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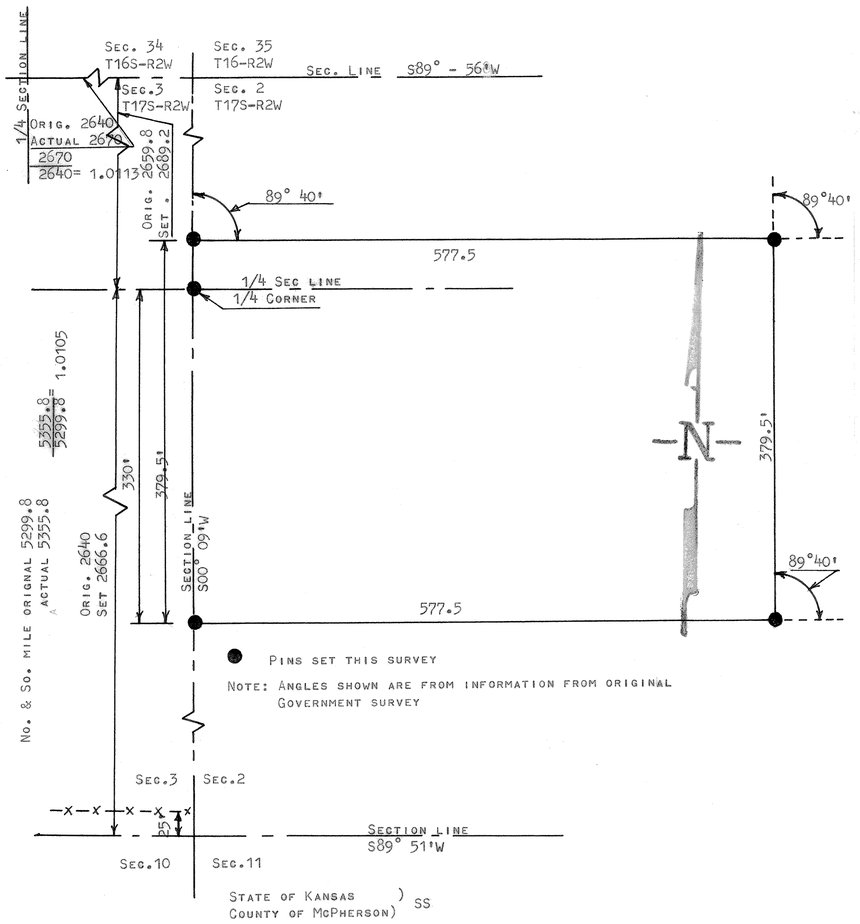
A SURVEY IN THE W1/2 SEC. 2
T17S - R2W



STATE OF KANSAS)
COUNTY OF McPHERSON) SS

I, FRANCIS R. RANKIN P.E. HERBY CERTIFY THE ABOVE SURVEY WAS MADE UNDER MY SUPERVISION IN THE W 1/2 OF SECTION 2 T17S-R2W OF THE 6TH P.M. DESCRIBED AS FOLLOWS:

BEGINNING AT THE 1/4 CORNER BETWEEN SECTION 2 & 3 T17S-R2W; THENCE SOUTH 330 FEET ON SECTION LINE; THENCE EAST AT AN ANGLE OF 89° 40' FOR 577.5 FEET; THENCE NORTH 379.5 FEET; THENCE

F. R. RANKIN
LICENSED

FRANCIS R RANKIN P.E.
647 East Simpson, McPherson, Ks.

Mr. Dale Reese Oil Co.
139 N. Santa Fe.
Salina, Kansas

Re; Su rvey in W½ 2-17-2
Mc Pherson County
Mc Pherson, Kansas.

Dear Mr. Reese;

I have received your check covering the survey on the above section in Mc Pherson County for which I wish to thank you.

Relative to your letter, I regret that you did not see fit to accept the survey. As I recall I discussed with you that I could stake it according to the existing fences however I also said that it might not be acceptable in court or in the event of a legal survey at a later date, and I also recall that you said you wanted it to be correct so that you would run no risk of having it mooved at a later date. I proceeded on that basis.

In my 25 years experience as a surveyor I have learned through experience that a Judge will not accept fence lines as legal ½ section or ¼ section lines. I had the unfortunate experience of Even accepting a stone by affadavit that it had been used for 15 years, only to have the judge order me to moone the point 4.2 feet because it didnot meet the prorated measurments of original survey.

The Statute book provided definite runles for the resurvey of land under section 19-1422 of the 1949 statutes which reads as follows

> "In the resurvey of lands surveyed under the authority of the Uninted States, the county surveyor shall observe the following rules to witt FIRST, Section and quarter-section corners and all other corners established by the Government survey, must stand as the true corners. They must be re-established at the identical point where the original corner was located by the government Surveyor. When this cannot be done then the corners must be re-established from the governmant field notes, adopting proportionate measurments where the present measurments differ from those given in the original field notes.

From the information given in your letter and from the measurments made by me in the field, I am sure your second survey will not meet these requirements, in as much as he has accepted all exixting fences as monuments or corners. Nearly any one could do this type of work by merdy driving stakes in existing fences and using a tape to measure distances. This does not in any way prove the original corner was there unless it sheeks proportional measurments as shown on the original survey.

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It is my duty as County Surveyor to follow the Laws set down for surveys, and it should be the duty of any other surveyor to do the same. It is also my duty to protect the interest of my client no only as a surveyor but also as an engineer. I believe I have fulfilled that obligation to the best of my ability for the following reasons.

1. You will note on your survey noted, that a check measurment was made at the NW corner of the section tothe ½ mile line to the west in order to determine if the overage measurment on the west side of section 2 would establish a constant that would correspond to the original survey. You will note it checked within a few thousandths.

2. As we chained north along the west side of the section we crossed streams as mentioned in the original field notes at very close distances as shown on the original notes.

3. Original surveys were not done with plum chaining and should not be done to check them. This is the reason chained distances will not check angles and variations when computed.

4. There are no surveys on record in our office that have been made on section 3 to the west as stated in your letter, other than the original field notes.

5. If I were called on, in my capacity as county surveyor to make a legal survey of section 2 I would follow the same proceedure.

6. The correct way isnt always the easy way, and it often times means mooving fences and even hedge which in most cases make unpleasant feelings toward the surveyor. I do not believe it is the duty of the surveyor deviate from the lawful proceedure, that should be left to the Judge and the Court.

7. The second survey in my opinion does not prove that mine is not correct. I would venture to say that another surveyor might get a dirrerent measurment than either, and yet if the distance was properly prorated it would end up in the same place.

In view of all the above explination, Mr. Reese, if you do not think I have fulfilled my obligation on the survey, please let me know and I will be glad to refund you my portion of the surveyfee even though it was one of the Hottest and Most difficult I have done for some time.

Very Truly yours,

Francis Rankin
647 East Simpson,
Mc Pherson, Kansas.

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