

NORTH 1/4 CORNER SECTION 08, TOWNSHIP 19 SOUTH, RANGE 12 EAST

- 1) ON PAGE 542 OF THE GLO ORIGINAL FIELD NOTES IN THE DRAFTING ROOM IN THE COUNTY ENGINEER'S OFFICE IT STATES THAT **THEY SET A LIMESTONE 30" X 10" X 3"** FOR THE QUARTER CORNER BETWEEN SECTIONS 5 AND 8, TOWNSHIP 19, RANGE 12 ON MARCH 12, 1857.

THE GOVERNMENT SURVEY NOTES SHOWS THE FOLLOWING INFORMATION:

- 1) 39.85-1/2 CHAINS WEST TO THE POST THAT THEY SET FOR THE CORNER TO SECTIONS 5, 6, 7 AND 8, TOWNSHIP 19, RANGE 12.
- 2) 39.85-1/2 CHAINS EAST TO THE 28" X 11" X 3" LIMESTONE THAT THEY SET FOR THE CORNER TO SECTIONS 4, 5, 8 AND 9, TOWNSHIP 19, RANGE 12.

- 2) G. M. WALKER, BRECKENRIDGE COUNTY SURVEYOR FROM 1857 TO 1860, IN SURVEY NUMBER 4, A **PERMANENT SURVEY** RECORDED IN SURVEY BOOK "A" ON PAGE 4 TO ESTABLISH THE CENTER POST OF SECTION 8, TOWNSHIP 19, RANGE 12 THAT HE SURVEYED ON FEBRUARY 1, 1858.

HE SAID THAT **HE FOUND THE NORTH QUARTER STONE POST** OF SECTION 8, TOWNSHIP 19, RANGE 12 ON THIS **PERMANENT SURVEY**.

HE DID NOT DESCRIBE THE **STONE POST** THAT HE FOUND AT THIS CORNER IN HIS FIELD NOTES ON THIS **PERMANENT SURVEY**, BUT THE STONE OF RECORD FOR THE NORTH QUARTER CORNER OF SECTION 8, TOWNSHIP 19, RANGE 12 WAS THE **GLO LIMESTONE 30" X 10" X 3"**.

NO *PLAT OF SURVEY* WAS RECORDED FOR THIS **PERMANENT SURVEY**.

HIS SURVEY NOTES SHOW THE FOLLOWING INFORMATION:

- 1) 40.89 CHAINS SOUTH TO THE STONE THAT HE SET FOR THE PERMANENT CENTER CORNER POST OF SECTION 8, TOWNSHIP 19, RANGE 12.
- 2) 81.78 CHAINS SOUTH TO THE STONE THAT HE FOUND AT THE SOUTH QUARTER POST OF SECTION 8, TOWNSHIP 19, RANGE 12.

- 3) E. B. KIRKENDALL, SURVEYOR, IN A ROAD SURVEY RECORDED IN ROAD RECORD BOOK "A" ON PAGE 16 (PACKET 526 IN THE VAULT IN THE COUNTY SURVEYOR'S OFFICE) FOR THE ROAD FROM *FOREST HILL TO COTTONWOOD FALLS VIA EMPORIA* THAT WAS ESTABLISHED ON DECEMBER 6, 1858.

HE SAID IN HIS FIELD NOTES THAT THIS ROAD HAS A TURN AT 1-1/2 MILES WEST OF THE SOUTHWEST CORNER OF SECTION 10, TOWNSHIP 19, RANGE 13 ON THIS ROAD SURVEY, BUT HE DID NOT CALL OUT THE NORTH QUARTER CORNER OF SECTION 8, TOWNSHIP 19, RANGE 12 IN HIS FIELD NOTES.

HE DID NOT DESCRIBE ANY OF THE SECTION CORNERS THAT HE FOUND OR THAT HE PASSED OVER IN HIS FIELD NOTES ON THIS ROAD SURVEY, BUT THE MONUMENT OF RECORD FOR THE NORTH QUARTER OF SECTION 8, TOWNSHIP 19, RANGE 12 WAS THE **GLO LIMESTONE 30" X 10" X 3"**.

NOTE: THE TOWNSITE OF *FOREST HILL* WAS IN TOWNSHIP 19, RANGE 12. I BELIEVE AFTER REVIEWING HIS FIELD NOTES AND *PLAT OF SURVEY* THAT HE BEGAN AT THE SOUTHWEST CORNER OF SECTION 10, TOWNSHIP 19, RANGE 12 ON THIS ROAD SURVEY. WARREN CHIP WOODS, L.S. 603, LYON COUNTY SURVEYOR.

HIS SURVEY NOTES AND *PLAT OF SURVEY* SHOWS THE FOLLOWING INFORMATION:

- 1) STARTING POINT AT THE SOUTHWEST CORNER OF SECTION TEN (10), TOWNSHIP NINETEEN (19) SOUTH, RANGE THIRTEEN (13) EAST (SHOULD BE **RANGE 12**),
- 2) THENCE WEST ON THE SECTION LINE 1-1/2 MILES,
- 3) THENCE SOUTHWEST 12° SEVEN (7) CHAINS,
- 4) THENCE SOUTHWEST 72° THIRTEEN CHAINS TO THE SOUTH BANK OF THE NEOSHO RIVER,
- 5) THENCE UP THE RIVER ON THE DRY BANK TO INTERSECT THE SECTION LINE ON WHICH IT WAS FIRST STARTED,

HIS INFORMATION IS CONTINUED PAGE 2

- 6) THENCE WEST ON THE SECTION LINES THROUGH *EMPORIA* TO THE WEST LINE OF BRECKENRIDGE COUNTY.
 - 7) NO WIDTH IS RECORDED AND BY THE TERRITORIAL LAW IN EFFECT AT THE TIME THE ROAD WOULD BE FORTY FEET WIDE.
 - 8) A NOTE IN RED IN THE LEFT MARGIN OF PAGE 16 READS: COMMISSIONER'S RECORD PAGE 35.
- 4) D. T. McAULEY, COUNTY SURVEYOR FROM 1867 TO 1870, IN SURVEY NUMBER 16 RECORDED IN SURVEY BOOK "A" ON PAGE 113 FOR THE SURVEY OF DAVID GOODRICH'S AND RICHARD RICH'S LAND, BEING THE NORTH HALF OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 8, TOWNSHIP 18, RANGE 12, THAT HE SURVEYED ON FEBRUARY 18, 1868.
- HE SAID THAT **HE FOUND** THE NORTH QUARTER CORNER OF SECTION 8, TOWNSHIP 19, RANGE 12 ON THIS SURVEY.
- HE DID NOT DESCRIBE THE MONUMENT THAT HE FOUND AT THIS CORNER IN HIS FIELD NOTES ON THIS SURVEY, BUT THE MONUMENT OF RECORD FOR THE NORTH QUARTER CORNER OF SECTION 8, TOWNSHIP 19, RANGE 12 WAS THE **GLO LIMESTONE 30" X 10" X 3"**.
- HE NOTED "A PLAT WAS NOT WISHED BY THE ABOVE PARTIES" SO THERE IS NO *PLAT OF SURVEY* RECORDED FOR THIS SURVEY.
- HIS FIELD NOTES SHOWS THE FOLLOWING INFORMATION:
- 1) 320 RODS, 20 LINKS SOUTH TO THE SOUTH QUARTER CORNER OF SECTION 8, TOWNSHIP 19, RANGE 12.
- 5) ROBERT MILLIKEN, COUNTY SURVEYOR FROM 1870 TO 1875 AND FROM 1882 TO 1883, IN A ROAD SURVEY RECORDED IN SURVEY BOOK "F" ON PAGE 65 FOR A COUNTY ROAD IN TOWNSHIP 19, RANGE 12 FOR D. M. MAY, PRINCIPAL PETITIONER.
- THE ROAD WAS PETITIONED TO BEGIN AT THE AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 19, RANGE 12, THAT HE SURVEYED ON AUGUST 30, 1883.
- HE SAID THAT THE SOUTH QUARTER CORNER OF SECTION 5, TOWNSHIP 19, RANGE 12 WAS TORN OUT AND **LOST**.
- HE FOUND THE EXISTING 1/8TH SECTION CORNER AT 80 RODS SOUTH OF THE SOUTH QUARTER CORNER OF SECTION 5, TOWNSHIP 19, RANGE 12, AND HE USED THAT STONE TO SET A STONE MARKED "R+" FOR THE **ASSUMED SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 19, RANGE 12** TO BEGIN THIS ROAD SURVEY.
- HE DID NOT DESCRIBE THE **STONE** THAT HE SET FOR THE **ASSUMED** SOUTH QUARTER CORNER OF SECTION 5, TOWNSHIP 19, RANGE 12 IN HIS FIELD NOTES ON THIS ROAD SURVEY.
- HIS FIELD NOTES AND PLAT OF SURVEY SHOWS THE FOLLOWING INFORMATION:
- 1) THE QUARTER SECTION CORNER AT WHICH THE ROAD IS PETITIONED TO BEGIN (THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 19, RANGE 12) HAVING BEEN TORN OUT AND **LOST**, I PROCEEDED TO THE 1/8TH SECTION CORNER 80 RODS SOUTH AND RAN DUE NORTH 80 RODS AND SET A STONE FOR THE **ASSUMED** CORNER AND BEGINNING OF THE ROAD MARKED "R+", FROM WHICH I RAN EAST VARIATION 10°30' EAST 160 RODS TO THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 19, RANGE 12 (AT THE TERMINUS OF THIS ROAD SURVEY).
 - 2) NO WIDTH WAS RECORDED ON THIS ROAD SURVEY.
- 6) ROBERT MILLIKEN, COUNTY SURVEYOR FROM 1870 TO 1875 AND FROM 1882 TO 1883, IN A ROAD SURVEY FOR ROAD NUMBER 293 RECORDED IN ROAD RECORD BOOK "B" ON PAGES 542 TO 546 (PACKET 463 IN THE VAULT IN THE COUNTY SURVEYOR'S OFFICE) THAT WAS PETITIONED BY D. M. MAY AND OTHERS FOR A

COUNTY ROAD TO BEGIN AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 19, RANGE 12, THAT HE SURVEYED ON AUGUST 14, 1883.

HE SAID THAT THE SOUTH QUARTER CORNER OF SECTION 5, TOWNSHIP 19, RANGE 12 WAS TORN OUT AND **LOST**.

HE FOUND THE EXISTING 1/8TH SECTION CORNER AT 80 RODS SOUTH OF THE SOUTH QUARTER CORNER OF SECTION 5, TOWNSHIP 19, RANGE 12, AND HE USED THAT STONE TO SET A STONE MARKED "R+" FOR THE **ASSUMED SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 19, RANGE 12** TO BEGIN THIS ROAD SURVEY.

HE DID NOT DESCRIBE THE **STONE** THAT HE SET FOR THIS **ASSUMED** SOUTH QUARTER CORNER OF SECTION 5, TOWNSHIP 19, RANGE 12 IN HIS FIELD NOTES ON THIS ROAD SURVEY.

HIS FIELD NOTES AND PLAT OF SURVEY SHOWS THE FOLLOWING INFORMATION:

- 1) THE QUARTER SECTION CORNER AT WHICH THE ROAD IS PETITIONED TO BEGIN (THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 19, RANGE 12) HAVING BEEN TORN OUT AND **LOST** I PROCEEDED TO THE 1/8TH SECTION CORNER 80 RODS SOUTH AND RAN DUE NORTH 80 RODS AND SET A STONE FOR THE **ASSUMED** CORNER AND BEGINNING OF THE ROAD MARKED "R+", FROM WHICH I RAN EAST VARIATION 10°30' EAST 160 RODS TO THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 19, RANGE 12 [AT THE TERMINUS OF THIS ROAD SURVEY).
 - 2) THE VIEWERS RECOMMENDED THAT THE ROAD BE LOCATED AS IT WILL BE A MATTER OF PUBLIC UTILITY.
 - 3) THE VIEWERS FURTHER DETERMINED THAT IF SAID ROAD BE ESTABLISHED THAT ITS WIDTH SHALL BE 40 [FORTY] FEET.
 - 4) THE ROAD WAS ESTABLISHED ON THE 4TH DAY OF OCTOBER 1883 AS ROAD NUMBER 239 AND THE TRUSTEES OF EMPORIA TOWNSHIP BE NOTIFIED TO CAUSE THE SAME TO BE OPENED FOR PUBLIC TRAVEL.
 - 5) THE FINAL ORDER WAS SIGNED BY J. E. JONES, CHAIRMAN OF THE BOARD.
 - 6) ROAD NUMBER 239 WAS RECORDED ON THE 13TH DAY OF NOVEMBER 1883 AND WAS ATTESTED TO BY WILLIAM F. EWING, COUNTY CLERK.
 - 7) IT WAS NOTED ON PAGE 542: TRUSTEE NOTIFIED NOVEMBER 15, 1883.
- 7) LESLIE M. GOULD, L.S. 142, ASSISTANT COUNTY ENGINEER AND COUNTY SURVEYOR FROM 1953 TO 1978, FOR W. D. KRETSINGER, P.E. 5150, COUNTY ENGINEER FROM 1952 TO 1981, IN A **PERMANENT SURVEY** RECORDED IN PERMANENT SURVEY BOOK 2 ON PAGE 9 AT THE REQUEST OF JACK FOWLER TO LOCATE THE NORTHERN BOUNDARY OF A TRACT IN SECTION 8, TOWNSHIP 19, RANGE 12 FOR CAMP ALEXANDER, SAID THAT HE DUG FOR THE STONE AT THE NORTH QUARTER CORNER OF SECTION 8, TOWNSHIP 19, RANGE 12, BUT HE DID **NOT** FIND THE STONE.

HE DETERMINED A **CALCULATED POSITION** FOR THIS CORNER, BUT HE DID **NOT** RESET THE NORTH QUARTER CORNER OF SECTION 8, TOWNSHIP 19, RANGE 12 ON THIS **PERMANENT SURVEY**.

THIS **PERMANENT SURVEY** BEGAN ON APRIL 6, 1955, AND WAS DELAYED DUE TO HIGH WATER AND AT ONE TIME DUE TO LACK OF COMPETENT HELP, AND WAS COMPLETED ON MAY 5, 1955.

HIS PLAT OF SURVEY SHOWS THE FOLLOWING INFORMATION:

- 1) 660' SOUTH TO THE IRON PIN THAT HE FOUND IN PLACE AT THE NORTHEAST TRACT CORNER.
- 2) 1,320' SOUTH TO THE IRON PIN THAT HE FOUND IN PLACE AT THE SOUTHEAST TRACT CORNER (HE DID NOT CALL THIS IRON PIN THE 1/16TH CORNER ON HIS *PLAT OF SURVEY*).

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- 8) LLOYD J. DOBLER, L.S. 541, FOR THE SURVEY OF A 3.689 ACRE TRACT IN THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 19, RANGE 12 DATED FEBRUARY 1, 1978, SURVEY F05003 IN THE SURVEY FILE FOR TOWNSHIP 19, RANGE 12, SHOWS ON HIS SURVEY DRAWING A **MONUMENT** AT THE SOUTHWEST CORNER OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 19, RANGE 12.

THERE IS NO DESCRIPTION OF THE **MONUMENT** THAT HE FOUND OR THAT HE SET FOR THE SOUTH QUARTER CORNER OF SECTION 5, TOWNSHIP 19, RANGE 12 RECORDED ON THIS SURVEY.

THERE ARE NO REFERENCE TIES TO THIS CORNER RECORDED ON THIS SURVEY OR IN THE SURVEY REFERENCE TIE FILES FROM MR. DOBLER.

HIS SURVEY DRAWING SHOWS THE FOLLOWING INFORMATION:

- 1) 763.40' NORTH TO THE 1/2" IRON PIN THAT HE SET FOR THE SOUTHWEST CORNER OF THE 3.869 ACRE SURVEYED TRACT.
 - 2) 1,266.00' NORTH TO THE 1/2" IRON PIN THAT HE SET FOR THE NORTHWEST CORNER OF THE 3.689 ACRE SURVEYED TRACT.
 - 3) 2,648.90' NORTH TO THE IRON PIN THAT HE SET FOR THE NORTHWEST CORNER OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 19, RANGE 12.
 - 4) 2,617.45' EAST TO THE IRON PIN THAT HE SET FOR THE SOUTHEAST CORNER OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 19, RANGE 12.
- 9) STEVEN S. BROSEMER, L.S. 752, IN A LAND SURVEY REFERENCE REPORT DATED JUNE 22, 1982, SAID THAT HE EXCAVATED FOR THE STONE AT THE NORTH QUARTER CORNER OF SECTION 8, TOWNSHIP 19, RANGE 12, BUT HE DID **NOT** FIND THE STONE. HE CONSIDERED THAT THIS CORNER WAS **OBLITERATED**.
HE RESET THIS CORNER BASED ON THE PHYSICAL EVIDENCE THAT HE FOUND AT THIS CORNER.
HE SET A 1/2" X 24" REBAR WITH HIS "LS 752" CAP FOR THE NORTH QUARTER CORNER OF SECTION 8, TOWNSHIP 19, RANGE 12.
- 1) 18.0' NORTH TO A 5/8" CAPPED REBAR
 - 2) 31.75' SOUTHEAST TO A 1/2" REBAR FOUND
 - 3) 28.0' WEST TO A 5/8" CAPPED REBAR LOCATED 1 FOOT EAST OF A FENCE POST
- 10) STEVEN S. BROSEMER, L.S. 752, FOR HIS PROJECT NUMBER 86059 DATED JULY 7, 1986, AND RECORDED IN VOLUME 427 ON PAGE 32 IN THE REGISTER OF DEEDS OFFICE ON AUGUST 20, 1986, FOR THE SURVEY OF A 17.2 ACRE TRACT IN THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 19, RANGE 12, SURVEY F08009 IN THE SURVEY FILE FOR TOWNSHIP 19, RANGE 12, SHOWS ON HIS SURVEY DRAWING THAT **HE FOUND THE EXISTING RECORD 1/2" REBAR WITH HIS "LS 752" CAP** AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF SECTION 8, TOWNSHIP 19, RANGE 12.
HIS REFERENCE TIES ARE MISSING FROM THE SURVEY REFERENCE TIE FILES.
HIS SURVEY DRAWING SHOWS THE FOLLOWING INFORMATION:
- 1) 10.25' SOUTH TO THE 1/2" REBAR WITH HIS "LS 752" CAP THAT HE SET FOR THE POINT OF BEGINNING OF THE 17.2 ACRE SURVEYED TRACT.
 - 2) 660.25' SOUTH TO THE 1/2" IRON PIN THAT HE FOUND FROM A 1955 PERMANENT SURVEY AT THE SOUTHEAST CORNER OF THE 17.2 ACRE SURVEYED TRACT.
- 11) AARON C. DAVIS, L.S. 1368, DEPUTY COUNTY SURVEYOR, IN A LAND SURVEY REFERENCE REPORT DATED FEBRUARY 5, 2004, FOR HIS PROJECT NUMBER 03515-02, SAID THAT **HE FOUND THE EXISTING RECORD 1/2" X 24" REBAR WITH A "LS 752" CAP** AT THE SOUTH QUARTER CORNER OF SECTION 5, TOWNSHIP 19, RANGE 12 FROM THE EXISTING REFERENCE TIES ON FILE AT THE COUNTY ENGINEER'S

OFFICE BY DEPUTY COUNTY SURVEYOR STEVEN S. BROSEMER, L.S. 752, DATED JUNE 1982.

- 1) 30.55' WEST TO A 60D SPIKE IN THE TOP OF A CORNER FENCE POST
 - 2) 44.70' NORTHEAST TO A 60 D SPIKE IN THE TOP OF A CORNER FENCE POST
 - 3) 52.2' NORTHWEST TO A 60 D SPIKE IN A POWER POLE
 - 4) IN LINE WITH A FENCE TO THE WEST EXTENDED
 - 5) 1.0' NORTH TO THE CENTERLINE OF THE TRAVELED WAY OF COUNTY ROAD 180
 - 6) IN THE CENTERLINE OF THE TRAVELED WAY OF COUNTY ROAD "P5"
- 12) STEVEN S. BROSEMER, P.S. 752, DEPUTY COUNTY SURVEYOR, IN A LAND SURVEY REFERENCE REPORT DATED JANUARY 18, 2002, FOR HIS PROJECT NUMBER 21297-02, FOR THE SURVEY OF TRACTS IN SECTIONS 5 AND 6 IN TOWNSHIP 19, RANGE 12 FOR WAECHTER, SURVEYS F05005 AND F06006 IN THE SURVEY FILE FOR TOWNSHIP 19, RANGE 12, SAID THAT **HE FOUND THE EXISTING RECORD 1/2" REBAR WITH HIS "LS 752" CAP** AT THE SOUTH QUARTER CORNER OF SECTION 5, TOWNSHIP 19, RANGE 12 FROM THE EXISTING REFERENCE TIES AT THE COUNTY ENGINEER'S OFFICE BY DEPUTY COUNTY SURVEYOR AARON DAVIS AND HIS EXISTING REFERENCE TIES.

HE NOTED ON HIS *REPORT OF SURVEY* THAT THIS CORNER IS THE POINT OF BEGINNING FOR TRACT 1.

- 1) 30.6' WEST TO A 60 D SPIKE IN THE TOP OF A CORNER FENCE POST
- 2) 44.70' NORTHEAST TO A 60 D SPIKE IN THE TOP OF A CORNER FENCE POST
- 3) 52.25' NORTHWEST TO A 60 D SPIKE IN A POWER POLE
- 4) IN LINE WITH A FENCE TO THE WEST EXTENDED
- 5) 11.0' NORTH TO THE CENTER OF THE TRAVELED WAY OF COUNTY ROAD 180
- 6) IN THE CENTER OF THE TRAVELED WAY OF COUNTY ROAD "P5"

HIS REPORT OF SURVEY SHOWS THE FOLLOWING INFORMATION:

- 1) 1,325.13' NORTH TO THE NORTHEAST CORNER OF TRACT 1 AND THE SOUTHEAST CORNER OF THE EXCEPTED 8.0 ACRE TRACT.
- 2) 2,657.85' NORTH TO THE 1/2" REBAR THAT HE FOUND AT THE NORTHEAST CORNER OF THE SOUTHWEST CORNER OF SECTION 5, TOWNSHIP 19, RANGE 12.
- 3) 1,929.70' WEST TO THE 1-1/2" PIPE THAT HE FOUND (FROM A PRIOR PERMANENT SURVEY).
- 4) 2,629.96' WEST TO THE 5/8" X 24" REBAR WITH A LYON COUNTY CAP THAT **HE RESET** FOR THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF SECTION 6, TOWNSHIP 19, RANGE 12, BEING THE POINT OF BEGINNING FOR TRACT 2, THE SOUTHWEST CORNER OF TRACT 1, AND THE NORTHEAST CORNER OF TRACT 3.
- 5) 5,244.95' WEST TO THE STONE THAT HE FOUND AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SECTION 6, TOWNSHIP 19, RANGE 12.

NORTH QUARTER CORNER 08-19-12