

Pt. E²NE⁴25-14-2W J. GIBBS

11

1420

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STANLEY M. SHARTLE

REGISTERED PROFESSIONAL ENGINEER
REGISTERED LAND SURVEYOR

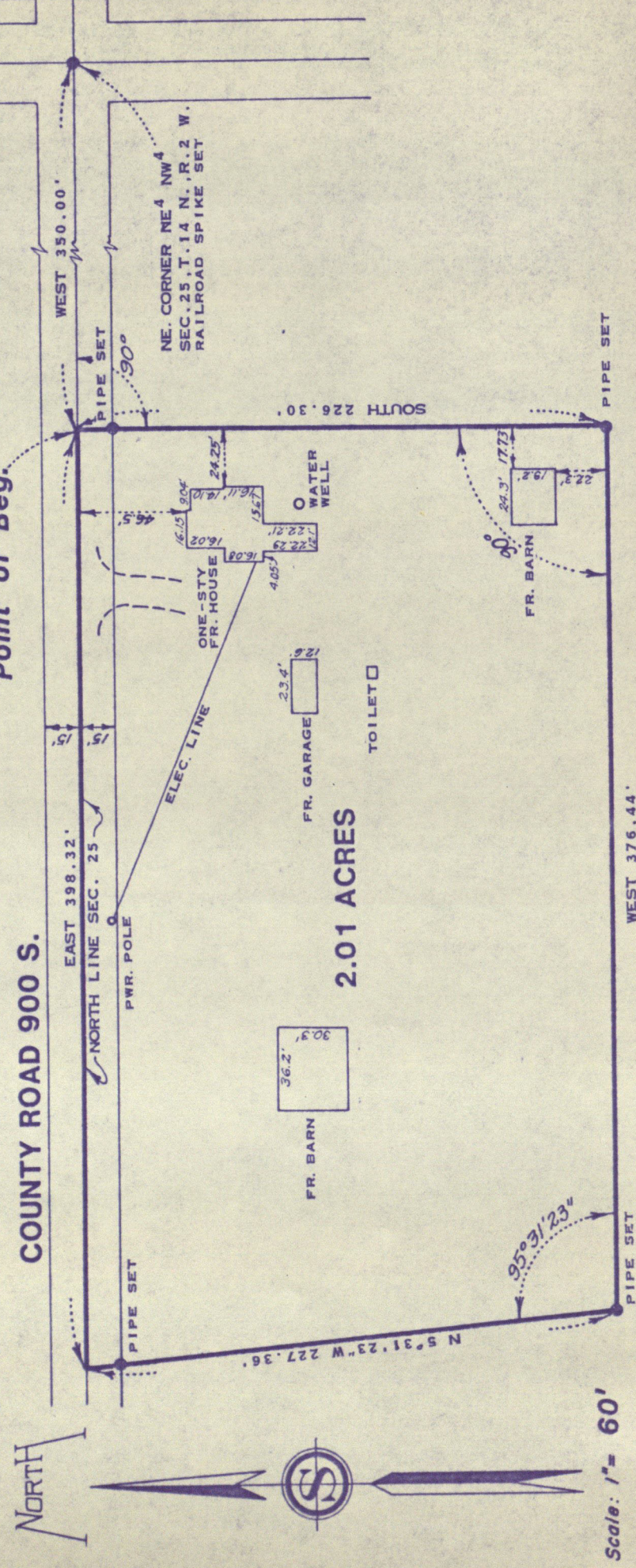
R. R. 1, BOX 33

STILESVILLE, IND. 46180

Plat of Survey

FOR

JOHN W. GIBBS

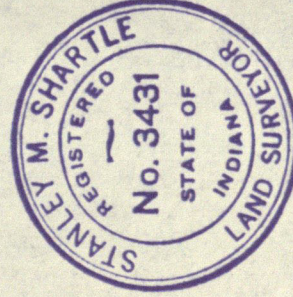


A part of the Northeast Quarter of the Northwest Quarter of Section 25, Township 14 North, Range 2 West, Hendricks County, Indiana, described as follows:
Beginning on the north line of said quarter-quarter section 350.00 feet West of a railroad spike at the northeast corner of said quarter-quarter section; thence South at right angles to said north line 226.30 feet to a pipe; thence West parallel with said north line 376.44 feet to a pipe; thence North 5 degrees 31 minutes 23 seconds West 227.36 feet to said north line; thence East along said north line 398.32 feet to the point of beginning; containing 2.01 acres, more or less. Subject to all legal highways, rights of way, and easements. The north line of said quarter-quarter section is assumed to have a bearing of North 90 degrees 00 minutes 00 seconds East, upon which bearing all cardinal and other bearings herein are based.

The foregoing property is subject to all recorded and unrecorded contracts, easements, right-of-ways, alleys, roads, streets, and highways which may affect same by specific limitations or reservations not herein described.

I, the undersigned, do hereby certify that I have surveyed the above described property in accordance with the official records, and that this plat is a true representation of said survey.

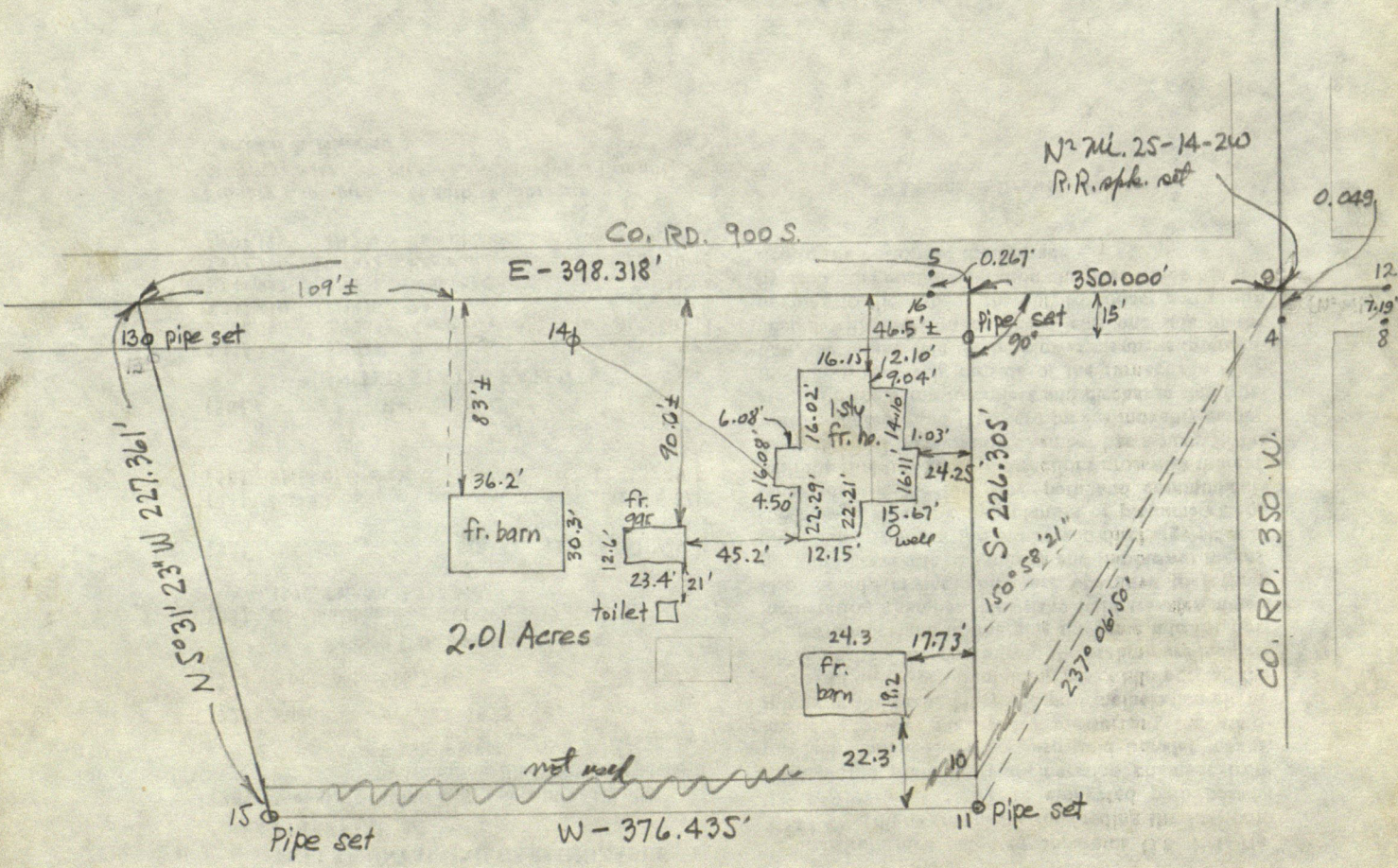
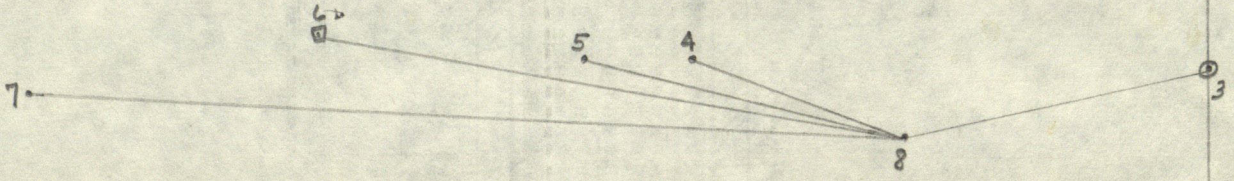
Given under my hand and seal **October 4, 1982**



Stanley M. Shartle
Stanley M. Shartle, Registered Land Surveyor No. 3431, State of Indiana

John W. Gibbs

- 1 6² Mile Stone 25-14-2W
- 2 Stone at SW cor. 19-14-1W
- 3 Pipe set at NE cor. 25-14-2W
- 4 Temp point near N² Mi. 25-14-2W
- 5 Temp. point
- 6 wood stake found for Cen. N. NW⁴ 25-14-2W
- 7 temp. point
- 8 " "
- 9 R.R. spike set for N² Mi. 25-14-2W
- 10 not used
- 11 pipe set for new prop. cor.
- 12 Temp point on W sec. 25 (nail & cap)
- 13 pipe set on W surveyed property near $\frac{1}{2}$ C.R. 900 S.
- 14 power pole
- 15 pipe set for SW cor. surveyed property
- 16 Temp. point (unmarked)

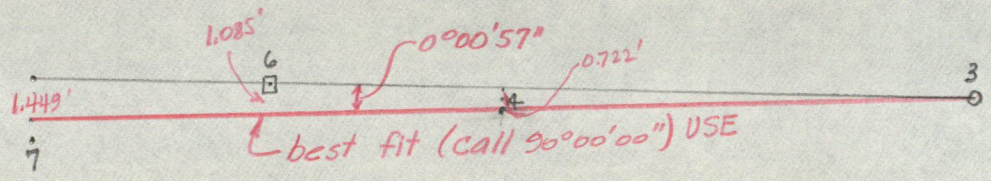


P 1

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[0.000	***
2	***
4	***
3-8 [270.0000	***
[1370.408	***
0.000	***
8 [-1370.408	***
270.2904	***
8-6 [2578.614	***
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6 [-3948.930	***
2	***
5	***
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[0.000	***
6-3 [90.1059	***
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P 6 AZIMUTHS	
8-3 89.41010	***
8-4 270.1834	***
8-5 270.1459	***
8-6 270.1005	***
8-7 270.0442	***
P 1	
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[0.000	***
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2	***
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2	***
5	***
3 [0.000	***
[0.000	***
6-3 [89.5960	***
[3948.990	***

PRELIMINARY

PRELIMINARY



best fit (call 90°00'00") USE

P 6 AZIMUTHS

8-3 89.41500	***
8-4 270.1931	***
8-5 270.1556	***
8-6 270.1102	***
8-7 270.0539	***

P 1

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[0.000	***
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4	***
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1.007	***
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1	***
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[-2627.906	***
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4	***
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[416.790	***
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11 [-2977.906	***
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14 [-3186.322	***

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5	***
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[-3374.805	***
354.2837	***
15-13 [212.625	***

P 2

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[-3354.341	***	
354.2837	***	
W survey	90.0000	***
N " "	0.000	***
9 [-2627.906	***	
227.361	***	
W survey	748.318	***
N " "	0.000	***
NW cor. " "	-3376.224	***

P3

6	***
0.000	***
-2977.906	***
2	***
S 0.0000E	***
180.0000	***
226.305	***
-226.305	***
-2977.906	***
3	***
S 90.0000 W	***
270.0000	***
376.435	***
-226.305	***
-3354.341	***
4	***
N 5.3123 W	***
354.2837	***
227.361	***
4.879-04	***
-3376.224	***
1	***
N 90.0000 E	***
90.0000	***
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3.480-04	***
35.2956	***
0.001	***
1228.419	***
1/2049785	***
87665.389 SF.	***
2.013 <i>der</i>	***
4	***

50% COTTON

OLD DEERFIELD BOND

MILLERS FALLS

Ch. W from pipe set at NE cor. 25-14-2w
 Record meas.

2636.70'	2627.870'	± N-S road
3955.05'	3948.990	1x3 wood stake found
5273.4'	5259.5	E edge of hole dug for sec. cor. stone
	5264.5	E fence of road north
	5266.2	W edge of hole dug for stone
	5269.5	E " " " " " "
	5276.	approx. E road N.
	5277.5	W. edge of hole dug for stone
6595.05	6602.4	estimated loc. on N. NE ⁴ . 26-14-2w
7916.7	7933.4	estimated loc. of N ² mi. 26-14-2w

$$\frac{7933.4}{7916.7} = 1.002109465 = CCF$$

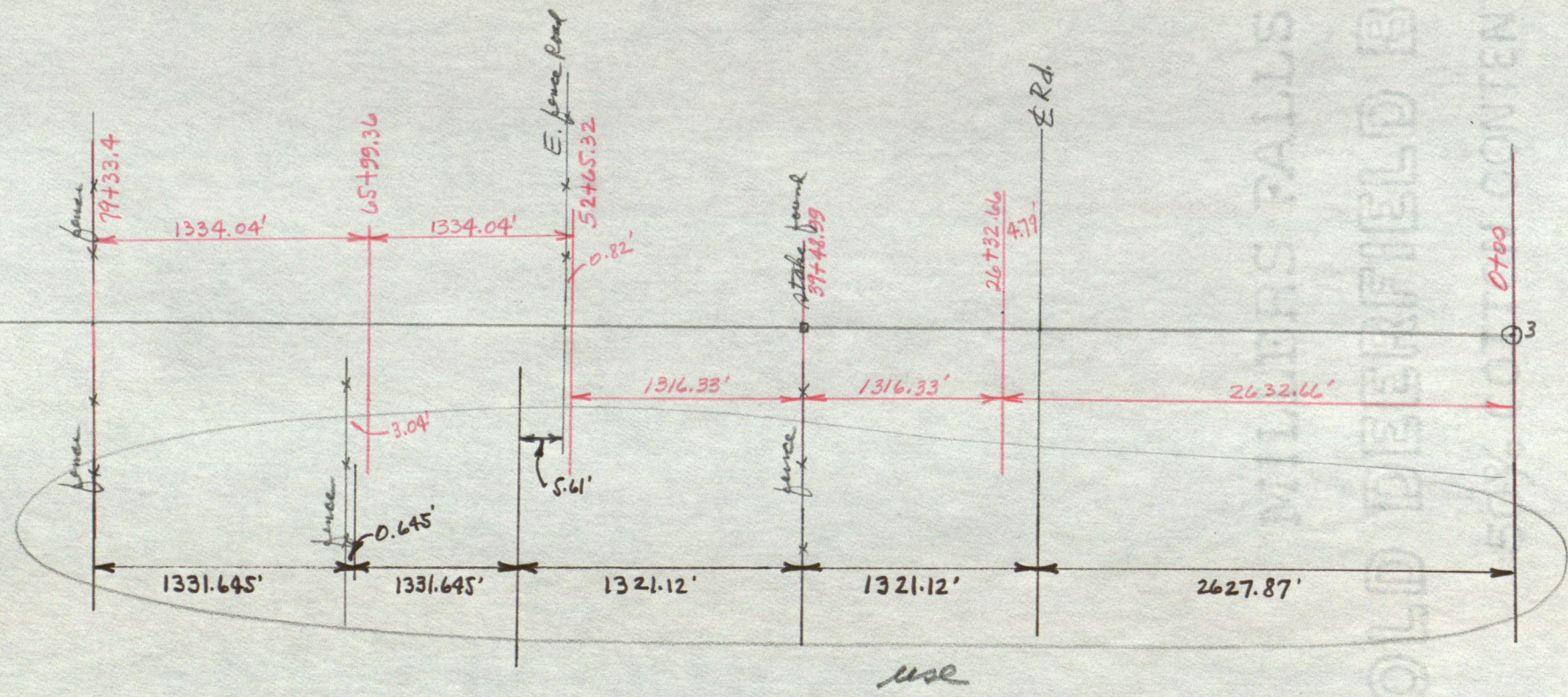
$$CCF \times 2636.70' = 2642.262'$$

$$" \times 3955.05 = 3963.393$$

$$" \times 5273.40 = 5284.524$$

$$" \times 7916.70 = 7933.400$$

$$" \times 6595.05 = 6608.962$$



MILLERS FALLS
 OLD FIELDED BOND
 EVERY CONTENT

Beech 18 S48W34
elm 12 N31W65
C-39

23

24

2643.3'
40.85 gov.

2643.3'
40.05 gov.

2636.7
39.95 gov.

2636.7'
39.95 gov.

Round 11x11"
wal 15 N81W86 1/2
" 8 N4E44
C-39

10x12
Beech 15 S89 1/2 E41
" 10 S36 1/2 E 64 1/2
C-39

Lynn 23 S75W62
Beech 14 N21W77
B-140

stone
" N67E19
" S50E22

stone
Oak 12 N2E 26 1/2
Buck 20 S75E 32 1/2

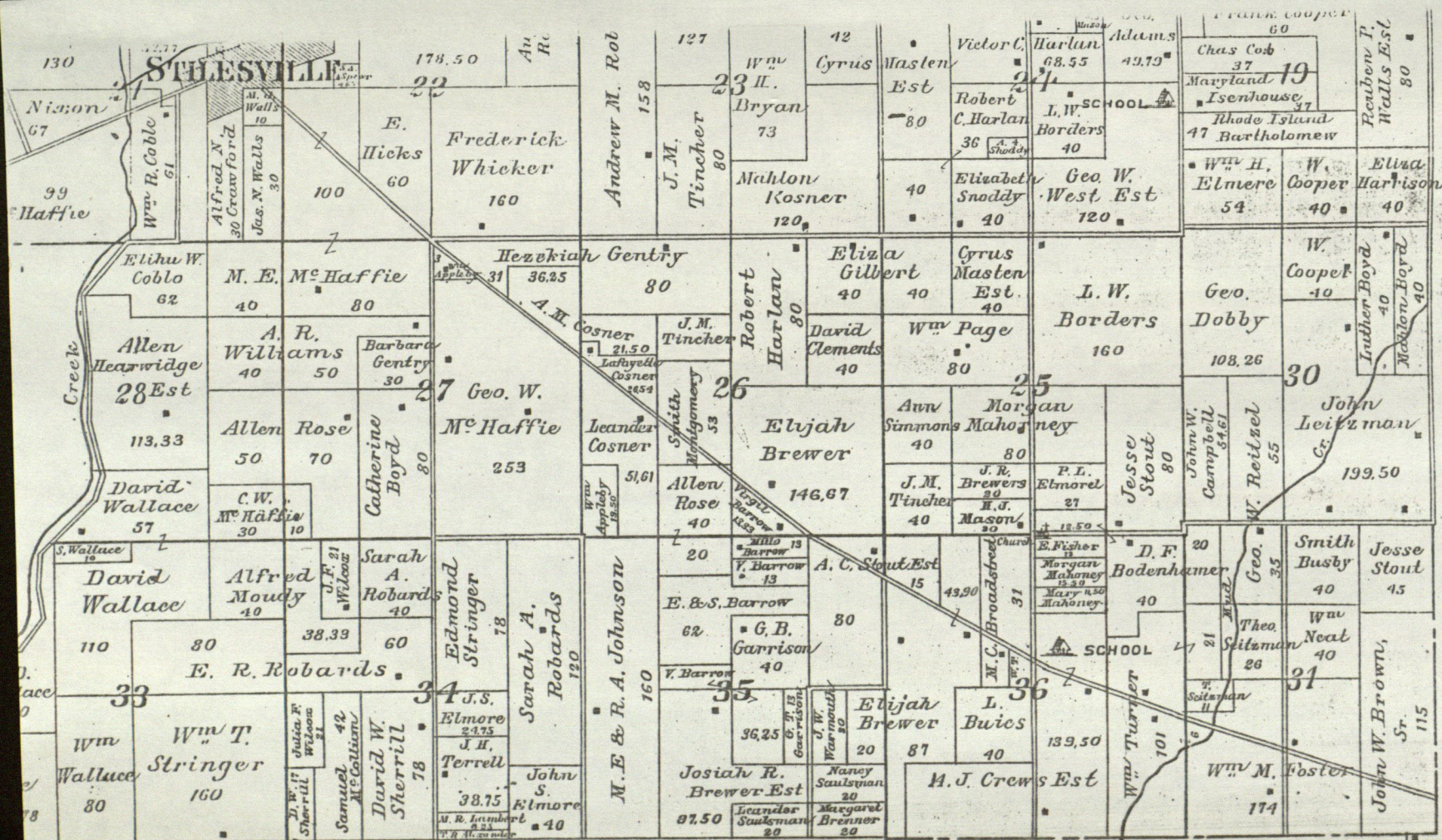
26

2
Oak 9 NSW14
Lynn 9 S15E 19 1/2

2
stone N48W16
Oak 12 N22 1/2 E 267
Oak 5 S67E36
Hick 7 S89W28

cast cyl. 4"x24"
stone S45 1/2 E 41 1/2
} WFF

2025 COMMON COUNCIL
OGD DEEBYEGD BOND
MIFFEBS LVTT2



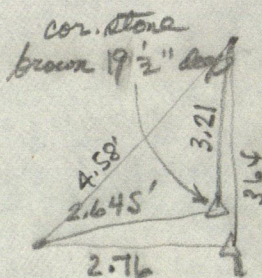
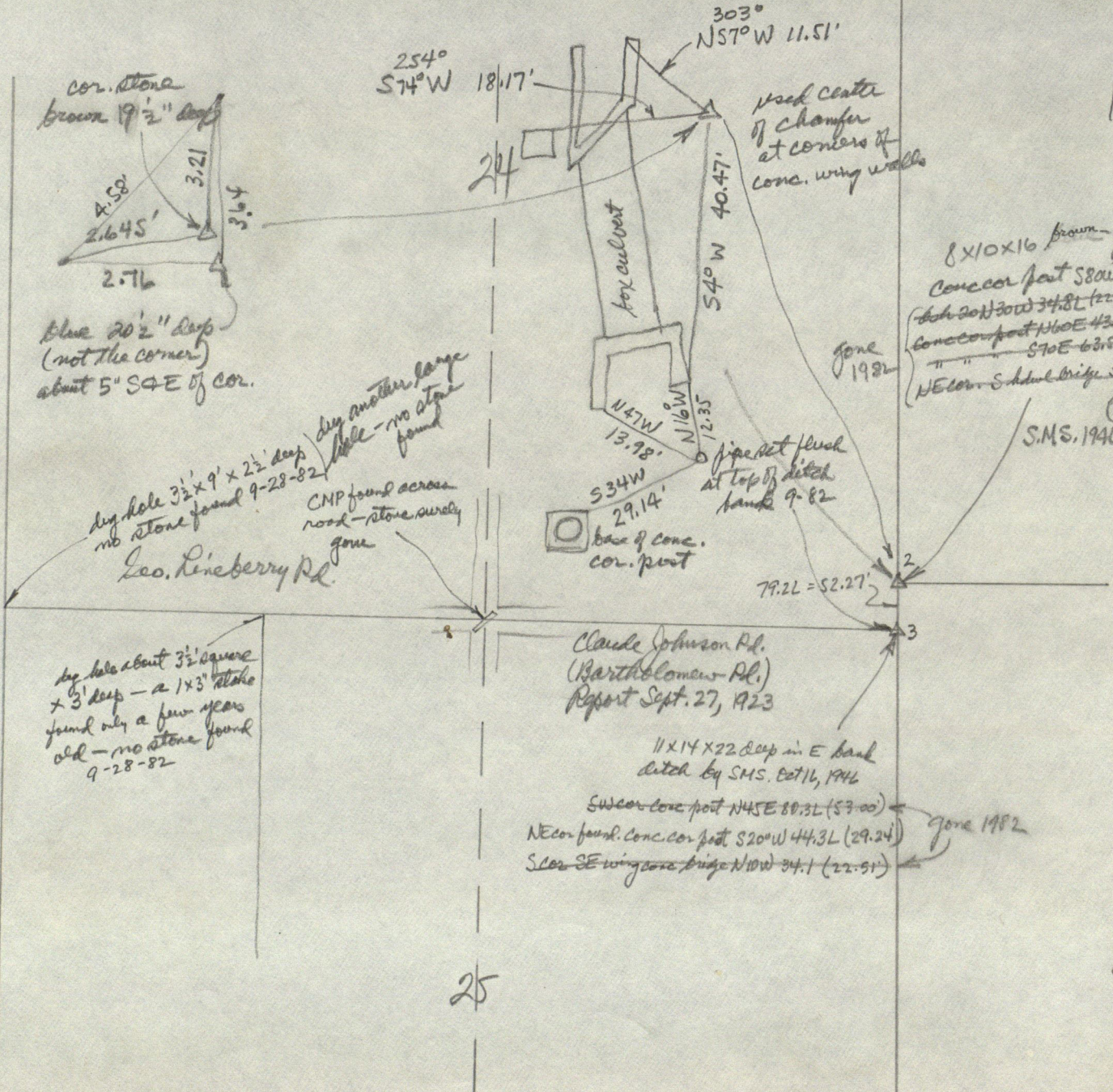
M. O R G A N

C O.

L I B E R T Y

1904

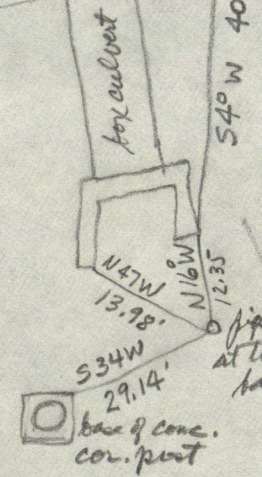
2 mi. 24 4x11x24 67.58' S. of W² mi. 19 & 12.6' S. 7
 fence W. SE cor. I-beam cor. post N45°W 18.87'
 SW cor. brick found. home S70°E 60.36' 1946
 " " conc. cor. post N15°E 81.40'



blue 20 1/2" deep
 (not the corner)
 about 5" S4E of cor.

dig hole 3 1/2' x 9' x 2 1/2' deep
 no stone found 9-28-82
 dig another large
 hole - no stone
 found
 CMP found across
 road - stone surely
 gone
 Leo. Linberry Rd.

dig hole about 3 1/2' square
 x 3' deep - a 1x3' stone
 found only a few years
 old - no stone found
 9-28-82



8x10x16 brown-gray
 (18.38)
 conc cor post S80W 27.7L
 (20N30W 34.8L (22.97))
 conc cor post N60E 43.5L (22.27)
 " " S70E 60.5L (44.9)
 NE cor. School bridge S15W
 39.9L
 (26.33)
 S.M.S. 1946
 gone 1982

Claude Johnson Rd.
 (Bartholomew Rd.)
 Report Sept. 27, 1923

11x14x22 deep in E bank
 ditch by S.M.S. Oct 16, 1946
 SW cor conc post N45E 80.3L (57.00)
 NE cor found conc. cor post S20°W 44.3L (29.24)
 SE cor SE wing conc bridge N10W 34.1 (22.51)
 gone 1982

50% COTTON CONTENT
 OLD DEERFIELD BOND

SATISFACTORY EXISTING CONDITIONS

Lane J. Bouman
Chief, Division of Cadastral Survey
Eastern States Office
Bureau of Land Management
U. S. Department of the Interior
7981 Eastern Avenue
Silver Spring, Maryland 20910

BIOGRAPHICAL SKETCH

Mr. Bouman has been with the Bureau of Land Management since his graduation from Iowa State University in 1957. Ten years of his career were spent in the West, in Oregon and Montana, where he is a Registered Land Surveyor. For the past four years he has been in charge of the Bureau's cadastral survey program in the Eastern United States. Because of his interest in public land surveying and its history, and his dedication to this work, he is recognized for being well versed on the subject of public land surveying in the eastern half of the United States.

ABSTRACT

This paper deals with local interpretations of the location of section lines and section corners of the original public land surveys. It discusses the way in which the Bureau views local existing conditions, and when and how they are utilized in the resurvey of the public land. It also discusses the relative validity of natural features, recorded in the original field notes, insofar as they may possibly lend support to existing local conditions.

TEXT

The term "satisfactory existing conditions" is mentioned in the Manual of Instructions for the Survey of the Public Lands of the United States, 1947, under the heading of "Dependent Resurveys". It states: "Many situations will arise where it will be manifest that it is better to accept local interpretation rather than to disturb satisfactory existing conditions."

Lacking original evidence of the public land surveys, the local interpretation of the position of section lines, as evidenced by roads, fences, canals, local survey records, etc., may be accepted as the best existing evidence of the original survey. Such evidence may be deemed satisfactory when it is in harmony with found original evidence on a larger scale, generally accepted by adjoining landowners, and harmoniously related to the official record. However, should original evidence be found, local interpretation must give way.

The Act of February 11, 1805 stipulates that, "The corners marked in the public land surveys shall be established as the proper corners of sections and subdivisions of sections which they were intended to designate." Therefore, the boundaries of unpatented public land have remained fixed since the sections were first created by the Government.

The rules of survey apply only to unpatented surveyed and unsurveyed public land. A private surveyor is not necessarily bound by these rules when surveying patented lands. He must adapt his procedures to applicable local and state law. However, when he is called upon to survey patented lands which border on surveyed or unsurveyed public land of the United States, he will be well advised to familiarize himself with these rules and the federal laws which govern the location of the boundaries of the public lands. It is in these instances that he should be aware of the Bureau's interpretation of satisfactory existing conditions.

Unpatented public lands in the Eastern United States are generally found in national forests, national parks and Indian reservations. Public lands of the United States may also be encountered in and adjacent to rivers, lakes and coastal waters as upland and islands which were erroneously omitted from the original survey. There are no so-called public lands in the states comprising the area of the Original Thirteen Colonies.

The public land surveys were initiated in the Eastern United States in 1785. It is no surprise that original evidence of the earlier surveys is becoming increasingly scarce. In some forested areas, spared from ravishing fires, original evidence can still be found. In farming communities and in coastal areas and swampy regions original evidence is sadly lacking or almost non-existent. It stands to reason that the surveyor in the Eastern United States is more dependent upon local interpretation than his counterpart in the West. It is important that he understands the concept of satisfactory existing conditions in the execution of dependent resurveys.

A dependent resurvey is an official re-marking of the original lines whereby existing evidence of the original survey is given primary control over the position of the lines to be re-established. The above definition only recognizes existing evidence of the original survey, such as original corners or obliterated corners; i.e., corners which can be re-established in their true original position from collateral evidence. A degree of flexibility to this definition is introduced in that satisfactory existing conditions may be used as collateral evidence when such evidence does not, in fact, lead directly to the recovery of the official corner.

Collateral evidence, such as roads and fences, cannot be accepted as prima facie evidence of the original survey. However, it may be

the best available evidence inasmuch as it may demonstrate satisfactory existing conditions. When considering collateral evidence, it must be remembered that such evidence must be supported. Such support is provided when positions based on primary control fall within close proximity to the positions as indicated by collateral evidence.

The primary control embodies the use of the original records which will not be abandoned in favor of a random adoption of property corners bearing no relation to the original survey. When the retracement survey has been completed, and all the available evidence of the original survey has been utilized to determine the record positions of the missing corners, these positions can then be compared with existing conditions based on local interpretation.

When the correlation is close, the theoretical points based on the primary control may be set aside in favor of a nearby duly qualified corresponding point, if the latter is generally agreed upon by local landowners. The presumption is that it bears a satisfactory relationship to the original survey and that its correctness cannot be successfully disputed.

The question is often asked as to when it can be assumed that additional retracements will no longer significantly influence the location of a line or position of a corner. There is no universal rule. Each case has to be considered individually. However, there have been several instances where costs saved by limiting retracements were spent to pay the courts.

It has also been demonstrated that the retracement of an entire township at one time by one surveyor will generally be more satisfactory than when the same is surveyed by different surveyors, in parts, over extended time periods. The validity of existing conditions can be better assessed when retracements cover larger areas.

In the assessment of existing conditions it has been noted that a great deal of reliance has sometimes been placed on topographic "calls" of record. This probably stems from the fact that the courts emphasize the "following of the footsteps of the original surveyor"; i.e., the record. When through the use of record "calls" for natural features, the bearings and distances become so grossly distorted that they no longer resemble the record courses and distances, the existing condition cannot be convincingly judged satisfactory.

It must be remembered that the courses and distances are also a part of the record and that a "call" for a natural feature does not necessarily mean that the feature can be considered a natural monument. A natural monument fixes a location in both latitude and longitude. A natural feature generally supports measurements

in either latitude or departure but seldom in both. Furthermore, a natural feature should be well defined and stable in nature and not subject to disagreement as to its relative location.

Extensive retracements of the public land surveys have shown that, where original corners are found, the record courses and distances "called" for in the field notes are generally more reliable than the "calls" for natural features.

In conclusion it may be said that an existing condition is deemed satisfactory when no evidence can be found to the contrary, and when there is a general agreement among the interested landowners. It is usually confined to a limited area and is supported by original evidence on a larger scale. It allows some degree of flexibility in the otherwise rigid rules of dependent resurveys so as to protect the rights of the patentee or his successor in interest.

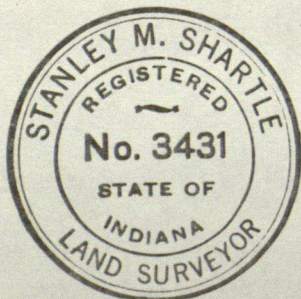
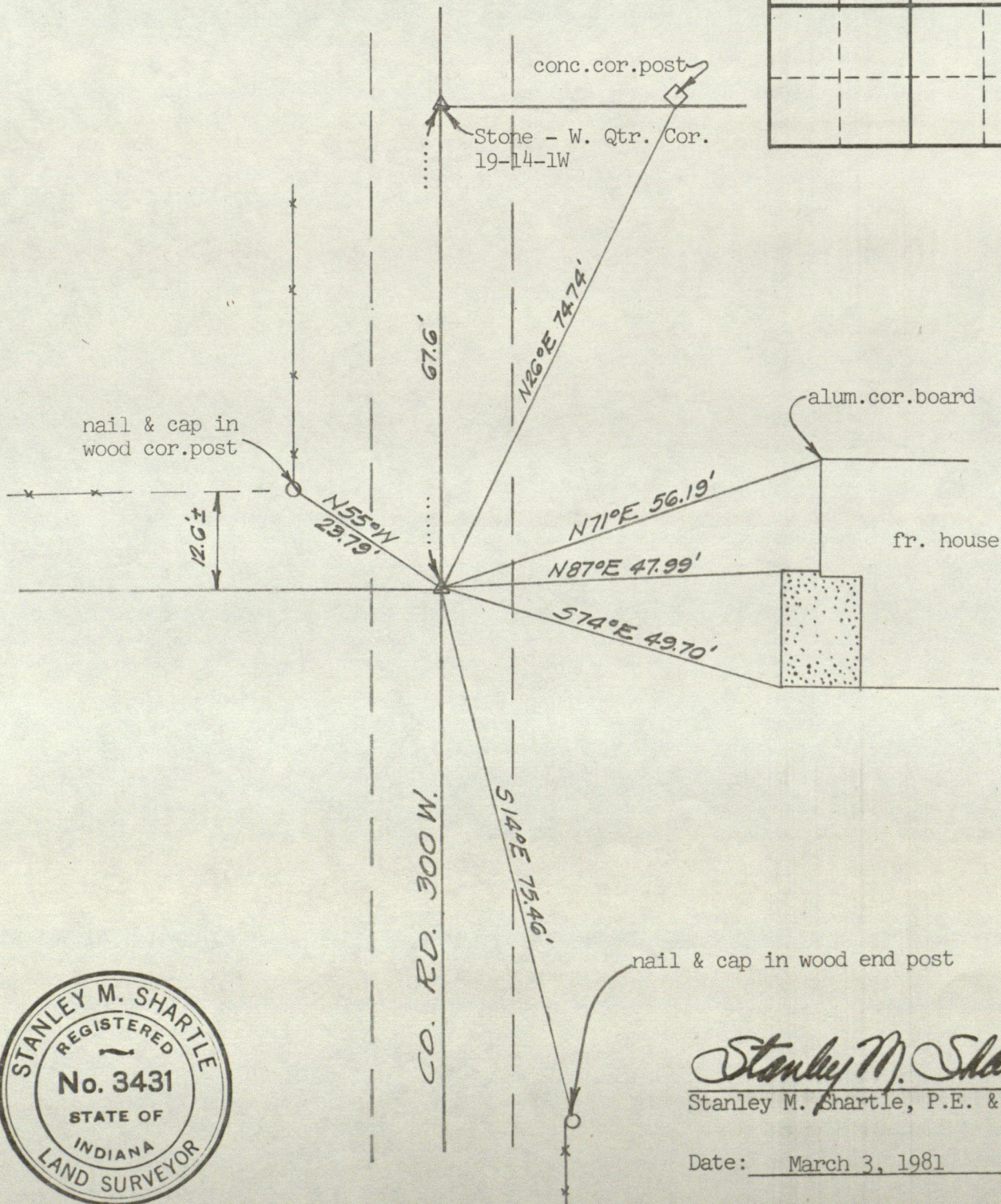
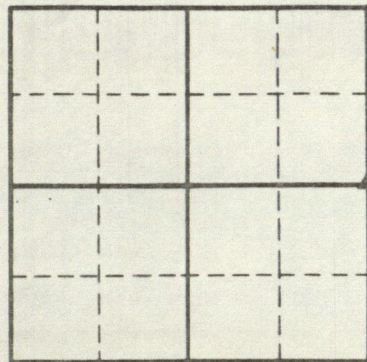
STANLEY M. SHARTLE

LOCATION OF MONUMENT: SECTION 24, T. 14 N., R. 2 W.

Found: Set: Depth: 7 inches to stone

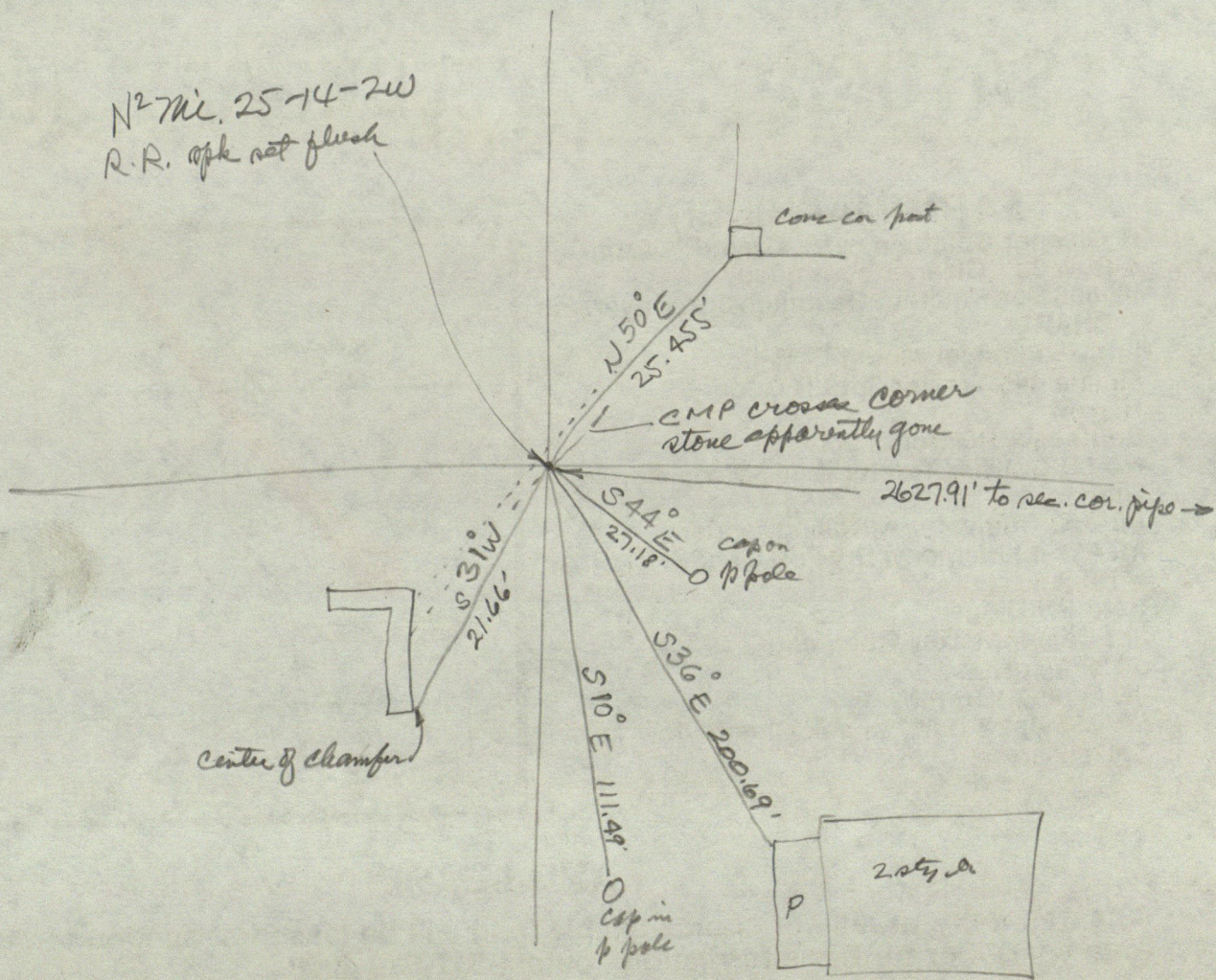
Description: set R.R. spike above stone

Bearings to reference objects are magnetic unless a contrary mode is shown.



Stanley M. Shartle
Stanley M. Shartle, P.E. & L.S.

Date: March 3, 1981



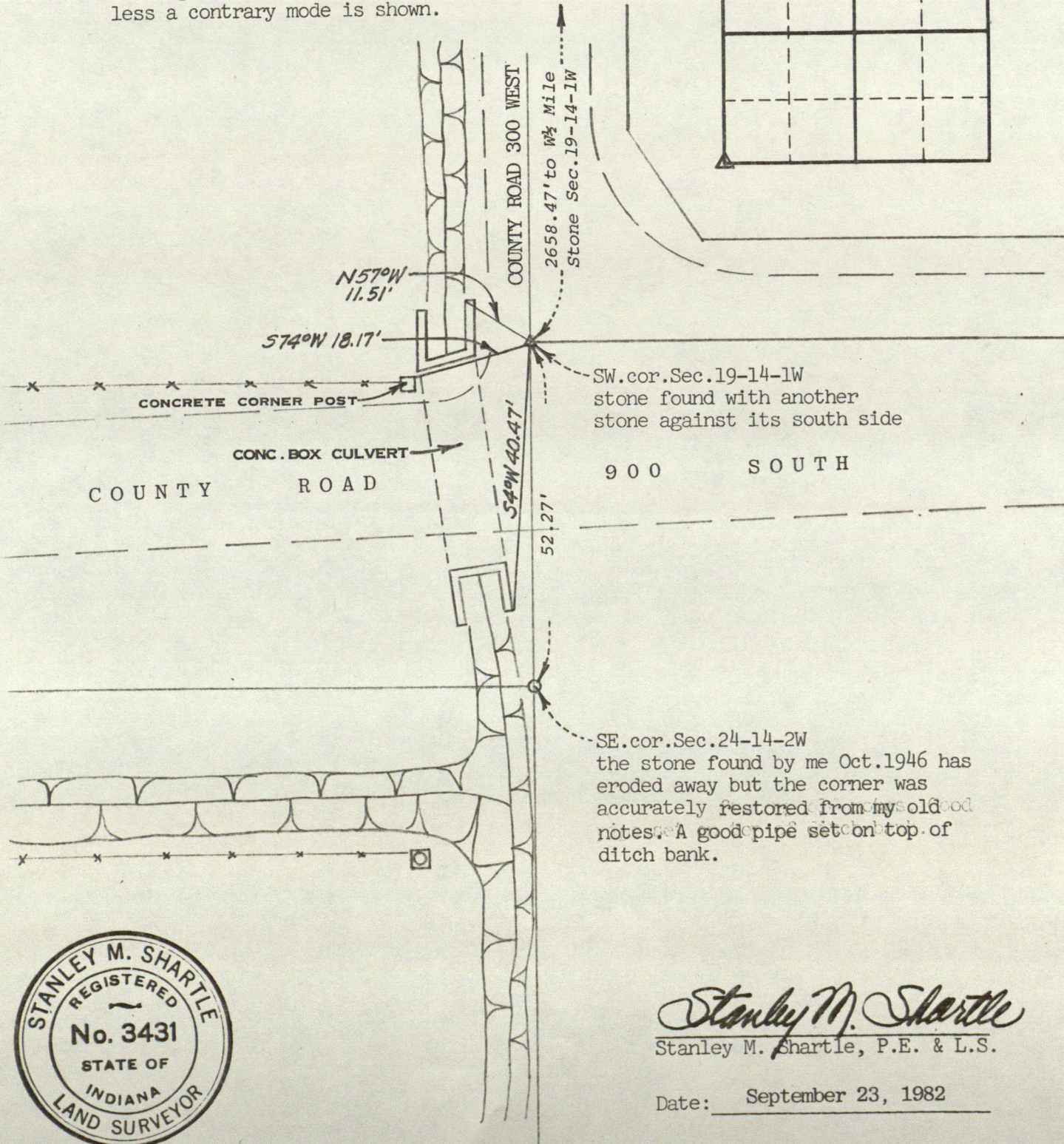
The ~~corner stone~~ ^{stone} ~~was~~ ^{is} evidently removed when corrugated steel pipe was installed diagonally across the intersection. The corner ^{was} restored from the best evidence available.

STANLEY M. SHARTLE

LOCATION OF MONUMENT: SECTION 19, T. 14 N., R. 1 W.

Found: Set: _____ Depth: 19.5 inches
 brown stone with $3/4$ " x $1\frac{1}{2}$ " iron
 Description: pin set flush above it.

Bearings to reference objects are magnetic unless a contrary mode is shown.



Stanley M. Shartle
 Stanley M. Shartle, P.E. & L.S.

Date: September 23, 1982

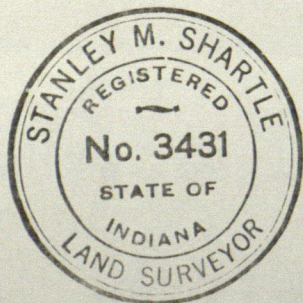
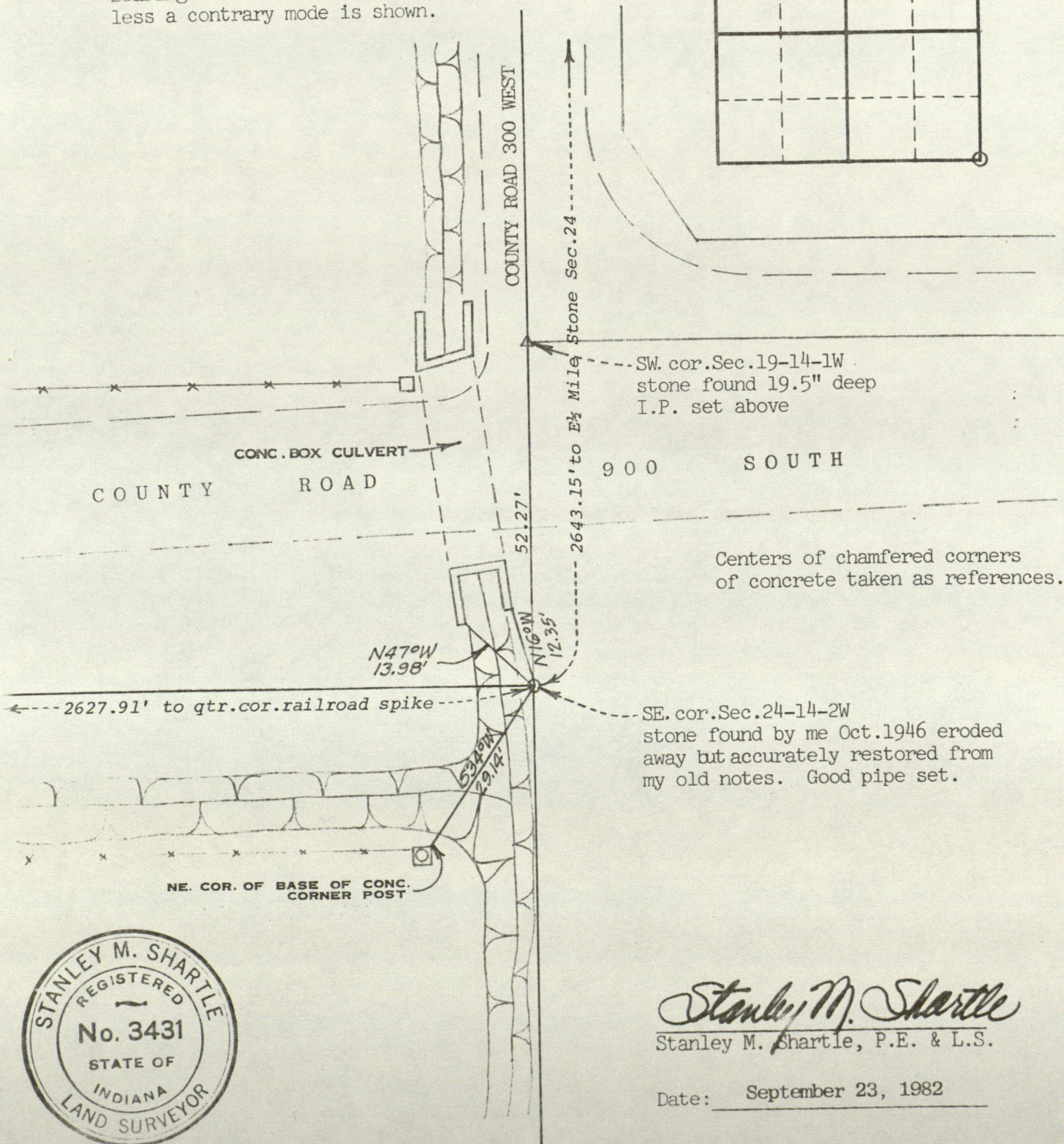
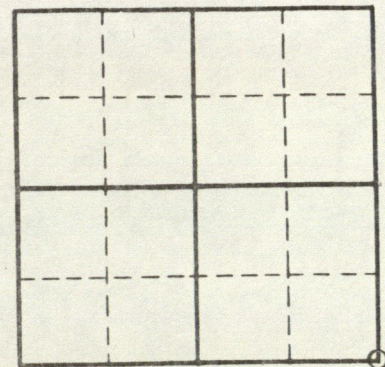
STANLEY M. SHARTLE

LOCATION OF MONUMENT: SECTION 24, T. 14 N., R. 2 W.

Found: Set: Depth: showing one inch

Description: good pipe on top of ditch bank

Bearings to reference objects are magnetic unless a contrary mode is shown.



Stanley M. Shartle
Stanley M. Shartle, P.E. & L.S.

Date: September 23, 1982

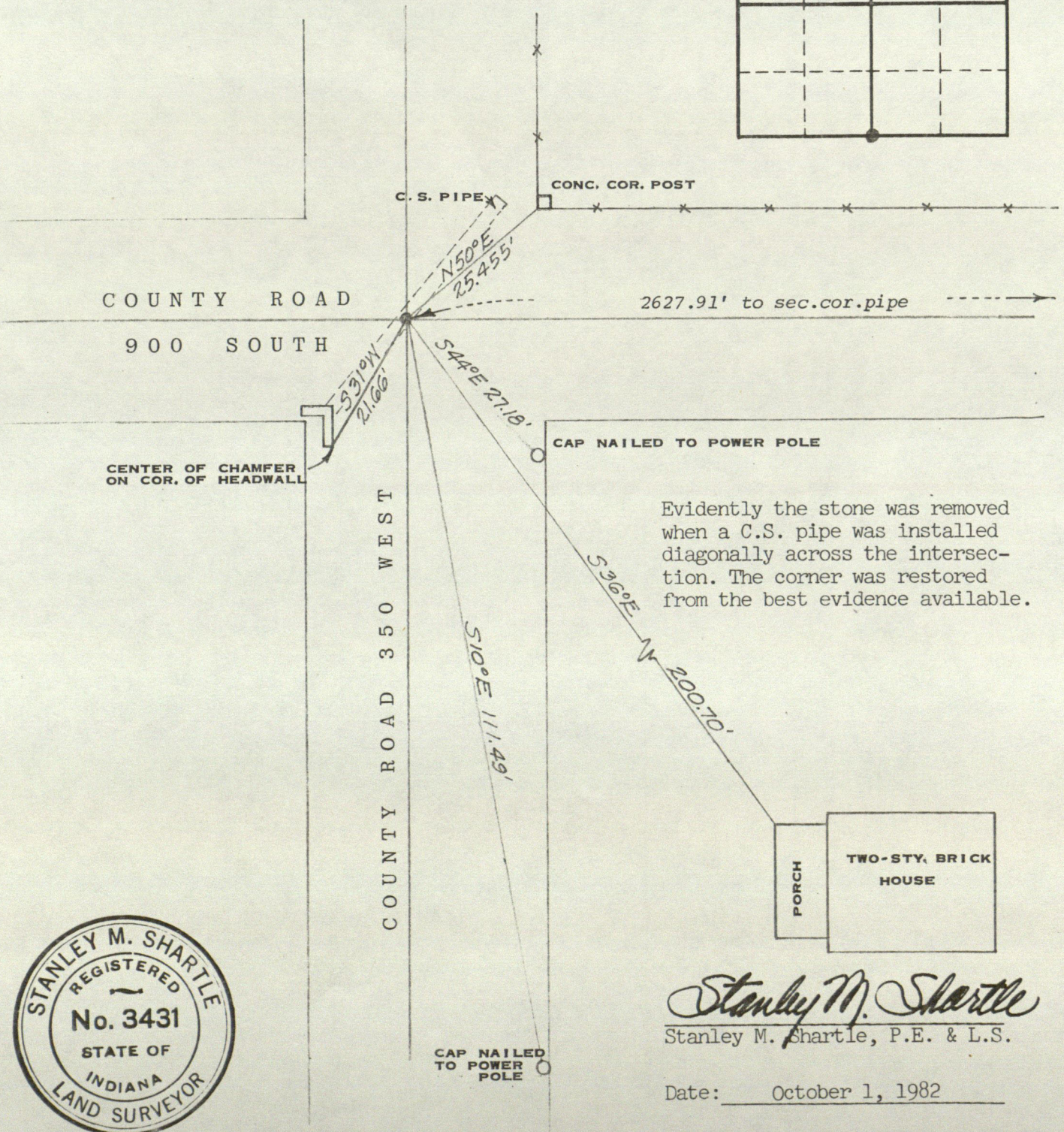
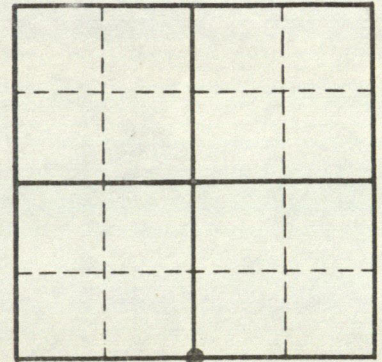
STANLEY M. SHARTLE

LOCATION OF MONUMENT: SECTION 24, T. 14 N., R. 2 W.

Found: ___ Set: Depth: flush

Description: drill hole in railroad spike

Bearings to reference objects are magnetic unless a contrary mode is shown.



Evidently the stone was removed when a C.S. pipe was installed diagonally across the intersection. The corner was restored from the best evidence available.



Stanley M. Shartle
Stanley M. Shartle, P.E. & L.S.

Date: October 1, 1982