

CHAPTER 381

ESTABLISHING SECTION LINES

381.01 PETITION.

To establish section lines and corners a county may make a new survey, and have a new plat book made based thereon. OAG April 18, 1945 (404-C).

381.04 DUTIES OF SURVEYOR.

The duty of an engineer making a resurvey is to follow and reestablish the government survey, not to correct it; and having established the correct location of section corners, the acreage yields to the monuments so established. OAG Nov. 17, 1943 (404-B).

381.06 EXPENSES; ASSESSMENT.

The county board may adopt such plan of spreading the assessment covering expenses of the survey as in their discretion is fair and reasonable. Expense of sectional surveys are not chargeable to the government or on tax forfeited land. OAG Dec. 30, 1943 (404).

381.12 SECTION CORNERS RELOCATED.

A "lost corner" is one whose location as established by the government surveyors cannot be found, and if the field notes are not clear, or are inconsistent, the quarter section boundary is found by a proportional measurement between known section corners applicable to the section whose corners are lost. *Goroski v Tawney*, 121 M 189, 141 NW 102.

A government section corner is where the government surveyors correctly or mistakenly placed it. If it can be found, it controls. *Anderson v Johansen*, 155 M 485, 193 NW 730.

The intersection of a straight line from the north quarter corner to the south quarter corner, with a straight line from the east quarter corner to the west quarter corner is the center of the section. *Lund v Sandmeier*, 172 M 338, 215 NW 426.