

**Statement of Evidence:**

**K363**

East Quarter Corner of Section 36, Township 36 North, Range 29 West, St. George Township, 4<sup>th</sup> Principal Meridian, Benton County, Minnesota.

- 1849 Original US General Land Office survey established corner marked by a wood post with bearing trees:
- |             |        |          |
|-------------|--------|----------|
| 8" Tamarac  | S 80 E | 26 links |
| 10" Tamarac | North  | 89 links |
- A line tree was noted as a 6" Bur Oak North 23.05 chains
- 1916 County Surveyor's Record Book 1, pages 67 and 68, and Record Book A, Map No. 29, contains a survey of Section 31, 36-28 by J. P. Soderstrum. He set an oak stake on true line and equal-distant from the NE and SE corners measuring 80.52 chains (5314.32 feet). He found no evidence of the corner or trees.
- 1940 County Engineer's Notebook No. 134 contains survey of CAR 40 running south to north on township line. No corner is shown, but stationing gives distance of 5311.9 feet for the east line of the section.
- 1983 David Regan, LS 12236, set a Cast Iron Monument in center of north-south road. Filed Certificate of Location, Doc. No. 166042.
- 2005 WSN found CIM and measured 2643.31 feet to the SE corner and 2667.32 feet to the NE corner. CIM was found to be 1.46 feet west of a straight line between section corners. Lost position falls 12 feet north of the CIM.  
County Coordinates obtained by GPS to the CIM:  
NAD 83 (1996 Adjustment)  
N- 103011.716  
E- 542837.749

*NOTE: DISTANCES BETWEEN SECTION CORNERS CHECKS WELL WITH 1916 AND 1940 RECORDS (WITHIN 4 FEET). NEED TO KNOW HOW CIM WAS SET AND CONSIDER LOST POSITION BECAUSE OF 1916 RECORD.*

Talked to Mr. Regan and he said that he established the corner position in 1982 by extending a line from the East ¼ corner of Section 31 west ¾ of a mile to a fence post at the 1/16<sup>th</sup> corner.

Do not feel this was a justified means to set the corner with the 1916 record stating the corner was lost and feel the corner should be set at the lost position.

County Coordinates to Lost Position:  
NAD 83 (1996 Adjustment)  
N- 103023.718  
E- 542839.209

- 2008 The Benton County Surveyor's Office searched and found a ½" iron pipe capped "RLS 40341", as set by Samuel Deleo (RLS #40341). This position falls at the computed lost position and is accepted as the corner. The County Surveyor set ties and measured the iron pipe position via GPS.

Benton County Coordinates obtained by GPS to Sam Deleo's iron monument.  
NAD 83 (1996 Adjustment)  
N- 103023.718  
E- 542839.209