

CERTIFIED LAND CORNER RECORDATION

Witness Corner common to Sections 22 & 23, T9S R8E, PMM, Park County

DESCRIPTION OF CORNER EVIDENCE FOUND, AND ORIGINAL RECORD (IF KNOWN)

I found an upright stone firmly set in the ground, measuring 17" x 10" x 6" overall. 9" aboveground, with WP clearly chiseled into its south face, on the southeast side of a 2' diam. old rock mound embedded in the ground. I chiseled a small cross (X) onto the top/center of the stone to facilitate exact measurement. From this marked stone, the 1933 GLO metal monument for the closing corner to Secs. 22 & 23 on the 1897 north boundary of Yellowstone National Park bears $30^{\circ}53'09''E$, 16.73' (see Park County Corner Record, T9S R8E, p. 39).

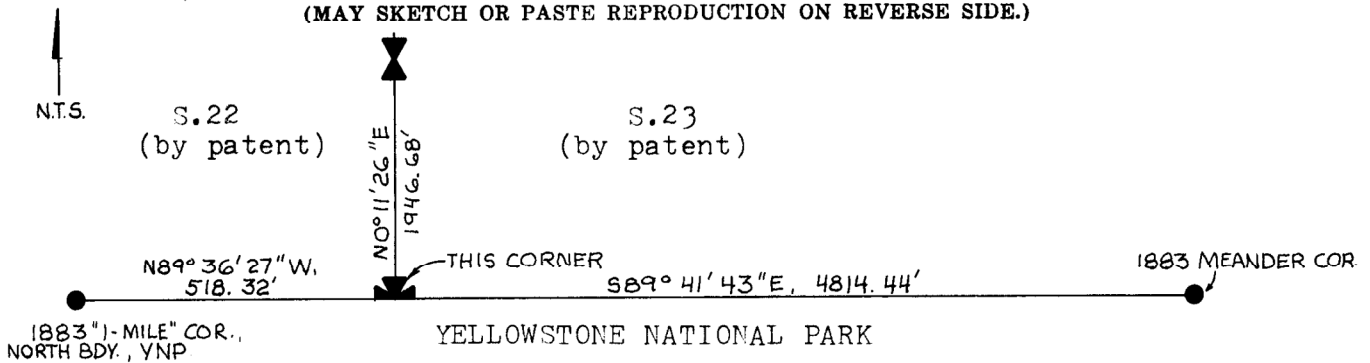
(ORIGINAL GLO SURVEY SPECIAL INSTRUCTIONS OF RECORD, DATED 8 JUNE 1883: Also extend the fractional lines south until they reach the Park boundary at which point in each case you will set a witness corner, marked W.C.N.P. and discontinue them.)

(ORIGINAL 1883 GLO SURVEY RECORD: South on a true line bet. Secs. 22 (OVER)

DESCRIPTION OF MONUMENT AND ACCESSORIES ESTABLISHED TO PERPETUATE THE ORIGINAL LOCATION OF THIS CORNER:

I accepted the found stone marked WP as the altered monument originally set in 1883 as the witness corner to Secs. 22 & 23 on the pre-1897 Park north boundary. Examination of the 1883 survey official instruction and field note records indicate conclusively that although this corner monument was mysteriously designated as a witness corner when originally established, this designation had nothing in common with the 1881 MANUAL usage definition for that term. The 1883 surveyor was explicitly directed to establish this "witness corner" monument at the EXACT point of intersection of the closing section line with the Park north boundary, and his approved field note record states this was specifically done. As the Park boundary was not yet surveyed, the surveyor was forced to first measure and monument three miles of the Park boundary running west from the confluence of the Gardner and Yellowstone (OVER)

SKETCH, WITH COURSE AND DISTANCE TO ADJACENT CORNERS IF DETERMINED IN THIS SURVEY. (MAY SKETCH OR PASTE REPRODUCTION ON REVERSE SIDE.)



BASIS OF BEARINGS: Solar observation from WC 0.00 M., north boundary, YNP

Surveyor's Seal



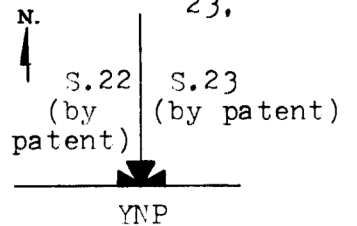
I, _____, certify that the information shown herein is true and correct.

Signature of Ground Party Chief

I, Thomas J. Hallin, certify that I have carefully performed or reviewed the work done on the diagrammed corner as reported on this recordation form and approve the same.

Thomas J. Hallin
Signature of Surveyor

DIAGRAM OF CORNER:
WC, Secs. 22 & 23.



T9S R8E PMM
= Corner recorded on the sheet

287 ES

174339 Registration Number

Office of Clerk and Recorder, County of Park

This "corner record" was filed for record on the 21st day of March, 1983, at 1:12 P.M., was noted on the cross-index plat and is assigned page No. 40, in book No. one.

County Official By Kathryn M. Cook

Cross Index No. R-17 T. 95 R. 8E Mer.

EVIDENCE (con't):

and 23 ... 68.38 chs. -- Intersect N. boundary of Yellowstone National Park, at a point 72.20 chs. West of meander cor. at junction of Gardiner and Yellowstone rivers, established by me, at which point I set a granite stone 16 x 10 x 6 in., 11 in. in the ground for witness cor. on N. boundary of Park, marked W.C.N.P. and raised a mound of stone alongside. Pits impracticable.)

(GLO RETRACEMENT SURVEY SPECIAL INSTRUCTIONS OF RECORD, DATED 6 MAY 1892: At the meander corner established at the confluence of the Yellowstone and Gardiner Rivers (which is at a point 72.20 chs. East of the corner to fractional Secs. 22 & 23, Tp. 9 S., R.8 E.) ... by deflection from the meridian, you will project a tangent ... to the West, and ... on the tangent south of fractional Secs. 21, 22 & 23, T.9 S., R.8 E., at points opposite the corners to said fractional sections, proper offsets will be made to said corners, and their positions verified, but if their actual distances in offset from the tangent do not agree with the calculated offsets, said corners, however, will not be disturbed, but the error will be carefully noted by you in your field notes.)

(1893 GLO RETRACEMENT SURVEY RECORD: ...I place the instrument over the center of the Meander corner, at the confluence of the Yellowstone and Gardiner rivers ... deflect 90° from North to West, and run West on 1st mile of tangent ... 72.20 chs. -- From this point on tangent, the witness corner to frac. secs. 22 & 23 which is a granite stone 8 x 6 x 4 ins. aboveground, marked W.C. on N. and N.P. on S. faces (the P is however made wrong so that it has the appearance of being a 9) bears N.62° 30'W. 84 links dist.)

(1893 GLO EXAMINATION SURVEY RECORD: From the meander cor. on the left bank of the Yellowstone at the confluence of the Yellowstone and Gardiner rivers ...I run West on N. boundary of National Park. ... 72.20 chs. -- Hub on line from which a stone marked W.C. on N. and N.P. on S. faces, with a mound of stone alongside, bears N.62°W., 83 lks. dist. ... In chaining over this line I found the distances between the hubs varying from $\frac{1}{2}$ a link to a couple of links, which is quite close considering the nature of some of the ground chained over.)

An ozalid print in my possession of a Northern Pacific Railway map of "Gardiner", prepared by the Division Engineer in Livingston, Mont. and dated 30 Sept 1903, shows two measurement ties to the SW cor. of Sec. 23, which is thereon identified as "Witness Corner marked W.C. and Y.N.P." See also the NP "Wagon Road Loop" plat dated 16 July 1903, and filed with the instrument recorded at p. 269 of Volume 33, Park County Deed Records.

Field notes of an NP survey dated 19 Sept 1910, found at p. 8 of Bk. #27 of the old Livingston District Engineer's field book collection in the BN Regional Engineer's archives in Missoula, Montana, indicate a "Rock marked W.C." located 18.0' north of the Yellowstone Park north boundary fence, on the line between Secs. 22 & 23.

(1932 GLO RESURVEY RECORD: N.89° 53'E. on a true line on N. bdy. of Yellowstone National Park, on 1st mile, counting measurement from the true point for cor. (This being the Initial Point established by the War Dept. survey in 1897 -- TJH) ... 74.01 chs.-- Fall 23 lks. S. of the witness cor. of secs. 22 and 23, T.9 S., R.8 E., set ... in 1883; a granite stone, 10 x 10 x 5 ins., loosely set in a mound of stone, marked WC on N. face. This cor. sets under a wire fence bearing N.)

The 1932 GLO survey was a retracement and remonumentation of the Park north boundary surveyed by the War Dept. in 1897 independently of prior GLO surveys. In 1933, the GLO established a closing corner monument at the intersection of the 1897 Park boundary and the 1883 line between Secs. 22 & 23, which fell south of the 1883 witness corner monument.

(1933 GLO RESURVEY RECORD: From the closing cor. of Secs. 22 and 23 ... N0 10'E. bet. secs. 22 and 23, on a true line to a flag on the $\frac{1}{4}$ sec. cor. ... 0.26 chs. -- The witness cor. of secs. 22 and 23, which is a granite stone, 10 x 10 x 5 ins., loosely set in a mound of stone; marked and witness as described in the official record.)

MONUMENTATION (con't):

Rivers, for which he was duly paid after official acceptance of the returns from this work. In fact, this so-called witness corner was a regular closing corner and not a witness monument offset a specified distance and direction from the true corner location. Furthermore, this witness cor. and a meander corner to the east were the ONLY two monuments established on the ground by the 1883 survey for the south boundary of Sec. 23 and, coincidentally, the adjoining Park north boundary until that was resurveyed by the War Dept. in July, 1897. During this fourteen-year interval, all of

(continued on Sheet Two)

CERTIFIED LAND CORNER RECORDATION

Witness Corner common to Sections 22 & 23, T9S R8E, PMM, Park County

(Continued from Sheet One)

Sec. 23 was patented by reference to the 1883 survey, except for Lot 5 and the NE $\frac{1}{4}$ SE $\frac{1}{4}$, and the town of Gardiner was platted and improved in conformity to the 1883 Park boundary then monumented on the ground and shown as surveyed on the government township plat. The location of these patented tracts on the ground was fixed at that time by the approved 1883 plat governing these disposals, and the accepted government survey and monuments incorporated in that plat.

In 1892, apparently with a view toward completion of the unsurveyed portions of this fractional township, the US Surveyor-General for Montana contracted with Austin Alexander to, among other things, retrace the three miles of Park boundary surveyed in 1883, and survey some additional portions of the boundary for the purpose of setting both temporary and permanent corners to close thereon. Alexander was cautioned not to disturb any monuments set by the 1883 survey, even if they did not conform to his boundary alignment. The GLO was obviously concerned to protect the tracts already patented or under homestead.

In July, 1897, the Park Superintendent verbally directed a War Dept. Engineer assigned to the Park to survey the Park north boundary in order to facilitate policing against poachers. This survey was performed in July and August without the knowledge, authorization or control of the GLO, and without any attempt to tie into or comport with prior GLO surveys closing on the Park boundary. The three miles of Park boundary already surveyed and platted in 1883 by the government was ignored, and the 1897 survey did not in fact conform to the senior GLO survey then in force. For details of this survey, see the original field book and reports in the Yellowstone Park archives in Mammoth, WY.

This 1897 survey overlapped the 1883 survey along the east portion of the south side of Sec. 23, taking a small bite out of the town of Gardiner platted in 1886. Nevertheless, the Secretary of the Interior apparently obtained the 1897 field book from the Park Superintendent and sent it to the GLO Commissioner with authorization to use it. The notes were copied, a set sent to the US Surveyor-General for Montana, and thereafter the 1897 survey was accepted by the GLO to limit new public lands surveys closing on it. Correspondence contained in the Park archives amply indicates, however, that the Sec. 23 overlap was a constant source of friction and confusion in the Gardiner area between Park authorities and private landowners.

For unknown reasons, a GLO resurvey of the Park boundary in 1932-33 determined that the 1897 War Dept. survey was the ORIGINAL survey bounding Sec. 23, 22 and 21, and disregarded the 1883 Park boundary survey fixed in part by patents predating 1897. In 1933, a new closing corner monument was established at the intersection of the retraced 1897 Park boundary with the southerly prolongation of the closing line between Secs. 22 & 23. At this time, the original markings on the 1883 witness cor. monument were apparently removed by the GLO, and WP chiseled instead to signify a witness point. By the 1930 MANUAL usage definition, this monument was therefore deemed to be not a regular corner of the government survey, but merely a point on the closing section line. The 1933 field note record stated: "The marks on the original mile and half mile corners on the abandoned North Boundary of Yellowstone National Park from the 1 mile cor. W. to the 6 $\frac{1}{2}$ mile cor. W. incl., and on their accessories were appropriately altered to change them to witness points, and the marks WP were added." However, no field note record of alteration of this specific monument could be found by me.

Despite this apparent alteration during the 1933 survey, I accept the found stone marked WP as direct evidence of the original location of the true SW corner of Sec. 23 for the purpose of locating the boundaries of subdivisions of Sec. 23 patented under the 1883 survey. Furthermore, this monument was originally established in conformity with the Park boundary as surveyed and platted in 1883. I recovered the original 1883 "1-mile" cor. Park boundary monument just west of this W.C., and restored the 1883 meander corner at the Gardner and Yellowstone Rivers junction from ties in the 1893 retracement survey record. From measurements between these

(OVER)

(continued)

corners, I determined this W.C. to be off only one link from a straight line between the 1883 "1-mile" cor. and the meander cor., a remarkable level of workmanship given the terrain and measurement techniques in 1883.

I remonumented the found stone marked WP with an upright 2½" diam. x 27" long alum. pipe monument with flared feet, set 23" in the ground, fitted with an alum. cap stamped

1983
S22 WC S23
T9S R8E
287ES

and collared with a 2½' diam. rock mound, 1' high, from which an orange carsonite witness post set by me bears southerly, 2.11'.

I marked this monument WC because there was no specific GLO record of the original stone being altered, and because it remains a REGULAR corner of the 1883 survey fixed by patent, not just a point on line.

I buried the found marked stone 1" belowground with the chiseled marks facing down, about 1.3' southerly of the new monument.

CERTIFIED LAND CORNER RECORDATION

Closing corner common to Sections 22 & 23, T9S R8E

DESCRIPTION OF CORNER EVIDENCE FOUND, AND ORIGINAL RECORD (IF KNOWN)

I found an upright 3" diam. iron pipe firmly set in the ground, protruding 10" aboveground and fitted with a 3½" diam. brass cap stamped

T9S R8E
CC
S22 | S23
YNP
1933

from which:

the center of a found 4' diam. rock mound, 2' high, bears northerly, 3½';

a found upright stone firmly set in the ground, 9" x 7" x 5" aboveground, with WP clearly chiseled on the south face, bears N0°53'09"W, 16.73', and 1' easterly of the center of an old, partly-buried 2' diam. rock mound, 2" high. (OVER)

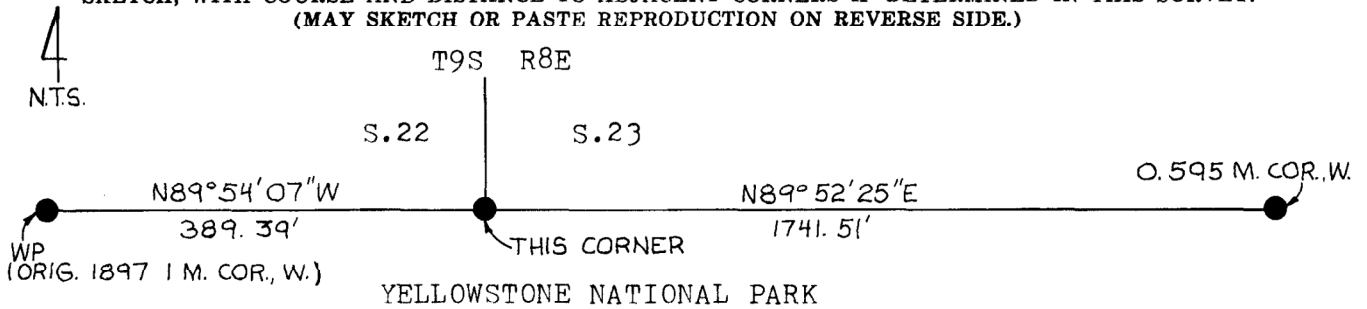
DESCRIPTION OF MONUMENT AND ACCESSORIES ESTABLISHED TO PERPETUATE THE ORIGINAL LOCATION OF THIS CORNER:

Date of work: 10-30-1980

No remonumentation required or performed.

I do not accept this found monumented point as the correct corner to control the subdivision of Sec. 23 in order to locate the boundaries of those portions of this section patented by the government into private ownership. The proper monumented point to control the subdivision of this section is the so-called Witness Corner common to Secs. 22 & 23, as established by the original township survey in 1883. See my Corner Record pertaining to this Witness Corner for more information.

SKETCH, WITH COURSE AND DISTANCE TO ADJACENT CORNERS IF DETERMINED IN THIS SURVEY. (MAY SKETCH OR PASTE REPRODUCTION ON REVERSE SIDE.)



BASIS OF BEARINGS: Solar observation from WC 0.00 M., NB YNP

Surveyor's Seal



I, _____, certify that the information shown herein is true and correct.

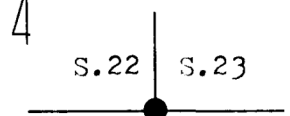
Signature of Ground Party Chief

I, Thomas J. Hallin, certify that I have carefully performed or reviewed the work done on the diagrammed corner as reported on this recordation form and approve the same.

Thomas J. Hallin
Signature of Surveyor

DIAGRAM OF CORNER:

Closing cor., Secs. N. 22 & 23,



YNP

T9S R8E PMM
= Corner recorded on the sheet

174022

287 ES
Registration Number

Office of Clerk and Recorder, County of Park

This "corner record" was filed for record on the 23rd day of February 1983, was noted on the cross-index plat and is assigned page No. 39, in book No. one

County Official

EVIDENCE: (con't)

(ORIGINAL 1933 GLO RECORD: I begin at a point on the original North boundary of Yellowstone National Park 26 lks. S.0°10'W., on the witness cor. of secs. 22 and 23, T.9 S., R.8 E., set by Rodney W. Page, U.S. Deputy Surveyor in 1883. At this point

Set an iron post, 3 ft. long, 3 ins. diam., 27 ins. in the ground, for closing cor. of secs. 22 and 23, with brass cap marked

T9S R8E

CC

S22 | S23

YNP

1933

raise a mound of stone, 3 ft. base, 2 ft. high, N. of cor.

From this cor. the 1 mile cor. on N. bdy. of Yellowstone National Park bears S.89°53'W., 5.89 chs. dist., an iron post, 3 ins. diam., 9 ins. above the ground, marked and witnessed as described in the official record; this cor. hereafter serves as a witness point only, therefore I erase the marks referring to Yellowstone National Park and add the marks WP.

From this same cor. the SW. cor. of Gardiner townsite, previously described, bears N.89°53'E., 26.39 chs. dist.

From the closing cor. of secs. 22 and 23 described above.

N.0°10'E. bet. secs. 22 and 23, on a true line to a flag on the $\frac{1}{4}$ sec. cor.

0.26 chs. - The witness cor. of secs. 22 and 23, which is a granite stone, 10 x 10 x 5 ins., loosely set in a mound of stone; marked and witness as described in the official record.)