

**Statement of Evidence:**

**E112**

The Northeast Corner of Section 11, Township 38 North, Range 32 West, West Langola Township, 4<sup>th</sup> Principal Meridian, Benton County, Minnesota.

1852 Original US General Land Office survey set a wood post at this location and bearing trees were recorded.

18" Bur Oak	S 78 W	14 links
12" Bur Oak	N 62 E	27 links

1977 William Lunser, LS 9394, found a 3/4" iron pipe at the corner location, left it as is, and filed a Certificate of Location (#147079). The Certificate shows that this corner is 2501.08' east of the N 1/4 Corner of Section 11.

1991 David Regan, LS 12236, set a cast iron monument on an old fence line running east-west and 8 feet north of new fence line running east and west. A Certificate of Location was filed.

2000 Kevin Festler, LS 22702, reports that Lunser's found monument and Regan's set monument are 197.17 feet apart. He used the most easterly corner, the CIM set by Regan for a survey in Section 11. He measured 2698.34 feet to the N Cor Sec 11.

2002 No resurvey information prior to 1977 was found on this corner in the Benton County records.

2003 Westwood Professional Services, Inc. located the cast iron monument and the 3/4" iron pipe using GPS. Information received by talking to Mr. Lunser and Mr. Regan: The iron found by Lunser in 1977 was probably set by Milner Carley in 1965. Because the corner seemed to be so out of place, Mr. Regan set the corner by doubling the distance from the N 1/4 corner of Sec. 12 west to a 1/16<sup>th</sup> fence line.

Further field investigation found no new evidence of the corner position. No evidence of the original BTs was found. Both corner monuments are located on an old east-west fence line. There is no physical evidence of occupation lines north and south.

Analysis of measurements to adjoining corners would put the lost position of this corner 19.9 feet west using section corners east and west or 44.5 feet west using the 1/4 corners east and west of the CIM. The lost position using section corners north and south falls 8.4 feet south or using the 1/4 corners north and south falls 0.7 feet south of the CIM.

5/29/03 My conclusion of the corner position is that the old fence line definitely should be used as evidence of the obliterated north-south position of the corner. It is likely that the original corner was some where in between the two monuments. The measurements to adjoining corners more closely supports Regan's position and his method of using the 1/16<sup>th</sup> fence line seems reasonable to establish the obliterated position of the corner. The CIM set in 1991 is accepted as *prima facie* evidence of the corner. County Coordinates Obtained by GPS (Cast Iron Monument)  
NAD 83 (1996 Adjustment)  
N-190856.076  
E-440794.629

2008 Westwood Professional Services, Inc. found a CIM at this location. Observation by GPS confirms 2003 coordinates.