

# CERTIFICATE OF LOCATION OF GOVERNMENT CORNER

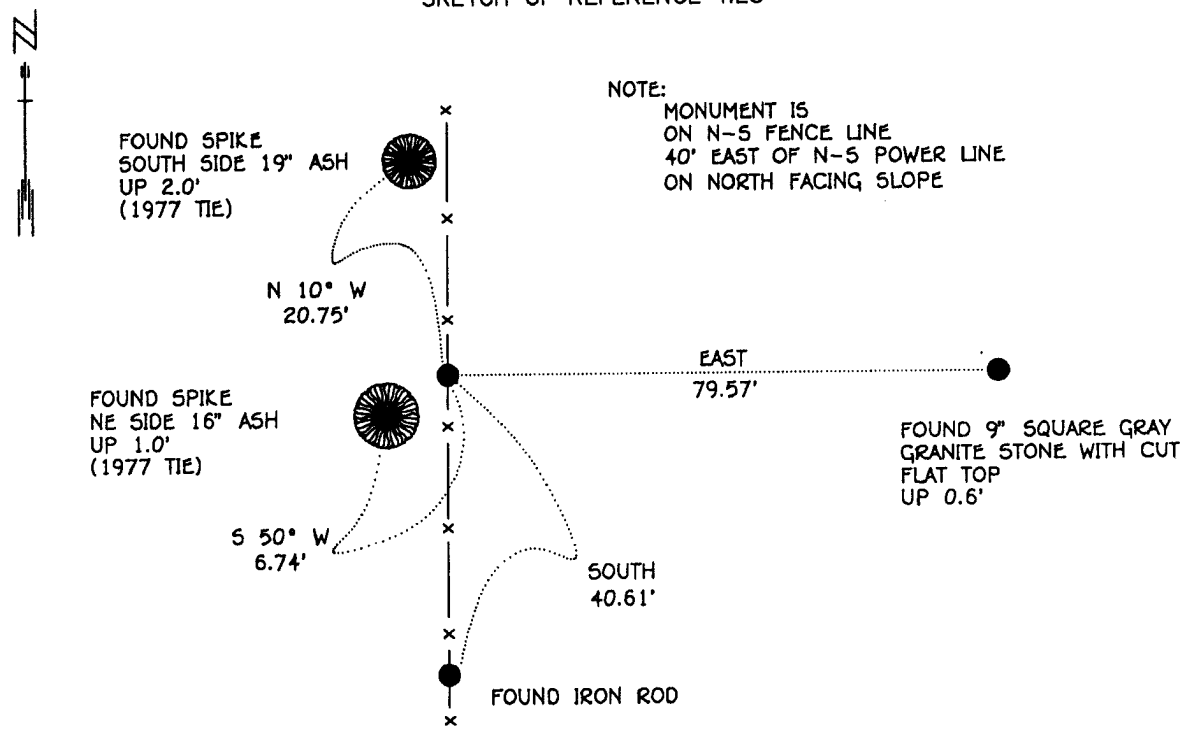
EAST QUARTER Corner of Section 30, Township 115 N, Range 38 W, 5<sup>th</sup> P.M.

STATE OF MINNESOTA, County of YELLOW MEDICINE

At the corner location shown on the sketch:

- On 6-21-95 found a 1/2" INSIDE DIAMETER IRON PIPE WITH A PLASTIC CAP  
DATE STAMPED "RLS #10396", UP 0.3'
- left monument as found,  lowered monument,  removed monument (explain)
- On \_\_\_\_\_ Placed a \_\_\_\_\_  
DATE

### SKETCH OF REFERENCE TIES



BEARINGS OBSERVED WITH COMPASS

Statement of evidence relative to this corner location is on back of page.

JBM OCT '95  
SPK.00277.00.00.01

I hereby certify that this document and the data contained herein was prepared by me or under my direct supervision.

Bruce W. Sheppard 11/6/95  
SIGNATURE DATE

License Number 17003

- Land Surveyor,  Professional Engineer
- County Surveyor,  County Engineer

OFFICE OF THE COUNTY RECORDER  
County of Yellow Medicine

I hereby certify that this document was filed in the Co. recorders office at 10:25 A.M. on the 7 day of November A.D., 1995

County Recorder Norman J. Christensen  
By \_\_\_\_\_, Deputy  
DOCUMENT NO. 210277

The DNR Bureau of Engineering contacted the following for survey information:

Minnesota Secretary of State's Office  
Mn/DOT Offices in St. Paul and Willmar  
Yellow Medicine County Recorder's Office  
Yellow Medicine County Highway Engineer's Office  
Montevideo City Engineer's Office  
Bonnema Surveys of Willmar  
Moseng and Zieske Surveying, Inc. of Marshall  
Michael Nyberg, RLS #13145, of Carlos  
West Central Land Services, Inc. of Willmar  
K.B. MacKichan and Associates, Inc. of Redwood Falls

- 1864 U.S. General Land Office notes obtained from the Secretary of State's Office show the corner marked with a wood post in a mound of earth with pits.
- 1895 Surveyor's Record Book, page 534, obtained from the County Recorder's Office, contains a survey by John Norgaard, County Surveyor. Survey shows corner but does not indicate what was found or set. The corner is shown:  
2680 feet from the northeast corner of Section 31  
1340 feet from a stake set for the west sixteenth corner of the southwest quarter of Section 29
- 1901 Surveyor's Record Book B, pages 9 and 71, obtained from the County Recorder's Office, contain a collection of what was found or set at government corners by John Norgaard, County Surveyor, in a township re-monumentation survey. Norgaard states "found quarter post as located by me 6 years ago". The corner is shown:  
2685 feet from the northeast corner of Section 31
- 1913 A Sioux Agency Township Ownership Map obtained from the County Recorder's Office shows a north-south road southerly of the corner and southerly of a northwest-southeast road.
- 1930 Surveyor's Record Book, page 534, obtained from the County Recorder's Office, contains a survey by John Norgaard, County Surveyor. Survey shows corner but does not indicate what was found or set. The corner is shown:  
2680 feet from the northeast corner of Section 31  
1340 feet from a stake set for the west sixteenth corner of the southwest quarter of Section 29
- No Date A right-of-way map for State Trunk Highway Number 67 obtained from Mn/DOT in St. Paul shows a symbol for corner but does not indicate what was found or set and no distances or angles are shown to it. The corner is shown:  
in the middle of two north-south fences  
in line with the center line of a public road south

- 1977 May, a subdivision of Section 30 shown on Certificate of Surveys in the northeast quarter of Section 30 and in the east half of Section 19 obtained from West Central Land Services, Inc. shows that an iron pipe with a plastic cap stamped "RLS #10396" was set for corner but does not indicate how its location was determined. The corner is shown:  
2680.00 feet from the northeast corner of Section 31  
2640.00 feet from the northeast corner of Section 30

An iron pipe with a plastic cap stamped "RLS #10396" was also set at the east sixteenth corner of the southeast quarter of Section 30. The iron pipe is shown:  
1340.00 feet from the east quarter corner of Section 30  
1340.00 feet from the northeast corner of Section 31

- No Date A tie page in a field notebook obtained from West Central Land Services, Inc. shows a ½" iron pipe at corner but does not indicate if found or set. The following ties are shown to corner:  
on north-south fence line  
20 feet east of north-south fence line  
spike in 18" tree, northwest, 20.70 feet  
spike in 12" tree, southwest, 6.76 feet

- 1978 January, a Certificate of Survey in the southwest quarter of the northeast quarter of Section 30 obtained from West Central Land Services, Inc. shows that an iron monument was found at corner.

- 1978 May, DNR Bureau of Engineering found a ½" inside diameter iron pipe at corner. The iron pipe was found to be:  
2680.93 feet from the northeast corner of Section 31  
on a maintained north-south fence line with steel posts  
20 feet east of a mostly downed north-south fence line

Contacted the brother of Burden Finnes, landowner in Section 30, for testimony regarding this corner. He said that he grew up in the area and the two fences along the east line of Section 30 have been in place as long as he can remember. He did not know why there are two fences, but believed it was to keep the cattle between the two farms apart.

Also, contacted Benny Iverson, approximate 70 year old area landowner, for testimony regarding this corner. He said that the two fences were built to keep the bulls from the two farms away from each other. He did not know their relationship to the section line. Benny knew about the stones marking the southeast and southwest corners of Section 30 but did not know about any monuments marking the quarter corners.

Searched area of corner for other iron monuments and found a ¾" by 16" power pole step peg. The peg was found in a vertical position on the easterly fence and about 40 feet south of the iron pipe set for corner in 1977. Search included area up to 100 feet westerly of the iron pipe and peg.

Also, searched the area of the west sixteenth corner of the southwest quarter of Section 29 and found an iron rod about 45 feet westerly of the iron pipe set for sixteenth corner in 1977.

Searched for occupation lines along the east-west quarter line of Section 30 and found a driveway and field road about 20 feet south of the quarter line per 1977 survey. Was unable to obtain testimony if the driveway and field road were constructed on the quarter line. Also, searched for but could not find a survey prior to 1977 for the subdivision of Section 30.

1989 November, DNR Bureau of Engineering found the ½" diameter iron pipe set for corner in 1977.

1995 June 21, DNR Bureau of Engineering found the ½" diameter iron pipe set for corner in 1977. Searched for and found record ties as shown on sketch of reference ties. The iron pipe was found to be:

2681.10 feet from the northeast corner of Section 31

Located the iron rod found in 1978 in the area of the west sixteenth of the southwest quarter of Section 29 and found it to be:

1338.02 feet from the northeast corner of Section 31

47.14 feet west of a straight line from the northeast corner of Section 31 to the found iron pipe

Located the center line of an old abandoned north-south road bed 930 feet south of the area of corner and found it to be:

47 feet west of a straight line from the northeast corner of Section 31 to the found iron pipe

Computed a lost position for corner as follows:

solar North from the northeast corner of Section 31

2680.00 feet from the northeast corner of Section 31

The computed lost position for corner was found to be:

81.92 feet east of the iron pipe set for corner in 1977

Conducted a field search at the computed lost position for corner by scanning the area with an electronic metal detector but no metal attraction was obtained. A 9" square by 14" long gray granite stone up 0.6 of a foot with its top cut flat was found:

79.57 feet easterly of the found iron pipe set for corner in 1977

Conducted another field search in the area of the west sixteenth corner of the southwest quarter of Section 29 and found an old downed corner fence post, with downed fences east and north-northwest and found it to be:

57 feet northeasterly of the iron pipe set for sixteenth corner in 1977

45 feet east of a straight line from the northeast corner of Section 31 to the found iron pipe set for the east quarter corner of Section 30 in 1977

1378 feet from the northeast corner of Section 31

4 feet east of a straight line from the northeast corner of Section 31 to the cut flat top stone found in the area of the east quarter corner of Section 30

Analysis of the above information led the DNR Bureau of Engineering to conclude that the found iron pipe which was set in 1977 on a north-south fence and 2680 feet from the northeast corner of Section 31 marks the obliterated location of the corner. Did not accept the stone with a cut flat top as marking the location of the corner because:

- A) do not have a record stating that a stone was set for corner
- B) John Norgaard's procedure was to only set stones at section corners
- C) Benny Iverson knew about the record stones at the section corners but did not know about a monument marking this corner
- D) the brother of Burden Finnes did not know about a monument marking this corner

Did not accept the iron rod or old downed corner fence post found in the area of the west sixteenth of the southwest quarter of Section 29 as marking the sixteenth corner because:

- A) do not have a record stating that an iron monument was set to mark corner
- B) was unable to obtain testimony on how the location of the old downed corner fence post was determined

Did not accept the computed lost position as the location of the corner because:

- A) other quarter corners that were established using obliterated methods during the course of the DNR Bureau of Engineering's survey in Sections 30 and 32 were found to be as much as 150 feet off of a straight line between adjoining section corners