

## CHAPTER 389

## COUNTY SURVEYOR

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**389.01 ELECTION; TERM; BOND.** In each county in this state there shall be elected at the general election in 1918 a county surveyor. The term of office of the county surveyor shall be four years and until his successor is elected and qualified, and begin on the first Monday in January next succeeding his election. The office shall be filled by election every four years thereafter. Before entering upon his duties, the county surveyor shall give bond to the county, approved by the county board, in the sum of \$500, conditioned for the faithful discharge of his duties, which bond, with his oath, shall be filed for record with the register of deeds.

[R. L. s. 575; 1913 c. 458 ss. 1, 2; 1915 c. 168 ss. 1, 2] (820, 821, 936)

NOTE: See State ex rel v Berg, 132 M 426, 434, 157 NW 652.

**389.02 DEPUTIES; SURVEYS, RECORDS.** The county surveyor may appoint such deputies as he thinks proper, for the faithful and correct performance of whose duties he shall be responsible. He shall make all surveys within his county ordered by any court, public board, or officer, or required by any person. He shall keep a fair and correct record of each survey made by himself or deputy, in a book to be provided by the county board, which he shall turn over to his successor in office. He shall number such surveys progressively and preserve a copy of the field notes, which shall be complete and accurate, and calculations of each such survey, with the number thereof properly endorsed thereon, a copy of which, with a fair and accurate plat, together with a certificate of survey, shall be furnished by such surveyor to any person requesting the same.

[R. L. s. 576] (937)

**389.03 COMPENSATION.** Except as hereinafter provided, the compensation of county surveyors or their deputies shall be fixed by the board of county commissioners at an amount not in excess of \$15.00 per day while employed in the performance of their respective duties, including the time necessarily spent in traveling to and from the field of their labor, together with all their necessary expenses, payable by the party or parties who employs the surveyor. The surveyor shall receive \$2.00 for platting each survey in each section over which his survey extends in the county record book of survey, and 15 cents per folio for recording and indexing of the surveyor's descriptive field notes; but in no case shall he receive or charge to exceed \$3.00 for platting and recording the plats and records of the survey of any one section, and the surveyor's fees for platting and recording the surveys shall be paid by the county in which the respective lands are situated, and the surveys of the same are kept. Such records shall be public records and open at all reasonable times to inspection by any person. The county board shall, at the expense of the county, provide for the county surveyor all proper and necessary books for keeping such records. Such county record book of survey shall be kept in the office of the register of the deeds of the county, and in event an office for the county surveyor is maintained in the court house then in that event duplicate records shall be kept in the office of the county surveyor.

[R. L. s. 577; 1909 c. 303 s. 1; 1919 c. 480; 1943 c. 296 s. 1] (938)

**389.04 RULES FOR SURVEYS.** In all surveys the courses shall be expressed according to the true meridian, and the variation of the magnetic meridian from the true meridian shall be expressed on the plat, with the year, month, and day of the survey. In subdividing townships, sections, or parts of sections, as established by the United States survey thereof, and in reestablishing lost government corners, the county surveyor shall follow the rules established by or pursuant to

acts of congress, and all such surveys shall be made in strict conformity to the original survey made by the United States.

[R. L. s. 578] (939)

**389.05 PLATS AND FIELD NOTES.** To enable surveyors to conform to the requirements of this chapter, county boards shall procure and file with the registers of deeds of their respective counties certified copies of the original plats and field notes of the United States surveys.

[R. L. s. 579] (940)

**389.06 LOST POSTS.** When a section or quarter section post originally fixed by the United States survey is destroyed, the surveyor shall fix a new post in accordance with the field notes of the United States surveyor, with similar marks to those placed on like posts by such surveyor.

[R. L. s. 580] (941)