

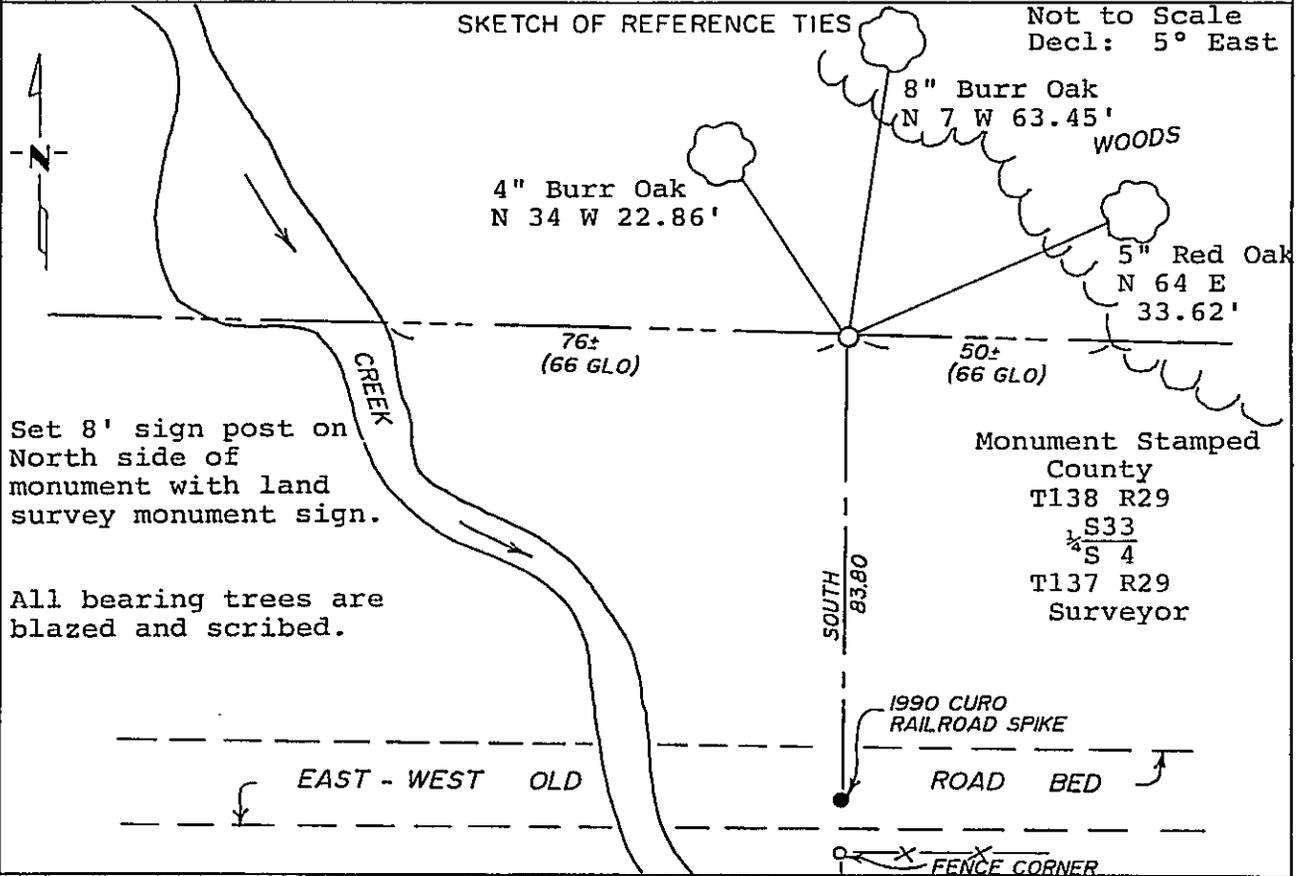
CERTIFICATE OF LOCATION OF GOVERNMENT CORNER

NORTH QUARTER Corner of Section 4, Township 137, Range 29, 5th P.M.

STATE OF MINNESOTA, County of CASS

At the corner location shown on the sketch:

- On _____ found a _____
DATE _____
- left monument as found, lowered monument, removed monument (explain)
- On 1/31/92 placed a 2 inch square county tubular monument with
DATE _____
stamped aluminum cap up 5 inches



Statement of evidence relative to this corner location is on back of page. 335054

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

David J. Fuchs
Date 2-4-92 Registration No. 17008

OFFICE OF THE COUNTY RECORDER
County of Cass

I hereby certify that this document was filed in the Co. Recorders office at 11:00 A. M. on the 4 day of February A.D., 1992
County Recorder Claudine Koyler
By M.S., Deputy
DOCUMENT NO. 335054

Statement of Evidence:

North Quarter corner of Section 4, Township 137 North,
Range 29 West, Cass County, Minnesota

July 11, 1865 T.B. Walker of the United States of America General Land Office surveyed the town line between Township 137 North and Township 138 North, Range 29 West. During this survey they established a wood post marking the Quarter corner common to Sections 4 and 33. The following bearing trees were marked: a 5 inch Black Pine North 10 degrees East a distance of 190 links; and a 4 inch Aspen South 40 degrees East a distance of 133 links. A creek 8 links wide was noted as being one chain West and a meadow was noted as being one chain East of said corner in the General Land Office notes.

October 23, 1908 John W. Curo, notes in Cass County Surveyors Office and United States Forest Service records in microfilm roll number 11 S, Book 85, page 213, being at said Quarter corner, which he had previously established. The notes indicate he runs westerly along the south line of Section 33 to the Southwest corner thereof. They did not measure this half mile.

June, 1912 Harry S. Todd, under the direction of John W. Curo, surveyed the south line of the Southeast Quarter of Section 33. This survey is of record in the Cass County Recorders Office in County Survey Record Book A, pages 318-328. This record indicates Todd re-established the Quarter corner from the original government bearing trees. He set a 2 and 1/2 inch by 48 inch capped, galvanized iron pipe in concrete. Also established were new witnesses: a 4 inch Willow Northeast a distance of 58.50 feet; and a telephone pole Northwest 26.80 feet.

1982 Walter E. Curo, Licensed Land Surveyor, Registration Number 11395, prepares and signs record plat of Shamp's Cemetery. This plat references the location of the line between said Quarter corner and the Northwest corner of Section 4.

1990 said Walter E. Curo, land surveyor performs survey in the Northwest Quarter of Section 33. Curo establishes a railroad spike at the South Quarter corner position for his survey using an old East-West road bed as evidence to determine the North-South position and the 1912 County survey distance on the South line of the Southeast Quarter as measured from the Southeast corner of the section to determine the East-West position.

February 20, 1991 Landecker & Associates, Inc. was contracted by the Cass County Highway Engineers Office to establish the Quarter corner and subdivision lines along South line of Section 33. David S. Landecker, Registered Land Surveyor Number 17008, contacted and reviewed information from Crow Wing and Cass County Surveyor and Highway Engineer Departments, Curo Surveying in Hackensack, Township, Utility Companies, County Auditor and Recorders Offices, United States Forest Service Department of Agriculture, records of Robert F. Schneider, Registered Land Surveyor Number 5740, and Gary Stevenson, Registered Land Surveyor Number 12684. Landecker & Associates, Inc. survey crews traversed Section 33 and tied into the Southeast, Southwest and all other government corners to Section 33. Also located were existing fence corners representing the One-sixteenth corner locations within the South One-half of said Section 33 and the quarter and section corners along the south line of Township 138, Range 29.

April 15 & 16, 1991 David S. Landecker, Kelly Miller and Terry Freeman physically researched in the vicinity of Quarter corner for evidence of a monument. On April 16, Cass County personnel, Landecker, Freeman and land owner, Carroll Stimson, and equipment excavated two areas in which the corner could be located. The first excavation was in the old road bed at the 1990 Curo position, here a 6 foot by 10 foot by 4 foot deep hole was dug below the natural ground line. No monument or

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corner evidence was discovered. The second position being approximately 80 feet northerly of the 1990 Curo position on a straight line between the Southwest and Southeast corners of Section 33, was also excavated, where a 4 foot by 4 foot by 2 foot deep hole was dug into natural ground. No evidence was found in this area as well.

Landecker and Freeman hand dig the Southeast corner of Section 33 and find County cast iron monument over iron pipe monument in cement as purported in the Crow Wing County and 1912 Cass County survey records. Said Southeast corner lies in old road bed running in an East-West direction. The other Section and Quarter corners along the south line of Township 138 North, Range 29 West lie within traveled County State Aid Highway Number 2 road.

Area land owners were contacted to provide testimony regarding the location of this quarter corner. These landowners included Carroll Stimson, Ronald Thompson, Bill Gardner, Archie Shamp, William Nagel and Clarence Sears.

All were aware of the old East-West road bed running from the Southeast corner of Section 33 through the area of this corner. All recall numerous fences in this area and describe fences dating over 40 years old within the South One-half of Section 33. None can specifically recall seeing or knowing of any surveyor using or finding a corner in this location except that as established by Curo in 1990.

On July 1, 1991 David Landecker reviewed town records from Wilson Township, Township 137 North, Range 29 West. Three references were made in their records. From May, 1920, January 1921 their records indicate the fixing of the road between Section 4 and Section 33 east of Pine River on the town line. This road project was done in conjunction with Barclay Township, Township 138 North, Range 29 West. No mention of a survey or corners were indicated in their records. The records did indicate this portion of road was in place prior to 1920. Wilson Township's earliest records were dated 1917.

Contact with Barclay Township provided no records on roadway. Their records did not start until around 1917.

Pine River Township, Township 138 North, Range 30 West, records were also researched. This Township apparently covered numerous other lands in the early 1900's including Barclay Township. Their records did not provide any information on this road or the corner. Some records were missing around the 1912 era.

Cass County Commissioner records 'G' dated April 6, 1938 designated the old road bed running in an East-West direction on the town line between the Southeast corner of Section 33 along the South line of said section to the Southwest corner of Section 33. This was done at the time said roadway was relocated and reconstructed in the area currently blacktopped and used today as County State Aid Highway Number 2. No specific survey information was referenced in this record.

On July 23, 1991 David Landecker, land owner Carroll Stimson and Cass County personnel and equipment excavated additional areas adjacent to the previous excavations. No new information was recovered. Additionally, an area was excavated to determine if remains existed of the telephone pole witness noted in the 1912 survey record. This location fell on the edge of the creek. No evidence was discovered during the excavation of said pole.

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January 1992, Landecker & Associates, Inc. set a monument for the subject corner based on the physical evidence reviewed, testimony received and records researched. This position was determined and a monument set on the line drawn from the Southwest corner of Section 33 to the Southeast corner of Section 33 and at a distance of 2617.30 feet westerly of said Southeast corner as noted in the 1912 Cass County Survey records. Factors used for the basis of this determination were that the location fit the topography calls as noted in the original government 1865 survey. The location conforms to the reconstruction of a straight line which is characteristic of the monumented town line originally established in 1865. The location conforms to the aforementioned fences located in the South One-half of Section 33 thereby not significantly altering the rights of landowners therein based on current use patterns.

This position falls approximately 80 feet northerly of the old East-West road bed and railroad spike. It was determined that the road alone did not provide conclusive evidence in re-establishing the corner.

A County monument and identification post has been set as noted on front of this certificate.