

2014 Kansas Statutes

19-1409. Method of subdividing sections into quarter sections. In the subdivision of sections of land, as surveyed by the United State surveyors into quarter sections, the following method shall be followed, to wit: The surveyor shall proceed to connect the points of position of the monuments marked "one quarter S.," commonly known as quarter-section corner monuments, which are upon opposite sides of the section, by tracing a straight line from one to the other; he shall then ascertain the point of intersection of the two straight lines as above mentioned, and the said point of intersection shall be the point of position of the corner common to the four quarters of the section subdivided. The provisions of this article shall not apply to center corners of sections already established according to law.

History: G.S. 1868, ch. 25, § 161; Oct. 31; R.S. 1923, 19-1409.

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19-1411. Establishment of center corners and quarter-section corners of sections closing on a parallel or base line. In establishing the center corner of all sections closing on a parallel or base line, the land surveyor shall commence at the quarter-section corner on the south boundary of the section, and run a line north, parallel to the east boundary of such section; and at 40 chains from the quarter-section corner on the south boundary, such land surveyor shall permanently establish the center corner of the section; and at the point where the said north line produced intersects the parallel or base line, which must be just 40 chains west of northeast corner of the section, such land surveyor must permanently establish the quarter-section corner on the north boundary of the section.

History: G.S. 1868, ch. 25, § 163; R.S. 1923, 19-1411; L. 2011, ch. 49, § 4; July 1.

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19-1412. Re-establishment of missing corners. In re-establishing missing corners, where no bearing or witness tree or trees can be found, the land surveyor shall establish the missing corners in accordance with the government surveys. Where government surveys cannot be accurately followed, missing corners shall be established by proportionate measurement or existing landmarks supplemented with other location data, monuments, distances and the monuments for the corners shall be replaced according to the best calculations of the land surveyor, taking into account all the data, and, if necessary, replacing the proportionate measurement requirement.

History: G.S. 1868, ch. 25, § 164; R.S. 1923, 19-1412; L. 1961, ch. 136, § 2; L. 2011, ch. 49, § 5; July 1.

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19-1413. Threatening or improperly interfering with surveyor; penalty. (a) If any county surveyor or such surveyor's deputy shall be molested, or prevented from doing or performing any of such surveyor's official duties, by means of threats or improper interference of any person or persons, such surveyor shall call on the sheriff of the county, who shall accompany such surveyor and remove all force.

(b) Threatening or improperly interfering with any county surveyor or such surveyor's deputy, during the performance of such surveyor's official duties, shall be a class A nonperson misdemeanor, and on conviction thereof shall be liable for all damages to any person by the hindrance of the county surveyor or such surveyor's deputy, and also for all the expenses that may accrue in consequence of the attendance of the sheriff.

History: G.S. 1868, ch. 25, § 165; R.S. 1923, 19-1413; L. 2011, ch. 49, § 6; July 1.

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19-1422. Rules to be observed in resurvey under authority of the United States. In the resurvey of land surveyed under the authority of the United States, the land surveyor shall observe the following rules:

First, Section and quarter-section corners, and all other corners established by the government survey, must stand as the true corners.

Second, They must be re-established at the identical spot where the original corner was located by the government surveyor, when this can be determined.

Third, When this cannot be done, then said corners must be re-established in accordance with the provisions of K.S.A. 19-1412, and amendments thereto.

History: L. 1891, ch. 89, § 6; R.S. 1923, 19-1422; L. 1961, ch. 136, § 4; L. 2011, ch. 49, § 10; July 1.

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19-1430. Preservation of corner monuments; cost. When a United States public land survey corner or section center corner monument located in a street or road:

- (a) Is at risk of being displaced or destroyed;
- (b) projects above the usual grade of a roadbed;
- (c) is at risk of coverage by concrete, asphalt or other permanent type surfacing; or
- (d) is at risk that fill will cover the corner monument more than two feet, the agency responsible for maintaining the road shall preserve the corner monument by employing a land surveyor to comply with the provisions of K.S.A. 58-2011, and amendments thereto.

The cost of the preservation or reestablishment of the corner monument shall be paid by the agency responsible for maintaining the road, or if such corner monument is located on private property, by the landowner.

History: L. 1907, ch. 233, § 1; R.S. 1923, 19-1430; L. 1961, ch. 136, § 7; L. 2011, ch. 49, § 13; July 1.

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19-1434. Recording of survey plats, when; requirements; alternative filing office. (a) Whenever a land surveyor performs a survey that results in a new legal description or creates a new tract of land, a survey plat shall be recorded with the register of deeds in the county where the survey was located within 90 days after completion of the survey. The survey plat shall be certified with the seal and signature of a land surveyor. The land surveyor who signed and sealed the survey plat shall be responsible for recording the survey.

(b) Except for subdivision plats, the board of county commissioners may, by resolution, designate an alternative county office for the filing of survey plats for archival purposes. If a county office other than the register of deeds is designated for the filing of survey plats, then that office shall maintain an index of all surveys by section, township and range, and surveys of platted lots shall be indexed by subdivision. The cost of filing the survey plat at the alternate county office shall not exceed the cost of recording the same or similar documents at the register of deeds.

History: L. 2011, ch. 49, § 2; July 1.