

NORTH 1/16TH CORNER SOUTHWEST QUARTER SECTION 08, TOWNSHIP 19 SOUTH, RANGE 12 EAST

- 1) D. T. McAULEY, COUNTY SURVEYOR FROM 1867 TO 1870, IN SURVEY NUMBER 16 RECORDED IN SURVEY BOOK "A" ON PAGE 113 AND DATED FEBRUARY 1868, SAID THAT **HE SET A STONE** FOR THE 1/2/4 CORNER ON THE NORTH SIDE OF THE SOUTHWEST 1/4 OF SECTION 8-19-12 ON THIS SURVEY.
- 2) ROBERT MILLIKEN, COUNTY SURVEYOR FROM 1870 TO 1875 AND FROM 1882 TO 1883, IN SURVEY NUMBER 1 OF THE 7TH TERM, A **PERMANENT SURVEY** RECORDED IN SURVEY BOOK "B" ON PAGE 148 DATED JANUARY 8, 1872 TO FIND THE CORNERS TO THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 8-19-12 AND 20 ACRES OFF THE SOUTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 8, SAID THAT **HE FOUND THE STONE** AT THE 1/2/4 CORNER ON THE NORTH LINE OF THE SOUTHWEST 1/4 OF SECTION 8-19-12 ON THIS **PERMANENT SURVEY**.
HIS SURVEY NOTES SHOWS THE FOLLOWING INFORMATION:
 - 1) 998' SOUTH TO THE 4" DIAMETER MULBERRY POST HE SET FOR THE PERMANENT CORNER TO THE 20 ACRE LOT
 - 2) 2,216' SOUTH TO THE SET PERMANENT SOUTHEAST CORNER OF THE 10 ACRE LOT – HE DID NOT INDICATE WHAT HE SET FOR THIS CORNER
 - 3) 2,656' SOUTH TO THE STONE HE FOUND AT THE 1/2/4 CORNER ON THE SOUTH SIDE OF THE SW1/4 OF SECTION 8-19-12
- 3) R. H. EDMISTON, COUNTY SURVEYOR FROM 1884 TO 1887, IN A ROAD SURVEY FOR ROAD NUMBER 344 RECORDED IN ROAD RECORD BOOK "C" ON PAGES 326 TO 328 PETITIONED BY D. M. MAY FOR THE VACATION AND RELOCATION OF A ROAD IN SECTION 8-19-12 [PACKET 598 IN THE VAULT IN THE COUNTY SURVEYOR'S OFFICE] THAT HE SURVEYED ON SEPTEMBER 15, 1886, WAS ESTABLISHED AS A 40 FOOT WIDE ROAD ON JANUARY 8, 1887 AS NOTED BY T. E. McMILLAN, CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS, AND WAS RECORDED ON MARCH 11, 1887 BY ROLAND LAKIN, COUNTY CLERK, SHOWS ON HIS SURVEY DRAWING ON PAGE 327 THAT **HE FOUND THE STONE** AT THE CENTER CORNER ON THE SOUTH SIDE OF THE NORTHWEST 1/4 OF SECTION 8-19-12. THE VIEWERS WERE NOT IN FAVOR OF THE VACATION, SO THE ROAD WAS **NOT** VACATED. SEE THE SURVEY NOTES FOR THE LOCATION OF THE ROAD ESTABLISHED.
- 4) R. H. EDMISTON, COUNTY SURVEYOR FROM 1884 TO 1887, IN A ROAD SURVEY FOR ROAD NUMBER 345 RECORDED IN ROAD RECORD BOOK "C" ON PAGES 330 TO 332 PETITIONED BY D. M. MAY FOR THE VACATION OF A ROAD IN SECTION 8-19-12 [PACKET 600 IN THE VAULT IN THE COUNTY SURVEYOR'S OFFICE] THAT HE SURVEYED ON DECEMBER 2, 1886, WAS VACATED IN PART ON JANUARY 8, 1887 AS NOTED BY T. E. McMILLAN, CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS, AND WAS RECORDED ON MARCH 12, 1887 BY ROLAND LAKIN, COUNTY CLERK, SHOWS ON HIS SURVEY DRAWING THAT **HE FOUND THE STONE** AT THE CENTER OF THE SOUTH SIDE OF THE NORTHWEST 1/4 OF SECTION 8-19-12 ON THIS ROAD VACATION SURVEY. SEE THE SURVEY NOTES FOR THE LOCATION OF THE ROAD THAT WAS APPROVED TO BE VACATED.
- 5) AI CHAMNESS, SURVEYOR DEPUTIZED BY O. D. HENRY, COUNTY ENGINEER OF LYON COUNTY, KANSAS, FOR AN OFFICIAL SURVEY OF FOUR TRACTS IN THE SOUTHWEST 1/4 OF SECTION 8-19-12 RECORDED IN PERMANENT SURVEY BOOK 1 ON PAGE 105 WITH THE SURVEY COMPLETED AND FILED ON APRIL 13, 1935, SAID THAT **HE FOUND THE STONE IN PLACE** AT THE 1/4/4 CORNER OF THE SOUTHWEST 1/4 OF SECTION 8-19-12 ON THIS **PERMANENT SURVEY**. THERE ARE NO TIES TO THE NORTH 1/4 CORNER OF THE SOUTHWEST 1/4 OF SECTION 8-19-12 ON THE

SURVEY OR IN THE SURVEY TIE FILES. A NOTE IN THE UPPER LEFT CORNER STATES: PLAINTIFFS EXHIBIT NUMBER 1, CASE NUMBER 19824, 5-13-38.

HIS SURVEY NOTES SHOW THE FOLLOWING INFORMATION:

- 1) 1,320' WEST TO THE WEST 1/4 CORNER OF SECTION 8-19-12 THAT HE IDENTIFIED AS A **STONE** ON HIS SURVEY DRAWING
- 2) 1,308' EAST TO THE "SOUTH END OF A FENCE COMPOSED OF WIRE WHERE TREES ARE GROWING AND AN OSAGE HEDGE TREE GROWING AT THE SOUTH END OF FENCE, WHERE ACCORDING TO VERBAL EVIDENCE, THE CENTER OF THE SECTION IS [THE LOCATION OF THE CORNERSTONE WHEN IN PLACE] AND AT THE WEST END OF HAS BEEN STONE FENCE, BUT I FOUND NO CORNERSTONE THAT IDENTIFIED ITSELF AS SUCH"

- 6) FRANCIS PERRIER, ASSISTANT COUNTY ENGINEER, IN A SURVEY MADE NOVEMBER 14, 1935, TO ESTABLISH A TOWNSHIP ROAD IN SECTION 8-19-12, THE "TIMMONS-KORTE" ROAD, RECORDED IN PERMANENT SURVEY BOOK 1 ON PAGE 107, **HE FOUND THE STONE SET ON A PREVIOUS SURVEY** AND THE NORTH 1/16TH CORNER OF THE SOUTHWEST 1/4 OF SECTION 8-19-12 ON THIS ROAD SURVEY. HE NOTED THAT THE SURVEY PARTY CONSISTED OF O. D. HENRY, COUNTY ENGINEER, F. J. PERRIER, ASSISTANT COUNTY ENGINEER, AND ED O'CONNELL, COUNTY COMMISSIONER.

HIS SURVEY NOTES SHOWS THE FOLLOWING INFORMATION:

- 1) BEGINNING AT A STONE, SET ON A PREVIOUS SURVEY, ON THE EAST, WEST AND NORTH QUARTER SECTION LINE, 1,320 FEET EAST AND 990 FEET NORTH OF THE SOUTHWEST CORNER OF SECTION 8-19-12, WE PROCEEDED EAST AT A 90°00' ANGLE TO THE QUARTER SECTION LINE FOR 85.5 FEET; THENCE LEFT 77°35' AND SETTING A STONE AT 419.0 FEET; THENCE LEFT 32°46' AND SETTING A STONE AT 105.2 FEET; THENCE LEFT AT 35°30' AND SETTING A STONE AT THE WEST, NORTH AND SOUTH QUARTER SECTION LINE AT 189.65 FEET; THENCE RIGHT ON THE ONE-QUARTER SECTION LINE 45°51' AND PROCEEDING 1,017.9 FEET TO A STONE ON THE EAST AND WEST ONE-HALF SECTION LINE, SET ON A PREVIOUS SURVEY, THENCE LEFT 90°00' AND PROCEEDING 198 FEET TO THE CENTER LINE OF THE NORTH AND SOUTH ROAD AND ENDING THERE.

- 7) O. D. HENRY, COUNTY ENGINEER FROM 1929 TO 1944, IN A ROAD SURVEY FOR ROAD NUMBER 756 RECORDED IN ROAD RECORD BOOK 1 ON PAGE 12 PETITIONED BY LEE TIMMONS IN SECTION 8-19-13 THAT WAS VIEWED ON SEPTEMBER 27, 1935 AND WAS ESTABLISHED ON OCTOBER 5, 1935 AS RECORDED ON PAGES 324 AND 325 IN BOOK 12 OF THE COMMISSIONERS JOURNALS, SHOWS ON HIS SURVEY DRAWING THAT **HE FOUND THE STONE SET ON A PREVIOUS SURVEY** AT THE NORTH 1/16TH CORNER OF THE SOUTHWEST 1/4 OF SECTION 8-19-12 ON THIS ROAD SURVEY.

THE ROAD ESTABLISHED IS DESCRIBED AS FOLLOWS:

- 1) BEGINNING AT A STONE (SET ON A PREVIOUS SURVEY – SEE PAGE 105 IN THE BOOK OF PERMANENT SURVEYS) ON THE WEST, NORTH AND SOUTH QUARTER SECTION LINE AT 1,320 FEET EAST AND 990 FEET NORTH OF THE SOUTHWEST CORNER OF SECTION 8-19-12, WE PROCEEDED EAST AT A 90° ANGLE ON THE QUARTER SECTION LINE 85.5 FEET; THENCE LEFT 77°35' FOR 419.0 FEET; THENCE LEFT 32°46' FOR 105.2 FEET; THENCE LEFT 25°30' FOR 189.65 FEET, AT WHICH POINT THE PRODUCED LINE INTERSECTS THE QUARTER SECTION LINE; THENCE PROCEEDING NORTH ON THE QUARTER SECTION LINE, AND AT AN ANGLE OF 45°51' RIGHT AND MEASURING 1, 017.9 FEET TO A STONE ON THE EAST AND WEST ONE-HALF SECTION LINE; THENCE LEFT 90°00' ALONG THE ONE-HALF SECTION LINE 198 FEET AT WHICH POINT THE PRODUCED LINE INTERSECTS THE CENTER LINE OF A NORTH AND SOUTH ROAD AND THERE ENDING.
- 2) THE ROAD IS 40 FEET WIDE, 20 FEET ON EACH SIDE OF THE LINE SURVEYED

NORTH SIXTEENTH CORNER SOUTHWEST QUARTER 08-19-12