

L1626

NOTE: (WEST 1/4 SECT. 5, T. 38 N., R. 6E / FALLS IN SILVER CREEK

Genisot Engineering Co. proportioned the location of this 1/4 Corner between the Meander Corner on the south shore (original) and the northwest Section Corner in 1955, and set a new Meander Corner on the north shore. Their survey (Dwg. No. 1602-2) shows a distance of 669.17 feet from the south M.C. to the proportioned 1/4 Corner, and 802.16 feet from the proportioned 1/4 Corner to the north M.C., totaling 1471.33 feet from M.C. to M.C. In 1980 John H. Fisher measured this distance as 1481.85 feet as part of his survey of the plat of Tranquillity Acres in Section 5, and we have measured this distance as 1481.87 feet this survey, an overage of 10.54 feet from Genisot's 1955 measurement. The original government measurement across the lake was 19.01 chains (1254.66 feet), a shortage of 227.21 feet.

A 1958 survey of Government Lot 1, Section 5 by William S. Cameron positions the 1/4 Corner 802.2 feet south of the north M.C., a position which Cameron took from Genisot's 1955 survey. Fisher positioned the 1/4 Corner 666.82 feet north of the south M.C. for his 1980 platting of Tranquillity Acres, a position that we are unable to duplicate by any type of proportioning. A previous survey by Scott in Section 6 positions the 1/4 Corner 802.20 feet south of the north M.C. (per 1955 Genisot survey), and shows a distance of 679.51 feet to the south M.C. This puts all of Genisot's measuring error south of the 1/4 Corner, distorting the proportioning they had attempted between the south M.C. and the northwest Section Corner. Fisher shows the 1/4 Corner positioned 679.51 feet north of the south M.C. (per Scott's earlier survey on a 1975 survey in Government Lot 2, Section 6.

Our measurement from the north M.C. to the northwest Section Corner is 1448.89 feet, Fisher's 1980 measurement is 1446.95 feet, Genisot's 1955 measurement is 1450.82 feet, and the original government distance is 24.44 chains (1613.04 feet). Our section line total is 4942.69 feet, Fisher's is 4942.67 feet, Genisot's is 4937.79 feet, and the original government distance of 73.50 chains (4851.00 feet).

Proportioning to Meander Corners was rejected by the Wisconsin Supreme Court in Thunder Lake Lumber Co. vs. Carpenter, 184 Wis 580 (Aug., 1924), and the 227 foot shortage of the original government distance across the lake also suggests that the Meander Corners would not be reliable for distance measurements in this instance. Genisot's 10.54 foot measurement error across the lake would invalidate their 1955 survey even if they had proportioned between the section corners. We have proportioned the 1/4 Corner between the section corners this survey, and have used the Meander Corners to control only the course of the section line. This results in the proportioned 1/4 Corner being 677.97 feet north of the south M.C., and 803.90 feet south of the north M.C. The similarity of this location to Genisot's 1955 position is coincidental.

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