



SURVEY REPORT:

The unrecorded plat of Birch Lake Hills was created by Guaranteed Investment Company, Leon A. Doolittle, President and Bessie W. Doolittle, Secretary, in the early 1920's. Many of the lot conveyances contain language similar to Document No. 65588, which describes Lots 40 and 41 as follows: "Lots numbered forty and forty-one of Birch Lake Hills, said Birch Lake Hills being a tract or strip of land off the east side of Government Lots two and four of section six, town thirty-seven north, range seven east, 2050 feet long from north to south and at all places three hundred feet wide from east to west, bounded on the north by the north line of said section and on the east by Birch Lake, subdivided into forty-one lots by forty straight lines each parallel to said north boundary and each running from said lake shore three hundred feet west, the first line being fifty feet south of said north boundary line and each succeeding line fifty feet farther south and said lots being numbered from north to south consecutively from one to forty-one inclusive". Many of deeds include easement access language similar to this document as follows: "Every purchaser of a lot in Birch Lake Hills, Birch Lake Crescent or Indian Bay Terrace covenants that every owner or occupant of any such lot shall have a convenient right of way across the rear end thereof for walking and passage with automobiles and conveyances of every kind forever, and said grantor covenants to furnish to all such owners or occupants a like convenient right of way from said Birch Lake Hills to the public Highway".

Although the lot descriptions are patently unambiguous on their face, uncertainties become apparent when attempting to survey the lot boundaries because of conflicting issues which are described as follows: D.H. Vaughan, Oneida County Surveyor, surveyed that portion of the north line of Section 6, between Birch Lake and Bearskin Lake in July, 1919, just prior to Guaranteed Investment Company creating the unrecorded plats of Birch Lake Hills and Bearskin Heights. Surveyor Vernon Maine recovered the original meander corner where the north line of Section 6 intersects Bearskin Lake on October 31st, 1927, at a distance of 1.20 chains north of Vaughan's meander corner. The recovered Maine meander corner was subsequently verified and accepted by Harry C. Hall, Oneida County Surveyor in August 1931, as being the correct meander corner. Findings from my prior surveys in the plat of Bearskin Heights, confirms that those lots are in fact referenced to Vaughan's meander corner. It could be assumed that the erroneous Vaughan section line would also be the reference line for lots in the unrecorded plat of Birch Lake Hills. In my opinion the evidence does not bear this out. In 1983, while performing a survey for lots in the unrecorded plat of Bearskin Heights, I received a copy of an old letter from a lot owner, dated January 18, 1921, from L. A. Doolittle, President of Guaranteed Investment Company, to a Mr. Charles Zeteler, Jr., who had contracted to purchase lots in the unrecorded plat of Bearskin Heights. That letter describes in great detail how a survey was performed, including running a north-south base line with the placement of numbered stakes to identify the lots. Thus the lots were physically staked for identification by purchasers. The letter includes an offer to exchange the Bearskin Heights lots for any unsold lots in Birch Lake Hills. Retracement survey records beginning with E. Kowalko on October 6, 1950; L.C. Gaartz surveyor with Genisot Engineering Co. in October 15, 1951; Lloyd W. Scott, October 24, 1958; and James C. Griffin with Northwoods Surveyors in October 1963, all describe a recovered baseline for the unrecorded plat of Birch Lake Hills, marked by numbered stakes that terminate at a concrete monument with an iron rod, or pin in the center. Surveyors Kowalko (lots 22-28) 1950, Griffin (lots 37-41) 1958, Griffin (lot 19 and N 1/2 lot 20) 1963, Scott (lots 19-28) 1960s & 1970s, locate the lateral lot lines for their surveys perpendicular to the baseline. Resurveys by David F. McMullen (lots 8-9) 1981, Todd J. Loftus (lots 7) 1991, Charles E. Winkler (lots 11-12) 1995, Dwight A. Miesbauer (lots 5-7) 2006, and Todd J. Loftus (lots 10) 2010, locate those lot lines by referencing the Vaughan survey. Surveyor Eugene C. Uttech, surveyed the boundary of lot 34 at the record position referenced to the true section line in 2003.

This survey proposes to resolve the above stated conflicting boundary issues by utilizing boundary agreements between the affected adjoining property owners. Metes and bounds legal descriptions for these parcels are included for attachment to documents intended to memorialize the agreements.

Bearings are Oneida County Grid, Based on RTK GPS observations and referenced to that part of the north line of Section 6 shown bearing S 89°58'35"W

Scale: 1" = 50'

0' 25' 50' 100'

○ = Iron pipe set, 1.0" dia. x 24" long.
○ = 0.75" dia. iron pipe found in place.
● = 1.0" dia. iron pipe found in place.
⦿ = 1.25" dia. iron pipe found in place.
⊙ = 1.75" dia. iron pipe found in place.
⦿ = 2.0" dia. iron pipe found in place.
⊙ = 0.75" dia. iron rod found in place.
⊙ = 1.0" dia. iron rod found in place.
△ = Computed position, not monumented.
⦿ = Utility pole

(*) = Bearing and distance of record.
*MSA = Eugene C. Uttech, surveyor
*NWS = James C. Griffin, surveyor
*LWS = Lloyd W. Scott, surveyor
*Plat = Dimensions from deed descriptions

Monument sizes are outside diameter dimension.
Other corner monuments are as noted.

Lots 34 - 41
in the unrecorded plat of
Birch Lake Hills
and other lands located in
GOV'T. LOT 4
SECTION 6, T37N, R7E
Town of Cassian
Oneida County, Wisconsin

SURVEYOR'S CERTIFICATE

I, James D. Rein, Registered Land Surveyor No. S-1234, hereby certify that I have surveyed the property shown hereon; that this map represents an accurate survey of said property to the best of my knowledge and belief; that I have performed this survey by order of Eric R. Roell and David S. Hubbard; and that I have complied with the requirements of Wisconsin Administrative Code A-E 7.

WILDERNESS SURVEYING, INC.

JAMES D. REIN
S-1234
MINOCQUA, WI

Registered Land Surveyor No. S-1234
Dated this 6th day of May, 2013

Exempt from Planning & Zoning Review
Date 5/21/2013

MAP # C2782
DATE FILED 5-21-13
BY: JDR
DESCRIPTION FILED
ONEIDA CO. SURVEYOR'S OFFICE

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Map Number: 13-21
File Number: 3 & 6 - 7 - 377
Drafted by: J. D. Rein

Revisions: