

NORTHWEST CORNER SECTION 12, TOWNSHIP 17 SOUTH, RANGE 11 EAST

- 1) ON PAGE 309 OF THE GLO ORIGINAL FIELD NOTES IN THE DRAFTING ROOM IN THE COUNTY ENGINEER'S OFFICE IT STATES THAT **THEY SET A LIMESTONE 21" X 11" X 2"** FOR THE CORNER TO SECTIONS 1, 2, 11 & 12-17-11.

THE GOVERNMENT SURVEY NOTES SHOWS THE FOLLOWING INFORMATION:

- 1) 40.00 CHAINS NORTH TO THE 18" X 13" X 3" LIMESTONE THEY SET FOR THE 1/4 CORNER BETWEEN SECTIONS 1 & 2-17-11
 - 2) 78.53 CHAINS NORTH TO THE 15" X 10" X 4" LIMESTONE THEY SET FOR THE CORNER TO SECTIONS 1, 2, 35 & 36 ON THE TOWNSHIP LINE
 - 3) 40.08 CHAINS EAST TO THE 22" X 15" X 2" LIMESTONE THEY SET FOR THE 1/4 CORNER BETWEEN SECTIONS 1 & 12-17-11
 - 4) 80.15 CHAINS EAST TO THE 14" X 11" X 4" LIMESTONE THEY SET FOR THE CORNER TO SECTIONS 1, 6, 7 & 12 ON THE EAST TOWNSHIP BOUNDARY
- 2) J. H. HIBBEN, COUNTY SURVEYOR FROM 1875 TO 1882, IN A ROAD SURVEY OR ROAD NUMBER 139 RECORDED IN ROAD RECORD BOOK "B" ON PAGES 142 TO 144 PETITIONED BY JOHN C. WHEELER AND OTHERS FOR A COUNTY ROAD IN TOWNSHIPS 16-1 & 17-11 [PACKET 383 IN THE VAULT IN THE COUNTY SURVEYOR'S OFFICE] THAT HE SURVEYED ON SEPTEMBER 5, 1881, WAS ESTABLISHED AS A 60 FOOT WIDE ROAD ON OCTOBER 5, 1881 AS NOTED BY J. M. GRIFFITH, CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS, AND WAS RECORDED ON OCTOBER 15, 1881 BY WILLIAM F. EWING, COUNTY CLERK, SAID THAT SAID THAT **HE FOUND THE STONE** AT THE SOUTHEAST CORNER OF SECTION 2-17-11 ON THIS ROAD SURVEY.

HIS SURVEY NOTES SHOWS THE FOLLOWING INFORMATION:

- 1) THIS ROAD EXTENDS NORTH ON THE SECTION LINES FOR 2 MILES TO THE NORTHEAST CORNER OF SECTION 35-16-11 TO COMMENCE THIS ROAD SURVEY
 - 2) THIS ROAD EXTEND SOUTH ON THE SECTION LINES FOR 2 MILES TO THE SOUTHEAST CORNER OF SECTION 14-17-11 AT THE TERMINUS OF THIS ROAD SURVEY
- 3) J. H. HIBBEN, COUNTY SURVEYOR FROM 1875 TO 1882, IN A ROAD SURVEY RECORDED IN SURVEY BOOK "C" ON THE LEFT PAGE 227 DATED SEPTEMBER 6, 1881, FOR A ROAD SURVEY IN TOWNSHIPS 16-11 & 17-11, SAID THAT **HE FOUND THE STONE** AT THE SOUTHEAST CORNER OF SECTION 2-17-11 ON THIS ROAD SURVEY

HIS SURVEY NOTES SHOWS THE FOLLOWING INFORMATION:

- 1) THIS ROAD EXTENDS NORTH ON THE SECTION LINE FOR 2 MILES TO THE STONE HE FOUND AT THE NORTHEAST CORNER OF SECTION 35-16-11 TO COMMENCE THIS ROAD SURVEY
- 2) THIS ROAD EXTENDS SOUTH ON THE SECTION LINES FOR 2 MILES TO THE STONE HE FOUND AT THE SOUTHEAST CORNER OF SECTION 14-17-11 TO END THIS ROAD SURVEY

- 4) R. H. EDMISTON, COUNTY SURVEYOR FROM 1884 TO 1887, IN A ROAD SURVEY FOR ROAD NUMBER 266 RECORDED IN ROAD RECORD BOOK "C" ON PAGES 14 TO 17 PETITIONED BY JOHN BRAMHILL AND OTHERS FOR THREE ROADS IN TOWNSHIPS 17-11 AND 17-12 [PACKET 516 IN THE VAULT IN THE COUNTY SURVEYOR'S OFFICE] THAT HE SURVEYED ON JUNE 5, 1884, WERE ESTABLISHED AS 50 FOOT WIDE ROADS ON JULY 10, 1884 AS NOTED BY P. Y. HALLBERG, CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS, AND RECORDED ON NOVEMBER 19, 1884 BY ROLAND LAKIN, COUNTY CLERK, SAID THAT **HE FOUND THE STONE** AT THE SOUTHWEST CORNER OF SECTION 1-17-11 ON THE SECOND ROAD ON THIS ROAD SURVEY.

HIS INFORMATION IS CONTINUED ON PAGE 2

HIS SURVEY NOTES SHOWS THE FOLLOWING INFORMATION:

- 1) THIS SECOND ROAD EXTENDS WEST ON THE SECTION LINES FOR 2 MILES TO THE STONE HE FOUND AT THE SOUTHWEST CORNER OF SECTION 3-17-11 AT THE TERMINUS OF THE SECOND ROAD ON THIS ROAD SURVEY
 - 2) THIS SECOND ROAD EXTENDS EAST ON THE SECTION LINES FOR 1 MILE TO THE STONE HE FOUND AT THE SOUTHEAST CORNER OF SECTION 1-17-11 ON THE RANGE LINE TO COMMENCE THE SECOND ROAD ON THIS ROAD SURVEY
- 5) R. H. EDMISTON, COUNTY SURVEYOR FROM 1884 TO 1887, IN A **PERMANENT SURVEY** COMPLETED ON APRIL 8, 1886 TO LOCATE THE SOUTHEAST CORNER AND SOUTH 1/4 CORNER OF SECTION 2-17-11, SURVEY F20001 IN THE SURVEY FILE FOR TOWNSHIP 17-11 AND RECORDED IN VOLUME 36 ON PAGE 356 AT THE REGISTER OF DEEDS OFFICE ON APRIL 16, 1886, SAID THAT **HE SET A STONE** FOR THE PERMANENT SOUTHEAST CORNER OF SECTION 2-17-11 EQUIDISTANT BETWEEN THE STONE THAT HE FOUND AT THE SOUTHWEST CORNER OF SECTION 2-17-11 AND THE STONE THAT HE FOUND AT THE SOUTHEAST CORNER OF SECTION 1-17-11 ON THE RANGE LINE ON THIS **PERMANENT SURVEY**.

HIS SURVEY NOTES/DRAWING SHOWS THE FOLLOWING INFORMATION:

- 1) 5,281' EAST TO THE STONE HE FOUND AT THE SOUTHEAST CORNER OF SECTION 1-71-11 ON THE RANGE LINE
- 2) 2,641' WEST TO THE ORIGINAL STONE HE FOUND AND **HE RESET** FOR THE PERMANENT SOUTH 1/4 CORNER OF SECTION 2 [1/2 = 2,640-1/2']
- 3) 5,281' WEST TO THE STONE HE FOUND AT THE SOUTHWEST CORNER OF SECTION 2-17-11
- 4) 5,280' SOUTH TO THE STONE HE FOUND AT THE SOUTHWEST CORNER OF SECTION 12-17-11
- 5) 2,640' NORTH TO THE STONE HE FOUND AT THE EAST 1/4 CORNER OF SECTION 2-17-11
- 6) 5,182' NORTH TO THE STONE HE FOUND AT THE NORTHEAST CORNER OF SECTION 2-17-11

- 6) R. H. EDMISTON, COUNTY SURVEYOR FROM 1884 TO 1887, BY MATTHEW BROWN, DEPUTY COUNTY SURVEYOR, IN **PERMANENT SURVEYS** NUMBER 38 AND 105 RECORDED IN SURVEY BOOK "F" ON PAGE 96 DATED MAY 3, 4, 5 & 12, 1886, FOR A SURVEY TO ESTABLISH THE CENTER CORNER OF SECTION 6-17-12 AND THE CORNERS TO THE NORTHEAST 1/4 AND THE SOUTHWEST 1/4 OF SECTION 1-17-11, SAID THAT **HE SET AN 18" X 9" X 2" STONE MARKED WITH ONE NORTH ON THE NORTH SIDE, 5 NOTCHES ON THE WEST SIDE, ONE NOTCH ON THE NORTH SIDE, AND 5 NOTCHES ON THE SOUTH SIDE** FOR THE PERMANENT SOUTHEAST CORNER OF SECTION 1-17-11 ON THESE **PERMANENT SURVEYS**. HE RAN THE NORTH-SOUTH SECTION LINES FROM THE STONE THAT HE FOUND AT THE WEST 1/4 CORNER OF SECTION 1-17-11 TO THE STONE THAT HE FOUND AT THE SOUTHEAST CORNER OF SECTION 11-17-11, AND HE RAN THE EAST-WEST SECTION LINES FROM THE STONE THAT HE FOUND AT THE NORTHEAST CORNER OF SECTION 2-17-11 TO THE STONE THAT HE FOUND AT THE NORTHEAST CORNER OF SECTION 7-17-12. THIS SURVEY WAS RECORDED IN VOLUME 36 ON PAGE 497 IN THE REGISTER OF DEEDS OFFICE ON SEPTEMBER 2, 1886 AND SURVEY F01001 IN THE SURVEY FILE FOR TOWNSHIP 17-11.

HIS SURVEY NOTES/DRAWING SHOWS THE FOLLOWING INFORMATION:

- 1) 80.0-9/10 CHAINS WEST TO THE STONE HE FOUND AT THE SOUTHWEST CORNER OF SECTION 2-17-11
- 2) 39.94 CHAINS NORTH TO THE STONE HE FOUND AT THE WEST 1/4 CORNER OF SECTION 1-17-11
- 3) 40.00-5/10 CHAINS EAST TO THE STONE HE SET FOR THE PERMANENT SOUTH 1/4 CORNER OF SECTION 1-17-11

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- 4) 80.00-1/10 CHAINS EAST TO THE STAKE HE SET FOR THE PERMANENT SOUTHEAST CORNER OF SECTION 1-17-11 ON THE RANGE LINE
 - 5) 79.88 CHAINS SOUTH TO THE STONE HE FOUND AT THE SOUTHEAST CORNER OF SECTION 11-17-11
- 7) ALVA J. SMITH, COUNTY SURVEYOR FROM 1900 THROUGH 1906, IN SURVEY NUMBER 44, A **PERMANENT SURVEY** RECORDED IN SURVEY BOOK "E" ON PAGE 225 DATED APRIL 23, 1902 ORDERED BY LOUIS NELSON FOR THE PURPOSE OF LOCATING AND PERMANENTLY ESTABLISHING THE NORTHEAST CORNER OF SECTION 10-17-11 AND RUN SUCH LINES AS MAY BE NECESSARY TO PROPERLY COMPLETE THE WORK, SAID THAT HE RETRACED PART OF THE EDMISTON SURVEY AND TOOK THE TESTIMONY OF TWO OF HIS CHAINMEN TO LOCATE THE **STONE THAT WAS SET BY EDMISTON** FOR THE SOUTHEAST CORNER OF SECTION 2-17-11. **HE FOUND EDMISTON'S STONE AT 26 LINKS SOUTH AND 15 LINKS EAST OF THE GOVERNMENT STONE NOW STANDING** AT THE SOUTHEAST CORNER OF SECTION 2-17-11, **THE GOVERNMENT STONE BEING 4 FEET SOUTH AND 8 FEET EAST OF A CORNER POST AT THE NORTHWEST CORNER OF THE CROSS ROADS.** HIS FIELD NOTES ARE IN HIS BOOK NUMBER 3 ON PAGES 24 AND 47, AND THERE IS ADDITIONAL INFORMATION IN PACKET "M 46" IN MISCELLANEOUS DRAWER 2 IN THE VAULT IN THE COUNTY ENGINEER'S OFFICE.
- AT THE END OF THE SURVEY REPORT, ON MAY 26, 1902, SMITH SAID THAT HE HAD AN INTERVIEW WITH EX-SURVEYOR MATTHEW BROWN IN REFERENCE TO THE STONES AT THIS CORNER. BROWN SAID THAT IT WAS HIS RECOLLECTION THAT WHEN THE EDMISTON SURVEY WAS RUN THERE WAS GRASS ON THE GROUND AND WHEN THE GRASS WAS BURNED OFF IN THE SPRING THE GOVERNMENT STONE WAS FOUND ABOUT A ROD FROM WHERE EDMISTON HAD SET THE STONE, AND THAT THE STONE HE REPORTED AS HAVING 1 NOTCH ON THE EAST AND NORTH SIDES AND 5 NOTCHES ON THE WEST AND SOUTH SIDES WAS THE **ORIGINAL GOVERNMENT STONE.**
- HIS SURVEY NOTES/ DRAWING SHOW THE FOLLOWING INFORMATION:
- 1) 40.26 CHAINS WEST TO THE STONE HE FOUND AT THE SOUTH 1/4 CORNER OF SECTION 2-17-11 NEAR THE CENTER OF THE ROAD
 - 2) 80.67 CHAINS WEST TO THE 15" X 8" X 3" STONE MARKED "X" ON THE SIDE HE SET FOR THE PERMANENT NORTHEAST CORNER OF SECTION 10-17-11
- 8) ALVA J. SMITH, COUNTY SURVEYOR FROM 1900 THROUGH 1906, IN SURVEY NUMBER 46, A **PERMANENT SURVEY** RECORDED IN SURVEY BOOK "E" ON PAGE 227 DATED MARCH 18 & 21 AND CLOSED MAY 8, 1902, ORDERED BY ROBERT MOUNKES FOR THE PURPOSE OF LOCATING AND PERMANENTLY ESTABLISHING THE NORTHEAST CORNER, THE 1/4 CORNER ON THE EAST LINE, AND THE CENTER 1/4 CORNER OF SECTION 15-17-11 AND RUN SUCH LINES AS ARE NECESSARY TO PROPERLY COMPLETE THE WORK, SAID THAT **HE FOUND THE STONE AT 4 FEET SOUTH AND 8 FEET EAST OF A CORNER POST AT THE NORTHWEST CORNER OF THE CROSSROADS** AT THE NORTHEAST CORNER OF SECTION 11-17-11 ON THIS **PERMANENT SURVEY.** HIS FIELD NOTES ARE IN HIS BOOK NUMBER 3 ON PAGE 28, AND ADDITIONAL INFORMATION IS IN PACKET "M 66" IN MISCELLANEOUS DRAWER NUMBER 3 IN THE VAULT IN THE COUNTY ENGINEER'S OFFICE.
- 9) COMMISSIONER'S ROAD JOURNAL BOOK "B", PAGE 29
ON OCTOBER 28, 1944 A PETITION SIGNED BY PERRY J. TAYLOR AND OTHERS FOR THE VACATION OF A ROAD IN TOWNSHIP 17-11 WAS PRESENTED TO GEORGE K. JACKSON, COUNTY CLERK. THE ROAD WAS VIEWED BY THE COUNTY COMMISSIONERS AND E. C. GOLDSMITH, COUNTY ENGINEER, ON NOVEMBER 17, 1944 AND THE FINAL ORDER OF THE BOARD OF COUNTY COMMISSIONERS ON NOVEMBER 18, 1944 VACATED THE FOLLOWING ROAD:
THE INFORMATION IS CONTINUED ON PAGE 4

- 1) BEGINNING AT THE SOUTHWEST CORNER OF SECTION 12-17-11; THENCE NORTH ONE (1) MILE; THENCE EAST ONE (1) MILE ALONG THE NORTH SIDE OF SAID SECTION 12; THENCE SOUTH ONE (1) MILE TO THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 12 AND THERE ENDING
 - 2) THIS ROAD BEGINNING AT THE SOUTHWEST CORNER OF SECTION 12-17-11; THENCE NORTH ONE (1) MILE; THENCE EAST ONE (1) MILE ALONG THE NORTH SIDE OF SAID SECTION 12; THENCE SOUTH ONE (1) MILE TO THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 12 IS OF NO PRACTICAL BENEFIT AS A PUBLIC HIGHWAY AND AS IT HAS NOT BEEN USED FOR SEVERAL YEARS, WE RECOMMEND THAT SAID ROAD BE VACATED AS PETITIONED.
- 10) COMMISSIONER'S ROAD JOURNAL BOOK "B", PAGE 119
ON JULY 9, 1959, A PETITION SIGNED BY C. G. KARR AND OTHERS FOR THE **VACATION** OF A ROAD IN TOWNSHIP 16-11 WAS PRESENTED TO W. A. STOLFUS, COUNTY CLERK. THE ROAD WAS VIEWED BY THE COUNTY COMMISSIONERS AND W. D. KRETSINGER, COUNTY ENGINEER, ON SEPTEMBER 4, 1959 AND THE FINAL ORDER WAS NOT DATED BUT SIGNED BY ALL THREE MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS **VACATED** THE FOLLOWING ROAD BY SECTION 68-102 OF THE GENERAL STATUTES OF KANSAS AND 68-102 OF THE 1957 SUPPLEMENT TO THE GENERAL STATUTES OF KANSAS 1949:
- 1) NOW THEREFORE BE IT RESOLVED, THAT IN THE JUDGMENT OF SAID BOARD OF COUNTY COMMISSIONERS THE ROAD HEREINAFTER DESCRIBED IS NOT A PUBLIC UTILITY BY REASON OF NEGLECT, NONUSE AND INCONVENIENCE
 - 2) BE IT FURTHER RESOLVED, IT IS HEREBY ORDERED THAT THE FOLLOWING DESCRIBED ROAD IS HEREBY **VACATED**:
 - 3) COMMENCING AT THE NORTHWEST CORNER OF SECTION 11-17-11, THENCE ONE (1) MILE EAST TO THE SOUTHEAST CORNER OF SECTION 2-17-11; THENCE ONE-HALF (1/2) MILE NORTH AND TERMINATING AT THE ONE-HALF (1/2) MILE POINT OF SECTION 2-17-11.
- 11) STEVEN S. BROSEMER, L.S. 752, DEPUTY COUNTY SURVEYOR, IN A LAND SURVEY REFERENCE REPORT DATED DECEMBER 1, 2009 FOR PROJECT NUMBER 09301-02, A SURVEY OF THE SOUTH HALF AND THREE TRACTS IN THE SOUTH HALF OF SECTION 2-17-11 FOR CHARLES & JANET LAIRD AND JAMES & SANDRA LAIRD, SURVEY F02002 IN THE SURVEY FILE FOR TOWNSHIP 17-11, SAID THAT HE SEARCHED FOR THE STONES FROM THE EDMINSTON AND SMITH SURVEYS AT THE SOUTHEAST CORNER OF SECTION 2-17-11, BUT THE STONES WERE **NOT** FOUND. HE CONSIDERED THAT THIS CORNER WAS **OBLITERATED**. **HE SET A 1/2" X 24" REBAR WITH HIS "LS 752" CAP FOR THE SOUTHEAST CORNER OF SECTION 2-17-11 FROM SMITH'S REFERENCE TIES AND CONFIRMED BY MEASUREMENT.**
- 1) 27.75' SW TO A 40 D NAIL & WASHER IN A FENCE POST
 - 2) 20.2' NORTH TO A 40 D NAIL & WASHER IN A 36" HEDGE TREE
 - 3) 12.0' SE TO A 40 D NAIL & WASHER IN A CORNER FENCE GATE POST
 - 4) 5' NORTH TO A LINE OF FENCE TO THE EAST [EXTENDED]
 - 5) 6' EAST TO A LINE OF FENCE TO THE NORTH
 - 6) 10.5' SOUTH TO A LINE OF FENCE TO THE WEST
- HIS SURVEY DRAWING SHOWS THE FOLLOWING INFORMATION:
- 1) 2,657.16' WEST TO THE 5/8" REBAR WITH A LYON COUNTY CAP HE SET FOR THE SOUTH 1/4 CORNER OF SECTION 2-17-11
 - 2) 5,318.53' WEST TO THE 5/8" REBAR WITH A LYON COUNTY CAP IN A MONUMENT WELL HE FOUND AT THE SOUTHWEST CORNER OF THE SOUTH 1/2 OF SECTION 2-17-11
 - 3) 2,659.65' NORTH TO THE 1/2" REBAR WITH HIS "LS 752" CAP HE SET FOR THE NORTHEAST CORNER OF THE SOUTH 1/2 OF SECTION 2-17-11

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- 12) STEVEN S. BROSEMER, L.S. 752, DEPUTY COUNTY SURVEYOR, IN A LAND SURVEY REFERENCE REPORT DATED FEBRUARY 1, 2012, SURVEY F02003 IN THE SURVEY FILE FOR TOWNSHIP 17-11 FOR TWO TRACTS IN THE SOUTH HALF OF SECTION 2-17-11 FOR TERESA SIMMONS FOR PROJECT NUMBER 12031-02, SAID THAT **HE FOUND THE 1/2" IRON PIN WITH HIS "LS 752" CAP** AT THE SOUTHEAST CORNER OF SECTION 2-17-11 FROM EXISTING REFERENCE REPORTS ON FILE AT THE COUNTY SURVEYOR'S OFFICE. HE NOTED THAT HE HAD SET THIS 1/2" CAPPED IRON BAR IN 2009.
- 1) 27.75' SW TO A 40 D NAIL & WASHER IN A FENCE POST
 - 2) 20.2' NORTH TO A 40 D NAIL & WASHER IN A 36" HEDGE TREE
 - 3) 12.0' SE TO A 40 D NAIL & WASHER IN A CORNER FENCE GATE POST
 - 4) 5' NORTH TO A LINE OF FENCE TO THE EAST [EXTENDED]
 - 5) 6' EAST TO A LINE OF FENCE TO THE NORTH
 - 6) 10.5' SOUTH TO A LINE OF FENCE TO THE WEST
- HIS SURVEY DRAWING SHOWS THE FOLLOWING INFORMATION:
- 1) 5,318.48' WEST TO THE 5/8" IRON PIN WITH A LYON COUNTY CAP IN A MONUMENT BOX HE FOUND AT THE SOUTHWEST CORNER OF THE SOUTH 1/2 OF SECTION 2-17-11
 - 2) 1,329.82' NORTH TO THE 1/2" IRON BAR WITH HIS "LS 752" CAP HE SET FOR THE SOUTHEAST CORNER OF THE N1/2 OF THE SOUTH 1/2 OF SECTION 2-17-11
 - 3) 2,659.64' NORTH TO THE 1/2" REBAR WITH HIS "LS 752" CAP HE FOUND AT THE NORTHEAST CORNER OF THE SOUTH 1/2 OF SECTION 2-17-11

NORTHWEST CORNER 12-17-11