

Pallamary 'Doesn't Give Up'

Surveyor Has Fought Off Guns, Dogs,irate Owners

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The boundary line is there, right? Not necessarily, but Michael Pallamary, president of Precision Survey & Mapping, can probably tell you where the line should be.

In Pallamary's world, things are often not what they seem, and he has sometimes had to brave guns, dogs and irate owners in search of the surveyor's truth.

Since founding his firm in 1982, it has been his goal to find what even his clients may not wish him to find. These surprises could come in the form of a misplaced easement, an improperly placed fence, or even an encumbrance affecting an entire subdivision.



He has been involved in projects as large as the Emerald/Shapery Center and the Omni Hotel and as small as a dispute over two small lots in a La Jolla neighborhood.

Pallamary, who also runs Land Survey Service in La Jolla, said the greatest problems arise when people build on a property that may not be entirely theirs. A big grin came to the surveyor's face when he related the first of three of his best horror stories.

A Mount Helix resident ended up paying a very heavy price because, years earlier, a developer had altered the legal description of a property so it would conform to the land configuration.

When Resident A decided to build a pool in "his" backyard, Resident B protested believing that some of the property might actually be his land. Resident B's complaints had no effect and A kept right on building the pool.

"Things really got hot when resident A's kids started throwing apples at resident B's wife," Pallamary recalled.

Resident A even kept bulldozing through the property after a survey had shown that half the pool site was on Resident B's land.

Resident B not only prevailed in the lawsuit which followed, the court awarded \$450,000 in damages because of the abuse Resident A inflicted. And this was just the beginning of Resident A's troubles.

The only way for Resident A to satisfy the judgement was to sell his property.

"Resident A couldn't sell his property because who would buy such a property with all the litigation and boundary disputes," Pallamary said. "So Resident B got

the land and we legally adjusted the property to go around the pool. Resident B than sold what was Resident A's property for another \$450,000. The bottom line? Resident A should have heeded his neighbor's advice."

Sometimes, Pallamary related, seemingly minor items in title reports may be overlooked by builders and the agencies which oversee them. The city reportedly gave a builder the green light to build a pool in the backyard of a La Jolla property, not realizing that a 12-inch water main lay buried beneath the surface.

"Who would have thought that this great big pipe would be running diagonally across this piece of land, and yet, there is was," he said.

Pallamary said the architect for the pool was "livid" when the pipe was unearthed, but the pool was reconfigured to go around the pipe.

"I am absolutely amazed that people would spend so much for a property, and then just not bother to find out about what they bought," he said.

Precision Survey and Mapping is currently involved in a survey of a mobilehome park (which Pallamary refused to name due to pending litigation) in Carlsbad.

Pointing to a large sheet, Pallamary said there are no fewer than 20 easements on the property, many of which pre-dated the division of the property into lots.

"Many of the gas and electric easements were created even before there were streets," Pallamary said.

Pallamary said there is one location where a gas and electric easement runs beneath 20 inhabited mobilehome sites, and another case of where a road was dedicated that the county never built. The line of the road dedication reportedly runs through 58 existing mobilehome sites.

Pallamary said his firm discovered the problems after the buyer of the property requested an American Land Title Association survey of the property for insurance purposes. The buyers are hoping to build condominiums on the land, but Pallamary suggested that it could still be quite a while before all the easement and property rights issues are resolved.

He said areas in La Jolla and Coronado are often particularly difficult to survey because of the lack of adequate records.

Pallamary decided to buy the Land Survey Service in La Jolla after the death of owner Thomas Shuttleworth because of the business' extensive records on La Jolla properties.

Finding historical data is one thing, actually surveying the property is another. Pallamary said he quickly learned that being on someone's property can be extremely hazardous to a surveyor's health. Even though the surveyor is legally permitted to step on any property within California, many owners don't see it that way.

"On more than one occasion I have been chased off a property with a gun," he said.

Pallamary said the latest incident when he was surveying property in the Rancho El Cajon area and found himself looking down the barrel of a pistol.

"This old guy just pulled a '45 on me," he said. "The guy screamed at me that he wanted me to leave because 'everytime you people come out here, you end up taking more of my land.'"

Pallamary said he was able to calm the landowner down when he revealed that the survey would actually benefit the owner.

Four months ago he received another display of human territoriality when the owner of a Clairemont property sent his dogs after Pallamary's flesh. He finally gained access after waving down two police cars and showing them his surveyor's license.

Sometimes Pallamary's equipment gets the worst of it. One La Jolla woman became so enraged that she picked up Pallamary's \$5,000 tripod and hurled it like a javelin before it was dashed to bits upon the ground. An embarrassed husband later paid for the equipment rather than suffering through an even more embarrassing court case.

And what makes this relatively mild-mannered surveyor different from the rest? Roy Drew, a principal with the architectural firm of Mosher Drew Watson Ferguson, said it is Pallamary's attention to detail which sets him apart.

"He was very thoughtful about the way he approached things. He went way beyond just looking at the property lines," Drew said.

Jean-Pierre Guittard, an associate with Gray, Cary Ames & Fry, said he was impressed with Pallamary's work because of his focus on the history of a property.

"Mike just doesn't give up in this regard," Guittard said. "He is a self-starter, and he is very thorough."

And Dan Sharp, a project manager for the Naiman Co., said the contacts Pallamary has made "has gotten him very well connected politically. This means he can get something processed more quickly than most, and that means a lot."