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Government Corners
and
What To Do When Your Survey
Does Not Match Occupation
December 6, 2013

Minnesota Society of Professional Surveyors

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I. Minn. Stat. § 389.04 – Rules for Surveys.

“...in restoring lost or obliterated government corners, the county surveyor shall follow the rules established by or pursuant to acts of Congress, and all such surveys shall be made in strict conformity to the original survey made by the United States.”



II. Minn. Stat. § 381.12, subd. 1 – Section Corners Relocated

“The county board...may employ a licensed surveyor...The monuments are **PRIMA FACIE** evidence of the original United States public land survey corners.”

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Black's Law Dictionary:

Prima facie: a fact presumed to be true unless disproved by some evidence to the contrary.

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III. Minn. Stat. § 381.19 – Violations; Penalty

“Any person who willfully removes, destroys, or defaces a monument lawfully erected is guilty of a misdemeanor.”

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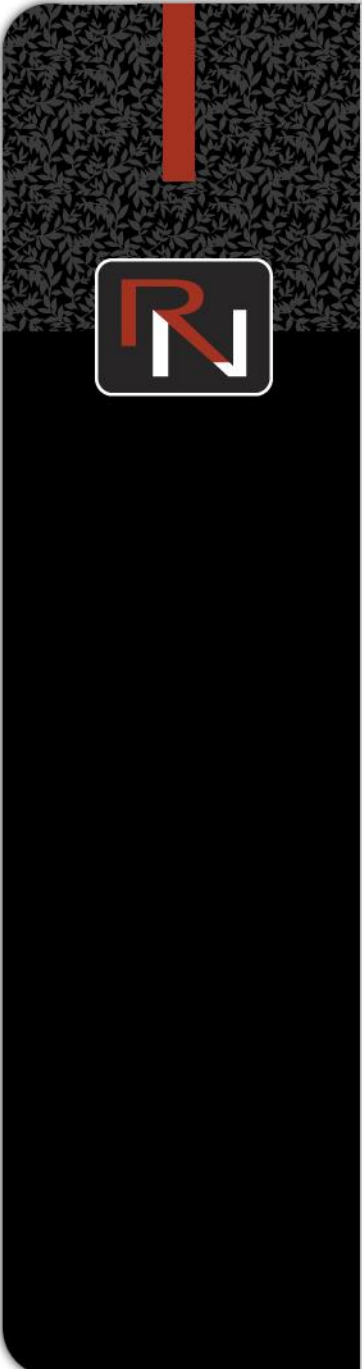
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IV. Case Law – Government Corners

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1. *Stadin vs. Helin*, 76 Minn. 496, 79 N.W. 537 (1899).

Where the government corner is lost, and field notes are inconsistent, there is no rule that one set of notes is preferred to the other.

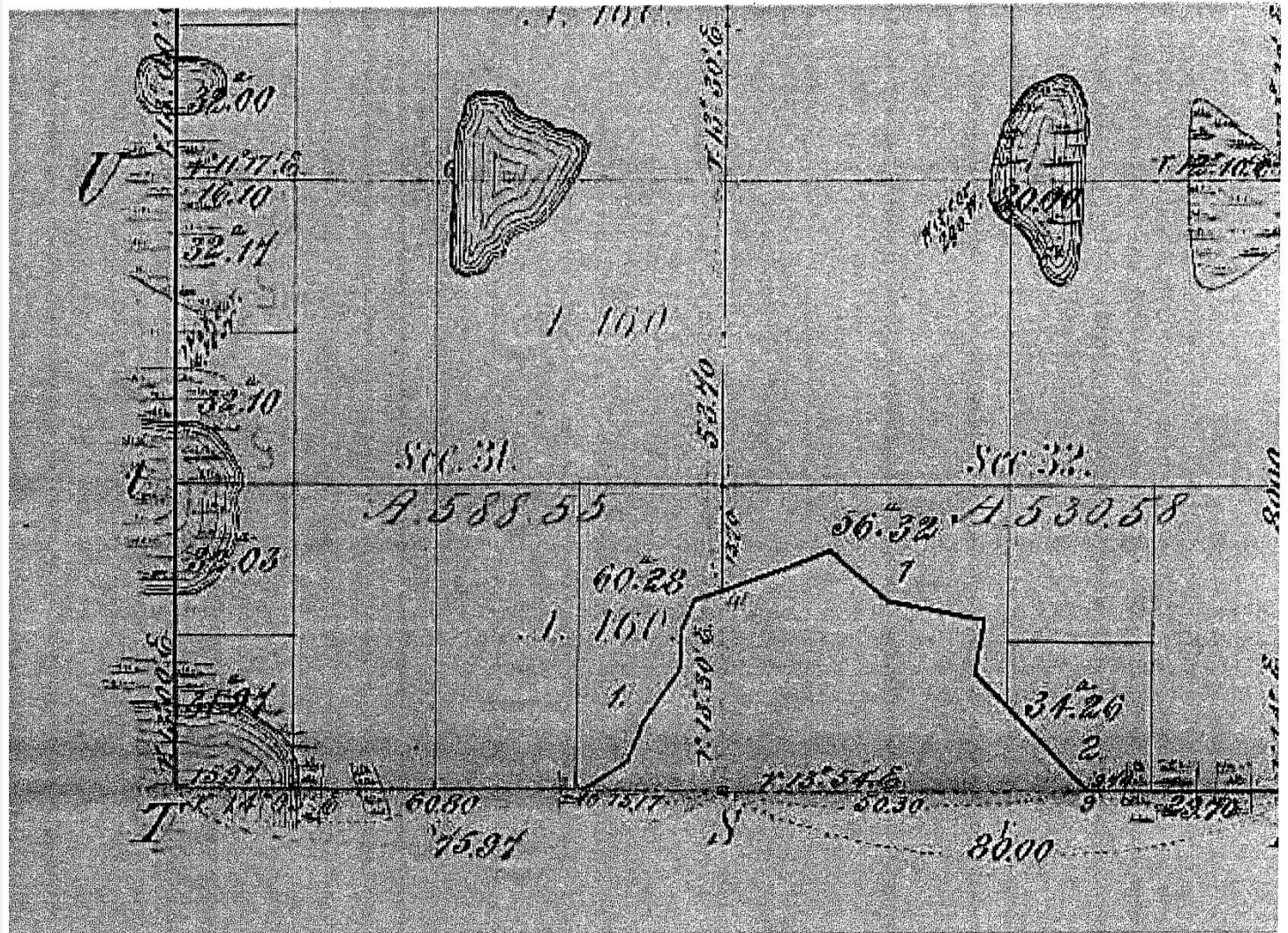
Court agreed with the County surveyor's work- an early use of proportionate measure.



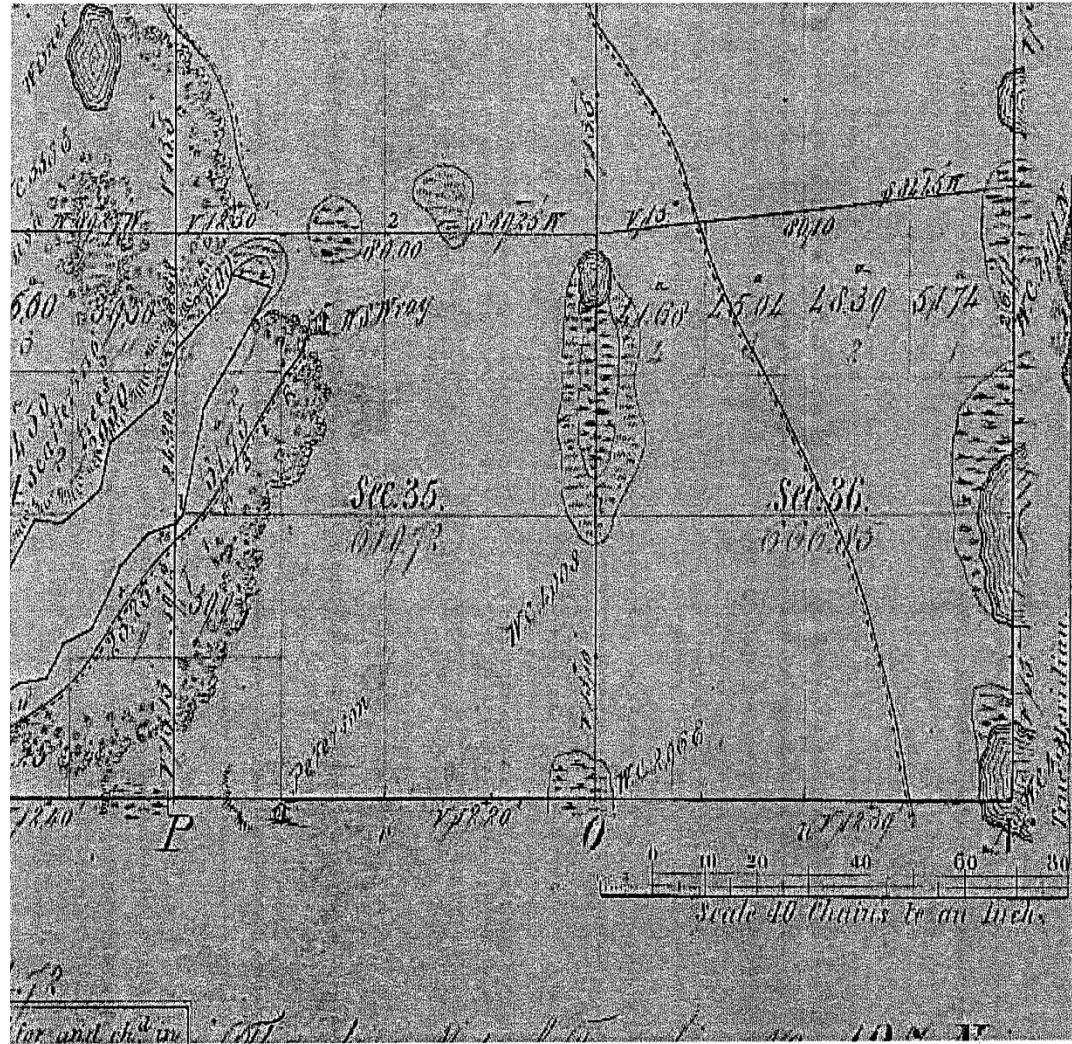
2. *Chan vs. Brandt*, 45 Minn. 93, 47 N.W. 461 (1890)

A. West Corner, Section 31, Township 127, Range 38, in a different location than East corner, Section 36, Township 127, Range 39.

B. State legislature may not adopt laws that conflict with Federal Rules for subdividing sections.



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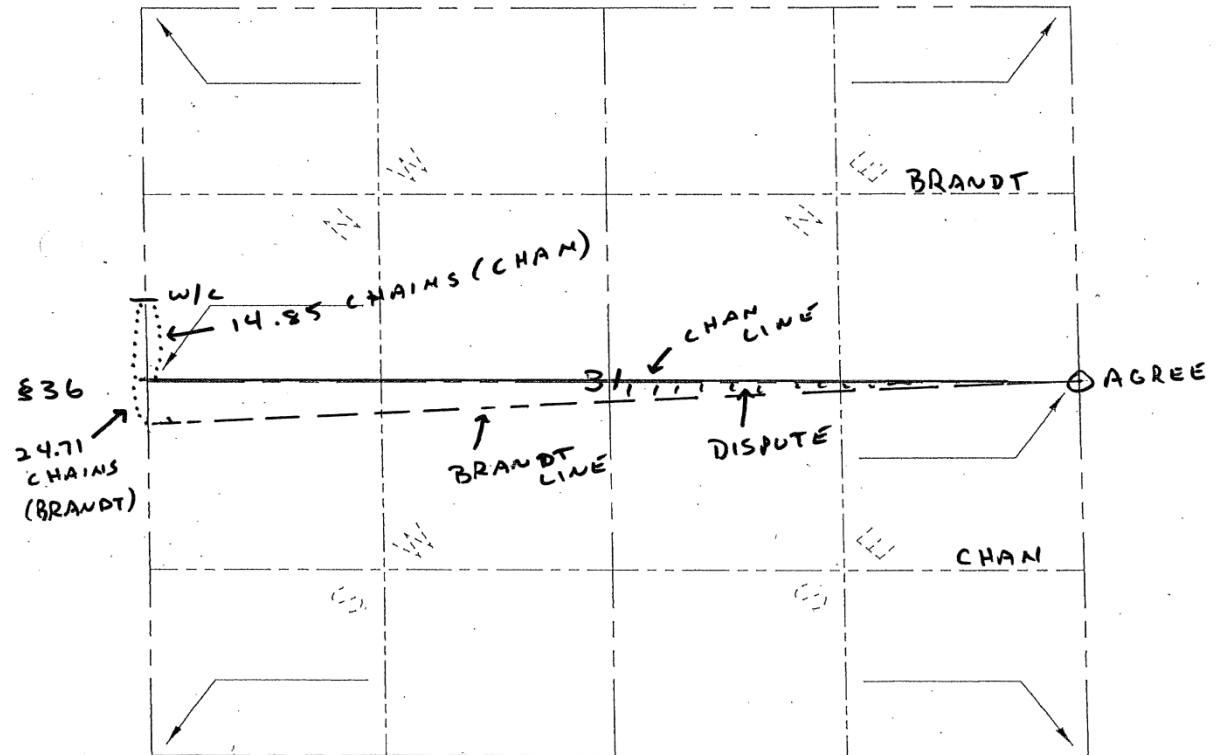
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Section Breakdown

(____ 1/4) Sec ____ , Twp ____ , Rng ____ , Co ____
 Coordinate System: _____
 Current Survey For: _____, Date: _____ Bk/Pg: _____ Area: _____
 Bearing System: _____, Disk: _____, File: _____
 Rotation/Translation: _____
 Reference Surveys: _____
 Drawing No.: _____, Misc: _____

CHAN V. BRANDT

§31 - TWP 127 - R 38



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CHAN v. BRANDT

- Minnesota Laws of 1875, Chapter XXXI
 - On the north and west tier of a township, the center of the section could be placed at the midpoint of the east-west quarter line for the north tier sections (1-6). On the west tier sections (6,7,18,19,30,31), the center could be placed at the midpoint of the north-south quarter line.
 - Federal Rules stipulate the center of section to be placed at the intersection of said quarter lines.
 - The following four slides provided by former Douglas County Surveyor Gary Stevenson.

Wright - East Line Sec. 36, T 127 N - R 39 W

Discovered Error in Town Line While Checking Compass & Chain

Wright measured 86.71 chains between section corners

<p><u>Names and Duties of Assistants</u></p> <p>Ira Horne, Surveyor Eugene Moreau, Chairman Harold J. Stickler, " Bernard Messer, Ass. Surveyor Selden Wade, " William F. Ingerson, Flagman</p> <p><u>Subdivision Commenced</u> Sep 10/1886</p> <p>Compass chain & affected corner Red. Station</p>	<p><u>Reduction in the proper variation of</u> which to set my compass for the bearing of this township, commenced at the S. E. corner thence and, more,</p> <p>N. on Black line on S. 1/4 Sec. 36 Var. 11'</p> <p>From N. E. corner of 1/4 Sec. 36 West, 400 chains - at 29 ch. a 1/4 of S. 1/4 Sec. (on line) of Township 127 N. at 100 ch. into marsh to 100 ch. at 100 ch. to 100 ch. Thence offset W. 5 ch. to edge of marsh. Thence North 20.57 ch. to N. edge of marsh thence to N. E. corner of 1/4 Sec. 36 to line. Thence N. on line 400 ch. to N. E. corner of 1/4 Sec. 36 66.41 ch. 400 - 66.41 = 66.41 66.41 ch. 400 - 66.41 = 66.41 66.71 ch. 400 - 66.71 = 66.71 The notes from the office represent this corner at 66.71. Then a half</p>	<p>an error on E. of line of 6.83 ch. 86.71 ch. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 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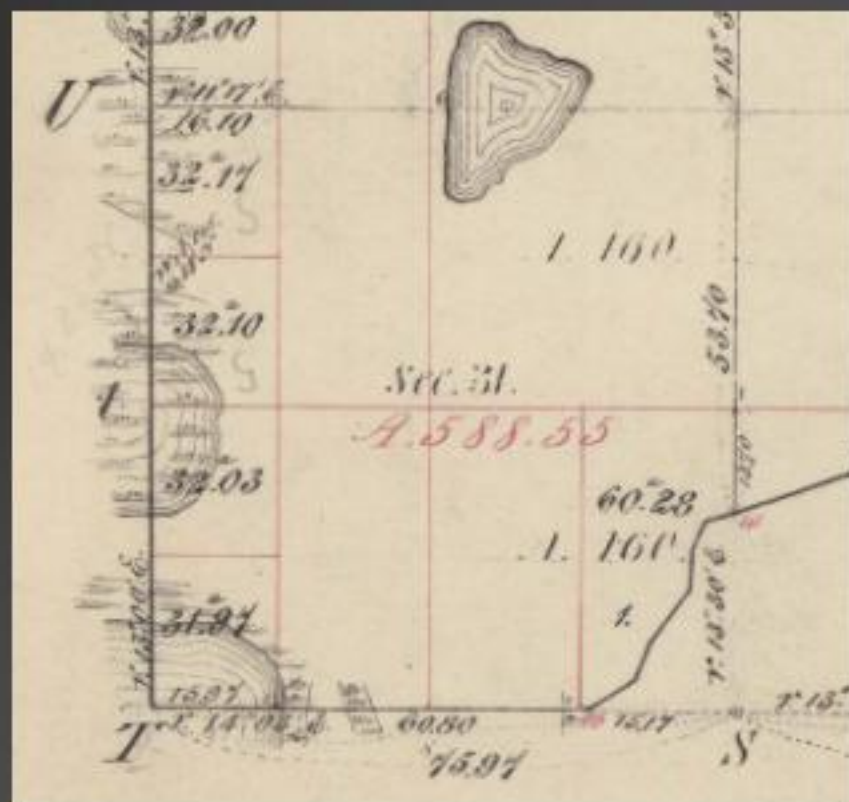
Surveyor General's Office Made Change
Created 2 Quarter Corners from same Witness Corner

T 127 N – R 39 W



WC 21.71 chains north

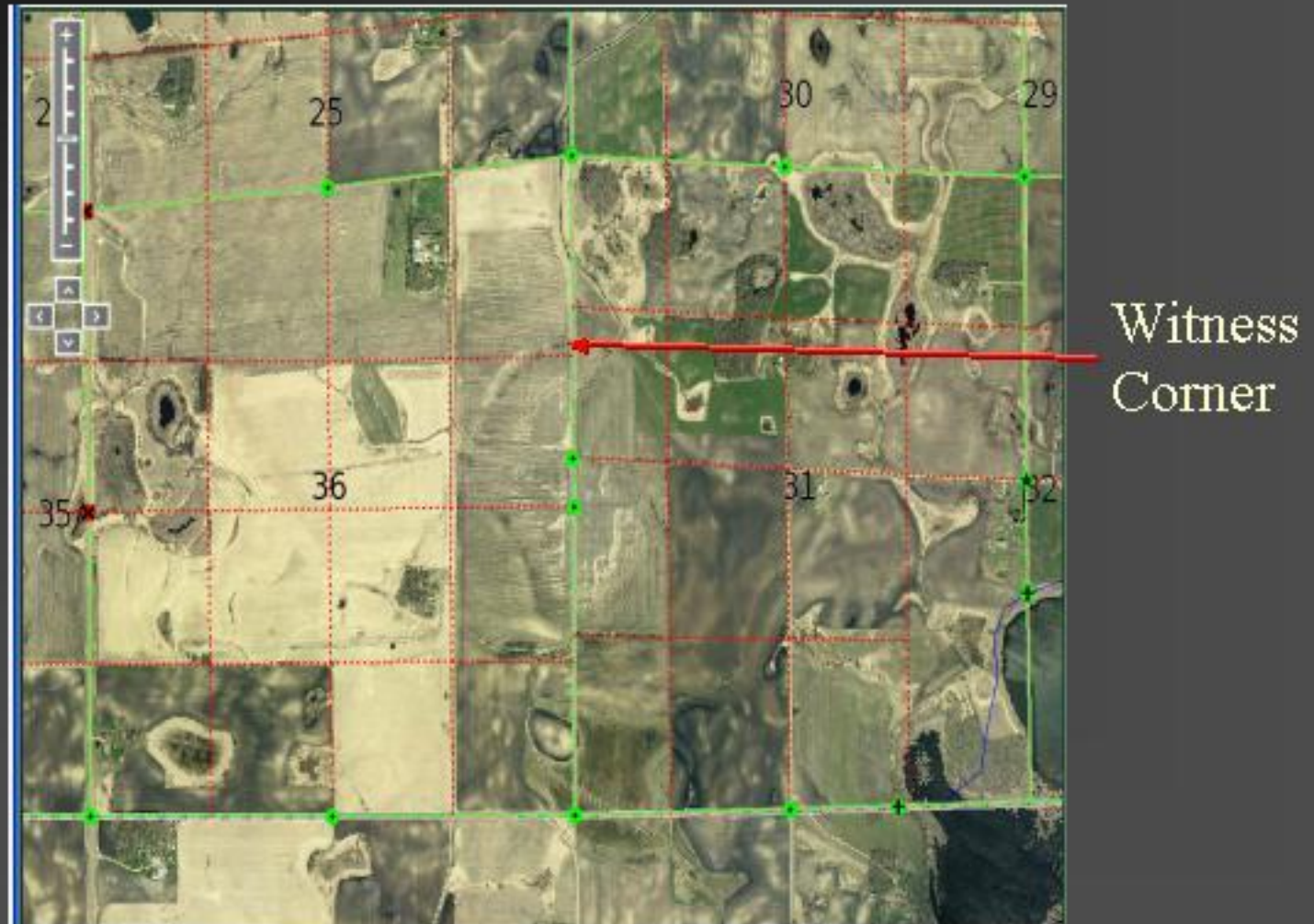
T 127 N – R 38 W



WC 14.88 chains north

Supreme Court of Minnesota
Chan v Brandt - 45 Minn 93, 47 N.W. 461

GLO Plats Created 2 Quarter Corner Positions
Not George Wright



Supreme Court of Minnesota
Chan v Brandt - 45 Minn 93, 47 N.W. 461

- Monuments & boundary lines as established by the US Government survey control descriptions of lands patented by the US
- Mistakes in surveys cannot be corrected by judicial department

- In 1887 County Surveyor Blackwell subdivided Sec. 31, 127-38 and held GLO town line notes from Witness Corner – 14.88 chains for Section 31 East-West Quarter Line
- Court did not mention 2nd Quarter Corner – case was only for Section 31- Court did not see that survey of adjacent township showing different corner position was material

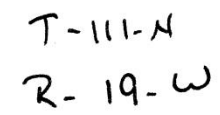


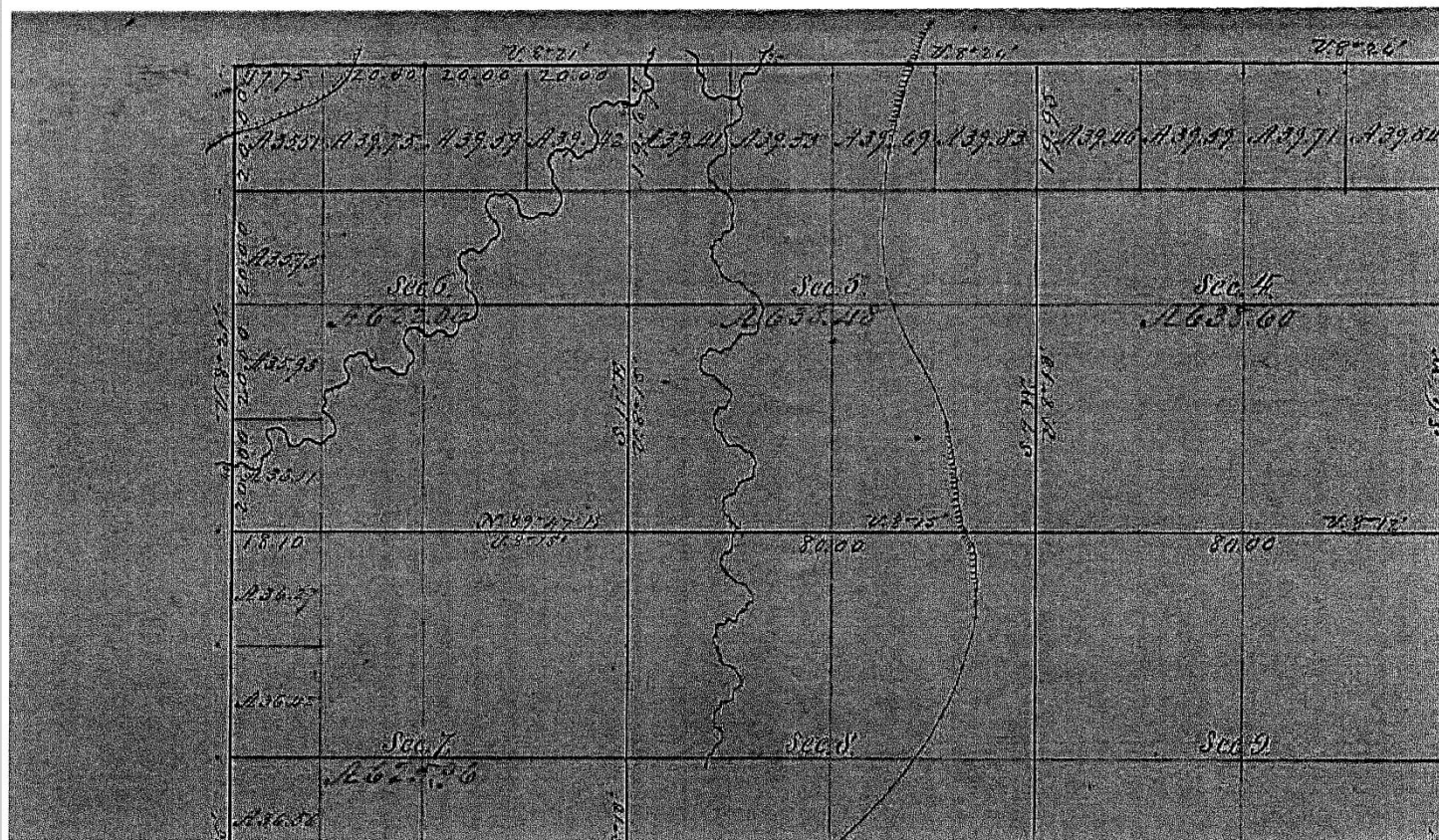
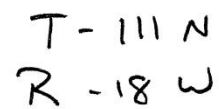
Lawler vs. Rice, 147 Minn. 234, 180 N.W. 37 (1920).

Corner is where the Government Surveyor placed it.

Firmly Committed.

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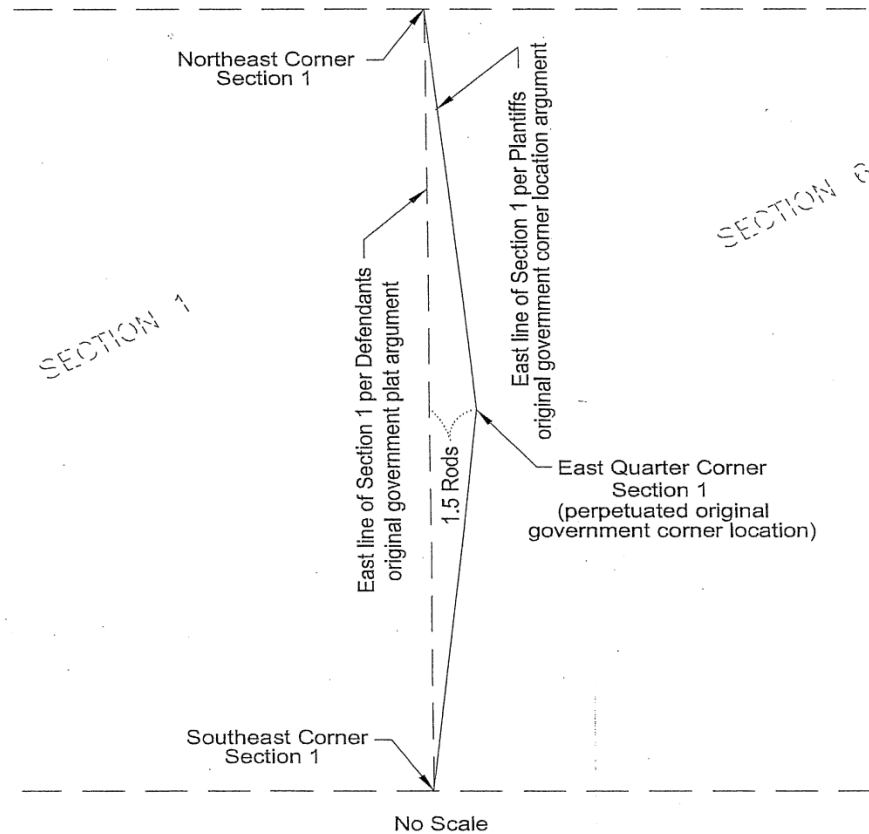


Firmly Committed.



Lawler v. Rice County

Lawler v. Rice County, 147 Minn. 234, 180 N.W. 37 (1920)



Firmly Committed.



Lenzmeier vs. Ess, 199 Minn. 10, 270 N.W. 677 (1937).

Survey and location of fences were not reliable, and government corners could not be found, but assumptions on location of government corners by county surveyor accepted.

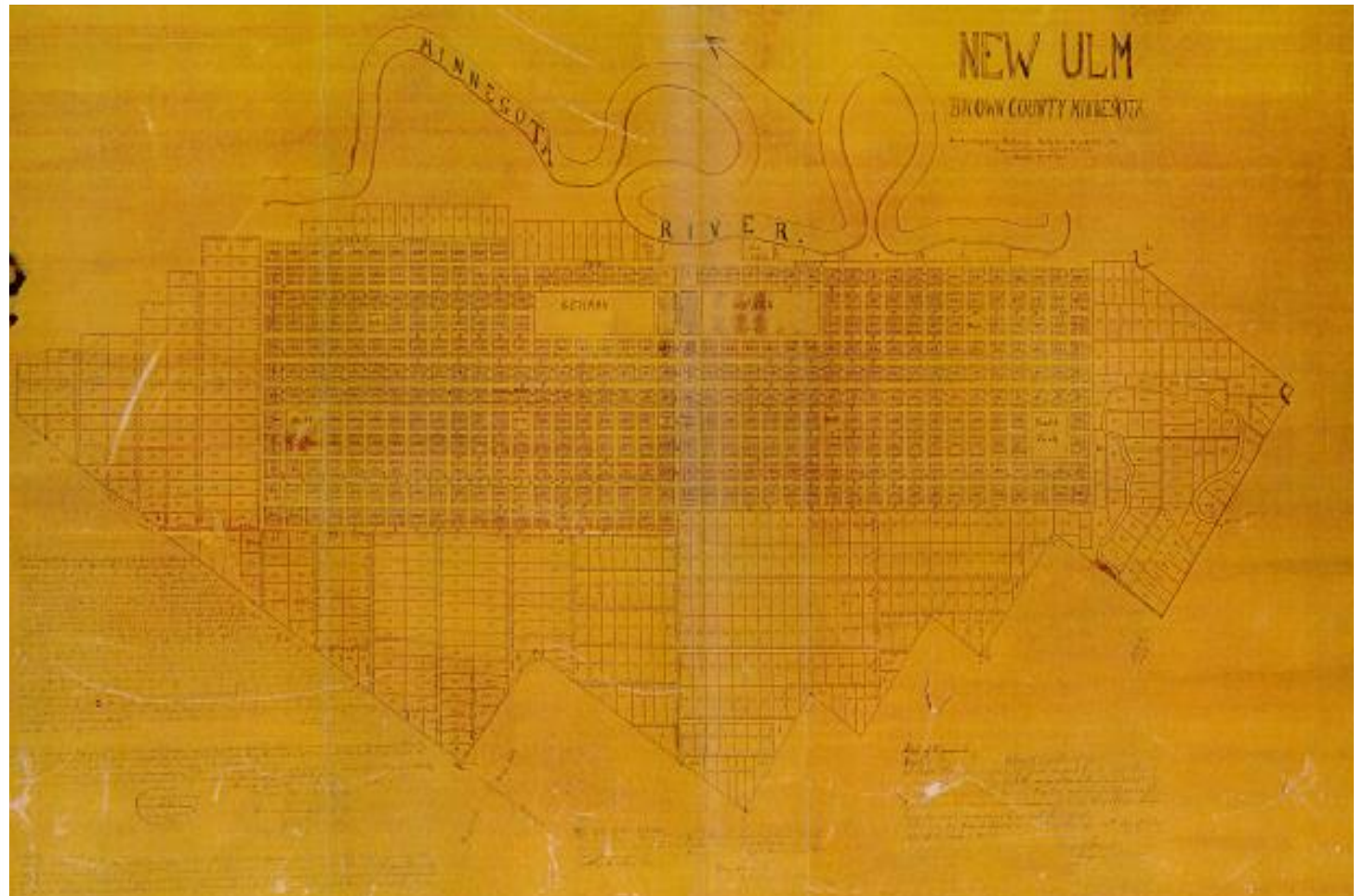


Dittrich vs. Ubl, 216 Minn. 396, 13 N.W.2d 384 (1944).

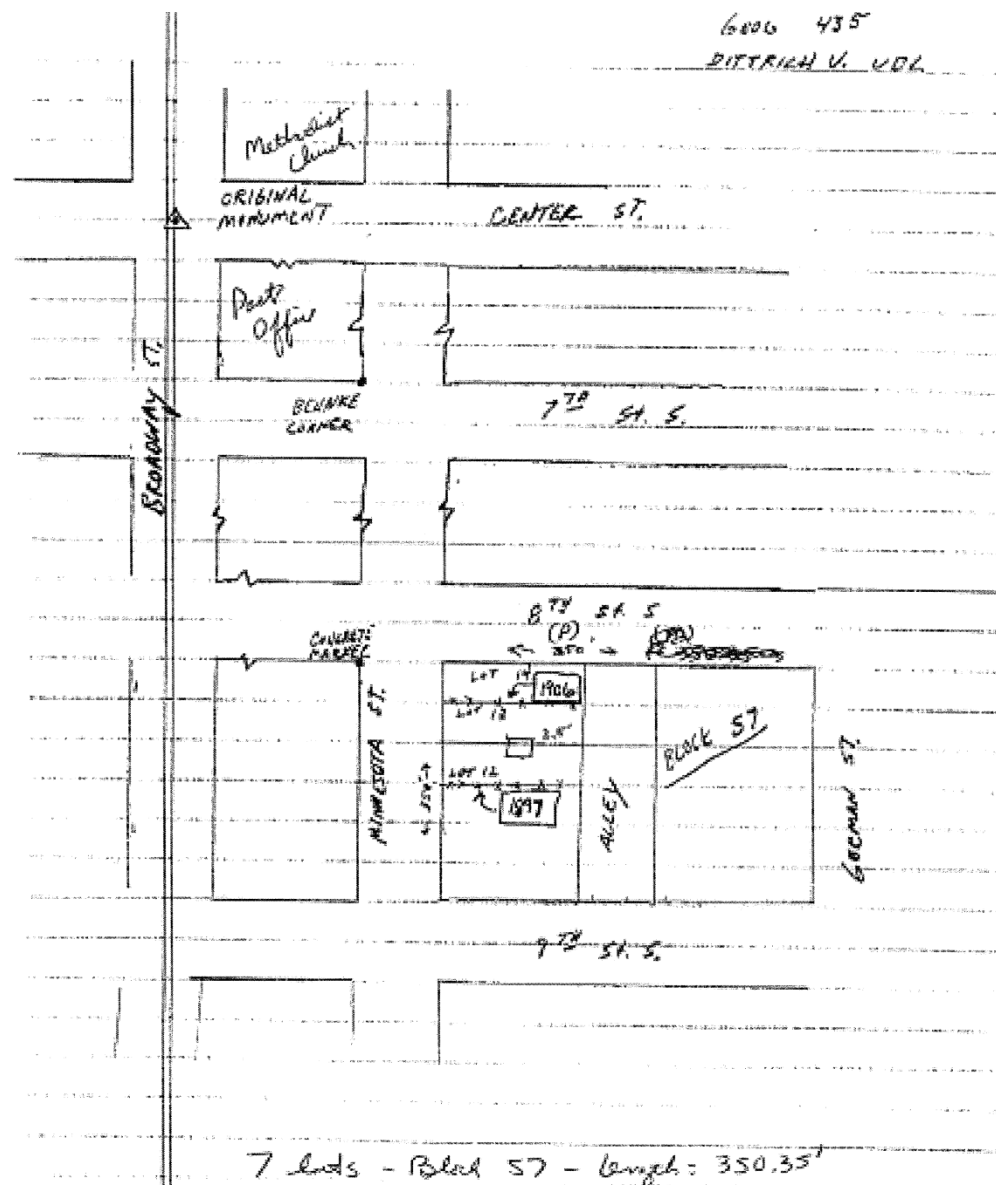
Monuments are the best evidence of the lines and corners actually set. Courts are concerned with only the case before it.

Firmly Committed.

Firmly Committed.



Firmly Committed.



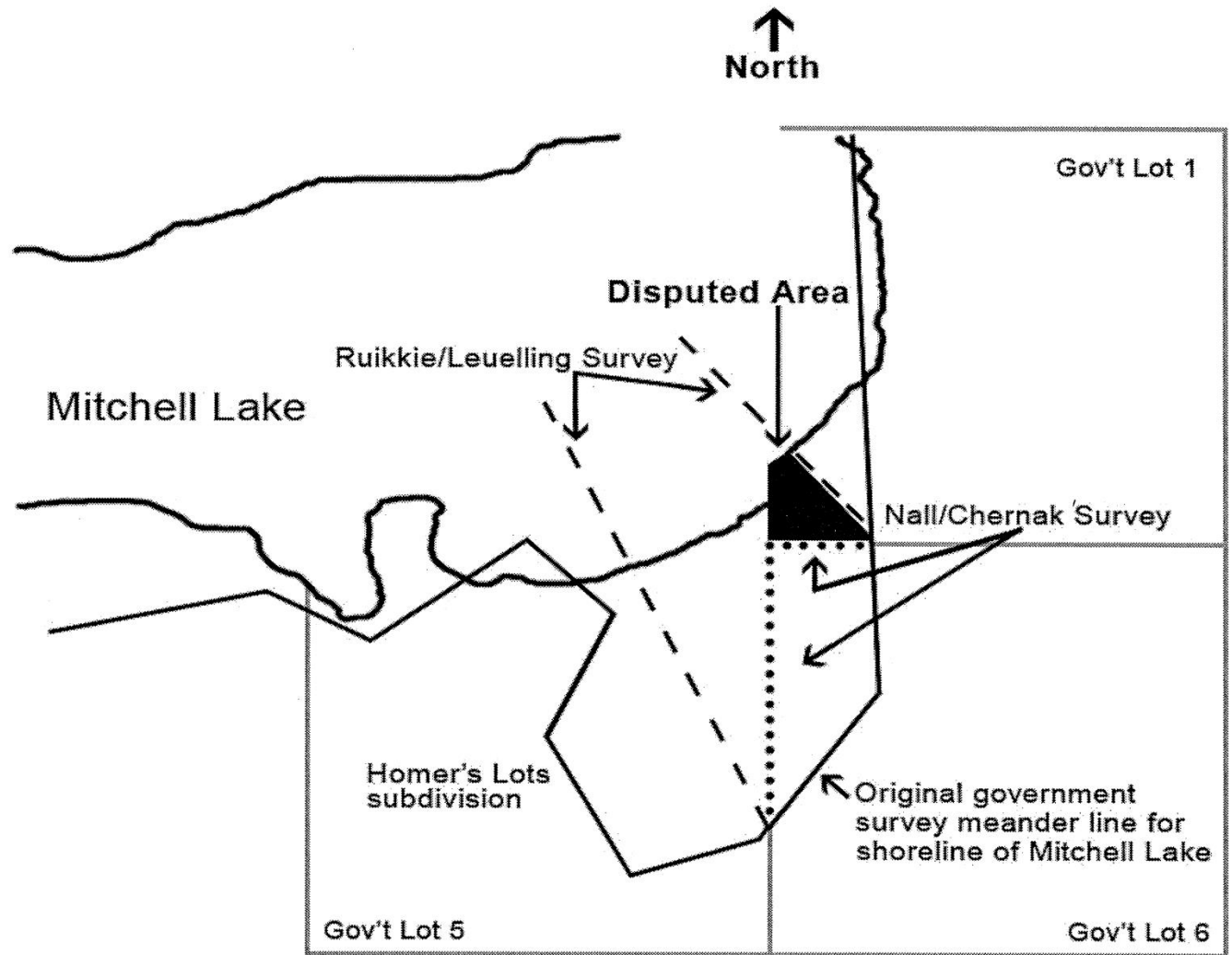
7 lots - Block 57 - length: 350.35'
Each lot gets .05 = 50.05

Firmly Committed.



Ruikke vs. Nall, 798 N.W.2d 806 (Minn. App. 2011).

Use of Common Law Doctrine of Practical Location of Boundaries to locate Government lot boundaries was improper. Only Federal methods may be considered.



Court Prepared Drawing
(not to scale)

Firmly Committed.



V. When surveys do not match, which survey is correct?

Firmly Committed.

Firmly Committed.



1. *Loweridge vs. Omodt*, 38 Minn. 1, 35 N.W. 564 (1887). Jury verdict upheld even where Supreme Court believed other surveyor was correct.

Firmly Committed.

Firmly Committed.



2. *Thoen vs. Roche*, 57 Minn. 135, 58 N.W. 686 (1894). Common repute accepted as evidence on basis that many persons in a community have a common interest in locating a boundary.

Firmly Committed.

Firmly Committed.



3. *Donaldson vs. Kohner*, 264 Minn. 230, 118 N.W.2d 466 (1962). Where two competent surveyors disagree, Trial Court decision upheld.

Firmly Committed.

Firmly Committed.



4. *Grandlund vs. Lumley*, A11-1926 (Minn. App. Sept. 17, 2012).
District Court has authority to
determine boundaries.

Minn. Stat. § 559.23.

District Court found survey credible
and supported by the evidence.



Minn. Stat. § 408A

Unpublished opinion on the Court of Appeals are not precedential.

Firmly Committed.

Firmly Committed.



Minn. Stat. § 559.23

“An action may be brought by any person owning land...to have the boundary lines established.”

Firmly Committed.

Firmly Committed.



5. *Christensen vs. Bonnema*,
395 N.W.2d 440 (Minn. App. 1986).

- (a) Proportionate measure
is the last resort.
- (b) Breach of fiduciary duty
to disclose survey in
violation of instructions.

Firmly Committed.

Firmly Committed.



6. *Willhite v. Cass County Board of Supervisors*, 692 N.W.2d 92 (Minn. App. 1986). Professional negligence in relying upon wrong location of Government Corner.

Firmly Committed.

Firmly Committed.



Minn. Stat. § 541.052, subd. 1

Surveyor Statute of Limitations – two years from discover of error.

Surveyor Statute of Repose – ten years after date of survey – maybe up to 12 years if discovered in 9th year.



VI. County Surveyor

WoJohn vs. Johnson, 297
N.W.2d 298 (Minn. 1980). Held that a
lost corner may be set by Proportionate
Measure.

Firmly Committed.

Firmly Committed.



Lovejoy vs. County of Dakota,
CX-00-348 (Minn. App. Oct. 3, 2000).
Statute of Limitation and Statute of
Repose barred claims against County
for County Surveyor Error.

Firmly Committed.

Firmly Committed.



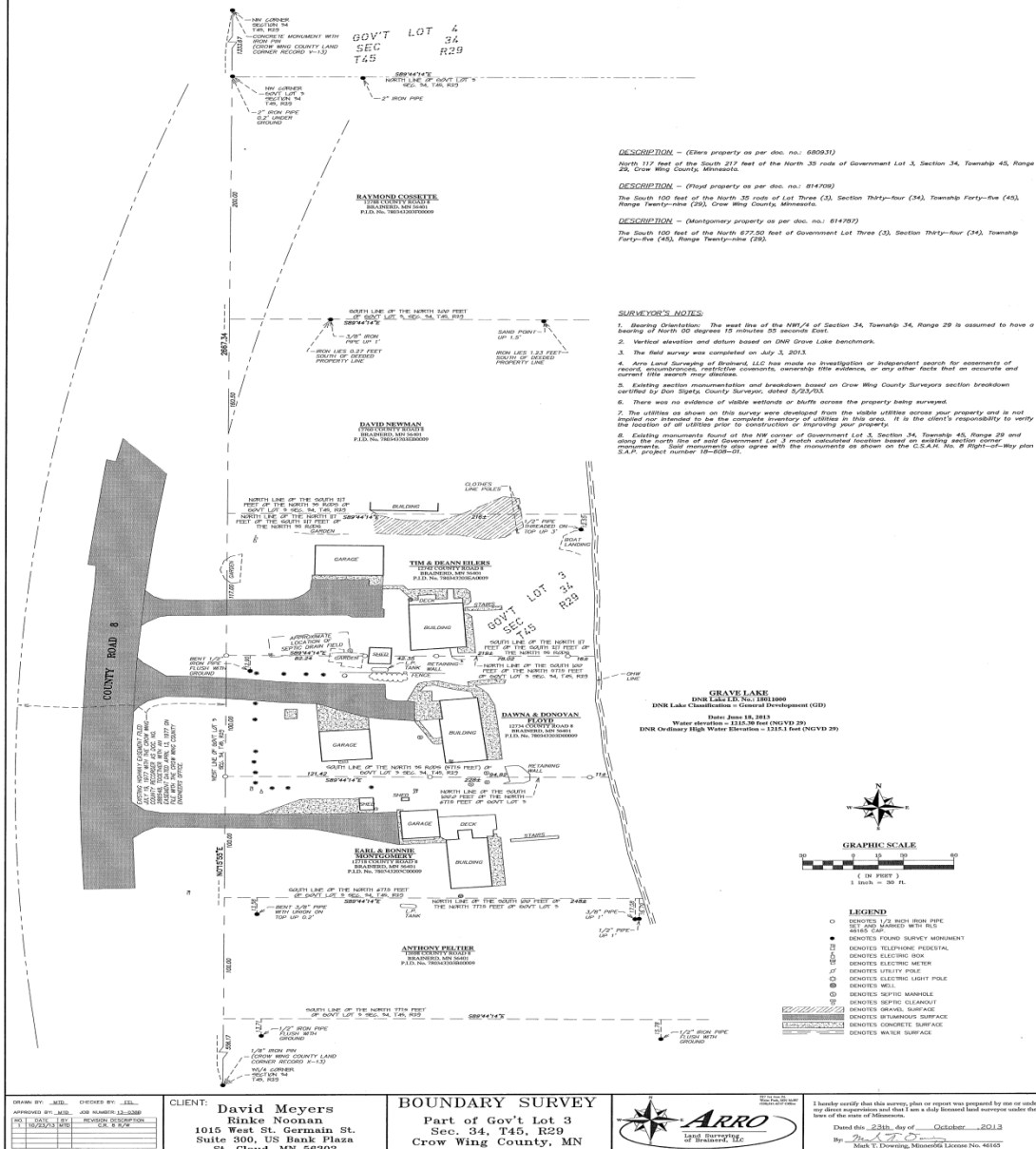
VII. Survey Examples

Firmly Committed.

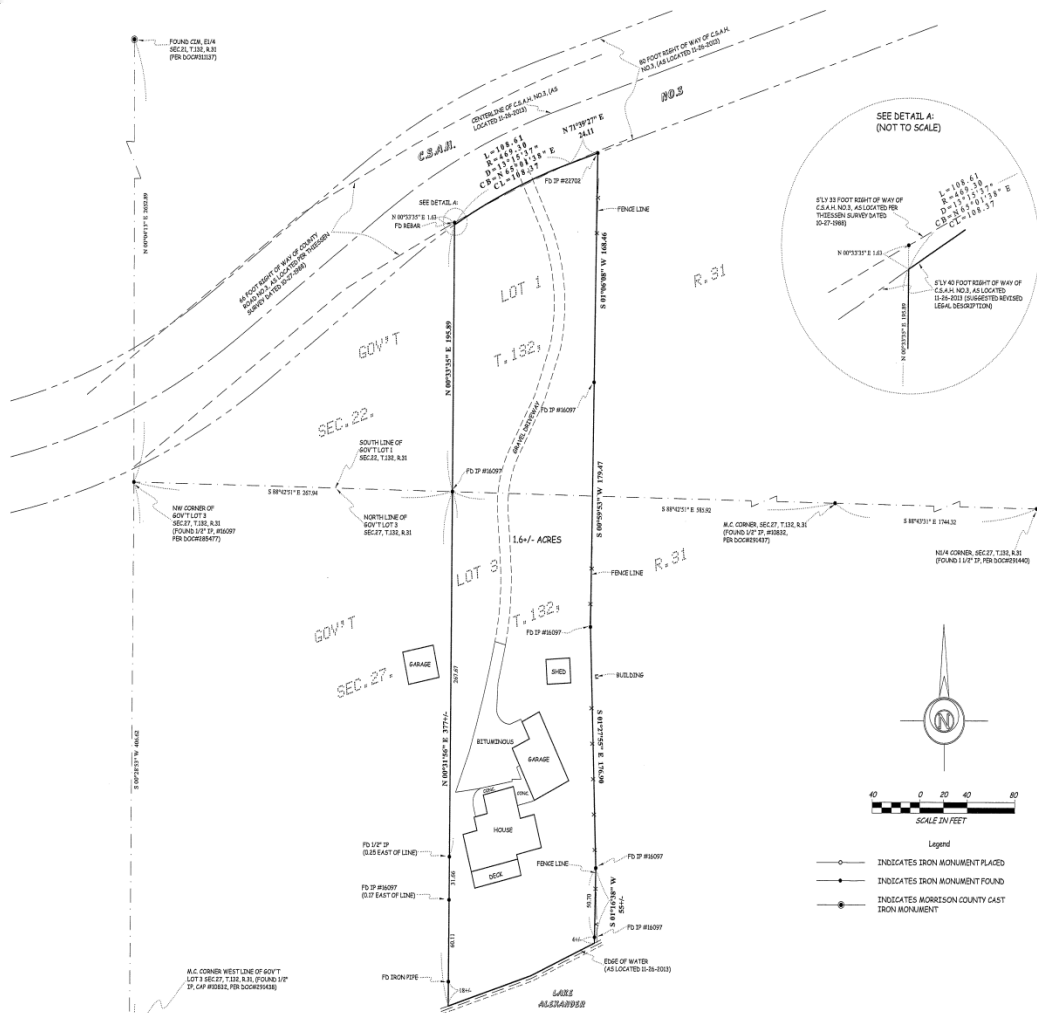
Firmly Committed.



CERTIFICATE OF SURVEY



Firmly Committed.



CERTIFICATE OF SURVEY PREPARED FOR:

JOB NO:2013-381 OLD REPUBLIC NATIONAL TITLE
FILE NAME:2013-381.DWG (GARY DONAHUE)
LOCATION:27-132-31, 22-132-31

The legal description was provided by Qd Republic Title Insurance Company, per document number 110189, dated 11-24-2011. Title insurance policy #91204.

The existing legal description of record contains several ambiguous calls when describing the outside property line of the subject property. The legal description of record was reviewed and the survey was determined to follow existing measurements in the field, over the Certificate of Survey for the purpose of the surrounding parcels, and the survey was determined to follow the measurements in the field, over the Certificate of Survey for the purpose of the surrounding parcels, and the survey was determined to follow the measurements in the field, over the Certificate of Survey for the purpose of the surrounding parcels.

The legal description of record and the site ownership of the property is described in document number 110189, dated 11-24-2011. Title insurance policy #91204.

The location of C.S.#1, page 3 appears to have been relocated around 2006 (per Meritone County Highway plans). The legal description of record and the site ownership of the property is described in document number 110189, dated 11-24-2011. Title insurance policy #91204.

Mr. Thomas, is showing a 41' right of way of width of 66 feet for County Road No.3. For the current Highway right of way, the legal description of record and the site ownership of the property is described in document number 110189, dated 11-24-2011. Title insurance policy #91204.

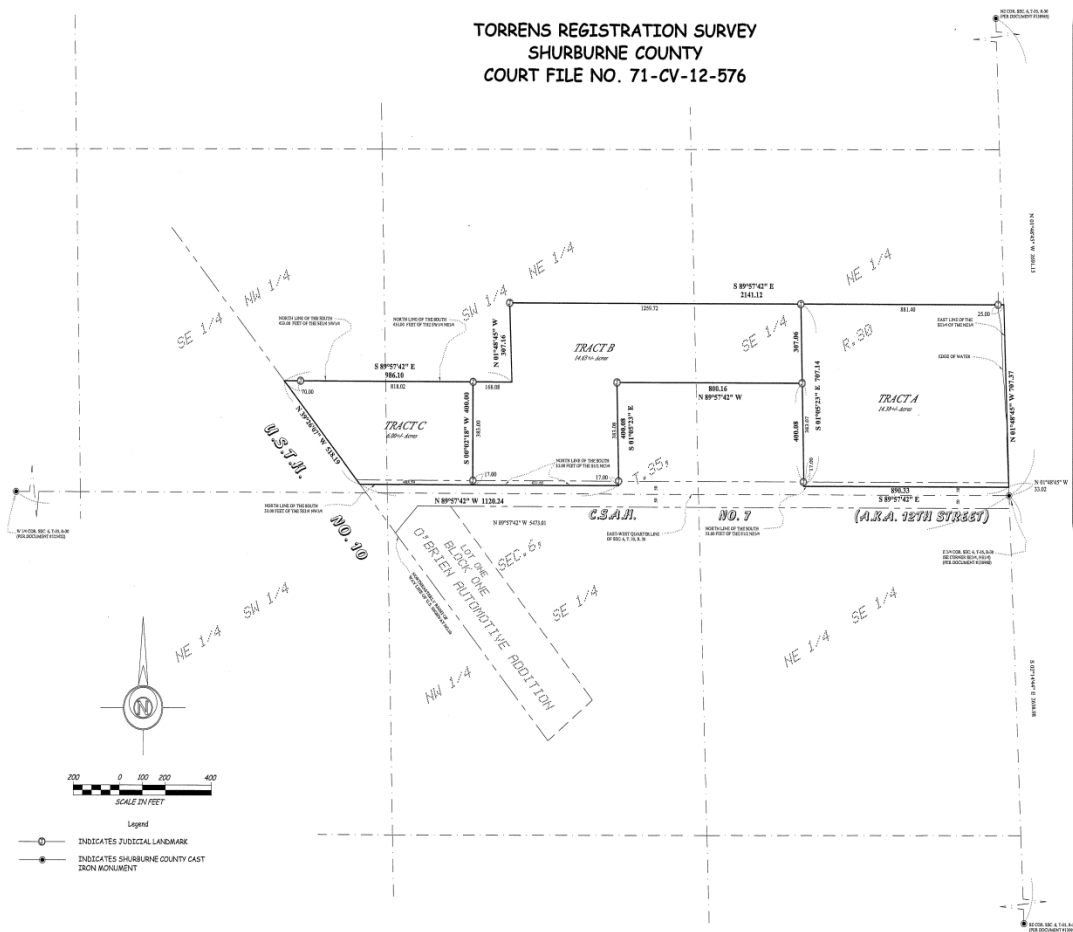
adjacent to the subject property. This road relocation does cause a boundary change for the 66 foot right of way for the lot right of way. The suggested revised description and disclaimer displayed in this survey was located to follow the measurements in the field, over the Certificate of Survey for the purpose of the surrounding parcels, and the survey was determined to follow the measurements in the field, over the Certificate of Survey for the purpose of the surrounding parcels.

discovered in document number 110189 have the given title to the 66 foot right of way. "Change" with a right of way of width of 66 feet for County Road No.3. The different locations of the 66 foot right of way does cause a possible "gap" and "overlap" with the 66 foot right of way of width of 66 feet for County Road No.3.

SHEET 1 OF 1



TORRENS REGISTRATION SURVEY
SHURBURNE COUNTY
COURT FILE NO. 71-CV-12-576



LEGAL DESCRIPTIONS

Tract A:
That part of the Southeast Quarter of the Northeast Quarter, Section 6, Township 35, Range 30, Shurburne County, Minnesota, described as follows: Commencing at the southeast corner of said Southeast Quarter of the Northeast Quarter, thence N 01°48'42" W, on an assumed bearing, along the east line of said Southeast Quarter of the Northeast Quarter, a distance of 33.00 feet, to the north line of the south 33.00 feet of said Southeast Quarter of the Northeast Quarter, thence S 01°48'42" W, along said east line, a distance of 107.37 feet, thence S 89°57'42" W, a distance of 881.40 feet, thence S 11°02'23" E, a distance of 707.14 feet, to said north line of the south 33.00 feet, thence S 89°57'42" W, along said north line of the south 33.00 feet, a distance of 880.33 feet, to the point of beginning.

Tract B:
That part of the Southeast Quarter of the Northeast Quarter and the Southwest Quarter of the Northeast Quarter, Section 6, Township 35, Range 30, Shurburne County, Minnesota, described as follows: Commencing at the southeast corner of said Southeast Quarter of the Northeast Quarter, thence N 01°48'42" W, on an assumed bearing, along the east line of said Southeast Quarter of the Northeast Quarter, a distance of 33.00 feet, to the north line of the south 33.00 feet of said Southeast Quarter of the Northeast Quarter, thence S 01°48'42" W, along said east line, a distance of 107.37 feet, thence S 89°57'42" W, a distance of 881.40 feet, to the point of beginning of the tract to be described, thence S 01°48'42" W, a distance of 400.00 feet, to the north line of the south 33.00 feet of said Southeast Quarter of the Northeast Quarter, thence S 89°57'42" W, along the north line of the south 33.00 feet of said Southeast Quarter of the Northeast Quarter, a distance of 631.65 feet, thence S 01°48'42" W, a distance of 400.00 feet, to the north line of the south 33.00 feet of said Southeast Quarter of the Northeast Quarter, thence S 89°57'42" W, along said north line of the south 33.00 feet, a distance of 400.00 feet, to the north line of the south 33.00 feet of said Southeast Quarter of the Northeast Quarter, thence S 89°57'42" W, a distance of 337.56 feet, to a line which bears N 89°57'42" W from the point of beginning, thence S 89°57'42" E, a distance of 1229.72 feet, to the point of beginning.

Tract C:
That part of the Southeast Quarter of the Northeast Quarter and the Southwest Quarter of the Northeast Quarter, Section 6, Township 35, Range 30, Shurburne County, Minnesota, described as follows: Commencing at the southeast corner of the Southeast Quarter of the Northeast Quarter of said Section 6, thence N 01°48'42" W, on an assumed bearing, along the east line of said Southeast Quarter of the Northeast Quarter, a distance of 33.00 feet, to the north line of the south 33.00 feet of said Southeast Quarter of the Northeast Quarter, thence S 01°48'42" W, along said east line, a distance of 107.37 feet, thence S 89°57'42" W, a distance of 881.40 feet, thence S 11°02'23" E, a distance of 707.14 feet, to said north line of the south 33.00 feet of said Southeast Quarter of the Northeast Quarter, thence S 89°57'42" W, along said north line of the south 33.00 feet of said Southeast Quarter of the Northeast Quarter, a distance of 631.65 feet, thence S 01°48'42" W, a distance of 400.00 feet, to the north line of the south 33.00 feet of said Southeast Quarter of the Northeast Quarter, thence S 89°57'42" W, along said north line of the south 33.00 feet, a distance of 400.00 feet, to the north line of the south 33.00 feet of said Southeast Quarter of the Northeast Quarter, thence S 89°57'42" W, a distance of 337.56 feet, to a line which bears N 89°57'42" W from the point of beginning, thence S 89°57'42" E, a distance of 1229.72 feet, to the point of beginning.

NOTE: THIS SURVEY IS INTENDED ONLY FOR THE BENEFIT OF THE PARTY TO WHOM IT WAS PREPARED FOR AND SHOULD NOT BE RELIED UPON BY ANY OTHER PARTY OR FOR ANY OTHER PURPOSE WITHOUT FIRST CONTACTING THE SURVEYOR WHO DEVELOPED AND MADE THIS DRAWING. UNAUTHORIZED REPRODUCTION OF THIS DOCUMENT IS PROHIBITED.

370 CHAPEL HILL RD., SUITE 105
COLD SPRING, MN 56320
PH. 320-685-5905
FAX 320-685-3056

CERTIFICATE OF SURVEY PREPARED BY:
O'MALLEY & KRON
LAND SURVEYORS, INC.

1004 2nd ST. SE
WILLMAR, MN 56201
PH. 320-235-4012
FAX 320-685-3056

I HEREBY CERTIFY THAT THIS SURVEY, PLAN OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.
DATE: 07-26-2013
DANIEL M. KRON
MINNESOTA REGISTRATION NO. 62611

CERTIFICATE OF SURVEY PREPARED FOR:
DAVID PEDERSON
JOB NO.: 2011-137
FILE NAME: 2011-137.LDWG
LOCATION: 6-95-30

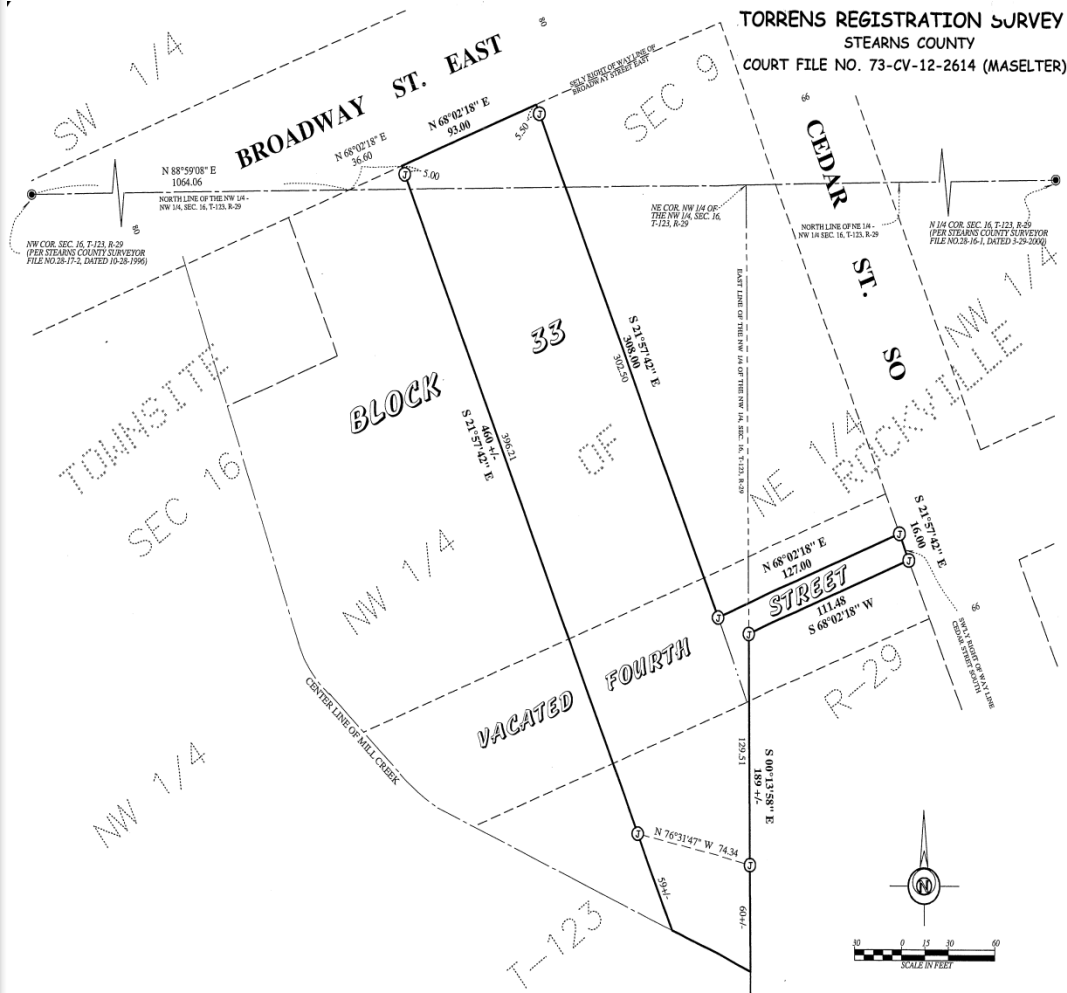
SHEET 1 OF 1

Firmly Committed.



W 1/4 COR. SEC. 6, T-35, R-30
(PER DOCUMENT #125422)

Firmly Committed.



TORRENS REGISTRATION SURVEY
STEARNS COUNTY
COURT FILE NO. 73-CV-12-2614 (MASELTER)

LEGAL DESCRIPTION

Tract of land lying and being in the County of Stearns, State of Minnesota, described as follows, to-wit:

That part of Block Thirty-three and vacated Fourth Street in the Townsite of Rockville, according to the recorded plat thereof, Stearns County, Minnesota and that part of the NW 1/4 of the NW 1/4 and the NE 1/4 of the NW 1/4, of Section 16, and that part of the SW 1/4 of Section 9, all in Township 123, Range 29, Stearns County, Minnesota described as follows: Commencing at the Northwest corner of said Section 16; thence on an assumed bearing of N 88°59'08" E along the North line of the NW 1/4 of said Section 16, a distance of 1064.06 feet to the intersection with the southeasterly right of way line of Broadway Street East; thence on a bearing of N 68°02'18" E, along said southeasterly right of way line, a distance of 36.60 feet to the point of beginning of the tract herein described; thence continue on a bearing of N 68°02'18" E along said southeasterly right of way line, a distance of 93.00 feet; thence on a bearing of S 21°57'42" E, through a judicial landmark, a distance of 308.00 feet, to a judicial landmark; thence on a bearing of N 68°02'18" E, a distance of 127.00 feet, to the southeasterly right of way line of Cedar Street South and to a judicial landmark; thence on a bearing of S 21°57'42" E along said southeasterly right of way line, a distance of 16.00 feet, to a judicial landmark; thence on a bearing of S 68°02'18" W, a distance of 111.48 feet, to the East line of said NW 1/4 of the NW 1/4 and to a judicial landmark; thence on a bearing of S 0°13'58" E along said East line of the NW 1/4 of the NW 1/4, through a judicial landmark, a distance of 189 feet more or less to the centerline of Mill Creek; thence Northwest along said centerline of Mill Creek to its intersection with a line which bears S 21°57'42" E along said line and through a judicial landmark, a distance of 460 feet more or less to the point of beginning.

NOTE:
THIS SURVEY IS INTENDED ONLY FOR THE BENEFIT OF THE PARTY TO WHICH IT WAS PREPARED FOR AND SHOULD NOT BE RELIED UPON BY ANY OTHER PARTY OR FOR ANY OTHER PURPOSE WITHOUT FIRST CONTACTING THE SURVEYOR WHO DEVELOPED AND MADE THIS DRAWING. UNAUTHORIZED REPRODUCTION OF THIS DOCUMENT IS PROHIBITED.

370 CHAPEL HILL RD., SUITE 105
COLD SPRING, MN 56320
PH 320-485-5905
FAX 320-685-3056

CERTIFICATE OF SURVEY PREPARED BY:
O'MALLEY & KRON
LAND SURVEYORS, INC.

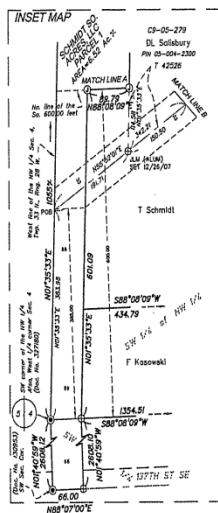
328 SW 3RD ST.
WILLMAR, MN 56201
PH 320-235-4012
FAX 320-214-9380

I HEREBY CERTIFY THAT THIS SURVEY, PLAN OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A duly REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.
DANIEL M. KRON
MINNESOTA REGISTRATION NO. 42621
DATE: 11-13-2012

SHEET 1 OF 1

CERTIFICATE OF SURVEY PREPARED FOR:
SCOTT MASELTER
JOB NO: 2012-51
FILE NAME: 2012-51C.SJ
LOCATION: 16-123-29

Firmly Committed.



COURT FILE NO. 71-CV-11-1357 (Norm Schmidt)
COURT FILE NO. 71-CV-11-1356 (Schmidt So. Acres, LLC)
COURT FILE NO. 71-CV-11-353 (Bjorklund)

I HEREBY CERTIFY THAT THIS SURVEY WAS PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA. I FURTHER CERTIFY THAT JUDICIAL LANDMARKS WERE SET ON FEBRUARY 16, 17 & 27, 2012 AT THE LOCATIONS SHOWN HEREON IN ACCORDANCE WITH THE FINDINGS OF THE DISTRICT COURT, TENTH JUDICIAL DISTRICT

SIGNED Dennis D. Pederson P.L.S. NO. 18095
Dennis D. Pederson


DATE 6/2/12

This certificate is based on previous survey work for various landowners in the area: SPA File No.'s 103630 Q, 05-0710.00, 06-0082.00, & 06-0083.00.

For the purposes of this survey, the West line of the NW 1/4 has an assumed bearing of North 01 degree 35 minutes 33 seconds East.

SCALE: 1" = 100'

[illegible]

SHEET NO.	Part of the Northwest Quarter Sec. 4, Twp. 33 N. Rng. 28 W Becker Township Sherburne County, MN	 BOGART PEDERSON & ASSOCIATES, INC. 10000 Highway 100, Suite 200 Minneapolis, MN 55412 TEL: 763-84-3623 FAX: 763-84-3624 E-MAIL: BOGART@NETNET.INTERNET	I hereby certify that the survey, map, or other document was made by me, or my duly authorized agent, and that I am a duly Licensed Professional Engineer in the State of Minnesota.		I hereby certify that the survey, map, or other document was made by me, or my duly authorized agent, and that I am a duly Licensed Professional Engineer in the State of Minnesota.	
			DATE: 04/05/12 DESIGN BY: [Signature] DRAWN BY: [Signature] CHECKED BY: [Signature] DWG FILE: schmidt_444 FILE NO.: 07-09226-01	DATE: [] DESIGN BY: [] DRAWN BY: [] CHECKED BY: [] DWG FILE: [] FILE NO.: []		
		Signed: Donald D. Pederson Date: [] Reg. No. 16095				



Minn. Stat. § 559.25 – Judgment: Landmarks

“The judgment shall locate and define the boundary lines involved by reference to well-known permanent landmarks...The court may direct a competent surveyor to establish a permanent stone or iron landmark...Such landmarks shall have distinctly cut or marked thereon ‘Judicial Landmark’.”



ABSTRACT TITLE

STATE OF MINNESOTA

Case Type: Other Civil (Quiet Title)
DISTRICT COURT

COUNTY OF <>

<> JUDICIAL DISTRICT

<>,

Plaintiff<s>,

Court File No. <>

vs.

<>,

**FINDINGS OF FACT, CONCLUSIONS OF
LAW, AND INTERLOCUTORY ORDER**

Defendant<s>.

FINDINGS OF FACT

(Findings as needed)

1. Plaintiff is entitled to have the boundaries determined and established with Judicial Landmarks, as provided in Minn. Stat. § 559.25.
2. Plaintiff has had the land involved surveyed by <surveyor name>, as evidence by a Plat of Survey dated <date>, and attached hereto showing the boundary lines of said Property claimed by Plaintiff, and all boundary lines are as shown on the Plat of Survey.

ORDER

1. That Plaintiff proceed to have its surveyor mark the boundaries by placing Judicial Landmarks and that a plat of said survey showing the location of each said Judicial Landmark, certified as to the location thereof, be filed herein.

Dated: _____, 20<>

<Judge>, Judge of District Court

Firmly Committed.



ABSTRACT TITLE

STATE OF MINNESOTA

Case Type: Other Civil (Quiet Title)
DISTRICT COURT

COUNTY OF <>

<> JUDICIAL DISTRICT

<>,

Plaintiff<s>,

Court File No. <>

vs.

<>,

Defendant<s>.

**FINDINGS OF FACT, CONCLUSIONS OF
LAW, ORDER ESTABLISHING THE
PLACEMENT OF JUDICIAL
LANDMARKS, ORDER FOR
JUDGMENT AND JUDGMENT**

FINDINGS OF FACT

<Findings as needed>

1. Plaintiff has had the boundaries determined and established with Judicial Landmarks as provided in Minn. Stat. § 559.25.

2. Plaintiff has had the land involved surveyed by <surveyor name>, as evidenced by a Plat of Survey dated <date>, and attached hereto showing the boundary lines of said Property claimed by Plaintiff, and all boundary lines are as shown on the Plat of Survey.

ORDER

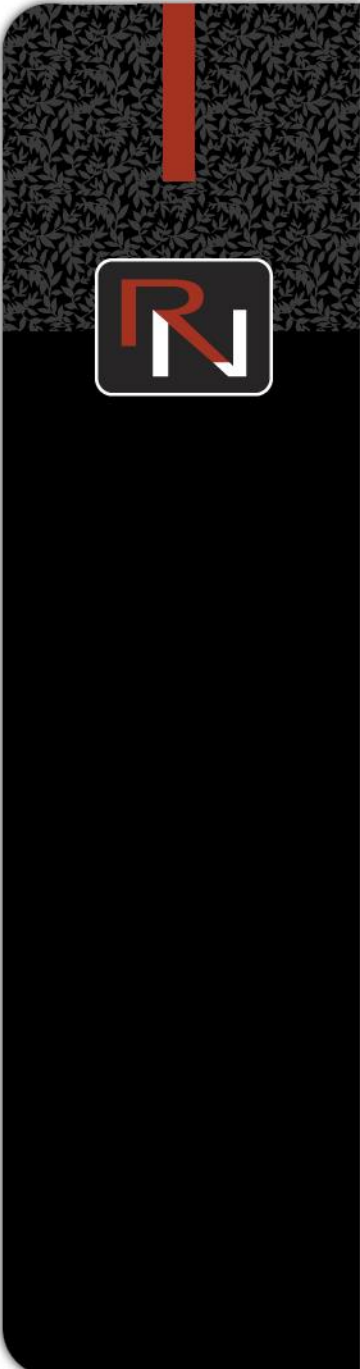
<Conclusions and other Orders as needed>

1. That the boundaries of the Property have been determined by placement of Judicial Monuments as described in the <date> Certificate of Survey filed in this matter by <surveyor name>, which survey is attached to and made a part of this Order and Judgment.

Judge of the District Court

Firmly Committed.

TORRENS



TORRENS

STATE OF MINNESOTA

Case Type: 14
DISTRICT COURT

COUNTY OF 

◇ JUDICIAL DISTRICT

In the Matter of the Application of:

Applicant<s>,

VS.

Defendant<s>.

Court File No.

ORDER AND DECREE OF REGISTRATION AND AN ORDER ESTABLISHING AND FIXING BOUNDARIES AND ESTABLISHMENT OF JUDICIAL LANDMARKS

(Other Findings and Conclusions)

1. That Judicial Landmarks have been placed pursuant to the <date>, Interlocutory Order of this Court, and that the placement of those Judicial Landmarks is shown on the <date> survey by <surveyor name> in the Court file and made a part hereof.

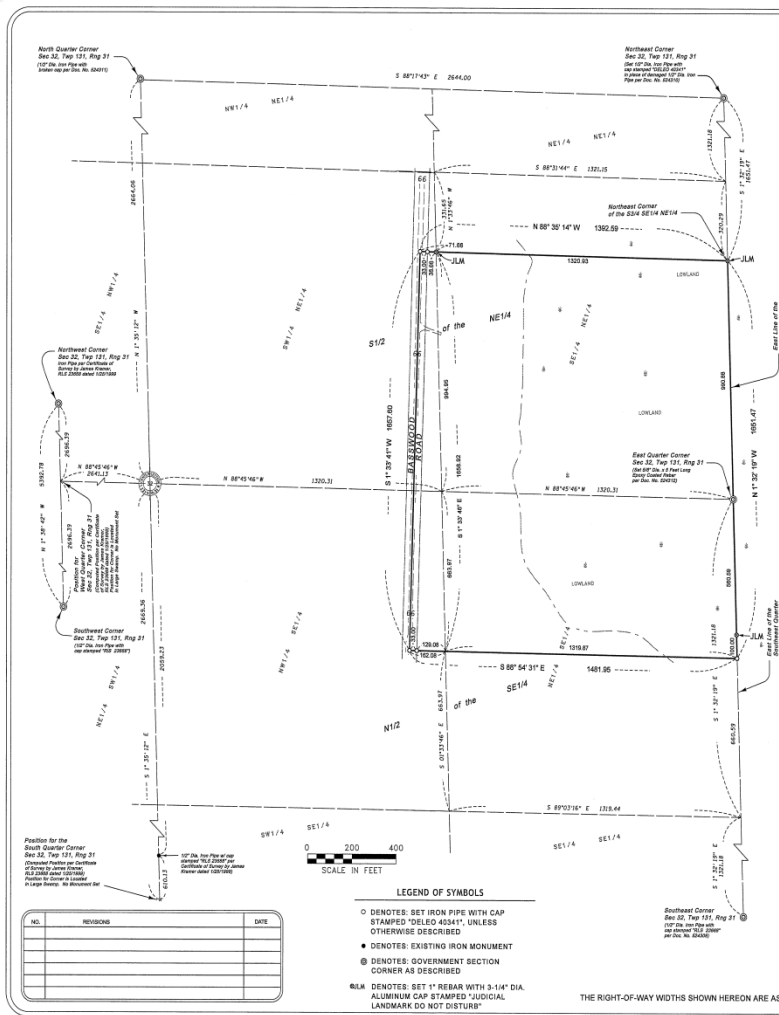
NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED
as follows: (Other matters as needed)

1. That the boundaries of the land described herein have been determined by placement of Judicial Monuments as described in the <date> Certificate of Survey filed in this matter by <surveyor name>, which survey is made a part of the Findings and Decree hereof. The Certificate of Survey shall also be filed with the Registrar of Titles, at the time of the filing of this Order, and the Certificate of Title shall state: "That the boundaries are registered and Judicial Monuments set per the survey filed in the office of the Registrar of Titles, and with the District Court."

BY THE COURT:

Judge of District Court

Firmly Committed.



VICINITY MAP
SEC 32 - TWP 131 - RNG 31



SURVEYOR'S NOTE:
This Certificate of Survey for Torrens Registration was conducted in relation with Minnesota Seventh Judicial District Court File Number: 49-CV-12-1722.
Judicial Landmarks consisting of 1 inch diameter rebar with 3-1/4 inch diameter aluminum caps (marked as shown) were set along the northerly and easterly boundaries of Tract 2 at the locations labeled hereon as "JLM".

KLD
KRAEMER LEAS & DELLO
PROFESSIONAL LAND SURVEYORS
REGISTERED PROFESSIONAL LAND SURVEYORS
UNDER THE LAWS OF THE STATE OF MINNESOTA
Project No. AGSTA1201

LEGAL DESCRIPTION

All that part of the South Half of the Northeast Quarter (S1/2 NE1/4) and of the North Half of the Southeast Quarter (N1/2 SE1/4), all of Section 32, Township 131, Range 31, Morrison County, Minnesota, described as follows:

Commencing at the northeast corner of said Section 32, as depicted by an iron monument described in Morrison County Recorder Document Number 354916;

thence South 1 degree 32 minutes 19 seconds East, measured bearing along the east line of the Northeast Quarter (NE1/4) of said Section 32 for 1651.47 feet to a Judicial Landmark Monument (JLM), said point being the point of beginning;

thence North 88 degrees 25 minutes 14 seconds West for 1320.93 feet to a JLM;

thence continue North 88 degrees 25 minutes 14 seconds West for 71.66 feet;

thence South 1 degree 33 minutes 41 seconds East for 1837.62 feet;

thence South 88 degrees 54 minutes 31 seconds East for 1481.95 feet to the east line of the Southeast Quarter (SE1/4) of said Section 32;

thence North 1 degree 32 minutes 19 seconds West for 100.00 feet to a JLM;

thence continue North 1 degree 32 minutes 19 seconds West, along said east line of the Northeast Quarter (NE1/4) for 560.59 feet to the east quarter corner of said Section 32, as depicted by an iron monument described in Morrison County Recorder Document Number 354372;

thence continue North 1 degree 32 minutes 19 seconds West, along said east line of the Northeast Quarter (NE1/4) for 995.88 feet to said JLM at the point of beginning.

Containing 34.36 acres, more or less.

TORRENS REGISTRATION SURVEY
7th Judicial District Court File Number:
49-CV-12-1722
For: AgStar Financial Services
Located in Section 32, Township 131, Range 31 West
Morrison County, Minnesota

Firmly Committed.



All that part of the South Half of the Northeast Quarter (S1/2 NE1/4) and of the North Half of the Southeast Quarter (N1/2 SE1/4), all of Section 32, Township 131, Range 31, Morrison County, Minnesota, described as follows:

Commencing at the northeast corner of said Section 32, as depicted by an iron monument described in Morrison County Recorder Document Number 524310;

thence South 1 degree 32 minutes 19 seconds East, assumed bearing along the east line of the Northeast Quarter (NE1/4) of said Section 32 for 1651.47 feet to a Judicial Landmark Monument (JLM), said point being the point of beginning;

thence North 88 degrees 35 minutes 14 seconds West for 1320.93 feet to a JLM;

thence continue North 88 degrees 35 minutes 14 seconds West for 71.66 feet;

thence South 1 degree 33 minutes 41 seconds West for 1657.60 feet;

thence South 88 degrees 54 minutes 31 seconds East for 1481.95 feet to the east line of the Southeast Quarter (SE1/4) of said Section 32;

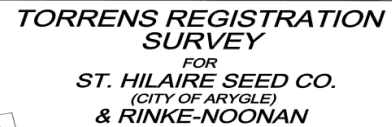
thence North 1 degree 32 minutes 19 seconds West for 100.00 feet to a JLM;

thence continue North 1 degree 32 minutes 19 seconds West, along said east line of the Northeast Quarter (NE1/4) for 560.59 feet to the east quarter corner of said Section 32, as depicted by an iron monument described in Morrison County Recorder Document Number 524312;

thence continue North 1 degree 32 minutes 19 seconds West, along said east line of the Northeast Quarter (NE1/4) for 990.88 feet to said JLM at the point of beginning.

Containing 54.56 acres, more or less.

Firmly Committed.





That part of the East Half of the Southwest Quarter of Section 15, Township 156, Range 48, Marshall County, Minnesota, described as follows:

Commencing at the South Quarter corner of said Section 15; thence on a Marshall County bearing of South 89 degrees 33 minutes 10 seconds East (NAD'83, 1996), along the South line of the Southeast Quarter of said Section 15, a distance of 39.09 feet to the Main Track centerline of the Burlington Northern and Santa Fe Railway Company railroad; thence North 11 degrees 29 minutes 30 seconds West, along said centerline, a distance of 1276.13 feet; thence North 78 degrees 30 minutes 30 seconds East, at right angles to said centerline, a distance of 37.60 feet to intersect a line 10.00 feet easterly and parallel with said railway company's Elevator Track centerline, being a Judicial Landmark and the Point of Beginning of the land to be described; thence North 11 degrees 29 minutes 30 seconds West, along said parallel line, a distance of 300.00 feet; thence South 78 degrees 30 minutes 30 seconds West, a distance of 1.00 foot to intersect a line 9.00 feet easterly and parallel with said railway company's Elevator Track centerline; thence North 11 degrees 29 minutes 30 seconds West, along said parallel line, a distance of 565.00 feet to a Judicial Landmark; thence North 78 degrees 30 minutes 30 seconds East at right angles to said parallel line, a distance of 138.40 feet to a Judicial Landmark, and to intersect the easterly right of way line of said railroad, being a line 175.00 feet easterly of the Main Track centerline; thence South 11 degrees 29 minutes 30 seconds East, along said right of way line, a distance of 865.00 feet to a Judicial Landmark, and to intersect a line bearing North 78 degrees 30 minutes 30 seconds East from said point of beginning; thence South 78 degrees 30 minutes 30 seconds West, a distance of 137.40 feet to the point of beginning being said Judicial Landmark.

Containing 2.74 acres, more or less,
Subject to easements of record, if any.

Firmly Committed.



- The original GLO bearing tree? A 5 inch burr oak marked by GLO surveyor Ryan in October of 1850 – S 21 E 54 links (35.64')

① BEARING TREE ? @ N¹/₄ 36-35-30



(26" PER. FLD. NOTES, 2004 F13 19/32

Firmly Committed.



② AFTER 1ST CUT



Firmly Committed.



③ EXTENT OF CUTS MADE INTO TREE



Firmly Committed.

CERTIFICATE OF LOCATION OF GOVERNMENT CORNER

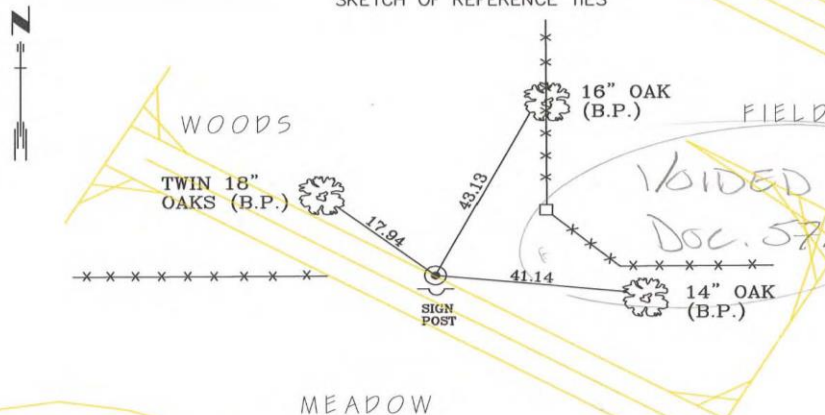
NORTH QUARTER Corner of Section 36, Township 35, Range 30, 4th P.M.

STATE OF MINNESOTA, County of SHERBURNE

At the corner location shown on the sketch:

- ☐ On _____ found a _____
DATE _____
- ☐ left monument as found, ☐ lowered monument, ☐ removed monument (explain)
- ☒ On 5/5/93 Placed a CAST IRON MONUMENT UP 0.1'. SEE REPORT IN FILE.
DATE _____

SKETCH OF REFERENCE TIES



NOTE: (BP) = TWO FACING PAINTED BLAZE WITH ONE NAIL IN LOWER BLAZE

25
36

Statement of evidence relative to this corner location is on back of page. **SEE REPORT IN FILE.**

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

SIGNATURE _____ DATE 5/5/93

Registration No. 19839

- ☐ Land Surveyor, ☐ Professional Engineer
☒ County Surveyor, ☐ County Engineer

OFFICE OF THE COUNTY RECORDER
County of _____

I hereby certify that this document was filed in the Co. recorders office at _____ .M. on the _____ day of _____ A.D., 19____

County Recorder _____
By _____, Deputy
DOCUMENT NO. _____

CERTIFICATE OF LOCATION OF GOVERNMENT CORNER

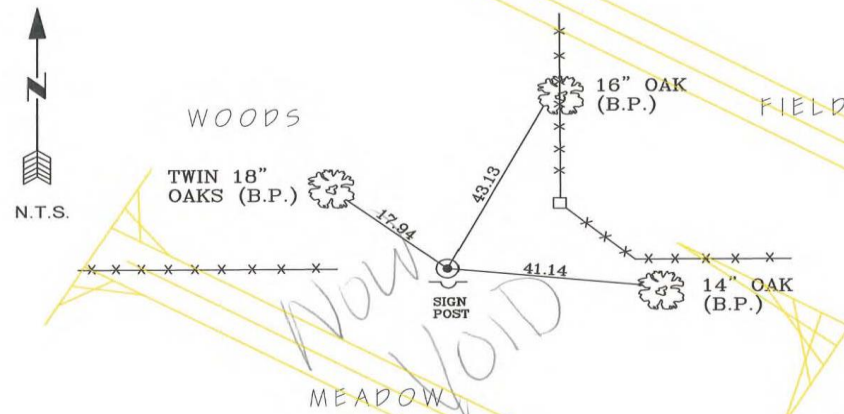
NORTH QUARTER CORNER OF SECTION 36, TOWNSHIP 35, RANGE 30, 4th P.M.

State of Minnesota, County of Sherburne

At the corner location shown on the sketch:

- ☐ On _____ found a _____
- ☐ left monument as found ☐ lowered monument, ☐ removed monument (explain) _____
- ☒ On 5/5/93 Placed a CIM PER DOC 285658 (UP 0.1)
- DATE

SKETCH OF REFERENCE TIES



DATE	DESCRIPTION	INIT.
2/13/04	Added County Coordinates	

NOTE: (B.P.) = Two facing painted blazes with one nail in lower blaze.
(O.T.) = Old tie from previous document.

1986 Adjusted Sherburne County NAD 1983 Coordinates: (NAD83 Latitude & Longitude) D. M. S.
 Northing: 285659.80 Latitude: 45-29-11.7141-N
 Easting: 465753.69 Longitude: -94-01-00.6556 W

For further information regarding this corner refer to Document Number 285658.

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

Drawn by: XX SIGNATURE DATE Registration No. 18434
 -County Surveyor, Land Surveyor

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Firmly Committed.

Now
Vord

285658

AFFIDAVIT

I, Daniel G. Nickols, Sherburne County Surveyor, do hereby state the following facts:

Statement of Evidence for the North Quarter corner of Section 36 Township 35 Range 30 West.

The north line of Section 36 was surveyed by Deputy Surveyor John Ryan October 9, 1850. His notes state the following:

East between Sections 25 and 36 Township 35 Range 30

80.00	Chains	Intersect range line 21 links north of post. West corrected between Sections 25 and 36
3.00	Chains	Elk River 60 links runs SE
30.00	Chains	Road bears NW and House N 55 1/2 W
31.50	Chains	Enter field bears NW
38.00	Chains	Leave field bears N, House N 49 E
40.00	Chains	Set 1/4 section post Black Oak 10" N 13 E 117 links Burr Oak 5" S 21 E 54 links
44.00	Chains	Low bottom bears N
78.50	Chains	Leave bottom bears NW
80.00	Chains	Section Corner Surface rolling, soil 2nd rate Timber, Black and Burr oaks

County Surveyor Record Book A, page 139, Survey No.226, dated June 9, 1882 by County Surveyor J.H. Williams. His notes state the following:

Made corners at "K" (N1/16 Cor.of the NW1/4) and "L" (N1/16 Cor.of the NE1/4) by measuring and dividing lines "AB" (N line of the NW1/4) and "BC" (N line of the NE1/4). Bearing trees as follows:

At "K":	Br. Oak 5" N 8 E 51 links
	No other trees near
At "L":	Br. Oak 6" S 20 1/2 E 95 links
	Br. Oak 6" N 17 W 142 links

County Surveyor Record Book B, page 154, Survey No.521, dated June 19, 1896, by County Surveyor J.H. Williams. His notes state the following:

Found corners at "F" (S1/4 Cor.), "B" (N1/4 Cor.), "H" (W1/4 Cor.), "D" (E1/4 Cor.), "R" (W1/16 Cor.of the NW1/4) and "K" (N1/16 Cor.of the NW 1/4). Marked two new trees at "F" (S1/4 Cor.), as the old ones were nearly destroyed. Divided section by intersecting quarter lines and made corner at "I" (center of section). Subdivided the Northwest quarter by intersecting 16th lines and made corner at "W" (center Cor.of the NW1/4).

Firmly Committed.

Bearing Trees: "I" (C 1/4) Burr Oak 4" N 4.5 E .42 Chains
 Burr Oak 4" S 16.5 W .59 Chains

"S" (E 16th of the NW 1/4)
 Burr Oak 5" S 57.75 W .54 Chains
 Burr Oak 3" N 46.75 W .07 Chains

The Northwest corner of Section 36 is a Sherburne County Cast Iron Monument set in place of a 6"x 6" granite monument on March 2, 1992 by Sherburne County Surveyor Daniel G. Nickols. The position of this monument is 4.5 feet north of a fence intersection in which fence bears north and east.

The Northeast corner of Section 36 is a Sherburne County Cast Iron Monument set August 25, 1966 by Donn E. Pepper previous Sherburne County Surveyor (MN Lic. No. 5333) in place of a 8"x 8"x 20" granite monument.

The West 1/4 corner of Section 36 is Sherburne County Cast Iron Monument set by William F. Lunser (R.L.S. 9394) on March 10, 1972 at single proportionate measure between the Southwest and Northwest corners of Section 36.

The East 1/4 corner of Section 36 is a Sherburne County Cast Iron Monument set by Donn E. Pepper previous Sherburne County Surveyor (R.L.S. 5333) on August 25, 1966 at single proportionate measure between the Northeast and Southeast corners of Section 36.

Centerline of County Road No. 16 runs on the approximate North line of the northeast quarter of Section 36 and then curves southerly around low land.

An old fence line runs easterly from the Northwest corner of Section 36 to the right of way of County Road 16. This fence line intersects another old fence line bearing south at the approximate 16th corner of the NW 1/4 and another fence bearing north at the approximate vicinity of the North 1/4 corner. Coordinates were established on these fence lines.

Coordinates were also established on the following items in Section 36:

- 1) Fence lines along the east-west 16th line of the north half and a fence line along the east-west 1/4 line.
- 2) All section corners and the E,W, and S1/4 corners.

Testimony from the son of Mr. George Mix stated that the fence line running east from the Northwest corner of section 36 has always been considered their property line. He also stated that the fence line running north at the approximate vicinity of the North 1/4 corner was only a line of convenience to keep cattle in and not considered a boundary line. He also stated in his opinion that he felt the corner was to the west of this fence line.

Firmly Committed.

285658

We established a position for the North 1/4 corner of Section 36 by doubling line and distance from the fence intersection at the north 16th corner of the northwest quarter. We feel this fence intersection is a perpetuation of Mr. J.H. Williams 16th corner "K" set June 9, 1882. Our computed distance across the north line of the NW 1/4 is 2605.94 feet (Mr. Williams 2605.68 feet). I feel this location marks the obliterated position of the subject corner.

The location of this corner falls on an east-west fence line and the westerly extension of the centerline of County Road No. 16. This location also agrees with Mr. George Mix son's testimony. I have placed a Sherburne County Cast Iron Monument at this location and established new reference ties.

I hereby certify that this report was prepared by me or under my direct supervision, and that I am a duly licensed Land Surveyor under the laws of the State of Minnesota.

May 27, 1993

Daniel G. Nickols

Daniel G. Nickols
Sherburne County Surveyor

STATE OF MINNESOTA
COUNTY OF SHERBURNE

Subscribed and sworn before me this 9th day of November, 1993

Michelle Ashe

Notary Public

MICHELLE ASHE
Deputy County Recorder
Sherburne County, Minnesota

This instrument was drafted by:
Daniel G. Nickols
327 King Ave.
Elk River, MN 55330

285658

COUNTY RECORDER
SHERBURNE CO., MINN.
PAT RASMUSSEN
BY B. Hallbeck DEPUTY
Nov 9 3 41 PM '93



Firmly Committed.



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Index No. Sherb. Co. 19/20

CERTIFICATE OF LOCATION OF GOVERNMENT CORNER

NORTH QUARTER CORNER OF SECTION 36, TOWNSHIP 35, RANGE 30, 4th P.M.
State of Minnesota, County of Sherburne
At the corner location shown on the sketch:

☒ On 9/1/04 found a CIM PER DOC 285658 (FLUSH), 3'± SOUTH OF OLD DOWN FENCE.
DATE SIGN POST 1'± SOUTH. REVISED OLD TIES.
☒ left monument as found ☐ lowered monument, ☐ removed monument (explain)
☐ On _____ DATE Placed a _____

SKETCH OF REFERENCE TIES

DATE	DESCRIPTION	INIT.
2/13/04	Added County Coordinates	

NOTE: (B.P.) = Two facing painted blazes with one nail in lower blaze.
(O.T.) = Old tie from previous document.

1986 Adjusted Sherburne County NAD 1983 Coordinates: (NAD83 Latitude & Longitude) D. M. S.
Northing: 285659.80 Latitude: 45 29 11.7141 N
Easting: 465753.69 Longitude: -94 01 00.6556 W

For further information regarding this corner refer to Document Number 285658.

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

Drawn by: XX SIGNATURE DATE Registration No. 18434
-County Surveyor, Land Surveyor

Firmly Committed.



AFFIDAVIT

I, Michael J. Trunk, Sherburne County Surveyor, Minnesota License No. 18434, do hereby state the following facts:

Statement of evidence for the placement of the North Quarter corner of Section 36, Township 35 North, Range 30 West.

Near the end of November, 2004, I was asked by Dennis Lietha, a property owner in Section 25, Township 35, Range 30, to research the re-established subject corner position which was set by Sherburne County Surveyor Daniel G. Nickols, LS 19839, in November of 1993 (see Doc. No. 285658). Mr. Lietha was questioning the corner position because it did not "fit" the long established occupation lines in Sections 25 and 36.

I began by reviewing the affidavit written by Surveyor Nickols. Mr. Nickols re-established the subject corner by doubling over the distance east from a fence corner location near the 16th corner along the North line of the NW1/4 of Section 36. This distance compared very closely to a distance noted on a survey performed by J.H. Williams, former Sherburne County Surveyor, in June of 1882. On the same survey Williams noted setting the 16th corner on the North line of the NE1/4 of Section 36. No mention is made in Nickols' affidavit of the fence line location at the 16th corner along the North line of the NE1/4 of Section 36.

On November 30, 2004, I and a field technician located the established fence lines and corners near the center of Section 36, a fence corner near the 16th corner on the South line of the NW1/4 of Section 36 and the fence line running North from the fence corner near said center. Near the subject corner there are fences running East, West and North. The fence line running North is located near the centers of many old trees which date back 100 years plus. The fence line running North from the fence corner near the center of Section 36 also is located in the centers of many old trees assumed to be near the time period of the surveys performed by Williams. The fence corner near the 16th corner along the South line of the NW1/4 of Section 36 also has a possible bearing tree remaining as noted in a subsequent survey performed by Williams in June of 1896.

Firmly Committed.



Computations were made which directed the fence lines located to a position for the subject corner being near a single proportionate measurement between the perpetuated Northwest and Northeast corners of Section 36. A decision was made to visit the site and excavate for any evidence which may lead to the corners position. A ½ inch iron pipe was located which marked a former fence corner near the subject corner. The pipe appeared to be no older than 30+/- years and may have been set at an assumed position. A circular area of approximately 10 feet in diameter was dug around the pipe at approximately 1 foot deep. No evidence of the original corner post was found.

During the original Government survey a Burr Oak 5 inches in diameter at a distance of 35.64 feet (54 links) and at a bearing of South 21 degrees East was marked as a bearing tree. Also noted on the running notes from that survey is the location of the “Low bottom” being a distance of 264 feet (4 chains) West from the subject corner.

During our excavation visit a measurement West from the found pipe was made and a distance of 262 feet measured to the bottom of the grade forming a low area. Also located was a Burr Oak approximately 2 feet in diameter which fit closely to the bearing and distance noted in the Government survey. The Oak also had a large scar on it which faced the subject corner and is typical of any remaining bearing trees that were established by the Government Surveyor’s. Since there were many factors indicating a possible different location for the subject corner a decision was made to cut into the tree to see if further evidence would support a new position for the subject corner.

We also examined the fence line locations at the 16th corners along the NW1/4 and NE1/4 of Section 36. Surveyor Williams noted bearing trees marked at these corners. It appears in his notes that he may have “mixed” up the bearing tree notes between the two corners. He notes only one tree being close along the NW1/4 when there are many trees in the area that could date back to 1882 and very few, if any, that could date that far back at the position along the North line of the NE1/4. When the aerial photos we have on file from 1939 are examined the same situation existed then which is only 57 years after William’s survey.

On December 12, 2004 a chain saw was used to cut into the possible bearing tree. The intent of the cut was to locate any scribing that would have been made by the original Government Surveyor. None was found. It appeared as if carpenter ants may have made their home in the tree or a portion of the area had rotted away in the area of the tree forming the healing scar. The area of the beginning of the scar was visible and a counting of the growth rings on the area cut away dated the beginning of the scar to a time at or near the Government Survey. I feel confident that this is one of the two bearing trees noted in the Government Survey. During this time we also located an established fence line at the 16th corner on the North line of the NE1/4 of Section 36.

With all of the above items indicating a different position for the subject corner and in order to protect the property rights of those whom depend upon long established fence lines the decision was made to move the corner that was set by Surveyor Nickols to a position matching the fence line intersections at the subject corner and at a distance of

Firmly Committed.



35.64 feet from the tree that I feel is one of the Government bearing trees. The new position also fits more closely to the established fence line location at the 16th corner along the North line of the NE1/4 of Section 36.

I hereby certify that this report was prepared by me and that I am a duly licensed Land Surveyor under the laws of the State of Minnesota.

Michael J. Trunk

December 17, 2004

Michael J. Trunk, PLS, Minn. Lic. No. 18434
Sherburne County Surveyor

STATE OF MINNESOTA
COUNTY OF SHERBURNE

The foregoing instrument was acknowledged before me this 17th day of
December, 2004 by Michael J. Trunk, PLS, Minnesota License No. 18434.

Mary S. Olson

Notary Public, Sherburne County, Minnesota

My Commission expires: 1-31-05



This instrument was drafted by:
Michael J. Trunk, PLS
13880 Highway 10
Elk River, MN 55330

Firmly Committed.

CERTIFICATE OF LOCATION OF GOVERNMENT CORNER

NORTH QUARTER CORNER OF SECTION 36, TOWNSHIP 35, RANGE 30, 4th P.M.

State of Minnesota, County of Sherburne

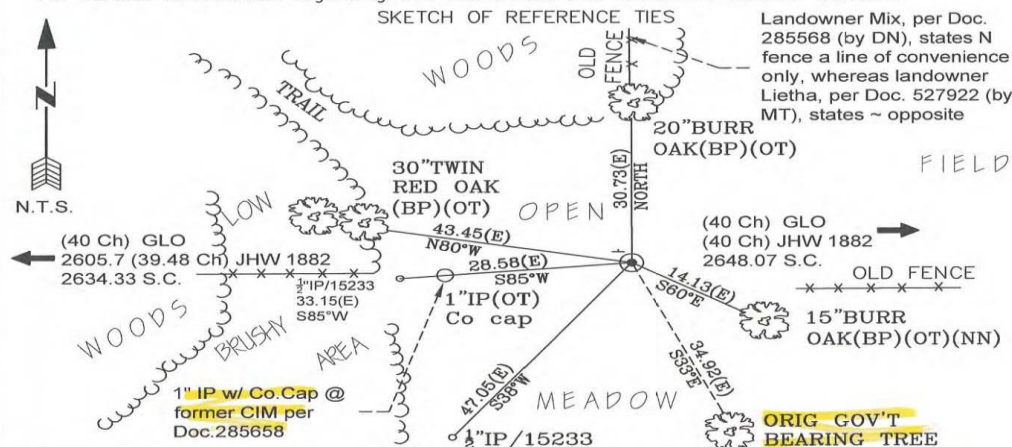
At the corner location shown on the sketch:

On 11/28/2011 found a CIM per document 572922 (FLUSH), revised old ties.

☒ left monument as found ☐ lowered monument, ☐ removed monument (explain)

☐ On _____ Placed a _____

For further information regarding this monument see Document Number 572922.



2011 GPS resurvey coords 0.24 SSE of ca 2005 published coords (below)

DATE	DESCRIPTION	INIT.
6/9/1882	JH Williams used cor to subdiv S.36 C.S. Old Bk A, P246	
6/19/1896	JH Williams used cor to subdiv S.36 C.S. Bk B, P154	
5/5/1899	JH Williams "fnd Gov't corner." Subd S.25 C.S. Bk C, P28	
5/5/1993	D. Nickols set CIM dble dist E from old fence cor @ N	
1/16th of NW 1/4;	@2605.94' fits JHW 1882 distance. Agrees w/	
Testimony of landowner & son of G. Mix. Doc.285658		
2/13/04	Added County Coordinates per Doc. 285658 to tie sheet	
9/1/2004	Found CIM per Doc 285658, retied. See FB 19/20 KL, JK	
12/16/04	M. Trunk reset CIM 28.5' E of DN CIM from GLO BT; also	
~fits old fence intersection, GLO call to swamp W, & old fence @ N		
1/16th NE 1/4. Doc. 572922		
ca 2005	REVISED County Coordinates per Doc. 572922	
11/28/11	Found CIM per Doc 572922 retied. See FB 30/21 JG, KL	

NOTE: (B.P.) = Two facing painted blazes with one nail in lower blaze.
(O.T.) = Old tie from previous document.
(E) = Electronic measurement.

1986 Adjusted Sherburne County NAD 1983 Coordinates: (NAD83 Latitude & Longitude) D. M. S.
 Northing: 285660.64 Latitude: 45 29 11.7228 N
 Easting: 465782.08 Longitude: -94 01 00.2571W

I hereby certify that this document and the data contained herein was prepared by me or under my direct supervision. Kim H. Hark 1/30/2013

Prepared by: kgl/KH

SIGNATURE

DATE

MN License No. 18890

-County Surveyor, Land Surveyor

CERTIFICATE OF LOCATION OF GOVERNMENT CORNER

NORTH QUARTER CORNER OF SECTION 36, TOWNSHIP 35, RANGE 30, 4th P.M.

State of Minnesota, County of Sherburne

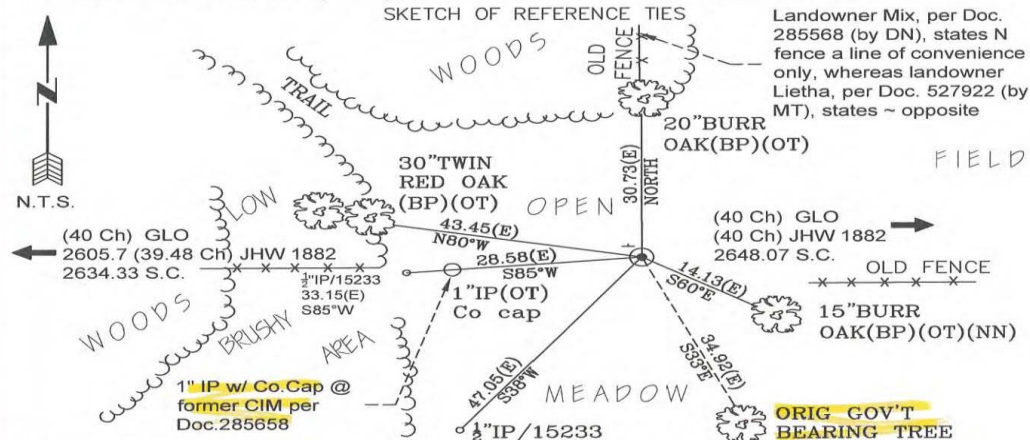
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 Northing: 285660.64 Latitude: 45 29 11.7228 N
 Easting: 465782.08 Longitude: -94 01 00.2571W

I hereby certify that this document and the data contained herein was prepared by me or under my direct supervision. K. H. Harkins 1/30/2013 MN License No. 18890

Prepared by: kgl/KH

SIGNATURE

DATE

-County Surveyor, Land Surveyor

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Firmly Committed.



David J. Meyers

Rinke Noonan, Ltd.

1015 West St. Germain Street, Suite 300

P.O. Box 1497

St. Cloud, MN 56302-1497

(320) 251-6700

Dmeyers@RinkeNoonan.com

Firmly Committed.

Firmly Committed.



Thank you!

**Contact Rinke Noonan and David J. Meyers
if you need any additional information.
www.RinkeNoonan.com**

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