

1993

9

COMMISSION

LAND CORNER RECORDATION CERTIFICATE
Filing Requirement of Act 74, Mich. P.A. 1970

For corners in

LIVINGSTON
(County)

Located In:

Corner Code ##

1. Public Land Survey T 3N R 5E M-11
T _____ R _____
T _____ R _____
T _____ R _____
2. Property Controlling S _____ T _____ R _____
in Section S _____ T _____ R _____
3. Miscellaneous S _____ T _____ R _____
Property in Sec. S _____ T _____ R _____
4. Lot No. _____, Recorded Plat _____
5. Private Claims _____

DEC 27 12 36 PM '93
NANCY HAVILAND
REGISTER OF DEEDS
LIVINGSTON COUNTY, MI
43843

FILED

L.S.C. #96m

Register of Deeds Stamp & File Number

I, JACK K. SMITH, in a field survey on DECEMBER 07, 19 93, do hereby certify that under requirements of P.A. 74, Michigan P.A. of 1970, the corner points mentioned in lines 1 and 2 above were in conformance with regulations and rules therefore as required in the current manual of survey instructions of the United States Department of the Interior, Bureau of Land Management or by a decree of a Court of Law and/or that the corner points mentioned in lines 3, 4 and 5 above were in conformance with the rules of the Michigan Board of Land Surveyors or by a Decree of a Court of Law; established, re-established, monumented, re-monumented, recovered, found as expressed below:

NOTE: Not more than 4 corners, all in the same town and range, may be recorded on this certificate.

A. Description of original monument and accessories and/or subsequent restoration:

M-11 The Northeast Corner of Section 36, Oceola Township was set by the GLO in 1815 by Joseph Wampler.

The original witnesses are:

W. Oak 6" N25E 10 lks
B. Oak 5" N57W 23 lks

NOTE: NONE OF THE ORIGINAL WITNESSES COULD BE FOUND OR PERPETUATED
SEE THE BACK OF THIS SHEET FOR ADDITIONAL HISTORICAL DATA.

B. Description of corner evidence found and/or method applied in restoring or reestablishing corner:

M-11 Found 1/2" iron rod 6 feet north of centerline intersection of Bergin and Hacker Roads. All surveys since 1973 by Kostecke, Garlock, and Desine appear to have used this iron.

AN ADDITIONAL IRON WAS FOUND 8.2 FEET SOUTH OF AFFOREMENTIONED IRON.
(See Act 74 recorded by Garlock, L.S.C. #1384)

NOTE : SEE THE DOSSIER AS FILED FOR THE LIVINGSTON COUNTY
REMONUMENTATION PROGRAM FOR ADDITIONAL INFORMATION
CONCERNING THIS CORNER.

C. Description of monument for corner and accessories established to perpetuate locating the position of the corner:

Northeast Corner Section 36, T3N, R5E

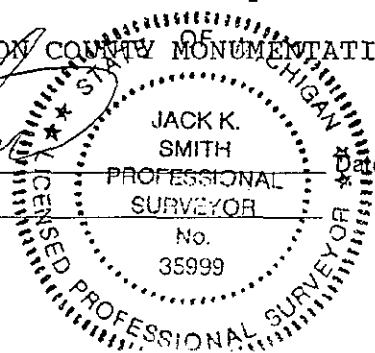
Set 30" x 1 1/4" iron pipe with 6" break-off pipe and brass cap marked as "Livingston County Monument Corner"

N22°W 36" x 1" iron pipe with brass "Witness" cap 81.86'
N84°E 36" x 1" iron pipe with brass "Witness" cap 33.05'
S56°E 36" x 1" iron pipe with brass "Witness" cap 39.80'
S74°E Nail and tag in N side 12" Poplar 121.65'

APPROVED BY THE LIVINGSTON COUNTY MONUMENTATION PEER GROUP NOVEMBER 17, 1993.

Signed by [Signature] Date DECEMBER 24, 1993

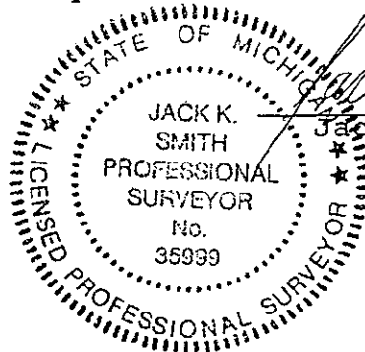
Surveyor's Michigan License No. 35999



M-11 - NORTHEAST CORNER SECTION 36, T3N, R5E, OCEOLA TOWNSHIP

SUMMARY:

We found two 1/2" iron rods 8.2 feet apart, both appearing to be intended to represent the Northeast Corner of Section 36, Oceola Township. The northerly iron is approximately 6 feet north of the centerline of a gravel road intersection, the southerly iron falls approximately 2 feet east and 1 foot south of the intersection. Kostecke in 1973 and Garlock in 1985 found and used an iron rod at the location of M-11 which, from their witnesses and relative location, appears to be the Northerly of the two irons (surveys attached). At that time, a second iron was not mentioned as having been found. In 1987 Garlock performed a survey (survey and field notes attached) in which the second iron is first noted but not used: "Found old 1/2" Iron Rod - 2nd Sec Cor?". Garlock recorded an Act 74 after this survey (attached) on the Northerly of the two irons, tying in the 2nd iron. A subsequent survey by Desine 1990 (attached) used the Northerly iron. In Benton's witness records, both irons are noted and witnessed, but neither is called out as the correct corner location. In summary, all known surveys since 1973 by Kostecke, Garlock and Desine have been tied to the Northerly of the two irons. In 1875 Bullock noted in the notes of his Survey of Section 36, (County Surveyor's Survey No.46, attached): "East Quarter Post lost. Established according to distances given by Adams, it agreeing with the fences and lines. from SE cor to E 1/4 Post 39.24 chs by Adams now 39.26 chs. from E 1/4 Post to NE cor 39.94 by Adams now 39.96 chs." Using today's measure and prorating against Bullock's 1875 chain, the distances from SE cor to E 1/4 cor and from E 1/4 cor to the Southerly of the two irons at the NE cor measure within 0.11 ft of perfect proration. A comparison of the GLO falling and today's measurement from the two irons to the alleged closing corner from Section 31 Hartland Twp. does not strongly support either corner location. Looking at measurements to the North from the two irons, along the East line of Section 25, note that the distance from the E 1/4 cor of Sec 36 to the Northerly of the two irons in question and the distance from the Northerly of the two irons in question to the alleged E 1/4 cor of Section 25 are within 0.03 of being equal, though approximately 7 ft off the line connecting the two East 1/4 corners. Excavation of the immediate area found no other corner evidence and no additional irons. An examination of 1/8th line occupation did not strongly favor either corner location. Due to the volume of surveys that have been performed, based on the northerly iron, and the fact that there is not irrefutable evidence to support either corner location, I recommend that the northerly of the two irons be accepted for remonumentation.



Jack K. Smith, PS