

160.15 MS 1953 [Repealed, 1957 c 943 s 72]

160.15 PRESERVING SECTION OR QUARTER-SECTION CORNERS.

Subdivision 1. **Permanent marking of corners.** Whenever the construction, reconstruction, or maintenance of a public street or highway causes the destruction or obliteration of a known section or quarter-section corner marker or monument, the road authority having jurisdiction over the highway or street shall provide for the permanent marking of the corners and place reference or witness monuments so that the corners can be readily located.

Subd. 2. **Manner of placement.** The permanent marking of the corners and establishment of reference or witness monuments must be in the manner following: At the exact location of the corner there must be placed a durable stone, concrete, or metal marker, placed so as not to be disturbed by routine maintenance activities. For a paved highway, a supplemental marker must be placed over the durable monument. The supplemental marker must be visible at the road surface and set in a manner so as not to be disturbed by routine snow plowing. When not practical or safe to set a corner marker in a highway surface, a durable metal marker may be set as a permanent witness monument on the section line or quarter-section line.

Subd. 3. **Time of placement; monument of durable material.** Reference or witness monuments evidencing the location of the corner must be established before the obliteration of the corner in at least two places most practicable and shall consist of stone, concrete, or cast iron.

Subd. 4. **Filing of certificate.** The land surveyor placing and establishing the markers or monuments shall, no later than one year after placing and establishing them, file a certificate to that effect in the office of the county surveyor, if the county maintains a full-time office, in the county or counties in which the markers or monuments were placed. If a county in which the markers or monuments were placed does not have a full-time office of the county surveyor, then the land surveyor shall record the certificate in the office of the county recorder of that county. Each certificate must contain only the record of markers and monuments at one corner.

Subd. 5. **Contents of certificate.** The certificates must be on sheets of durable material, which must be 8-1/2 by 11 inches with a margin at the left for binding. The certificates must contain the following:

- (1) identification of section or quarter-section corner;
- (2) description of monument removed;
- (3) description of replacement monument;
- (4) reference ties or witness monuments;
- (5) statements relating to physical and parol evidence relating to history and authenticity of the corner monument;
- (6) date of remonumentation; and
- (7) certification by a registered land surveyor.

Subd. 6. **Cost of placing markers.** The cost of placing the markers and monuments, including filing fees, must be paid out of the respective funds provided by law, or set aside for highway or street purposes.

History: *1959 c 500 art 1 s 15; 1971 c 598 s 1; 1973 c 123 art 5 s 7; 1976 c 181 s 2; 2004 c 154 s 1; 2005 c 99 s 1*