



Liber: **C1** Page: **854**

STATE OF MICHIGAN - GLADWIN COUNTY
RECORDED



Ann Manning - REGISTER OF DEEDS
11/30/2016 1:38 PM

Receipt #: 104426 Page: 1 of 2
30.00 CORNER

Land Corner Recordation Certificate
Authority: 1970 PA 74, MCL 54.205

Surveyor's Name: Joshua R. Davidson Field Survey Date: January 13, 2014
For corner(s) in: Gladwin County

Original Public Land Survey Corner				Corner Code
S	35, 36	T	20N R 01W	K13
S		T	R	
S		T	R	
S		T	R	

Property Controlling Corner				Corner Code
S		T	R	
S		T	R	
S		T	R	
S		T	R	

Property Corner				Corner Code
S		T	R	
S		T	R	
S		T	R	
S		T	R	

Protracted Public Land Survey Corner				Corner Code
S		T	R	
S		T	R	
S		T	R	
S		T	R	

	A	B	C	D	E	F	G	H	I	J	K	L	M	
1														1
2		6		5		4		3		2		1		2
3														3
4		7		8		9		10		11		12		4
5														5
6		18		17		16		15		14		13		6
7														7
8		19		20		21		22		23		24		8
9														9
10		30		29		28		27		26		25		10
11														11
12		31		32		33		34		35		36		12
13														13
	A	B	C	D	E	F	G	H	I	J	K	L	M	

Part A: Corner History

K13 – standard corner common to sections 35 & 36, T20N, R1W

- 1839 – GLO – Nicholson – set post cor of secs. 35 & 36 – 1) W. Pine 20 N89°E 2.36 ch. 2) W. Pine 15 S87°E 2.36 ch.
- 1877 – GLO re-survey – Merrill – Found indications of old cor to sec 35 & 36 old pine BT down and burned over but leaving evidently a BT blaze. Reestablished old cor to secs 35 & 36 from which a – 3) Pine 6" N46°W 20 lks. No other trees near.
- 1972 – LCRC – Page 37, – P. B. Lapham, PS #9433 – Found 5/8" rerod – 4) N60°E 22.65' 12" Poplar; 5) N60°W 70.0' clump Birch; 6) South 32.78' fence corner.
- 2002 – LCRC – Page C633, – R. F. Mitchell, PS #28417 – ... all corners along the South lines of section 34 and 35, T20N, R1W and the North line of section 2 & 3, T19N, R1W where establishes prorated East and West between the Southwest corner of section 34 and the southeast corner of section 36 according to the 1877 re-survey. The East-West Gravel Road along the south lines of section 34 and 35 was held for Latitude of the Township line as it agrees with the G.L.O. natural features. Set ½" rerod & cap #28417 in Centerline of East-West Road – 5) N87°E found 5/8" bar, 126.55'; 7) N87°E found ¾" Bar, 154.23'; 8) West set bar & cap #28417 (SE cor sec 2 T19N R1W), 25.74'; 9) N20°E Set Nail & blaze in 10" Maple, 41.47'; 10) N41°W Set Nail & Blaze in 10" triple Maple, 46.27'; 11) S32°E Set Nail & Blaze in 10" twin Maple, 60.09'.
- 2006 – LCRC – L. C1, P. 750, – S. O. Graham, PS #49107 – Found 5/8" re-rod that falls 8'± North of centerline Wirtz Road and 12'± East of East edge of gravel on Fitzwater Road. Also found 5/8" re-rod 27.43' West (NE corner, Section 2, T19N, R01W). Found capped re-rod set by Mitchell in 2002 154.2' West. Held 5/8" rd-rod that fits the section as occupied. – 12) N08°E fnd N&T in 14" W. Pine; 13) S38°E 26.79' Set N & T in 10" Oak; 14) South 41.32' Fnd N & T in 6" W. Pine; 15) West 27.43' Fnd 5/8" re-rod; 16) N50°W 111.20' Set N & T in 14" W. Pine.

- **2008** - REMON LCRC - L. R1, P. 1090, - T. L. Lapham, PS #27595 - ...point A appears to have been set at approximately the record 1834 GLO dimension from M-13, without a review of the 1877 GLO survey of the township to the south. However, those notes were not available in the courthouse and still are not available there today. It is generally held that it is improper to use proportionate measurement to restore the position of a corner if doing so will impair the bona fide rights of landowners. If corner positions were established in good faith then they must be held in subsequent surveys. In this case it appears that there were gross errors in the original 1834 survey, as evidence by the records of the 1877 survey, and it is reasonable to presume that the evidence of the 1834 survey found in 1877 was not available at the time of the location of corners in this area. Because the 1877 records were not generally available and the 1834 survey in Butman Township had not been declared fraudulent, it would be reasonable to base a survey on the 1834 notes and plat. It is this surveyor's opinion that a "one point control" survey was a reasonable method for establishing the corner and is what a reasonably intelligent person would have done under the circumstances at the time of the establishment of the corner. Therefore, the found point A is believed to be a good faith location for the corner and as such, must be held in subsequent surveys... Therefore the found $\frac{3}{4}$ " steel rod was accepted as the best available evidence of the position of the corner. - set standard Gladwin County Remonumentation monument - **17)** S86°34'36"W 154.24' fd $\frac{1}{2}$ " X 18" rerod (pt. B); **14)** S89°41'52"W 27.72' fd. K-1 T19N, R1W; **17)** S51°W 85.30' set N&T in 16" White Pine; **18)** N53°W 75.67' set N&T at found overgrown N&T in 20" white pine; **11)** N05°E 57.18' set N&T at found overgrown N&T in 14" white pine; **12)** S38°E 26.79' set N&T at found overgrown N&T in 9" Oak.

Part B: Surveyor's Report on Perpetuation, Restoration, Reestablishment, or Monumentation of Corner

K13 - standard corner common to sections 35 & 36, T20N, R1W

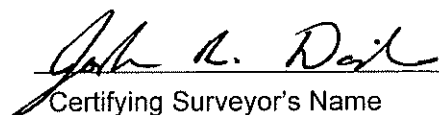
Found $\frac{1}{2}$ " rebar & cap #28417 per 2002 LCRC P. C633 (**POINT A**). Also found Gladwin County remonumentation monument per 2008 LCRC L. R1, P. 1090 (**POINT B**). This is the same position recorded in the 2006 LCRC L. C1, P. 750. Also, found a Gladwin County remonumentation monument at the 1972 position of K13 recorded in LCRC, P. 37, (**POINT C**). In 1877 the township line between T19N, and T20N was resurveyed. The resurvey found and used the same corners on the standard line as set in the 1839 GLO survey. The 1877 GLO resurvey found the measurements of the 1839 survey to be inaccurate, and measured the South line of Section 36, T20N, R1W, over two chains longer than the 1839 GLO survey. In the 1877 GLO resurvey notes Merrill states, "In retracing the Township lines I found the line on the N & W BY badly marked and measured as the notes so show and the S BY of Sec. 36 and the N BY of Sec 1 both over run by 2 CHS. and in the lines N & E from this cor to Secs 35 & 36 on S BY I found a cutting of the pine confirmed to this line." **Point A** is based on the 1877 GLO resurvey. **Point B** is based on the 1839 GLO survey with no regard to the GLO resurvey of 1877. The 2002 position (**POINT A**) was prorated to the 1877 GLO resurvey measurements from 'G13' - 'M13'. **POINT A** is within 0.2'± of the record 1877 GLO resurvey distance from 'M13'. Accepted (**POINT A**) the 2002 $\frac{1}{2}$ " rebar & cap #28417 because its position is based on the 1877 GLO resurvey measurements. Replaced it with a stamped 3" DNR brass cap on 5/8" x 34" long rebar with 4" x 6" long PVC pipe filled with concrete around cap.

Part C: Field Evidence of Perpetuation or Monumentation of Corner

K13 - standard corner common to sections 35 & 36, T20N, R1W

a stamped 3" DNR brass cap on 5/8" x 34" long rebar with 4" x 6" long PVC pipe filled with concrete around cap.
- Buried 0.8' below road bed surface

N22°E 41.38' to set nail & tag at fd. nail in SE. side 11" R. Maple
S30°E 60.60' to set nail & tag in NE. side 12" twin R. Maple
N40°W 46.24' to set nail & tag at fd. nail in SW. side 11" triple Maple
N89°59'W 25.72' to 3" DNR brass cap on 5/8" rebar with concrete around cap (K1 T19N, R1W)
N86°35'E 154.11' to Gladwin County monument (**point B**)
N85°53'E 126.53' to Gladwin County monument (**point C**)


Certifying Surveyor's Name

November 28, 2016

Date

Professional Surveyor's License No.: 46659

Prepared By: Joshua R. Davidson
Department of Natural Resources
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Cadillac, MI 49601

