

# Texas State Specific Exam (TSSE) for Land Surveying Practice Exam (Sample)

## Study Guide



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## **Questions**

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**1. In the case of Town of Refugio V. Strauch, what is said about the use of streets?**

- A. Streets are always public property**
- B. Non-use makes them void**
- C. They can be used for minerals**
- D. Ownership of streets can change frequently**

**2. What is typically included in the six classes of evidence?**

- A. Primary, secondary, extrinsic, reliable, direct, circumstantial**
- B. Indispensable, primary, secondary, direct, indirect, extrinsic**
- C. Direct, circumstantial, witness, documentary, primary, secondary**
- D. Primary, demonstrative, testimonial, circumstantial, direct, inferential**

**3. What does the case Findlay V. State establish about patents of land found to be in excess?**

- A. The State must keep all excess land regardless of the grantee's actions**
- B. The grantee has the right to purchase the excess at market value**
- C. The excess is automatically transferred to the State**
- D. The grantee must prove prior ownership of the excess**

**4. What does judgment denote in a court of justice?**

- A. An informal ruling by a judge**
- B. The official and authentic decision of a court**
- C. A suggested penalty for the defendant**
- D. A personal opinion of the judge**

**5. How many years of study are typically required to determine the mean high tide?**

- A. 10 years**
- B. 15 years**
- C. 19 years**
- D. 25 years**

**6. What is credited to the Permanent University Fund in Texas?**

- A. State tax revenue**
- B. Monies from oil and gas leases**
- C. Donations from private citizens**
- D. Federal funding for education**

**7. What is the status of a person who is vested in property?**

- A. They have no rights to the property**
- B. They have an uncertain claim**
- C. They hold secure possession**
- D. They are only leaseholders**

**8. What requirement was necessary for all boundary points in Mexican grants?**

- A. Distance to the nearest landmark**
- B. Bearing and distance to two trees**
- C. Reference to nearby houses**
- D. Coordinates of the location**

**9. What process transforms sediments into rocks?**

- A. Evaporation**
- B. Heat and pressure**
- C. Freezing**
- D. Vaporization**

**10. What is the key role of a surveyor as defined in the context of professional land surveying?**

- A. Must practice law to determine land ownership**
- B. Expert measurer who locates boundaries according to law**
- C. Has the authority to decide land ownership disputes**
- D. Can operate without knowledge of legal specifications**

## **Answers**

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- 1. C**
- 2. B**
- 3. B**
- 4. B**
- 5. C**
- 6. B**
- 7. C**
- 8. B**
- 9. B**
- 10. B**

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## **Explanations**

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## 1. In the case of **Town of Refugio V. Strauch**, what is said about the use of streets?

- A. Streets are always public property**
- B. Non-use makes them void**
- C. They can be used for minerals**
- D. Ownership of streets can change frequently**

In the case of **Town of Refugio V. Strauch**, the determination regarding the use of streets focuses on the potential for those streets to be utilized for the extraction of minerals. This illustrates that streets are not only designated for public passage but may have value beyond their conventional use. The ruling acknowledges that legal rights can extend to mineral extraction within the boundaries of street property, affirming that such areas can serve multiple purposes depending on ownership and legal agreements. This understanding reinforces the idea that land designated as a street can have underlying mineral rights, which can be critical for landowners and municipalities to consider when evaluating property use and resource allocation. The implications of this ruling are significant because they can affect the rights and responsibilities of municipalities regarding the management and potential commercialization of street areas. Other possible interpretations regarding streets, such as the notions of ownership frequency or voiding due to non-use, do not apply in this context, as they don't reflect the specificity of mineral rights associated with public streets. Thus, the emphasis on their potential use for minerals stands as the key takeaway from this case.

## 2. What is typically included in the six classes of evidence?

- A. Primary, secondary, extrinsic, reliable, direct, circumstantial**
- B. Indispensable, primary, secondary, direct, indirect, extrinsic**
- C. Direct, circumstantial, witness, documentary, primary, secondary**
- D. Primary, demonstrative, testimonial, circumstantial, direct, inferential**

The correct choice identifies a framework that classifies evidence into categories essential for evaluating its relevance and reliability in legal contexts. The terms "indispensable," "primary," "secondary," "direct," "indirect," and "extrinsic" are integral to understanding the hierarchy and applicability of different types of evidence. Primary evidence refers to original materials or firsthand accounts that have not been altered in any way, making it the strongest form of evidence. Secondary evidence serves as a substitute for primary evidence, often used when the primary evidence is unavailable. The distinction between direct and indirect evidence is crucial; direct evidence supports the truth of an assertion directly, such as eyewitness testimony, while indirect evidence (or circumstantial evidence) requires inference to connect it to a conclusion. Extrinsic evidence pertains to evidence that is not contained within the relevant documents or physical materials but may provide context or support to the primary or secondary evidence presented. This classification is vital for understanding the different roles that various types of evidence can play in legal proceedings and helps in systematic evaluation during investigation or trial. The other options do not align with the standard classification of evidence used in legal practice, which is why they do not provide the same clarity or comprehensive understanding as the correct option.

### 3. What does the case *Findlay V. State* establish about patents of land found to be in excess?

- A. The State must keep all excess land regardless of the grantee's actions
- B. The grantee has the right to purchase the excess at market value**
- C. The excess is automatically transferred to the State
- D. The grantee must prove prior ownership of the excess

The case of *Findlay V. State* establishes that when land patents are found to be in excess, the grantee has the right to purchase the excess land at market value. This principle supports the idea of property rights, recognizing that if an individual has been granted a patent for a specific parcel of land, and it is subsequently determined that additional land was included by mistake, the individual should still be afforded the opportunity to secure ownership of that excess land. In many legal systems, this approach reflects a balance between the interests of the State in managing its land resources and the rights of individuals who hold patents. It recognizes the grantee's entitlement to an equitable resolution that allows them to obtain land they may have been utilizing or claiming, thus protecting their investment and property rights. The notion that excess land is automatically retained by the State, that a grantee must prove ownership, or that the State must keep all excess land irrespective of the grantee's actions would conflict with the principle of equitable treatment of landowners and the foundational concepts of property law that prioritize fair access and ownership rights.

### 4. What does judgment denote in a court of justice?

- A. An informal ruling by a judge
- B. The official and authentic decision of a court**
- C. A suggested penalty for the defendant
- D. A personal opinion of the judge

In the context of a court of justice, judgment refers to the official and authentic decision made by a court following a legal proceeding. This encompasses the evaluation of the evidence, application of the relevant law, and ultimately the rendering of a decision regarding the rights and liabilities of the parties involved in a case. A judgment is a formal document issued by the court that lays out the findings, conclusions, and orders resulting from a trial or hearing, often leading to the resolution of a dispute. Judgments are significant because they establish legal precedents and may carry weight in future cases involving similar circumstances. They also contribute to the enforcement of legal rights and obligations. Understanding that a judgment is a formal judicial declaration helps clarify the distinction between various other potentials for court actions, such as informal rulings, penalties, or personal opinions.

**5. How many years of study are typically required to determine the mean high tide?**

- A. 10 years**
- B. 15 years**
- C. 19 years**
- D. 25 years**

The determination of mean high tide involves complex scientific measurements and observations over time due to the natural variability of tidal patterns influenced by factors such as the moon's position, weather conditions, and geographic features. A commonly accepted period for accurately calculating mean high tide is 19 years, which aligns with the lunar cycle and provides a comprehensive dataset that accounts for various predictable changes in tidal behavior. This 19-year timeframe allows surveyors and oceanographers to gather sufficient data to analyze trends and establish a reliable average that reflects the long-term patterns of tidal fluctuations in a given area. This period helps ensure that the calculation is representative, making the results more useful for legal, environmental, and construction purposes. Other timeframes such as 10, 15, or 25 years may not cover enough cycles or might introduce too much variability in the data, thus making 19 years the most scientifically sound choice for determining mean high tide.

**6. What is credited to the Permanent University Fund in Texas?**

- A. State tax revenue**
- B. Monies from oil and gas leases**
- C. Donations from private citizens**
- D. Federal funding for education**

The Permanent University Fund (PUF) in Texas is primarily funded through revenues generated from oil and gas leases on state-owned land. This unique financial structure allows the PUF to support public higher education in Texas, specifically benefiting the University of Texas System and the Texas A&M University System. The income from these leases is invested, and the earnings are used to support educational purposes, which is an essential aspect of the state's commitment to providing quality higher education. Other potential funding sources, such as state tax revenue, donations from private citizens, or federal funding, do contribute to the overall funding of education in Texas but are not credited specifically to the Permanent University Fund. Thus, the distinctive nature of the PUF as a critical financial resource for Texas universities is fundamentally linked to the oil and gas industry, making it a vital part of the state's higher education funding ecosystem.

## 7. What is the status of a person who is vested in property?

- A. They have no rights to the property
- B. They have an uncertain claim
- C. They hold secure possession**
- D. They are only leaseholders

When a person is vested in property, it means they have a secure and established ownership or right to that property. This status typically denotes significant legal rights, implying that the person has the title or other substantive interest that allows them to use, manage, or dispose of the property as they see fit. Vested rights are often considered secure because they indicate that the person's interest in the property cannot easily be challenged or taken away by others. With a secure possession status, the vested individual can exercise their rights without fear of dispute regarding their claim. This contrasts sharply with other statuses like having no rights, an uncertain claim, or being just a leaseholder, which do not imply the same level of security or ownership as being vested. Thus, this understanding of vested property rights is crucial for anyone involved in land surveying or real estate, ensuring that property interests are clearly defined and protected.

## 8. What requirement was necessary for all boundary points in Mexican grants?

- A. Distance to the nearest landmark
- B. Bearing and distance to two trees**
- C. Reference to nearby houses
- D. Coordinates of the location

The requirement for all boundary points in Mexican land grants was indeed tied to establishing bearings and distances to specific landmarks, which often included notable features such as trees. This practice was crucial during the time when the Spanish and later Mexican land policies were implemented. Since exact surveying techniques were not as refined as they are today, land grants relied heavily on physical and recognizable landmarks to define boundaries. The reference to two trees would provide a reliable method for identifying the location and extent of a property, as these features were less likely to change over time compared to other forms of identification like houses or coordinates. The use of trees as reference points was particularly significant because they could serve both as visible markers and as a means to communicate specific distances and directions, which were vital for establishing property lines. The precision in describing boundaries in this manner was essential for settling disputes and ensuring clear ownership.

## 9. What process transforms sediments into rocks?

- A. Evaporation
- B. Heat and pressure**
- C. Freezing
- D. Vaporization

The process that transforms sediments into rocks is known as lithification, which primarily occurs through heat and pressure. When sediments accumulate over time, layers build up, leading to increased pressure from the weight of the overlying material. This pressure, combined with the heat from the Earth's interior, causes the sediments to compact and undergo chemical changes, resulting in the formation of sedimentary rocks. In this context, heat and pressure are essential because they not only help to cement the particles together but also facilitate mineral reactions that can alter the composition of the sediment. This transformation is a key aspect of the rock cycle, linking the sedimentary stages with the igneous and metamorphic processes. The other processes listed—evaporation, freezing, and vaporization—do not contribute to the formation of rocks from sediments. Evaporation is a process that involves the transformation of liquid water into vapor but does not apply to sediment compaction. Freezing pertains to the conversion of liquids into solids, which is not related to sedimentary processes in the context of rock formation. Vaporization also involves a change from liquid to gas and is similarly unrelated to how sediments become lithified into rocks.

## 10. What is the key role of a surveyor as defined in the context of professional land surveying?

- A. Must practice law to determine land ownership
- B. Expert measurer who locates boundaries according to law**
- C. Has the authority to decide land ownership disputes
- D. Can operate without knowledge of legal specifications

In the context of professional land surveying, the key role of a surveyor is primarily as an expert measurer who locates boundaries according to law. This involves the precise measurement of land areas and the identification of property lines, which are essential in establishing legal boundaries for land ownership and usage. The ability to accurately determine these boundaries is foundational to the work of a surveyor, as it supports property owners in understanding their rights and responsibilities regarding their land. Surveys must be conducted with a deep understanding of applicable laws and regulations, including property law and land use regulations, to ensure that the boundaries are defined accurately and legally. This adherence to legal standards underpins the reliability of the surveyor's findings, enabling them to provide essential information for real estate transactions, land development, and dispute resolution. In contrast, the other options do not capture the essential nature of a surveyor's role. Practicing law, deciding disputes, or operating without legal knowledge misinterpret the responsibilities and limitations of a surveyor's professional scope. A surveyor must be knowledgeable about legal specifications but they do not possess the authority to make legal decisions regarding ownership or operate independently of law in their measurements. Their work inherently requires a solid foundation in both technical and legal aspects related to land