

**Statement of Evidence:**

**H042**

Northeast Corner of Section 4, Township 37 North, Range 29 West, Gilmanton Township, 4<sup>th</sup> Principal Meridian, Benton County, Minnesota.

1849 Original US General Land Office survey set a wood post at this location and bearing trees were recorded.

8" Sugar	N 77 E	20 links
12" Sugar	N 55 W	42 links
8" Sugar	S 23 W	37 links
12" Basswood	S 65 E	24 links

Undated Elletson notes the following reference ties:

TP	SE	51.7
TP	NE	27.95

County Surveyor's Record Book 2, page 290, notes a stone in the road, a little ways south of centerline.

1895 County Surveyor's Record Book 2, page 236, shows a survey by Felix Parent of Section 34, 38-29. He notes the corner being found and marked by a stone in the center of the road.

1902 County Surveyor's Record Book A, Map No. 36 shows a survey of Section 33 by John Whilt. A stone is noted at the corner and a distance of 41.52 chains to the East  $\frac{1}{4}$  corner of Sec 33 in Alberta Township and a distance of 40.75  $\frac{1}{2}$  chains to the North  $\frac{1}{4}$  corner of Sec 4.

1914 County Engineers' Notebook No. 8 shows stone at the corner.

1915 J.P. Soderstrum notes in the County Surveyor's Record Book 1, page 463 & 465, a stone at the centerline of a road and a distance of 40.93 chains to the East  $\frac{1}{4}$  corner of Sec 4. Page 290 shows a survey of 2 acres by J.P. Soderstrum in the SW  $\frac{1}{4}$  of Section 34. Survey shows corner marked by a stone in center of road.

1923 County Engineer's notebook 43 by Zeese notes a stone monument at the corner with ties:

8" Maple	NW	40.6'
NW cor Stone Porch	SE	118.7'

1937 County Engineer's Notebook No. 99 contains a road survey for CAR No. 28 running from the south and terminating at this corner.

1946 MN/DOT alignment map for TH 25 shows corner as a stone monument 2064.8 feet east of centerline.

1958 County Engineer's Notebook No. 224 contains a road survey for CSAH 5 running west to east on section line. Corner is shown marked by a rock in center of road intersection with CH 62 running south. Ties are the same as listed below in 1960.

Benton County Surveyor's Office  
Jerome C. Wittstock, County Surveyor  
Minnesota License No. 19552

- 1960 County Surveyor's Records Book 1, page 467, notes a stone with no "X" at the centerline of a road with the following reference ties:

NW Cor Stone Porch	SE	118.7
TP	NE	31.95
PP	SW	47.2
Anchor Pole	NW	41.1

Later County Highway ties:

TP	NE	31.29
PP	SW	47.44
Guy P	NW	40.47
SE corner tombstone (Spiczka)		59.43

This corner is noted on the following recorded plats

*HERMAN'S SUBDIVISION* filed 1/20/1959 by M.B. Lang – pipe with angle of 85-26

*AUDITORS SUBDIVISION VILLAGE OF GILMAN PLAT 1* filed 5/15/1963 by Milner W Carley

- 1983 David Regan, LS 12236, set a 1/2" iron pipe on the centerline of a road east/west/south and from old ties. He filed a Certificate of Location (#167983).

- 1995 Comstock and Davis performed GPS work under contract with Benton County and Coordinates Obtained by GPS NAD 83 (1986 Adjustment) to a 1/2 " iron pipe:

N- 164306.270

E – 527052.974

- 1997 William Lunser, LS 9394, notes per Doc. No. 283113 a distance of 2665.68 feet to the East 1/4 corner of Sec 4.

- 2003 Westwood Professional Services, Inc. found 1/2 " iron pipe checking with previous ties as follows:

NW corner Stone Porch	SE	118.74 feet
SE corner "SPICZKA" tombstone	NW	59.32 feet
PP (Regan Tie)	SW	48.07 feet

County Coordinates Obtained by GPS to iron pipe

NAD 83 (1996 Adjustment)

N- 164306.554

E- 527052.615

- 2007 The Benton County Surveyor's Office reviewed the corner for excavation and determined that with a sewer line located just south of the corner position that any evidence of the stone would have been destroyed during construction. The iron pipe fits Parent's 1895 distance west for a half mile within a foot, the MnDOT 1946 distance west within a foot and the 1937 County Highway distance south to a found 8-inch square granite stone within a foot. The 1/2-inch iron pipe is accepted as marking the obliterated corner position.

- 2011 The Benton County Surveyor's Office found the 1/2-inch iron pipe and verified the 2003 coordinates.