

CERTIFICATE OF LOCATION OF GOVERNMENT CORNER

EAST QUARTER Corner of Section 12, Township 38, Range 28

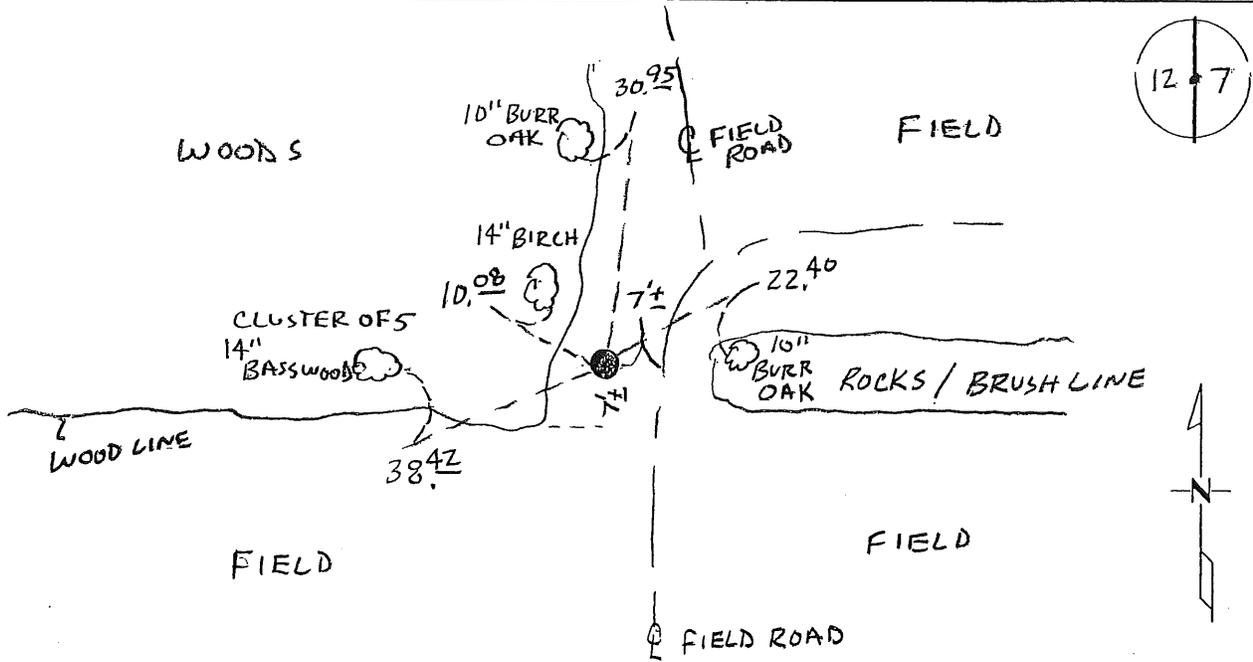
4TH Principal Meridian, State of Minnesota, County of Benton

At the corner location shown on the sketch:

On 11-19-08 found a CAST IRON MONUMENT

left monument as found lowered monument removed monument (explain)

On _____ placed an _____



Statement of evidence for this corner location is on back of this page.

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

Signature [Handwritten Signature]
Deputy County Surveyor
License No. 43932

Date: 12/17/08

Statement of Evidence:

A123

East Quarter Corner of Section 12, Township 38 North, Range 28 West, Granite Ledge Township, 4th 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 52 W	40 links
10" Birch	S 70 E	16 links
6" Birch	South	18.29 chains
10" Birch	North	15.40 chains

1996 Corner was established by John Oliver, LS 8194, Mille Lacs County Surveyor. He set a cast iron monument. His statement of evidence refers to Mille Lacs County Surveyor records in 1912 and 1918 from which he based the corner position. For details see his Certificate of Location filed as Doc. No. 244636. County Coordinates from John Oliver & Associates by traverse
NAD 83 (1986 Adjustment)
N- 188128.504
E- 573239.987

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

2008 Westwood Professional Services, Inc. found a CIM fitting 1996 Oliver ties. CIM fits on a straight line between the NE and SE corners of Section 12. Measured 2641.24 feet to the NE corner and 2649.03 feet to the SE corner. After analysis of the statement of evidence from Oliver's certificate, I agree with his method of perpetuating this corner. CIM is accepted as marking the obliterated position for this corner.
County Coordinates Obtained by GPS
NAD 83 (1996 Adjustment)
N- 188129.056
E- 573239.380

12-24

A 362612

Certified, Filed and or Recorded on
Dec. 26, 2008 AT 10:32AM

Signed: CK
MARILYN J NOVAK ~~SVI~~
BENTON COUNTY MINNESOTA
MARILYN J NOVAK
COUNTY RECORDER

DOCUMENT COVER SHEET

Document Name: **GOVERNMENT CORNER**

BENTON COUNTY OF

THE PUBLIC

Document Date: **12/17/2008**

This cover sheet is being attached to this document to provide room for recording information and is considered part of this document

STATEMENT OF EVIDENCE

2 4 4 6 3 6

East Quarter Corner of Section 12, T. 38, R. 28, Benton Co., MN.

West Quarter Corner of Section 7, T. 38, R. 27, Mille Lacs Co., MN.

The line between Ranges 27 & 28, T. 38, was run by Dep. Surveyor Theo. Conkey in Oct. 1849. We were unable to find any remnants of his* monument or accessories for this corner.

OFFICE OF
BENTON COUNTY RECORD
BENTON COUNTY, MN
CERTIFIED TO BE FILED
ACCESS RECORDED ON

Oct 3 8 52 AM '97

*We are also aware, as a result of a survey and investigation in 1994 regarding the NE corner of T. 38, R. 26, M.L. Co., that some of Conkey's township line surveys were found faulty during the subdivision of townships, and rerun by the subdividing surveyors. The BLM published one set of notes as "official" and disposed of the others. (See the "REPORT" at M.L. Co. for the effect these resurveys had upon the determination of that corner, and for the implications as to the reliability and accuracy of other such "official" notes for the subject Co. line)

ALICE C. ENGELMEYER
COUNTY RECORDER

DEPUTY
X.M.

In 1994 we were hired by Benton Co. to restore certain corners along their east Co. line. Old survey notes, subsequent to the GLO notes, from both counties are as follows (in chronological order):

Benton: Requested from Co. Hwy. Dept.. None provided other than GLO notes.

Mille Lacs: In 1912 Deputy Co. Surveyor S.L. Kennedy resurveyed Sec. 8, T. 38, R. 27. The plat of said survey gives distances from the NW and SW corners of 8 west to proportional distance corners on a "theoretical" straight County line from found corners at the NW corner of Sec. 6 south to the W. 1/4 corner of Sec. 19. From the records at the Mille Lacs Co. Hwy. Dept., at a later date, a relationship between the said proportional distance corners and the corners of the "Judicial Road" were given. The "PD" position at the subject corner was "1.98' No. & 11.9' E. of Judicial Road corner". No other ties are given. (See the note above re. "conditions" along the County line)

A 1918 survey and plat of Sec. 6, T. 38, R. 27, by L.E. Garrison, Surveyor. The NW corner of Sec. 6 was common between this survey and that of Kennedy above. The other corners going south were not. See the Cert. Of Loc. for the NW of 7-38-27, Mille Lacs; NE of 12-38-28, Benton, for further details.

We are aware of no other surveys by others other than: In 1994 by Comstock & Davis, Inc., via their Little Falls office, was hired to provide Benton County with geodetic coordinates on selected corners within the County. They did this with a combination of GPS and traditional methods.

In reference to the above Garrison survey and "Judicial Road Corners", our investigation found that there was a law at M.S.A. Ch. 162.20 regarding "Road Established By Judicial Proceedings", said law being repealed in 1959. Queries were made of the Clerk of Court, Atty., Recorder, and Hwy. Dept. in each County. We also queried the Mn Historical Society as repository of old Court files. We found no record of any specific "proceedings" in either Co. along the County line. See discussion on Cert. for NE of 1-37-28, Benton Co., or NW of 6-37-27, Mille Lacs Co., re. "Judicial Roads".

In each case we had to determine the best perpetuation of the GLO's original corner location. This included analysis of the GLO distances, subsequent survey distances, lines of occupation, and other evidence. In consideration of the above problem with the GLO notes, and where this analysis was inconclusive to the contrary, we determined that the "Judicial" location was said best perpetuation.

Thus, for the subject corner, we restored said corner at 1.98' south and 11.9' west of the PD position, which fits the occupation. We then adjusted that position 0.21' west to be on the straight line. No excavation was made. On 7/23/96 we set a cast iron monument flush at this position.

MLCLS: /WQ073827