



ADMINISTRATIVE RULES OF MONTANA



24.183.1002 REMONUMENTATION AND REHABILITATION OF PUBLIC LAND SURVEY CORNERS AND MONUMENTS

- (1) The legal importance of the public land survey corner makes mandatory the construction of lasting monuments and accessories such that the greatest practicable permanence is secured. If it were necessary to alter the condition of a public land survey corner, then preserving the evidence of its original location is paramount. The public land survey corner monument should be carefully reconstructed (rehabilitated) or remonumented by such means as may be appropriate, without destroying the evidence which served to identify its original position.
 - (a) If a public land survey corner monument were to be rehabilitated only, then the monument shall primarily be restored as closely to its original state as practicable.
 - (b) If a public land survey corner monument were to be replaced with a more durable monument (remonumentation), then the following steps shall be performed:
 - (i) recovery and verification of the public land survey corner monument and/or its accessories;
 - (ii) removal of the public land survey corner monument and replacement with a monument conforming to ARM 24.183.1101;
 - (iii) placement and memorialization of the replacement monument so that there is only one monumented position. Unless local conditions are prohibitive, the public land survey corner monument being replaced shall be buried upside down alongside the replacement monument; and
 - (iv) remonument according to the procedures describing monumentation in the most current edition of the U.S. Bureau of Land Management Manual of Surveying Instructions.
 - (c) If a reference or accessory to a public land survey corner monument were lost, obliterated, destroyed, or in advanced stages of decay, then the following steps shall be performed:
 - (i) unless prohibitive, placement of a reference or accessory conforming to material described in the most current edition of the U.S. Bureau of Land Management Manual of Surveying Instructions;
 - (ii) if practical, placement of references and accessories far enough from the corner monument to remain undisturbed if the corner monument itself were destroyed; and
 - (iii) marking of references and accessories clearly distinguishing them from the corner monument.

- (d) If required by 70-22-104, MCA, a "PLSS Corner Record" form shall be completed pursuant to ARM 24.183.1001 and filed with the county clerk and recorder for the public land survey corner monuments and accessories described in (1)(a), (b), and (c).

Authorizing statute(s): 37-67-202, 70-22-107, MCA

Implementing statute(s): 76-3-403, MCA

History: NEW, 2014 MAR p. 2840, Eff. 11/21/14.