

File St. File 15
Letter Authorizing Corrections

D-594

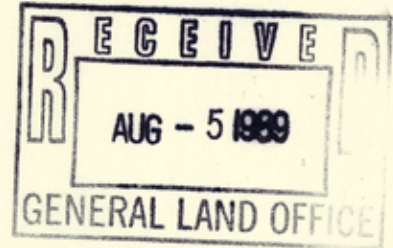
PIPER SURVEYING CO.

Complete Surveying Services For The Permian Basin

J. Stan Piper, Owner
R.P.S. Tx., L.S.L.S. Tx., P.L.S. N.M.
Member: Texas Surveyors Association,
American Congress Surveying & Mapping

Post Office Box 6432
Midland, Texas 79711
(915) 561-9025
August 2, 1989

Rosendo V. Molina, Asst. Dir., Surveying
General Land Office
Stephen F. Austin Bldg., 1700 Congress Ave.
Austin, Texas 78701



Re: J. E. Parker's Adobe Ranch, Andrews Co., Tx.

Dear Roy:

During our conversation of July 7th, you approved my Roll Sketch 43, Surveyors Report, and 35 sets of Field Notes which I had submitted to you for approval on the J. E. Parker Estate's Adobe Ranch in Andrews Co., Tx. subject to several minor revisions. You detailed these corrections to me as follows:

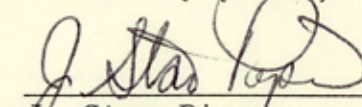
Division	Section	Block	Correction Required
E/2 NW/4	1	A-43	Change Abstract No. to: 2392 Change File No. to: 154288
E 3/4 S/2	1	A-43	Edit Bearing in 1st call to: S13°58'31"E
SE/4	2	A-43	Edit File No. to: 76523
NE/4	9	A-43	Change Abst. No. to: 462 Change File No. to: 76521
E/2 NW/4	7	A-44	Change Abst. No. to: 2042 Change File No. to: 137538
All	27	A-44	Edit Section No. in 3rd Thence From: Section 27 to: Section 22
All	28	A-44	Change File No to: 137539
All	29	A-44	Change Abst. No. to: 2059

These corrections have been made in the Andrews County Field Note Records. If you will please correct the originals, which you have in hand, I would appreciate it.

Also, during our conversation, you requested divisional Field Notes on Survey 111, Block P, to conform to the General Land Office Accounts. On July 11, I called you with the acreage for each of the Divisions so that the balances for final payments and fees could be calculated. They were as follows: East Part 121.67 acres and West Part 398.85 acres. I am now submitting the enclosed Field Notes on each of these accounts for your approval.

I hope this will meet with your approval. If you have any questions or require additional information, please feel free to call me.

Sincerely yours,



J. Stan Piper
Licensed State Land Surveyor
Ector County, Texas

jsp
enclosures

COUNTER# 12885

PIPER SURVEYING CO.

Complete Surveying Services For The Permian Basin

Post Office Box 12432
 Midland, Texas 79701
 (817) 581-2020
 August 2, 1983

J. Stan Piper, Owner
 PIPER SURVEYING CO., P.O. BOX 12432
 MIDLAND, TEXAS 79701
 MEMBER TEXAS SURVEYORS ASSOCIATION
 AMERICAN COLLEGE OF SURVEYING & MAPPING

Rosendo V. Molina, Asst. Dir., Surveying
 General Land Office
 Stephen F. Austin Bldg., 1700 Congress Ave.
 Austin, Texas 78701

Re: J. E. Parker's Adobe Ranch, Andrews Co., Tx.

Dear Roy:

During our conversation of July 7th, you approved my Roll Sketch #3, Surveyors Report, and 35 sets of Field Notes which I had submitted to you for approval on the J. E. Parker Estate's Adobe Ranch in Andrews Co., Tx. subject to several minor revisions. You detailed these corrections to me as follows:

Division	Section	Block	File No.
E/2 NW/4	1	A-13	FILED FOR INFORMATION ONLY
E 3/4 S/2	1	A-4	FILED FOR INFORMATION ONLY
SE/4	2	A-4	FILED FOR INFORMATION ONLY
NE/4	3	A-4	FILED FOR INFORMATION ONLY
E/2 NW/4	7	A-4	FILED FOR INFORMATION ONLY
All	27	A-4	FILED FOR INFORMATION ONLY
All	28	A-4	FILED FOR INFORMATION ONLY
All	29	A-4	FILED FOR INFORMATION ONLY

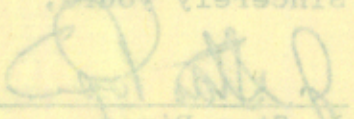
GARRY MAURO, Com'r
 By Douglas Howard
 8-5
 19 83

These corrections have been made in the Andrews County Field Note Records. If you will please correct the originals, which you have in hand, I would appreciate it.

Also, during our conversation, you requested divisional Field Notes on Survey 111, Block P, to conform to the General Land Office Accounts. On July 11, I called you with the acreage for each of the Divisions so that the balances for final payments and fees could be calculated. They were as follows: East Part 121.57 acres and West Part 398.85 acres. I am now submitting the enclosed Field Notes on each of these accounts for your approval.

I hope this will meet with your approval. If you have any questions or require additional information, please feel free to call me.

Sincerely yours,


 J. Stan Piper
 Licensed State Land Surveyor
 Taylor County, Texas

PIPER SURVEYING CO.

Complete Surveying Services For The Permian Basin

J. Stan Piper, Owner
R.P.S. Tx., L.S.L.S. Tx., P.L.S. N.M.
Member: Texas Surveyors Association,
American Congress Surveying & Mapping
May 23, 1989

11323 County Road 125 West
Post Office Box 6432
Midland, Texas 79711
(915) 561-9025

RECEIVED

JUN 7 1989

GENERAL LAND OFFICE

Garry Mauro, Land Commissioner
General Land Office
Stephen F. Austin Bldg., 1700 Congress Ave
Austin, Texas 78701

Attention: C. B. Thomson, LSLS, Director of Surveying

Re: Surveyors Report on the J. E. Parker's Estate, Adobe Ranch,
Andrews County, Texas

Dear Mr. Thomson:

ABSTRACT

This survey is located entirely in Public School Lands, with the majority of it located in Blocks A-43 (8427.11 Acres), A-44 (7395.20 Acres), and A-46 (1926.98 Acres), which was surveyed and removed from the public domain by virtue of an act of the First Called Session of the Twenty-Sixth Legislature, approved February 23, 1900. The remainder of the ranch is located in Block P (638.96 Acres), surveyed under Section 8 of an act approved April 15, 1905 and an amendment act on May 16, 1907.

INTRODUCTION

The Adobe Ranch, containing 18,388.25 acres of land, is located South and West of the City of Andrews in the central part of Andrews County, Texas. The terrain is typically a gentle rolling sandy loam grassland, with vegetation cover of various species of native grasses and some scattered mesquite bushes and trees. A large portion of this ranch is utilized by various oil companies for the production of oil and gas. The larger oil fields that are in production in this area are the Parker, Parker West, Andrews North, Wemac, and Bakke.

PURPOSE OF SURVEY

The primary purpose of this survey is to prepare the field notes required by your office to obtain patents on the lands which the Parker Estate has purchased from the Public School Fund. There are 36 school tract accounts, covering 15,627.09 acres, which have been paid in full for several years, but require field notes and filing fees to be paid before the State can issue the patents for these tracts. These tracts range in size from 80 acres to a full section, with as many as three tracts being in a given section. Several of these sections already contain a tract or tracts which have been previously patented, one of which has a total of six tracts within it; three tracts patented and three tracts on which we are requesting patents to be issued.

COUNTER # 12887

RECORDS SEARCHED

The General Land Office records were researched, with all file jackets pulled on the subject sections and all adjoining sections, and copies made of the original field notes and corrected field notes, if any. Also, the roll sketches, sketch files, correspondence files, and old working sketch files were pulled on this area and copies made of all the pertinent information. The field notes of each section were plotted on working sketches in the office of Shine and Associates. Additional research done on a local level included the records of several oil companies, with interest in the area, being researched for reference to and perpetuation of original and patent monuments. The Andrews County Survey Records were searched for surveys not of record in the General Land Office. I also visited with Otha Draper, Licensed State Land Surveyor, who has surveyed in this area for forty years and was the surveyor in charge of the field work on the surveys that K. E. Esmond performed in this area during the fifties and sixties. He was a chainman on the survey party for Mr. M. E. Spry prior to working for Mr. Esmond. During these visits, I copied down several witness ties from his working drawings that he had made to several original monuments, which have now been destroyed.

ORIGINAL SURVEY OF THE "A" BLOCKS

The Public School Lands, known as the "A" Blocks, were originally surveyed under contract between Charles Rogan, Land Commissioner, and Col. D. S. Woods, State Surveyor and County Surveyor of Ward County, Texas. According to a letter dated November 10, 1900, from D. Boone addressed to Rogan, members of the party included D. Boone of Eastland, First Assistant, R. E. Estes of Midland, Second Assistant and approximately five other helpers. Col. Woods brought the crew in from the field, arriving at Midland on October 31, 1900, to be able to vote in the Presidential election of 1900. Col. Woods took the Texas and Pacific Railroad to his place of residence, Barstow, Texas, the county seat of Ward County. When he arrived at Barstow on the evening of November 2, he was reported to be under the influence of alcohol. Later that evening, he became very intoxicated before retiring to his room. He quickly began to grow very feeble and weak and soon was helpless, and his stomach would not retain any nourishment. He gradually grew worse, becoming unconscious. At 12:10 p.m. of November 5th, Col. Woods expired from brain lesions and excessive strong drink, according to Dr. Blake, who attended him.

Mr. Boone, first assistant, was charged with the responsibilities of completing the field notes and signing them as a State Surveyor. The certificate on the notes was as follows:

"I, D. Boone, State Surveyor for the State of Texas, do hereby certify that the foregoing survey was made by me according to law under the direction of the Commissioner of the General Land Office by establishing base lines for the block to which this survey belongs; that the limits, boundaries and corners, with the marks, natural and artificial, are truly described in the foregoing Plat and Field Notes."

This certificate and the recorded Field Notes, with other information, indicates that only the exterior of each block was established on the ground.

Mr. Estes, second assistant, expresses himself in later years on the way the work was performed in the field, according to a memo found in his personal records.

"In 1900 when D. Boone and I located these "A" School Land Blocks, in Andrews and Gaines counties, under D. S. Woods we were using a magnetic needle, and it is characteristic with a needle that it will seldom run a straight line, even with the best and most experienced operator.

So to day the remaining evidences of the original survey clearly show, when compared to a transit line that our old needle lines were somewhat imperfect.

In re-tracing the South line of Block A-54, I find that the West part of the South line of Block A-54, is running on a slightly different course from the East part of the South line of said Block.

When Boone and I located these Block, Boone had a party and I had a party, I would run two sides of a Block and Boone the other two and we would meet, usually at a block corner, and our "close" was never very good, and we would have to make corrections.

So in placing the South line of Block A-54, A-41, A-42, and A-43. Part of this line I ran and Part was run by Boone and when we come together, we would find each was on a slightly different course, consequently we would make the necessary adjustments, so that our lines would be continuous, although not necessarily straight, our mile lengths would also vary."

ORIGINAL SURVEY OF BLOCK "P"

W. D. Twichell was appointed State Surveyor after Woods' death. In 1902 he surveyed Block A-19, a remainder portion between the University Lands and the "A" Blocks just East of Andrews. During this survey he discovered that Blocks A-41, A-42, A-43, A-44, A-45 and A-35, failed to abut the University Lands

established from the G.M.M.B. & A. Survey to the South and East. He filed notes covering the portion on the East. Notes on the South part were not filed until 1909 for Survey 110, 1911 for Survey 111, 1916 for Survey 112, and 1946 for Survey 113. These surveys were performed by R. E. Estes and Boyd Douglas and all have been corrected at least once by R. E. Estes on various dates. They are situated between the Public School Land "A" Blocks on the North and the University Blocks on the South. The location of the University Blocks to the South has been located at two different positions, a more Southern location based on 1900 varas per mile from Col. Wise's marked stones in the G.M.M.B. & A., and F. F. Friend's resurvey of the University Blocks in 1931.

F. F. FRIEND'S RE-SURVEY OF UNIVERSITY BLOCKS

F. F. Friend's re-survey of University Lands Blocks 1 through 14 was performed for the University of Texas Board of Regents, from June 20, 1930 to June 15, 1931. This resurvey was a retracement of Dennis Corwin's ruled tablet "field notes" of 1885, which are filed in the General Land Office. The construction of the block boundaries were executed in the General Land Office by the Commissioner, Chief Clerk, and Chief Draftsman, and very often a representative from the Attorney General's Department, according to a paper prepared by Friend and published at a later date in the October and December issues of the "Texas Surveyor" during 1987. This resurvey was very accurate, well monumented, and well documented for its time. The exterior boundaries of these blocks often do not conform to the boundaries previously established on other surveys, especially junior surveys and re-surveys. In our area of interest, they accepted several of Boone's iron pipes, which they found, in place, but ignored others and did not accept any perpetuation by other surveyors.

R. E. ESTES PERPETUATION OF ORIGINAL MONUMENTS

Mr. Estes should be given special consideration for his retracement of the "A" Blocks, because of his responsible charge position on the original survey party. His tenure of experience in surveying these blocks spans a period of time from 1900 to 1948. He has referenced or witnessed many of the original monuments, perpetuating several of the original stakes by setting iron pipes. His Roll Sketches 3, 6, 8, 9, 17, and 56 combined with his Field Notes, Reports, and Sketches serve well to assist in the location of the original footsteps. Most of the time he was the first to subdivide the blocks into sections from the established block lines. Typically, as shown on several of his maps and plats, he protracted the block by connecting straight lines across the blocks in both directions and locating the section corner at the intersections of the straight lines.

VACANCY APPLICATIONS IN AREA

Several filed vacancy applications attempted to insert unsurveyed lands between the Public School Lands and the University Lands from the 1920's through the 1940's. These surveys served well to establish the overall configuration and location of the "A" Blocks. Mr. Estes' Roll Sketch "6" filed in the General Land Office on October 13, 1928 shows many of the original corners that he found in our area of interest. The W. G. Theisen and I. V. Daniels applications as surveyed by J. A. Simpson in 1944 and 1945 (see Roll Sketch 50), located several of the original corners of the "A" blocks. The General Land Office has continued to refuse to accept any of these filings by ruling "No Vacancy".

PATENTED CORRECTED FIELD NOTES SURVEYS

Many different surveyors have surveyed and prepared corrected field notes on land located in the "A" Blocks in our area of interest. They have almost uniformly found and used the original position as perpetuated by Estes, and adhered to his subdivision of the Blocks into Sections which caused few problems. The list reads like a roster of West Texas Surveyors: R. E. Estes from 1900 to 1948 (Blocks A-42, A-43, A-44, and A-46), R. T. Bucy during 1930 (Blocks A-42, A-43, and A-46), Frank Lupton in 1942 (Block A-44), M. E. Spry in 1947 and 1955 (Block A-44 and A-46), Sylvan Sanders in 1951 and 1952 (Block A-43 and A-46), C. A. Tubbs in 1950 (Blocks A-44 and A-46), K. E. Esmond in 1953 and 1954 (Blocks A-43, A-44 and A-46), Max Schumann from 1953 to 1955 (Block A-43 and A-44), D. H. Jenkins in 1955 (Block A-44), C. C. Cool in 1955 (Block A-44), and A. W. Harrison from 1955 to 1977 (Blocks A-43, A-44, and A-46). The few problems that we found with these surveys will be discussed later in this report.

SYSTEM OF CONSTRUCTION IN THE "A" BLOCKS

The original survey, as discussed previously in this report, monumented only the exterior boundaries of each block and never surveyed the interior section corners. Therefore, the logical system of construction that we used is as follows:

- (1) locate all the original monuments that exist today
- (2) locate from reference ties any original monument positions that have been perpetuated by previous surveys
- (3) locate and accept any patented monuments or corner positions along the block lines, if within acceptable position tolerance
- (4) single prorate any original monuments which are lost along the block lines without references

(5) protract straight lines across the blocks in both directions and locate a temporary point at the intersection, and search for any patented corrected field note monuments and any corrected field notes monuments of long local recognition and accept them, if they conform within tolerance to the protracted position

(6) re-position any patented corners from remaining evidence of each patent survey or system of patent surveys and accept it if within allowable limits from the protracted position

(7) position any remaining interior corners by protraction, connecting straight lines from the nearest accepted monuments East and West from the corner and then North and South from the corner and setting the corner monument at the point of intersection.

This System of Construction is both legal, logical, and conforms to the methods used by the previous Corrected Field Note Surveys which have been patented, and other retracement surveys. This construction will be the most acceptable by the local community and will be the least disruptive.

The division of sections into the fractional accounts as carried by the General Land Office was done much in the same manner as the section corners. Each of the previous account surveys have been based on division of the section by aliquot parts similar to the public land system as used in other Western States. Mid-points were established on each of the section lines and straight lines connected them to establish the center of the section. Other divisions involved the same mid-points and connection straight lines. If any patented monuments existed in the section, they were accepted and the construction adjusted to conform to them.

PROBLEMS ENCOUNTERED

(1) We found a 2" iron pipe marked "SW20 A43", as called for at the Southwest corner of Section 20 in the patented field notes of the West part of the South part of Section 20, Block A-43, which is approximately 6 varas West and 2 varas South of the protracted position for that corner. Also, this iron pipe is called for at the Southwest corner of said Section 20 in the patented field notes of each of the other two tracts located in said Section 20. This pipe was possibly set by R. E. Estes in 1934, since he shows a symbol for a set corner on his Roll Sketch 17, and Max A. Schumann Jr. in 1953 calls for an old 2" iron pipe in the patented Field Notes of the West part of the South part of said Section 20. According to our construction and all previous constructions of this corner, it is shown as a common corner with the adjoining sections. The only alternative to this construction would be to offset the corners with the Northwest corner of

Section 21, being approximately 6 varas East of and the Southeast corner of Section 19, being approximately 2 varas North of the said iron pipe at the Southwest corner of Section 20. This offset construction would not conform to any previous local acceptable construction and it would be more harmful than helpful, possibly causing confusion over the years.

(2) The patented field notes for the North Half of Section 13, Block A-43, call for excessive East and West distances of 1925.8 and 1923.9 varas on its North and South boundary lines, respectively, which is approximately 22 varas in excess of the protracted length. The East line of said Section 13 is located from the patent record monuments found near the protracted position. The called for monuments on the West boundary line have been destroyed and its correct position must be re-established. If you were to locate the West line of the North half of Section 13 called distance West from the monuments, the remaining two tiers of sections West to the block line will be significantly shorter than the prorated or call distance. The protracted position of the West line of Section 13 is some six varas West of the boundary fence and if the position is established call distance from the East line, it would be some 28 varas West of the boundary fence. The area between these two constructions has never been under the occupation of the J. E. Parker Estate. Therefore, I believe it would not be logical, equitable, prudent or legal to claim this strip of land because it is based on a surveying error and would be open to litigation in the future.

(3) The South boundary lines of Sections 7, 8, 11, and 12 of Block 14 and Section 48, Block 13, University Lands, based on F. F. Friends re-survey, are in conflict with the North boundary line of Section 4 through 8, Block A-46. F. F. Friends re-survey of Blocks 13 and 14 of the University Lands takes its position from five of the iron pipe monuments that D. Boone and R. E. Estes set in the original survey of the Public School Lands "A" Blocks. However, Friend does not honor Estes' and R. T. Bucy's referenced original position at the Northeast corner of Section 4, Block A-46, or Bucy's witnessed original corner at the Northwest corner of Section 7, of said block. Friend also chose to ignore the original marked iron pipe at the Southeast corner of Section 15, Block A-36, which is still in existence today. I do not believe that any surveyor can locate a survey based on previous surveys and make arbitrary selections of which monuments will be used in the construction. If your survey is to be located and based on the prior survey, you must follow all of the original footsteps, not just the straight and equal steps of the prior survey.

FIELD SURVEYING PROCEDURE

Horizontal control traverses were extended from U.S.C.&G.S. stations "WALKER-1935, GOON-1935, and CLABBER-1935" all being second order stations. Traverses were executed in a manner so that they looped or closed on each other every three to six stations. This procedure ensures that errors could be limited to

a very minimum. All traverse angles were turned with at least two sets of horizontal angles and one set of vertical angles utilizing a Kern DKM2AT one second theodolite. Distance measurements were taken several times in different units and recorded in each to limit recording and reading errors with an AGA Geodimeter 112 electronic distance meter. The angle closures averaged less than three seconds per angle, with the standard error of the angles in the range of four or five seconds. We strengthen our bearings by observing Solar observations at eight traverse junction points, utilizing the hour angle method with a calculated standard error of approximately two seconds. Raw closure of the loops, with adjusted angles, were in the range from 1/38,822 to 1/362,617.

The method of adjustment was rigorous least squares with independent weighing of all angles, distances, and solar azimuths. The final adjustment was based on global standard error settings of five seconds for traverse angles, three seconds for solar azimuths, and three millimeters plus five parts per million for distances, which passed the Chi Square test at the five percent level. Standard Deviations were calculated at each traverse station based on the standard errors and the least square adjustment, with the largest errors of 0.073 and 0.043 varas, North and East respectively. Also, 95 percent error ellipses were calculated for each traverse station with the average major axis shown was 0.106 varas with the largest being 0.181 varas. This network adjustment is superior to any method of loop by loop adjustment because all observations are treated based on their estimated standard error and at the same time. This horizontal control meets the requirements and specifications of the Texas Society of Professional Surveyors for Second Order control.

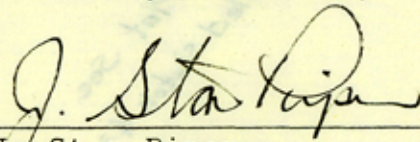
MONUMENTATION OF THE SURVEY

All section corners that were not previously monumented were typically set with an approximately 48 inch long iron rod being 3/4 inch in diameter, with a three inch aluminum cap marked with section and block designation as called for on the map and in the field notes, unless noted otherwise. Also, all ranch boundary points were monumented on the survey, as described above, with several reference monuments set at the highway right of way lines when the section corners were positioned in roadways. All of these monuments were established from the traverse stations, as described in the above paragraphs, and additional measurement were made to insure the position of the monuments set on this survey. We met or exceeded the requirements for the Texas Society of Professional Surveyors, Standard Land Survey for Category 1B, Condition II.

CONCLUSION

We have performed a very careful and diligent survey, based on careful research, making a complete search for the footsteps of the original surveyors in this area. These footsteps were tied to the State Plane Coordinate System, with the best methods feasible. We studied the intent of the parties which located these surveys, the history of other retracements, and derived a construction that is logical, equitable, legal, and acceptable to the local community. We have prepared a map, field notes, and this report showing the results of this survey. I hope this report will meet with your approval. If you have any questions, please feel free to contact me.

Sincerely submitted,



J. Stan Piper
Licensed State Land Surveyor
P.O. Box 252
Gardendale, Texas 79758

jsp

GENERAL LAND OFFICE RECORDING INFORMATION

Sketch File No. _____ Andrews County, Texas.
Filed for record the _____ day of _____ 1989.
Garry Mauro, Commissioner of the General Land Office.

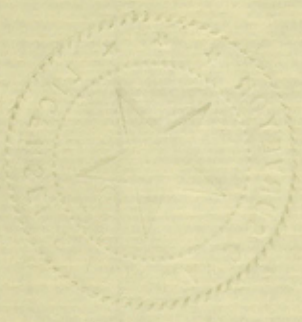
BY: _____

Title: _____

CONCISE
We have performed a very careful and thorough survey of the land described in the original survey and the State Plane Coordinates. We have also conducted a detailed check of the original survey and the State Plane Coordinates. The results of our survey are set forth in the attached report and are hereby certified to be correct and accurate. We have also conducted a detailed check of the original survey and the State Plane Coordinates. The results of our survey are set forth in the attached report and are hereby certified to be correct and accurate.

File No. Sketch File 15
Andrews
PSL Blocks A-43, A-44, A-46 & P. Adobe Ranch.
County
Filed June 7 19 89
By GARRY MAURO, Com'r
Douglas Howard

For Plat See
Rolled Sketch 43



GENERAL LAND OFFICE RECORDING INFORMATION

Sketch File No. _____
Filed for record the _____ day of _____ 1989
Garry Mauro, Commissioner of the General Land Office