



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

MIKE ZIMMER
DIRECTOR

State Survey & Remonumentation Program 12th Biennial Report to the Legislature Department of Licensing and Regulatory Affairs

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What is the State Survey and Remonumentation Program

The State Survey and Remonumentation Act (SSRA), 1990 PA 345, MCL 54.261 et seq., created a program for the recovery, rehabilitation, remonumentation and ongoing perpetuation of original public land survey corners in an effort to maintain their locations both physically and in the public record. These corners are the initial points from which the public lands were patented and transferred to private ownership and are the foundation for all land ownership within the state today. This program is the first time in nearly 200 years that a concerted effort is being undertaken to revisit and perpetually maintain these original U.S. government corners.

To fund the State Survey and Remonumentation Program, 1990 PA 346 passed in conjunction with the SSRA and amended the Revised Judicature Act of 1961, 1961 PA 236, MCL 600.101 This bill provided for a \$2.00 increase in recording fees at county registers of deeds to be remitted quarterly to the State Survey and Remonumentation Fund.

Legislative History of the SSRA and its Funding

The State Survey and Remonumentation Commission was created by the SSRA to implement and oversee the program. Executive Reorganization Orders 1996-2 and 1997-12, however, dissolved the State Survey and Remonumentation Commission and its Executive Director, transferring their statutory authority, powers, duties, functions, and responsibilities to the Director of the Department of Consumer and Industry Services, now Department of Licensing and Regulatory Affairs (LARA).

In 1998 the SSRA was amended by 1998 PA 5 to permit counties to “expedite” completion of their county plan. These counties would complete remonumentation sooner by “loaning” local monies to the county’s remonumentation program to pre-fund the completion of their remonumentation work. These loaned monies could then be recovered at later dates through grant distributions or contractual agreement with the Department. Two counties amended their county plans and initiated formal expedited programs; one is paying back their “loaned” monies

through the annual grant distribution, and the other has a contract with the Department for repayment.

In 2002 the Revised Judicature Act of 1961 was amended by 2002 PA 700 to increase county recording fees to set aside \$4 for the State Survey and Remonumentation Fund. This increase, however, included a 2013 “sunset.”

In 2006 the SSRA was amended via 2006 PA 76 and \$15 Million was transferred from the State Survey and Remonumentation Fund to the State’s General Fund. As part of the amendment, the Legislature intended to guarantee deposits of \$10.134 Million in FY 2005-2006 and \$11.134 Million in FY’s 2006-2007 and 2007-2008 by making up the difference between these totals and the statutory deposits from the Registers of Deeds collections.

The statutory deposits from the Registers of Deeds collections for the State Survey and Remonumentation Fund in these fiscal years were:

Fiscal Year 2005-2006	\$10,021,847.55
Fiscal Year 2006-2007	\$ 8,474,521.80
Fiscal Year 2007-2008	\$ 6,950,970.86

Based upon these deposits, 2006 PA 76 stated that the Legislature would deposit additional amounts in the State Survey and Remonumentation Fund as follows:

Fiscal Year 2005-2006	\$ 112,152.45
Fiscal Year 2006-2007	\$ 2,659,478.20
Fiscal Year 2007-2008	\$ 4,183,029.14

Due to the economic situation during this timeframe, monies were not available to the Legislature to make these intended appropriations, and the 2006 PA 76 language guaranteeing the State General Fund deposits was removed from the act under 2014 PA 166.

The Revised Judicature Act of 1961 was again amended by 2006 PA 662 to extend the sunset date from 2013 to January 1, 2023, at which time the \$4 set-aside for the State Survey and Remonumentation Fund will return to the original \$2.

In 2010, 2010 PA 259, et seq., was passed to establish a joint commission with the State of Indiana for the “...recovery or replacement of durable monuments defining the Michigan-Indiana state boundary line...” In conjunction, 2010 PA 260 was passed to fund Michigan’s share of the project, providing a set-aside of \$500,000

from the State Survey and Remonumentation Fund "...to pay the costs of the monumentation of the Michigan-Indiana state boundary line..." In 2014 a \$200,000 project appropriation was made to support these activities.

In June of 2014, 2014 PA 166 substantially amended the SSRA, expanding the type of work the Survey and Remonumentation Fund may be used for and allowing counties to use funds for the perpetuation of corners that were not monumented in the original U.S. Government surveys. Under the amendments counties are now required to file a coordinate value for each corner and may also use funds to support the extension, densification, upgrade, and maintenance of geodetic control stations. The State Survey and Remonumentation Commission was reinstated as an advisory panel to the Department, it's makeup amended and two members added. The Commission now consists of seven members--four surveyors, two representing the public, and one representing the county grant administrators.

Statutory Reporting

Section 6(1)(f) Requires a biennial status report to the Legislature and each county board of commissioners from the Department identifying seven specific items to be reported on. Those items and Department comments follow.

Section 6(1)(f)(i): *A summary of the Department's activities regarding administration of this act.*

We are reporting on this item referencing **Sections 6(1)(a) through (e)** which identify the Department's responsibilities.

Sections 6(1)(a) *Coordinate the restoration, maintenance, and preservation of the land survey records and monuments of the public land survey system in this state, including, but not limited to, all pertinent field notes, plats, documents, and monuments.*

In 2011, the Department entered into a Memorandum of Understanding with the Department of Natural Resources (MDNR), the Michigan History Foundation and the Archives of Michigan to image, catalogue and provide online access to the original U.S. government survey plats. Following completion of this project in 2012, a second project was initiated to image and catalogue the original field notebooks used by the U.S. government surveyors to record their work and make them available to the public online. This provides access to County Registers of Deeds, county surveyors, private land surveyors, and the public access to the information which is currently limited due to its fragile

condition as well as a safe secondary storage method for preserving the original records.

Sections 6(1)(b) *Establish a policy to maintain and provide safe storage of records required to be filed with the department under this act.*

In the initial phases of the program, the Department established a database for Land Corner Recordation Certificates (LCRC) completed through the State Survey and Remonumentation Program. Through this database LCRC documents completed through county remonumentation efforts are imaged, catalogued and made available to the public online.

At the inception of the State Survey and Remonumentation Program, the Department acquired records from the National Geodetic Survey (NGS) for all of their horizontal and vertical control stations located within Michigan. These records were disseminated to the counties and updates solicited. NGS has since developed an on-line digital database of their control stations. Access to this data is available to the public, and there is no longer a need for the Department to update records for these stations.

Section 6(1)(c) *Coordinate memoranda of understanding with other state, federal, and local agencies to promote the activities necessary, incidental, or appropriate to promote this act.*

In 1993 through 1995 the Department collaborated with the National Geodetic Survey (NGS) to establish passive geodetic control stations as part of High Accuracy Reference Network (HARN) for Michigan. The Department was the central point of contact for NGS and coordinated efforts between NGS and locals to establish 80 control stations across the state.

In 2002 through 2008, the Department collaborated with NGS, the Michigan Department of Transportation (MDOT) and counties to densify a network of next generation active geodetic control stations, i.e., continuous operating reference stations (CORS), in Michigan. Through these joint efforts, Michigan currently has 127 CORS.

In 2006 and 2007, NGS initiated a height modernization project in Michigan, combining efforts between NGS, MDOT and the counties to maximize passive control station recoveries ahead of NGS and MDOT's work to measure station locations through GPS observations and high accuracy spirit leveling.

We are currently working with MDOT, MDNR and the U.S. Forest Service to coordinate efforts of filing LCRC's through the county programs, which may lead to one or more memoranda of understanding.

Section 6(1)(d) *Foster, encourage, and promote county plans for each county in this state and, after submission of county plans, review the plans for approval.*

Response is combined with Section 6(1)(e).

Section 6(1)(e) *Coordinate and administer a grant program for grants to counties to implement this act.*

With the support of the Department, all 83 Michigan counties have implemented remonumentation plans and are actively participating in the program. The Department continues to streamline processes and more efficiently administer the program in compliance with the SSRA and its General Rules.

Section 6(1)(f)(ii): *An assessment of the progress of the implementation of county monumentation and remonumentation plans throughout this state.*

We estimate, based on the annual corner counts reported by the counties in their 2012 completion reports, that the remonumentation of corners is nearly 60 percent complete. It is estimated that there are approximately 225,500 total remonumentation corners in the state. At the close of the 2014 grant year 139,300 of those remonumentation corners have been completed.

With the 2015 grant year three counties (Kent, Muskegon and Ottawa) have moved out of the monumentation and remonumentation plan and are now working under their perpetual monument maintenance plan to maintain their corners both physically and in the public record.

Section 6(1)(f)(iii): *A statement regarding the amount of money that was received and disbursed from the fund.*

The following table reports the program status through the 2014 grant year. Program changes from 2014 PA 166 were not implemented until 2015.

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Grant Year	Remonumentation Fee (in \$)	FY Deposits into Remonumentation Fund (in Millions of \$)	Funds Appropriated for Remonumentation Grants (in Millions of \$)	Funds Expended for Remonumentation Grants (in Millions of \$)
1991	\$2.00	\$1.29	N/A	N/A
1992	\$2.00	\$3.42	N/A	N/A
1993	\$2.00	\$3.87	\$4.00	\$4.00
1994	\$2.00	\$4.26	\$5.00	\$5.00
1995	\$2.00	\$3.30	\$3.00	\$3.00
1996	\$2.00	\$3.72	\$4.00	\$4.00
1997	\$2.00	\$3.83	\$4.00	\$4.00
1998	\$2.00	\$4.78	\$4.00	\$4.00
1999	\$2.00	\$5.48	\$4.00	\$4.00
2000	\$2.00	\$5.10	\$4.50	\$4.50
2001	\$2.00	\$4.78	\$5.00	\$5.00
2002	\$4.00	\$6.50	\$6.00	\$5.91
2003	\$4.00	\$8.67	\$6.00	\$5.75
2004	\$4.00	\$14.49	\$10.00	\$9.69
2005	\$4.00	\$10.71	\$10.00	\$9.60
2006	\$4.00	\$10.02	\$10.00	\$9.71
2007	\$4.00	\$8.47	\$10.00	\$9.79
2008	\$4.00	\$6.95	\$7.50	\$7.29
2009	\$4.00	\$6.08	\$4.00	\$3.82
2010	\$4.00	\$5.83	\$5.30	\$5.00
2011	\$4.00	\$5.92	\$5.30	\$4.85
2012	\$4.00	\$6.45	\$5.30	\$5.21
2013	\$4.00	\$7.85	\$5.30	\$5.13
2014	\$4.00	\$6.47	\$7.30	\$7.13
Total		\$148.24	\$129.50	\$126.38

Section 6(1)(f)(iv): *An assessment of how much money is necessary to carry out monumentation or remonumentation of the entire state.*

We anticipate changes made by 2014 PA 166 implemented in the 2015 grant year will significantly change our previous estimates to complete remonumentation of the state; however, not enough data is available at this time to project the updated program's needs.

Once remonumentation of the entire state is completed, we estimate the perpetual monument maintenance program will require approximately \$10 Million a year to maintain all remonumentation corners on a 20-year cycle. This estimate is based on the average cost to complete a corner in 2014.

Section 6(1)(f)(v): *An assessment of whether the money received in the fund is adequate to implement this act.*

The money currently received in the fund is the minimum amount needed for the program to progress at an acceptable rate. If the average annual funding remains relatively constant, it will take approximately 20 more years to complete the remonumentation of the entire state. However, with the current sunset date for the set-aside from registers of deeds recording fees of January 1, 2023, at which time the \$4 set-aside for the State Survey and Remonumentation Fund will be reduced to \$2, it is estimated that it may take 40 years or more to complete remonumentation of the entire state.

Section 6(1)(f)(vi): *Recommendations including, but not limited to, the level of funding that is necessary to implement this act.*

Amend 1961 PA 236, Revised Judicature Act of 1961, remove the sunset date, and maintain the current register of deeds recording fee set-aside of \$4 for the State Survey and Remonumentation Fund.

Section 6(1)(f)(vii): *A statement of the amount of money disbursed from the fund to each grantee, the average amount of money spent per corner by each grantee, and the percentage of work in its county plan completed by each grantee.*

The following table reports the program status through the 2014 grant year. Program changes from 2014 PA 166 were not implemented until 2015.

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County	Total Remonumentation Corners In County	Remonumentation Corners Completed thru 2014 Grant Cycle	Percent Remonumentation Corners Completed thru 2014 Grant Cycle	Average Spent per Corner Completed	Total State Grants Awarded thru 2014 Grant Cycle	Total State Grants Earned thru 2014 Grant Cycle
Alcona	2,411	1,089	45.17%	\$807.25	\$882,955.97	\$879,095.25
Alger	3,802	1,406	36.98%	\$809.27	\$1,140,252.97	\$1,137,838.14
Allegan	3,131	2,747	87.74%	\$623.48	\$1,795,700.41	\$1,712,690.10
Alpena	1,973	977	49.52%	\$841.96	\$827,833.67	\$822,596.20
Antrim	2,148	761	35.43%	\$1,076.90	\$826,132.89	\$819,517.76
Arenac	1,398	629	44.99%	\$860.65	\$541,486.46	\$541,350.32
Baraga	3,643	1,096	30.09%	\$975.65	\$1,075,949.86	\$1,069,307.44
Barry	2,070	1,670	80.68%	\$673.34	\$1,137,609.50	\$1,124,470.54
Bay	1,925	1,925	100.00%	\$842.25	\$1,714,036.83	\$1,621,338.23
Benzie	1,249	920	73.66%	\$565.38	\$609,463.29	\$520,148.03
Berrien	2,279	1,155	50.68%	\$1,347.12	\$1,584,098.19	\$1,555,922.20
Branch	1,872	1,092	58.33%	\$746.11	\$815,491.59	\$814,752.88
Calhoun	2,604	2,436	93.55%	\$791.51	\$1,959,253.92	\$1,928,128.30
Cass	2,236	798	35.69%	\$1,050.98	\$870,369.29	\$838,678.98
Charlevoix	1,621	612	37.75%	\$1,517.59	\$928,764.13	\$928,764.13
Cheboygan	2,604	1,340	51.46%	\$763.17	\$1,024,263.09	\$1,022,651.68
Chippewa	6,480	3,084	47.59%	\$692.83	\$2,136,697.70	\$2,136,694.54
Clare	2,223	1,656	74.49%	\$576.97	\$955,687.51	\$955,461.26
Clinton	2,071	1,124	54.27%	\$997.44	\$1,123,950.20	\$1,121,120.61

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County	Total Remonumentation Corners In County	Remonumentation Corners Completed thru 2014 Grant Cycle	Percent Complete thru 2014 Grant Cycle	Average Spent per Corner Completed	Total State Grants Awarded thru 2014 Grant Cycle	Total State Grants Earned thru 2014 Grant Cycle
Crawford	1,970	1,089	55.28%	\$722.51	\$799,433.04	\$786,817.09
Delta	4,791	3,560	74.31%	\$494.61	\$1,764,095.15	\$1,760,826.64
Dickinson	3,098	1,891	61.04%	\$538.46	\$1,019,763.08	\$1,018,232.16
Eaton	2,050	1,678	81.85%	\$902.51	\$1,514,620.33	\$1,514,404.78
Emmet	1,955	912	46.65%	\$903.43	\$830,310.46	\$823,927.62
Genesee	2,203	2,008	91.15%	\$1,398.48	\$2,831,142.25	\$2,808,143.03
Gladwin	1,741	1,367	78.52%	\$591.91	\$809,134.80	\$809,134.80
Gogebic	4,097	2,918	71.22%	\$468.82	\$1,371,868.61	\$1,368,025.64
Gr. Traverse	1,967	1,506	76.56%	\$767.61	\$1,157,674.09	\$1,156,015.44
Gratiot	1,940	1,138	58.66%	\$830.08	\$945,763.95	\$944,626.82
Hillsdale	2,059	1,075	52.21%	\$890.48	\$957,549.48	\$957,269.80
Houghton	3,920	1,271	32.42%	\$1,035.13	\$1,319,961.94	\$1,315,645.26
Huron	3,017	1,578	52.30%	\$733.16	\$1,181,882.70	\$1,156,925.88
Ingham	2,038	1,771	86.90%	\$1,160.12	\$2,054,656.77	\$2,054,572.99
Ionia	2,598	1,343	51.69%	\$723.46	\$971,609.26	\$971,609.26
Iosco	1,868	1,012	54.18%	\$804.27	\$820,879.86	\$813,925.68
Iron	4,275	2,799	65.47%	\$502.97	\$1,408,464.49	\$1,407,820.11
Isabella	2,192	1,678	76.55%	\$630.75	\$1,058,490.17	\$1,058,402.72
Jackson	2,476	1,907	77.02%	\$905.66	\$1,744,750.12	\$1,727,088.14

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Kalamazoo	2,137	1,565	73.23%	\$1,174.71	\$1,967,894.42	\$1,838,424.49
Kalkaska	2,135	1,597	74.80%	\$489.49	\$781,718.00	\$781,718.00
Kent	3,371	3,371	100.00%	\$1,131.12	\$4,496,379.84	\$3,813,006.86
Keweenaw	2,670	657	24.61%	\$955.75	\$632,014.48	\$627,927.53
Lake	2,097	1,512	72.10%	\$507.70	\$767,639.00	\$767,638.60
Lapeer	2,240	1,223	54.60%	\$1,022.96	\$1,252,291.59	\$1,251,084.68
Leelanau	1,573	927	58.93%	\$656.54	\$612,017.83	\$608,613.87
Lenawee	2,541	1,490	58.64%	\$906.90	\$1,418,084.99	\$1,351,274.57
Livingston	2,350	2,350	100.00%	\$1,122.10	\$2,734,454.67	\$2,636,927.99
Luce	3,617	1,502	41.53%	\$706.70	\$1,061,459.28	\$1,061,459.28
Mackinac	5,354	2,254	42.10%	\$580.18	\$1,307,964.25	\$1,307,720.16
Macomb	1,732	1,580	91.22%	\$3,350.37	\$5,297,390.50	\$5,293,586.07
Manistee	2,306	1,357	58.85%	\$570.81	\$788,547.55	\$774,582.55
Marquette	7,547	2,212	29.31%	\$1,183.05	\$2,618,117.52	\$2,616,904.12
Mason	3,360	1,624	48.33%	\$460.12	\$749,411.43	\$747,232.21
Mecosta	2,182	1,914	87.72%	\$465.55	\$901,160.24	\$891,058.08
Menominee	4,076	3,491	85.65%	\$411.29	\$1,479,900.27	\$1,435,813.13
Midland	1,912	1,313	68.67%	\$814.47	\$1,069,395.52	\$1,069,395.52
Missaukee	2,319	1,380	59.51%	\$545.96	\$753,430.57	\$753,430.57

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Monroe	2,362	1,362	57.66%	\$1,019.44	\$1,424,861.67	\$1,388,472.45
Montcalm	2,632	1,959	74.43%	\$736.77	\$1,447,302.73	\$1,443,340.12
Montmorency	2,054	1,294	63.00%	\$575.09	\$748,163.20	\$744,168.40
Muskegon	2,012	1,936	96.22%	\$786.56	\$1,613,408.11	\$1,522,786.42
Newaygo	3,368	2,742	81.41%	\$584.16	\$1,601,826.71	\$1,601,776.54
Oakland	4,406	4,210	95.55%	\$2,126.84	\$9,054,759.18	\$8,954,009.13
Oceana	2,025	1,559	76.99%	\$519.48	\$810,400.85	\$809,869.30
Ogemaw	1,986	887	44.66%	\$926.43	\$826,593.87	\$821,741.97
Ontonagon	6,159	2,871	46.61%	\$517.47	\$1,535,019.33	\$1,485,659.58
Osceola	2,180	1,980	90.83%	\$471.84	\$934,298.85	\$934,244.23
Oscoda	2,240	1,604	71.61%	\$454.81	\$729,516.03	\$729,516.03
Otsego	2,073	941	45.39%	\$732.36	\$751,262.25	\$689,153.70
Ottawa	2,186	2,185	99.95%	\$1,791.81	\$2,340,095.81	\$3,915,106.80
Presque Isle	2,424	1,364	56.27%	\$631.81	\$861,787.68	\$861,786.95
Roscommon	2,155	1,555	72.16%	\$710.30	\$1,108,415.55	\$1,104,519.59
Saginaw	3,080	1,682	54.61%	\$1,055.35	\$1,857,319.88	\$1,775,105.32
Sanilac	3,480	1,963	56.41%	\$1,096.02	\$2,159,383.09	\$2,151,479.07
Schoolcraft	4,980	2,012	40.40%	\$513.76	\$1,035,395.64	\$1,033,682.36
Shiawassee	1,838	1,525	82.97%	\$893.04	\$1,362,244.68	\$1,361,886.28

County	Total Remonumentation Corners In County	Remonumentation Corners Completed thru 2014 Grant Cycle	Percent Complete thru 2014 Grant Cycle	Average Spent per Corner Completed	Total State Grants Awarded thru 2014 Grant Cycle	Total State Grants Earned thru 2014 Grant Cycle
St. Clair	2,753	1,381	50.16%	\$1,025.32	\$1,416,273.35	\$1,415,962.94
St. Joseph	2,224	1,295	58.23%	\$969.83	\$1,256,746.77	\$1,255,934.46
Tuscola	2,900	1,486	51.24%	\$894.78	\$1,330,508.48	\$1,329,644.49
Van Buren	2,304	1,317	57.16%	\$1,166.26	\$1,570,227.31	\$1,535,965.06
Washtenaw	2,722	2,016	74.06%	\$1,269.62	\$2,597,226.20	\$2,559,553.24
Wayne	3,017	2,066	68.48%	\$4,944.42	\$10,703,502.79	\$10,215,175.94
Wexford	2,144	1,281	59.75%	\$665.08	\$851,968.94	\$851,968.94
Total	225,218	138,810			\$129,129,828.87	\$128,124,248.01
Average			63.71%	\$902.39		

Prepared by:
 Chris Beland, PS, Director
 Office of Land Survey and Remonumentation
 517-241-6321
 belandc@michigan.gov