



# HOLLOWAY LAND SURVEYING

ROSS HOLLOWAY, Registered Land Surveyor

## SURVEYOR'S REPORT FILE NO. 77-87

In accordance with the 1986 Indiana Survey Standards as adopted by the Indiana Society of Professional Land Surveyors, the following observations and opinions are submitted regarding the Theoretical Uncertainty in the position of the corners found or established on this survey as a result of uncertainties and/or ambiguities in the reference monuments and/or documents of record. It should be understood that any uncertainty of the corners found or established on this survey will control the uncertainty of the lines connecting said corners.

Further, in many cases the original section corners were not perpetuated or have been obliterated with time and therefore existing topographical features and monuments of modern origin provide the only evidence of the corner's most probable position. In the absence of creditable physical and/or record evidence (ie. deeds, surveys ect.) proportional measurement has been used to establish the position of section, quarter section, and quarter-quarter section corners. A corner found or established under the preceding conditions will be designated as a "Title Corner" on the plat of survey and is subject to undiscovered evidence which might place the position of the corner in doubt.

This report is for the survey of Lot No. 6, Block 9 in the original plat of Hall, being a part of the East Half of the Northwest Quarter of Section 21, Township 13 North, Range 1 West, Morgan County, Indiana.

1. The depth of the lot was determined from the abstract of Mr. Herman Atwood. In the abstract the area of the lot was given, and from the area the depth of the lot was computed using the width given in the plat of record.

2. Old lines of possession (the west lines of Lots 5 and 7) were taken as the best evidence of the most probable position of the north-south Lot lines. Mr. Marshall Hurt, seventy-three (73) year resident of the Hall area, has stated orally that the fence on the west line of Lot 7 was constructed over twenty years ago, to replace an old fence along the line. Mr. Hurt also stated that houses once stood on Lots 4 and 5, and it is the opinion of this surveyor that the very old traces of fence found on the west line of Lot 5 is the boundary between the lots.



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## SURVEYOR'S REPORT CONT.

3. Further, Mr. Hurt testified that there were "many alleys in Hall" and specifically that there was an alley along the entire north end of the lots in Block 9 and also between Lots 3 and 4 and Lots 5 and 6. This may explain why the 2" steel post adjacent to the west line of Lot 6 and the fence adjacent to the west line of Lot 4 are approximately 5 feet off of line as if they were set along the side of an alley. Note, the original plat of Hall DOES NOT show alleys between lots and therefore Mr. Hurt's testimony indicates the presents of UNPLATTED alleys.

4. The computed north line of the lot is approximately 10 feet south of the fence marking the line of possession. Again, per the oral testimony of Mr. Hurt, some forty years ago the adjoining land owners agreed to a boundary in the alley and the present fence was built to mark the agreed line. As Mr. Hurt is the adjoining owner of record of the parcel adjoining Lot 6 to the north and as Mr. Hurt accepts the fence as the line, iron pins were placed in the fence line being on the agreed boundary. It should be noted that the plat of record for Blocks 9 and 10 of the original plat of Hall DOES NOT show an alley east of Block 10.

5. Using lines of possession, as discussed above, to determine the location of the east and west lines of Lot 6 results in the west line of Lot 1 being from 4.74 to 6.68 feet West of the West line of the East Half of the Northwest Quarter as established from found "Title Corners", and therefore an encroachment upon the lands to the west of Lot 1.

6. SUMMARY: It can be shown that a lot depth of 279.40 feet and an alley width of 12 feet (12 feet is the width of alleys shown on the plat of record for Blocks 1 through 6) does not conflict with adjoining parcels to the north.

There is an agreed boundary on an existing fence approximately ten feet north of the north line of Lot 6.

From field evidence it is the opinion of this surveyor that the streets as shown on the plat of record for Block Nine did not have separate rights-of-way but were included as a portion of the lots.



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## SURVEYOR'S REPORT CONT.

SUMMARY CONT.: The conflict between the west line of Block Nine and the West line of the East Half of the Northwest Quarter has, in the opinion of this surveyor two possible causes; 1. The present position of the West line of the East Half, as established from title corners, IS NOT in the position as used to lay out the subdivision in 1861. 2. A mistake has been made in either the lot widths as shown on the plat or in the original lay out of Block Nine.

Due to the above observations it is the opinion of this surveyor that the Theoretical Uncertainty of the corners as established on this survey is approximately twenty-six (26) feet east-west and two (2) feet north-south.

For Reference: The oral testimony of Mr. Marshall Hurt was taken by telephone on the evening of Sunday, October 11, 1987.

## CERTIFICATION

I, Ross O. Holloway, an Indiana Registered Land Surveyor, hereby certify that, to the best of my information, knowledge and belief, this report represents a survey as completed by me on October 3, 1987.

Ross O. Holloway  
Indiana Registered  
Surveyor No. S0530  
Dated: October 14, 1987

File No.: 77-87

Client: Mr. Herman Atwood

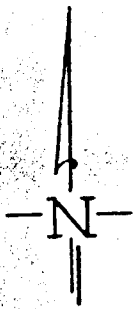


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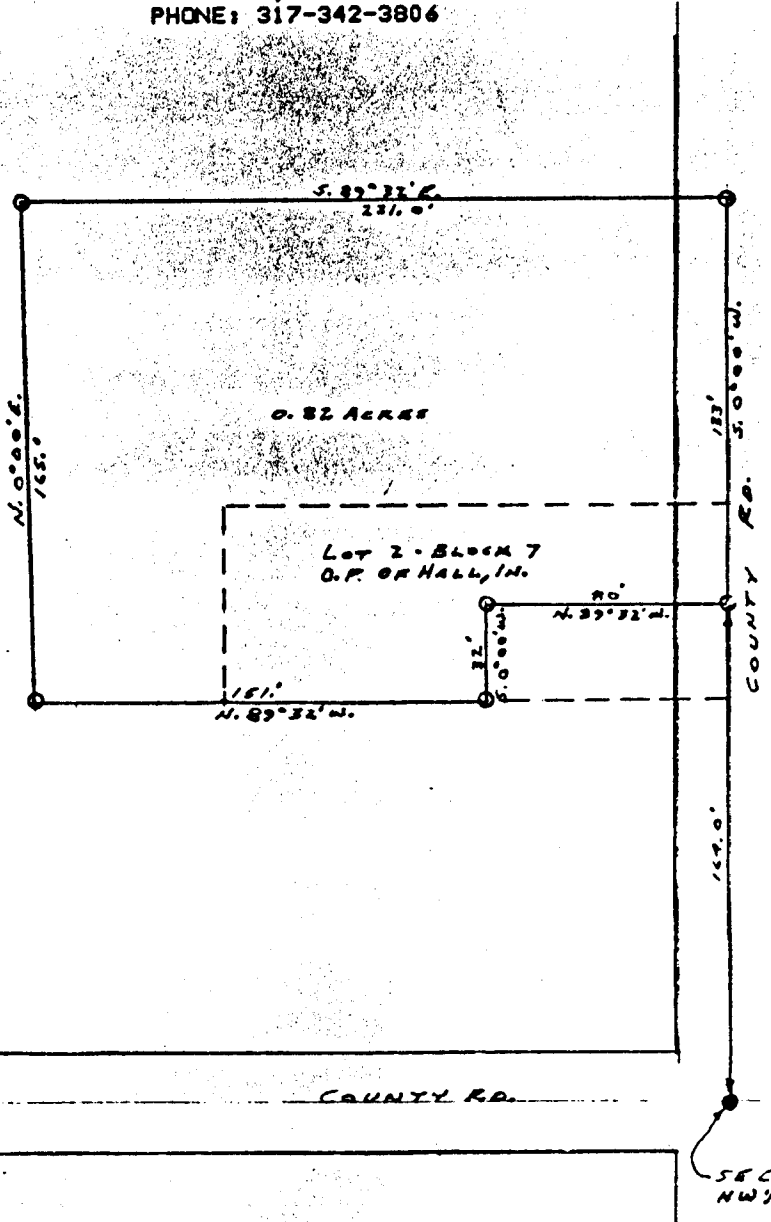
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DRAPALIK SURVEYING AND ENGINEERING  
19 WEST WASHINGTON STREET  
MARTINSVILLE, INDIANA 46151  
PHONE: 317-342-3806



SCALE 1" = 50'



RECEIVED FOR RECORD

'89 JAN 31 PM 2 42

*Carroll A. Seaton*  
MORGAN COUNTY RECORDER

DESCRIPTION: A part of Lot Number 2, Block seven in the Original Plat of Hall. Also, a part of the Southwest quarter of the quarter-quarter section, 164.0 feet to the TRUE POINT OF BEGINNING for this description; thence traverse North 89 degrees 32 minutes West, 80 feet; thence traverse South 00 degrees 00 minutes West, 32 feet; thence traverse North 89 degrees 32 minutes West, 151 feet; thence traverse North 00 degrees 00 minutes East, 165 feet; thence traverse South 89 degrees 32 minutes East, 231 feet; thence traverse South 00 degrees 00 minutes West, 133 feet back to the point of beginning. Containing in all 0.82 of an acre more or less.

From the Southeast corner of the aforesaid quarter-quarter section traverse with an assumed bearing of North 00 degrees 00 minutes East on and along the east line of the quarter-quarter section, 164.0 feet to the TRUE POINT OF BEGINNING for this description; thence traverse North 89 degrees 32 minutes West, 80 feet; thence traverse South 00 degrees 00 minutes West, 32 feet; thence traverse North 89 degrees 32 minutes West, 151 feet; thence traverse North 00 degrees 00 minutes East, 165 feet; thence traverse South 89 degrees 32 minutes East, 231 feet; thence traverse South 00 degrees 00 minutes West, 133 feet back to the point of beginning. Containing in all 0.82 of an acre more or less.

HEREFORE ENTERED FOR TAXATION  
1-31 DATE 87  
MORGAN COUNTY AUDITOR  
*Barbara J. Burt*