

position as the control point for many deeds. There are just too many lines of occupation, particularly in Section 9 but also some in Section 16, that rely too heavily on the location as monumented by Philo. This is not to say that one location is a better representation of the original corner, that could be argued over into infinity, but one better represents how the land has been developed over the last 100 years. I believe that the Northwest corner of Faull's Addition is substantially in the same location on both Philo's and Jim's surveys, however the location of the section line and the width of H Street are in question.

Another call shown on the Harry Swan survey mentioned above is the New Home Ditch. He shows a 16-foot wide ditch right-of-way along the South side of Section 9. I have found the remains of a concrete headgate and other evidence of the ditch along the North side of the paved H Street. The deed for the ditch and the tax maps show the ditch not in the street right-of-way, but the found remnants do fall within the 80-foot street.

The what was originally a one-acre square parcel of land in the Southeast corner of SW1/4SE1/4 of Section 9 was the first parcel under 10 acres deeded in the section. This was done in 1902 and this parcel is the most senior of any small parcel. The North line of this property has been set by a 1998 property line agreement on a clearly visible line of occupation which matches with the deed calls to four other lines of occupation for property North along Birch Street. The depth of the parcel from the accepted by property line to the section line as established by the 1970 survey is only about 180 feet as opposed to the deed call of 208.67 feet and this section line runs through the Southerly edge of the house on this parcel. As I searched for possible solutions I drew a line parallel to the agreed to property line at the record distance of 208.67 feet then extended that line to the vicinity of the quarter corner at Cedar Street and the section corner at Best Road. I find this projected line hits Philo's quarter corner and intersects the line between Section 15 and 16 about 22 feet South of the present monument. This North half mile of said section line is about 24 feet longer than the record 2640 feet. And this line reflects a better relationship with the record of the New Home Ditch. Are all these best fit relationships just coincidental? I think not and advocate a return to the Philo Anderson quarter corner or at least a control point at this location and there be more review concerning the two section corners on the South side of Section 9.

I question whether H Street along the East one-half of the line between Sections 9 and 16 has actually been dedicated, but if it has I don't believe it is 80 feet wide. It is not shown on Faull's Addition Plat and there is no other subdivision by which it would be dedicated. If my assumption is correct as to a more appropriate location of the line between Sections 9 and 16 then the width of H Street would be variable because the section line is most likely not parallel to the North border of the old Faull's Addition.

Survey No. 9-40-201 done in 1983 of Russell's Addition where again fences are shown 20 to 25 feet South of surveyed lot lines. Later Survey No. 9-40-264 in 1988 appears to be a Property Line Adjustment between Lots 6 and 7 of about 20 feet South.

Map of Survey No. 121BC recorded in 1978 has an insert subdivisional map of Section 9 and there is a statement on the survey map that the "subdivision plat of Section 9 (was) filed Jan. 21, 1971." That 1971 plat has not been found and later surveys in Section 9 only refer back to Map No. 121BC for the section breakdown. However there is no explanation as to the how's and why's for the breakdown as shown and not all controlling points were monumented. When Tom Lagier surveyed River Brook Mobile Home Subdivision in 1972 he apparently did not find any record plat for Section 9 or a monument for the quarter corner between Sections 8