

NORTHWEST CORNER SECTION 33, TOWNSHIP 18 SOUTH, RANGE 12 EAST

- 1) ON PAGE 500 OF THE GLO ORIGINAL FIELD NOTES IN THE DRAFTING ROOM IN THE COUNTY ENGINEER'S OFFICE IT STATES THAT **THEY SET A LIMESTONE 20" X 12" X 3"** FOR THE CORNER TO SECTIONS 28, 29, 32 & 33-18-12.
THE GOVERNMENT SURVEY NOTES SHOWS THE FOLLOWING INFORMATION:
 - 1) 39.85 CHAINS EAST TO THE 20" X 15" X 2" LIMESTONE THEY SET FOR THE 1/4 CORNER BETWEEN SECTIONS 28 & 33-18-12
 - 2) 79.70 CHAINS EAST TO THE 19" X 14" X 2" LIMESTONE THEY SET FOR THE CORNER TO SECTIONS 27, 28, 33 & 34-18-12

- 2) IN ROAD RECORD BOOK "A" ON PAGE 127 [PACKET 242 IN THE VAULT IN THE COUNTY ENGINEERS OFFICE] FOR THE SECOND ROAD ON A PETITION BY G. D. HUMPHREY AND OTHERS FOR SECTION LINE ROADS IN TOWNSHIPS 18-12 & 19-12 WITHOUT A SURVEY, THE BOARD OF COUNTY COMMISSIONERS ORDERED THE SECTION LINES FOR THE THIRD ROAD DECLARED PUBLIC HIGHWAYS ESTABLISHED ON JUNE 22, 1869 IN THE COMMISSIONERS JOURNAL ON PAGE 269. THE LAW OF 1869 PROVIDES 40 FEET WIDTH ON SECTION LINE ROADS. THE THIRD ROAD COMMENCED ON THE LAWRENCE AND EMPORIA ROAD AT A POINT WHERE SAID ROAD CROSSES THE LINE BETWEEN FREMONT AND WATERLOO TOWNSHIPS, THENCE RUNNING SOUTH ON SAID LINE DIVIDING THE TOWNSHIP OF FREMONT FROM THE TOWNSHIP OF JACKSON, AND THE TOWNSHIP OF EMPORIA FROM THE TOWNSHIP OF JACKSON, UNTIL IT INTERSECTS A ROAD ESTABLISHED FROM HARTFORD TO EMPORIA.
 - 1) THIS THIRD ROAD RUNS NORTH ON THE SECTION LINES TO THE POINT WHERE THE LAWRENCE AND EMPORIA ROAD CROSSES THE LINE BETWEEN FREMONT AND WATERLOO ON THE WEST LINE OF SECTION 4-18-12
 - 2) THIS THIRD ROAD RUNS SOUTH ON THE SECTION LINES TO THE INTERSECTION OF THE ROAD ESTABLISHED FROM EMPORIA TO HARTFORD AT THE SOUTHWEST CORNER OF SECTION 33-19-12

- 3) C. H. RICE, DEPUTY COUNTY SURVEYOR, IN A ROAD SURVEY RECORDED IN SURVEY BOOK "F" ON PAGE 51 DATED MAY 14, 1883 FOR A ROAD IN TOWNSHIP 18, RANGES 12 & 13 FOR C. WOOSTER, PRINCIPAL PETITIONER, SAID THAT **HE FOUND THE STONE** AT THE NORTHEAST CORNER OF SECTION 32-18-12 ON THIS ROAD SURVEY. NO WIDTH WAS RECORDED ON THIS ROAD SURVEY.
HIS SURVEY NOTES SHOWS THE FOLLOWING INFORMATION:
 - 1) THIS ROAD EXTENDS WEST ON THE SECTION LINE ACROSS THE A. T. & S. F. RAILROAD UNTIL IN INTERSECTS A COUNTY ROAD RUNNING EAST AND WEST IN THE NORTHEAST 1/4 OF SECTION 32-15-12 AT THE TERMINUS OF THIS ROAD SURVEY
 - 2) THIS ROAD EXTENDS EAST ON THE SECTION LINES FOR 8 MILES TO THE STONE HE FOUND AT THE LYON AND OSAGE COUNTY LINE AT THE NORTHEAST CORNER OF SECTION 34-18-13 TO COMMENCE THIS ROAD SURVEY

- 4) ROBERT MILLIKEN, COUNTY SURVEYOR FROM 1870 TO 1875 AND FROM 1882 TO 1883, IN A ROAD SURVEY FOR ROAD NUMBER 217 RECORDED IN ROAD RECORD BOOK "B" ON PAGES 454 TO 457 PETITIONED BY CHRIS WOOSTER AND OTHERS [PACKETS 457 & 496 IN THE VAULT IN THE COUNTY SURVEYOR'S OFFICE] THAT HE SURVEYED ON MAY 5, 1883, AND ESTABLISHED AS A 60 FOOT WIDE ROAD ON JULY 6, 1883 AS NOTED BY J. E. JONES, CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS, AND ATTESTED BY WILLIAM F. EWING COUNTY CLERK, SAID THAT **HE FOUND THE STONE** AT THE NORTHEAST CORNER OF SECTION 32-18-12 ON THIS ROAD SURVEY. ON PAGE 457 THE BOARD RECEIVED A PETITION FROM H. W. HAWKINS IN THEIR OCTOBER 1883 MEETING FOR A REDUCTION IN THE WIDTH OF THIS ROAD, AND THE VIEWERS RECOMMENDED "THE FIRST 4 MILES TO BE 60

FEET WIDE, AND THAT IF THE ROAD IS ALTERED THE WIDTH SHALL BE 40 FEET (EXCEPT THE FIRST 4 MILES) IN ACCOUNT OF HEDGES, ORCHARDS AND TIMBER ALONG THE ALTERED PART". ON APRIL 15, 1884 IT WAS ORDERED BY THE BOARD THAT THE WIDTH OF SAID ROAD BE RE-ESTABLISHED IN ACCORDANCE WITH THE REPORT OF SAID VIEWERS, VIZ. 40 FEET WIDE EXCEPT THE FIRST 4 MILES, SIGNED BY P. Y. HALLBERG, CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS, AND RECORDED ON JULY 19, 1884 BY ROLAND LARKIN, COUNTY CLERK.

HIS SURVEY NOTES SHOWS THE FOLLOWING INFORMATION:

- 1) THIS 40 FOOT WIDE ROAD EXTENDS WEST ON THE SECTION LINES ACROSS THE RIGHT-OF-WAY OF THE AT&SF RAILROAD UNTIL IT INTERSECT A ROAD FORMERLY LAID OUT RUNNING EAST & WEST AT THE TERMINUS OF THIS ROAD SURVEY
 - 2) THIS 40 FOOT WIDE ROAD EXTENDS EAST ON THE SECTION LINES FOR 4 MILES TO THE NORTHWEST CORNER OF SECTION 31-18-13; THEN CONTINUES EAST ON THE SECTION LINES AS A 60 FOOT WIDE ROAD FOR 4 MILES TO THE STONE HE FOUND AT THE NORTHEAST CORNER OF SECTION 34-18-13 ON THE LYON AND OSAGE COUNTY LINE TO COMMENCE THIS ROAD SURVEY
- 5) ROBERT MILLIKEN, COUNTY SURVEYOR FROM 1870 TO 1875 AND FROM 1882 TO 1883, IN A ROAD SURVEY FOR ROAD NUMBER 235 RECORDED IN ROAD RECORD BOOK "B" ON PAGES 526 TO 528 PETITIONED BY CHRIS WORSTER AND OTHERS FOR A COUNTY ROAD IN TOWNSHIPS 18-12 AND 18-13 [PACKET 496 IN THE VAULT IN THE COUNTY SURVEYOR'S OFFICE] THAT HE SURVEYED ON MAY 15, 1883, AND WAS ESTABLISHED AT 40 AND 60 FEET WIDE ON JULY 6, 1883 AS NOTED BY JOHN E. JONES, CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS AND ATTESTED TO BY WILLIAM F. EWING, COUNTY CLERK, SAID THAT **HE FOUND THE STONE** AT THE NORTHEAST CORNER OF SECTION 32-18-12 ON THIS ROAD SURVEY. THE FIRST 4 MILES [THE PORTION IN TOWNSHIP 18-13] SHALL BE 60 FEET WIDE AND THE LAST 4 MILES [THE PORTION IN TOWNSHIP 18-12] SHALL BE 40 FEET WIDE.

HIS SURVEY NOTES SHOWS THE FOLLOWING INFORMATION:

- 1) THIS 40 FOOT WIDE ROAD CONTINUES WEST ON THE SECTION LINES ACROSS THE RIGHT-OF-WAY OF THE AT&SF RAILROAD UNTIL IT INTERSECTS A ROAD FORMERLY LAID OUT RUNNING EAST & WEST AT THE TERMINUS OF THIS ROAD SURVEY
 - 2) THIS 40 FOOT WIDE ROAD EXTENDS EAST ON THE SECTION LINES FOR 4 MILES TO THE STONE HE FOUND AT THE NORTHEAST CORNER OF SECTION 36-18-12 ON THE RANGE LINE; THEN CONTINUES EAST ON THE SECTION LINES AT 60 FEET WIDE TO THE STONE HE FOUND AT THE NORTHEAST CORNER OF SECTION 34-18-13 ON THE LYON AND OSAGE COUNTY LINE AT THE TERMINUS OF THIS ROAD SURVEY
- 6) ROBERT MILLIKEN, COUNTY SURVEYOR FROM 1870 TO 1875 AND FROM 1882 TO 1883, IN A ROAD SURVEY RECORDED IN SURVEY BOOK "F" ON PAGE 71 DATED NOVEMBER 5, 1883 FOR A ROAD IN TOWNSHIP 18, RANGES 12 & 13 FOR S. W. HAWKING, PRINCIPAL PETITIONER, SAID THAT **HE FOUND THE STONE** AT THE NORTHWEST CORNER OF SECTION 33-18-12 TO END THIS ROAD SURVEY. THERE WAS NO WIDTH RECORDED ON THIS ROAD SURVEY.

HIS SURVEY NOTES SHOWS THE FOLLOWING INFORMATION:

- 1) THIS ROAD EXTENDS EAST ON THE SECTION LINES FOR 8 MILES TO THE STONE HE FOUND AT THE NORTHEAST CORNER OF SECTION 34-18-13 ON THE LYON AND OSAGE COUNTY LINE TO COMMENCE THIS ROAD SURVEY
- 7) ALVA J. SMITH, COUNTY SURVEYOR FROM 1900 THROUGH 1906, IN SURVEY NUMBER 148, A **PERMANENT SURVEY** RECORDED IN SURVEY BOOK "F" ON PAGE 229 DATED MARCH 6 1906 AT THE REQUEST OF OLE RIDANOUR FOR THE PURPOSE

OF LOCATING THE CENTER CORNER OF SECTION 28-18-12 AND ALSO TO PERMANENTLY ESTABLISH THE CORNERS AND BOUNDARIES OF 34-1/4 ACRES IN THE NORTHEAST 1/4 OF SECTION 28-18-12 DEEDED BY C. A. STAUFFER TO OLE RIDENOUR, BEING A PART OF HORTONBURG TOWNSITE, AND RUN SUCH LINES AS MAY BE NECESSARY TO PROPERLY COMPLETE THE WORK, SAID THAT **HE SET A STONE AT 22 LINKS EAST AND 35 LINKS SOUTH OF THE FENCES** FOR THE SOUTHWEST CORNER OF SECTION 28-18-12 AT 406 FEET SOUTH AND 383 FEET EAST OF THE CENTER OF THE TRACK ACCORDING TO THE PLAT OF THE A. T. & S. F. RAILWAY ON FILE IN THE COUNTY CLERKS OFFICE ON THIS **PERMANENT SURVEY**. HE NOTED THAT THE CORRECTNESS OF THIS CORNER WAS TESTIFIED TO BY GEORGE PLUMB, WHO STATES THAT THE ORIGINAL STONE STOOD IN THE MIDDLE OF THE EAST AND WEST ROAD WHEN THE FENCES WERE BUILT. SMITH SAID "THERE IS APPARENTLY A LARGE DISCREPANCY IN MEASUREMENTS IN THE SECTION TO THE WEST". THERE IS ADDITIONAL INFORMATION IN PACKET "M 169" IN MISCELLANEOUS DRAWER NUMBER 8 IN THE VAULT IN THE COUNTY ENGINEER'S OFFICE.

HIS SURVEY DRAWING SHOWS THE FOLLOWING INFORMATION:

- 1) 40.09 CHAINS NORTH TO THE 4" X 12" X 14" STONE HE SET FOR THE PERMANENT WEST 1/4 CORNER OF SECTION 28-18-12
 - 2) 80.18 CHAINS NORTH TO THE STONE HE FOUND AT THE NORTHWEST CORNER OF SECTION 28-18-12 AT 32 LINKS EAST AND 35 LINKS SOUTH OF FENCES
 - 3) 39.88-1/2 CHAINS EAST TO THE 6" X 8" X 18" STONE HE SET FOR THE PERMANENT SOUTH 1/4 CORNER OF SECTION 28-18-12, WITH SHELLS BY THE SIDE OF THE STONE IN THE GUTTER ON THE SOUTH SIDE OF THE ROAD
 - 4) 79.77 CHAINS EAST TO THE STONE HE FOUND AT THE SOUTHEAST CORNER OF SECTION 28-18-12 AT 20 FEET NORTH AND 25 FEET EAST OF A FENCE CORNER
- 8) REA BOOK 30 ON PAGE 36 SAYS THAT **THEY DROVE AN IRON PIN** FOR THE CORNER COMMON TO SECTIONS 28, 29, 33 & 34-18-12. **MUST VERIFY AND CHECK FOR THE STONE OF RECORD BEFORE USING AS THIS IRON PIN WAS PROBABLY JUST "HEELED-IN" FOR UTILITY USE ONLY!! WARREN CHIP WOODS, L.S. 603, COUNTY SURVEYOR**
- 1) 29' SW TO A WITNESS PIN ABOUT 1' WEST OF A CORNER FENCE POST
 - 2) 36' SE TO A WITNESS PIN NEAR THE CORNER OF THE DITCH BANK
- 9) THE KRETSINGER REFERENCE TIE BOOK FOR TOWNSHIP 18-12 SHOWS A **PIN NEXT TO A STONE** AT THE "SE CORNER SECTION 29-18-12".
- 1) REFERENCES TO THE PIN NEXT TO THE STONE [REA]:
 - A) 39' SW TO A PIN
 - B) 36' SE TO A PIN
 - 2) REFERENCES TO THE STONE:
 - A) 22' NW TO A CORNER POST
 - B) 26' NW TO A TELEPHONE POLE
 - C) 35.5' SE TO A PIN
 - D) 28.5' SW TO A PIN
- 10) STEVEN S. BROSEMER, L.S. 752, DEPUTY COUNTY SURVEYOR, IN A **PERMANENT SURVEY** RECORDED IN PERMANENT SURVEY BOOK 2 ON PAGE 63 TO LOCATE AND PERMANENTLY ESTABLISH THE CENTER CORNER OF SECTION 29-18-12, THE NORTHWEST CORNER OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 29-18-12, AND THE NORTHEAST CORNER OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 29-18-12 PETITIONED BY PAUL G. WALKER, RECORD OWNER OF THE SOUTHEAST 1/4 AND THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 29-18-12 THAT BEGAN ON MAY 10, 1988 AND CONTINUED UNTIL COMPLETED ON JUNE 29, 1988, SAID THAT HE EXCAVATED WITH A COUNTY MAINTAINER AND A COUNTY BACKHOE FOR THE STONE AT THE SOUTHEAST CORNER OF SECTION 29-18-12, BUT

HE DID **NOT** FIND THE STONE. HE CONSIDERED THAT THIS CORNER WAS **OBLITERATED**. **HE SET A 5/8" REBAR WITH A LYON COUNTY CAP FOR THE PERMANENT SOUTHEAST CORNER OF SECTION 29-18-12 PER THE TIES FROM ALVA J. SMITH'S 1906 PERMANENT SURVEY ON THIS PERMANENT SURVEY.** THE SURVEY WAS CONDUCTED IN MAY AND JUNE OF 1988 AND WAS FILED ON JUNE 29, 1988.

- 1) 25.8' NNW TO A PK NAIL & WASHER IN A CORNER FENCE POST
- 2) 32.75' SE TO A PK NAIL & WASHER IN A CORNER FENCE POST
- 3) 33.9' SE TO A PK NAIL & WASHER IN A POWER POLE
- 4) 5.0' SOUTH TO THE CENTERLINE TRAVELED WAY OF THE ROAD EAST-WEST
- 5) 1.0' EAST TO THE CENTERLINE TRAVELED WAY OF THE ROAD TO THE SOUTH
- 6) SURVEY COORDINATES: N: 10125.857 E: 19809.956

HIS SURVEY DRAWING SHOWS THE FOLLOWING INFORMATION:

- 1) 2,657.50' WEST TO THE 5/8" REBAR HE SET FOR THE PERMANENT SOUTH 1/4 CORNER OF SECTION 29-18-12
- 2) 5,315.00' WEST TO THE 1/2" REBAR HE FOUND AT THE SOUTHWEST CORNER OF SECTION 29-18-12
- 3) 2,645.67' NORTH TO THE 5/8" REBAR WITH A LYON COUNTY CAP HE SET FOR THE PERMANENT EAST 1/4 CORNER OF SECTION 29-18-12
- 4) 5,291.34' NORTH TO THE 5/8" REBAR WITH A LYON COUNTY CAP HE FOUND AT THE NORTHEAST CORNER OF SECTION 29-18-12

- 11) STEVEN S. BROSEMER, P.S. 752, DEPUTY COUNTY SURVEYOR, IN A LAND SURVEY REFERENCE REPORT DATED JULY 23, 2014, FOR JOB NUMBER 14088, A SURVEY FOR ALL THAT PART OF SECTION 28-18-12 LYING SOUTH AND EAST OF THE RIGHT-OF-WAY OF THE ATCHISON TOPEKA AND SANTA FE RAILWAY COMPANY FOR EMPORIA ENTERPRISES, SURVEY F28001 IN THE SURVEY FILE FOR TOWNSHIP 18-12, SAID THAT **HE FOUND THE 5/8" IRON PIN WITH A LYON COUNTY CAP AT THE SOUTHWEST CORNER OF SECTION 28-18-12 FROM HIS EXISTING REFERENCE TIES DATED JUNE 29, 1988 ON FILE AT THE COUNTY ENGINEERS OFFICE.**

- 1) 25.80' NNW TO A PK NAIL & WASHER IN A CORNER FENCE POST
- 2) 33.90' SE TO A PK NAIL & WASHER IN A POWER POLE
- 3) 43.20' SE TO THE TOP CENTER OF A 5" CMP
- 4) 5.00' NORTH TO THE CENTERLINE OF THE TRAVELED WAY OF THE ROAD EAST-WEST
- 5) 1.00' EAST TO THE CENTERLINE OF THE TRAVELED WAY OF THE ROAD NORTH-SOUTH
- 6) 14.00' WEST TO A LINE OF FENCE TO THE NORTH

HIS SURVEY DRAWING SHOWS THE FOLLOWING INFORMATION:

- 1) 2,645.16' NORTH TO THE 5/8" IRON PIN WITH A LYON COUNTY CAP HE FOUND AT THE NORTHWEST CORNER OF THE SW1/4 OF SECTION 28-18-12
- 2) 2,630.28' EAST TO THE 5/8" X 24" IRON PIN WITH A LYON COUNTY CAP HE RESET FOR THE SOUTHWEST CORNER OF THE SE1/4 OF SECTION 28-18-12
- 3) 5,260.56' EAST TO THE 5/8" IRON PIN OVER THE STONE HE FOUND AT THE SOUTHEAST CORNER OF THE SE1/4 OF SECTION 28-18-12

NORTHWEST CORNER SECTION 33-18-12