

Of a Survey on Section ..... T ..... R ..... E. of the 4 P. M. in ..... Township  
Rock County, Wisconsin, made AUGUST the 2 19 2000

I hereby certify that the following is a correct record of said survey as made by me.

*Donald Barnes*  
County Surveyor.

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UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
WASHINGTON, D.C. 20240

Mr. Richard N. Hay  
City Engineer  
8640 South Howell Avenue  
Oak Creek, Wisconsin 53154

Dear Mr. Hay:

This refers to your letter of January 4, relative to the procedure dealing with closing corner monuments found not to be at the intersection with the line closed upon.

Paragraph 2, section 378 and section 555(f) with reference to section 163 of the Manual of Surveying Instructions, 1947, outlines the procedures which would guide the Cadastral Surveyors of this Bureau with a problem of this nature.

In surveying the public lands, the Cadastral Surveyors of this Bureau would normally add the letters "AM" (signifying "amended monument") to the markings of the original closing corner monument and accurately connect the old monument by course and distance with the new monument at the true intersection of the line closed upon. The old monument would then be buried at its exact horizontal position. It is unlawful for the Cadastral Surveyors of this Bureau to destroy any previously established survey monument, sections 238 and 325 of the Manual. Only those points set, or called for in the original running of the line govern with respect to the control of that line; that is, line trees marked in the original running of the line or other recognizable objects called for in the official field note record.

The diagram indicated in Figure 2 depicts the method which would be used by this Bureau. Your method for determining the proportionate positions for the 1/16 section corners indicated in Figure 3 is correct.

While we like to be as helpful as possible, the Federal Government has no jurisdiction over lands which have passed into private ownership. Consequently, any advice given must be considered advisory only and should be correlated with any procedures or regulations laid down by the State of Wisconsin or decisions of State Courts.

Sincerely yours,

Charles H. Stoddard  
Director

Enclosure

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
WASHINGTON, D.C. 20240

Mr. William T. Wambach, Jr.  
506 Lake Street  
Waukesha, Wisconsin 53186

Dear Mr. Wambach:

We have read the interesting excerpt on "Occupied Centers" taken from your thesis concerning "Restoration of Existent and Obliterated Survey Corners" and concerning which you ask for comment.

The Manual of Instructions for the Survey of Public Lands is directed primarily to the public land surveyor. It is a fact that many states have embodied the methods described in this manual as a part of their organic law. When title to lands has passed from the United States, the lands are governed by state laws. These include not only the statutes and state court decisions applying to surveys but also those having to do with occupancy, adverse possession, and the like. Few comments we could make concerning the Federal public lands would be applicable to the conditions with which you deal in your thesis.

A condition sometimes comes to light which it might be worthwhile to include in your discussion. This occurs when a surveyor, at a more or less remote time, has subdivided a section by surveying straight lines between opposite quarter-section corners, thereby determining a point for the center quarter-section corner. In the course of time one or more of the exterior quarter-section corners then has become lost, or its position possibly may have been altered by a re-establishment. It is then likely, particularly if the original section lines were distorted, that the center lines would not intersect at the point marked at the center of the section. Each such example must be considered on its own merits.

Sincerely yours,

C. E. Remington  
Chief, Division of Engineering.