

(B) PROOF AT HEARING.

IN CASES WHERE A HEARING IS TO BE HELD, THE ARCHIVIST, ON MOTION OF THE APPLICANT MADE PRIOR TO THE TIME REFERRED TO IN SUBSECTION (E), MAY DIRECT THAT THE PROOF REQUIRED BY SUBSECTION (A) BE TAKEN AT THE HEARING AND NOT BY DEPOSITION.

(C) DEPOSITION ON REQUEST OF SURVEYOR.

ON REQUEST OF THE SURVEYOR, THE APPLICANT MAY TAKE THE DEPOSITION OF ANY PERSON IN ORDER TO ASSIST THE SURVEYOR IN ASCERTAINING THE BOUNDARIES ON WHICH HIS SURVEY DEPENDS OR OTHERWISE TO ASSIST HIM IN THE EXECUTION OF THE WARRANT.

(D) NOTICE OF DEPOSITION.

NOTICE OF THE TAKING OF ANY DEPOSITION SHALL BE GIVEN TO ALL PARTIES TO THE PROCEEDING. ANY PARTY OR HIS COUNSEL MAY BE PRESENT AT THE DEPOSITION AND HAS THE RIGHT TO EXAMINE ANY DEPONENT.

(E) FILING DEPOSITIONS.

ALL DEPOSITIONS SHALL BE FILED WITH THE ARCHIVIST WITHIN 45 DAYS FROM THE DATE OF FILING THE CERTIFICATE OF THE SURVEYOR. DEPOSITIONS WHEN FILED, SHALL BE ACCOMPANIED BY ALL EXHIBITS INTRODUCED DURING THE COURSE OF THE DEPOSITIONS AND AN AFFIDAVIT OF THE PERSON, AT WHOSE INSTANCE THE DEPOSITION WAS TAKEN, THAT NOTICE WAS GIVEN TO ALL PARTIES TO THE PROCEEDING.

REVISOR'S NOTE: This section presently appears as Art. 21, §13-108 of the Code. In subsection (a), new language is added to provide that the requirements for possessing land are similar to those for adverse possession. The only changes are in style.

13-109. FILING OF CERTIFICATES AND PLATS.

THE ARCHIVIST SHALL EXAMINE THE CERTIFICATES AND PLATS RETURNED BY THE SURVEYOR AND IF THEY APPEAR TO COMPLY WITH THE REQUIREMENTS OF §13-107, HE SHALL FILE THEM IN THE PROCEEDING. IF ANY CERTIFICATE OR PLAT IS FOUND TO BE INCORRECT OR INCOMPLETE, IT SHALL BE RETURNED PROMPTLY TO THE SURVEYOR FOR COMPLETION OR APPROPRIATE AMENDMENT.

REVISOR'S NOTE: This section presently appears as Art. 21, §13-109(a) of the Code. New language is added to provide that an incorrect or incomplete certificate or plat shall be