of the surveyor/engineers listed in question 8, above.
 - D. too long.
10. In the opinion of the Editor of TLL, a retracement survey should be conducted:
- A. from the outside-in, just as Garris and Cormack did.
 - B. from the inside-out, to find harmony with surrounding properties.
 - C. based on calculations and pro-rated measurements to move the boundary to where it should have been in the first place.
 - D. by staking out the deed dimensions.