

Evidence Procedures Boundary Location Robillard

Evidence Procedures Boundary Location Robillard Evidence Procedures Boundary Location and the Robillard Doctrine A Comprehensive Analysis The accurate determination of property boundaries is crucial in numerous legal and practical contexts Disputes over land ownership easement rights and infrastructure development frequently necessitate precise boundary location This article explores the intricacies of evidence procedures employed in boundary determination focusing on the significant contribution of the Robillard Doctrine a legal principle emphasizing the weight of long standing practical location of boundaries over strictly literal interpretation of deeds and other documents We will analyze its application limitations and implications for both legal professionals and land surveyors Evidence Procedures in Boundary Location Establishing a property boundary involves a multifaceted process relying on various forms of evidence These can be broadly categorized as 1 Documentary Evidence This includes deeds grants plats maps surveys and other written instruments The reliability of documentary evidence depends on its age accuracy clarity and the chain of title it represents Older documents while potentially less precise might reflect longaccepted boundary locations 2 Testimonial Evidence Statements from witnesses who have knowledge of the boundary including longterm residents surveyors and other relevant individuals can provide valuable insights The credibility of such evidence is assessed based on the witnesss experience memory and potential biases 3 Physical Evidence This encompasses physical markers on the ground such as fences walls roads and other improvements that might demonstrate historical occupation and boundary acceptance The age and condition of these markers along with their relation to documented boundaries are crucial in evaluating their evidentiary weight The Robillard Doctrine Prioritizing Practical Location The Robillard Doctrine originating from the case Robillard v The Town of Northfield emphasizes the practical location of boundaries as paramount particularly when conflicting with strictly literal interpretations of written documents This doctrine recognizes that over 2 time boundaries might become obscured or inaccurately described in legal instruments It prioritizes evidence of longstanding practical location reflecting the understanding and acceptance of the boundary by the parties involved and the community Type of Evidence Weight under Robillard Doctrine Limitations Documentary Evidence Deeds Maps Lower weight if conflicting with longstanding practical location

Ambiguity inaccuracies outdated information Testimonial Evidence Witness Accounts Significant weight if corroborating practical location Bias fading memory lack of documentation Physical Evidence Fences Walls Highest weight if consistent with longstanding practical location and witness testimony Degradation alteration potential for unauthorized placement Illustrative Chart Weight of Evidence under Robillard Doctrine Weight of Evidence High Physical Evidence Longstanding consistent markers Testimonial Evidence Multiple corroborating accounts Medium Documentary Evidence Supporting practical location Low Documentary Evidence Conflicting with practical location Testimonial Evidence Conflicting accounts weak credibility RealWorld Applications and Implications The Robillard Doctrine has significant practical applications in resolving boundary disputes For example consider a scenario where a deed describes a boundary along a particular creek but the creeks course has shifted over time If a fence consistently marking a different location has existed for decades accepted by neighboring landowners the Robillard Doctrine would likely favor the fence line as the legally recognized boundary even if it contradicts the deeds literal description This doctrine is particularly important in areas with older land records or imprecise surveying techniques It offers a means to reconcile discrepancies between historical documentation and ground realities promoting fairness and stability in land ownership However the application of the Robillard Doctrine isn't without limitations It requires a demonstrable history of longstanding practical location and the evidence needs to be clear and convincing Mere possession or informal use of land without clear evidence of boundary acceptance by all involved parties might not suffice Furthermore the doctrine cannot be used to arbitrarily disregard valid and unambiguous documentary evidence Conclusion The determination of property boundaries is a complex process requiring careful consideration of various evidence types The Robillard Doctrine represents a vital legal principle that balances the weight of historical documentation with the practical reality of longstanding boundary location Its application promotes fairness reduces uncertainty and contributes to stable land ownership However careful analysis and rigorous evaluation of all available evidence are crucial to ensure accurate and equitable outcomes As technology advances eg GIS GPS its impact on evidence collection and interpretation within the framework of the Robillard Doctrine warrants further investigation Striking a balance between respecting historical norms and utilizing modern tools will be essential for future boundary disputes Advanced FAQs 1 How does the Robillard Doctrine interact with adverse possession claims The Robillard Doctrine focuses on established boundaries whereas adverse possession claims emphasize continuous open notorious and hostile occupation Both might be relevant in a dispute but they address distinct legal concepts 2 What constitutes longstanding in the context of practical location Theres no fixed timeframe Courts consider factors such as the continuity of the practical

location the community's acceptance and the consistency of evidence supporting it. Decades not just years are generally considered longstanding.³ Can the Robillard Doctrine be applied retroactively? While the doctrine itself isn't inherently retroactive, its application relies on evidence of historical practices. Therefore, the relevant period for examining practical location would extend back as far as necessary to ascertain a consistent and accepted boundary.⁴ How does the precision of modern surveying techniques influence the application of the Robillard Doctrine? High-precision surveys can provide strong corroborating evidence or expose discrepancies in longstanding practices. However, the doctrine still prioritizes long-standing acceptance over strictly literal interpretation of survey results.⁵ What are the ethical implications for surveyors involved in boundary disputes involving the Robillard Doctrine? Surveyors have a professional obligation to conduct thorough investigations, document their findings accurately, and present impartial evidence to the court. Bias or manipulation of data to support a particular outcome is unethical and potentially illegal.

Evidence and Procedures for Boundary Location
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Surveying and Mapping
The General Statutes and the Code of Civil Procedure of the State of South Carolina
Algorithms for Zonal Methods and Development of Three Dimensional Mesh Generation
Procedures
Book of Pleadings Adapted to the Code of Civil Procedure of the State of California
Numerical Simulations in Turbomachinery
The Computation of Steady Nozzle Flow by a Time-dependent Method
Improving Your Field Procedures
Code of Civil Procedure
Process-flow Specification and Dynamic Run Modifications for Semiconductor Manufacturing
The New York Code of Civil Procedure, as Amended Prior to 1883
Civil Procedure Reports
Bylaws and Rules of Procedure and Rules of Professional Conduct of the State Board of Registration for Professional Engineers and Professional Land Surveyors
Cyclopedia of Law and Procedure
Microcomputer
Indiana Register
Manuals of Engineering Practice
The Code of Civil Procedure of the State of California
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Turbomachinery The Computation of Steady Nozzle Flow by a Time-dependent Method Improving Your Field Procedures Code of civil procedure Process-flow Specification and Dynamic Run Modifications for Semiconductor Manufacturing The New York Code of Civil Procedure, as Amended Prior to 1883 Civil Procedure Reports Bylaws and Rules of Procedure and Rules of Professional Conduct of the State Board of Registration for Professional Engineers and Professional Land Surveyors Cyclopedias of Law and Procedure Microcomputer Indiana Register Manuals of Engineering Practice The Code of Civil Procedure of the State of California Methods to Determine Geographic/population Boundaries for Specific Health Services Walter G. Robillard Donald A. Wilson South Carolina Joseph L. Steger John C. Burch Michael C. Cline James P. Reilly California Christopher James Hegarty New York (State) New York (State). Courts Colorado. State Board of Registration for Professional Engineers and Professional Land Surveyors Kenneth L. Bowles California Government Studies & Systems (Firm)

professional surveyors and many civil engineers must understand the laws of boundaries and the evidence necessary for efficient and accurate boundary determination this new edition of the preeminent text reference on the subject is brought completely up to date with new material on the use of technology in surveying and its legal ramifications the use of forensic investigative techniques in the discovery of obscured evidence new case law examples throughout and new exhibits help illustrate the concepts presented

evidence and procedures for boundary location the updated classic guide to land boundary law and evidence discovery the revised seventh edition of evidence and procedures for boundary location serves as the seminal guide to the principles and concepts of land boundary law and evidence for accurately determining boundaries written by a team of noted authorities on the subject the book presents the proven methods for the rediscovery of real property boundaries grounded in historical documentation field investigation and recreation of the original surveying methodology the book contains the appropriate and legally defensible tools needed for the re establishment of land boundaries thoroughly revised and updated the classic text contains fresh examples of case law the most recent developments in forensic investigation in the discovery of obscured evidence as well as a new chapter on emerging technology used in boundary surveying designed for use by both working surveyors and aspiring professionals studying for the fundamentals of land surveying licensure exam this important book has been the leading guide to land boundary law and evidence for nearly 60 years contains new case law examples and exhibits offers expanded coverage on the use of forensic investigative techniques presents a new chapter on the most recent surveying technology written for

practicing surveyors and students the updated seventh edition of evidence and procedures for boundary location continues to offer an authoritative guide to the principles laws and latest developments in the field

the goal of this research was to further develop zonal methods and three dimensional procedures for application of finite difference methods to solve complex aircraft configurations for the task of three dimensional grid generation both elliptic and hyperbolic methods were developed a chimera grid scheme that is the use of overset multiple grid systems was also tested in two dimensions in zonal methods several new algorithms were developed these included combining transonic potential codes with thin layer navier stokes equations unsteady transonic potential euler and vector potential codes this report summarizes the various numerical algorithms that were studied author

this book is designed both for introductory courses in computer problem solving at the freshman and sophomore college level and for individual self study an earlier version of the book has been used seven times for teaching large introductory classes at university of california san diego ucsd this preface is intended for the instructor or for anyone sophisticated enough in contemporary computing practice to be able to advise the prospective student the amount of material presented has been completed by about 55 percent of all students taking the course where ucsd schedules 10 weeks of classes in a quarter we have taught the course using keller s personalized system of instruction psi though the organization of the book does not require that plan to be used psi methods allow slightly more material to be absorbed by the students than is the case with the traditional lecture recitation presentation psi allows grading according to the number of chapter units completed virtually all students who pass the course at ucsd do complete the first ten essential chapters and the exercises associated with them for a conventional presentation under the semester system the 15 chapters should present an appropriate amount of material for a conventional course under the quarter system one might not expect to complete more than the first 12 chapters except on an extra credit basis

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