

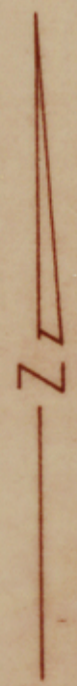
File No. SKETCH FILE 49  
BLANCO County  
 Re-SURVEY OF TRAVIS S-1508  
 Filed November 19 19 90  
 By GARRY MAURO, Com'r  
Douglas Howard

DALE A. SULTEMEIER  
ROY SAENBER  
 Field Survey Personnel

OCTOBER 23, 1991  
 Date of Survey

I, DALE A. SULTEMEIER, ~~licensed State Land~~ County Surveyor of BLANCO County, Texas, do hereby certify that the foregoing survey was made by me on the ground, according to law, on the date and with the field personnel aforesaid, and that the limits, corners, and boundaries with the marks of the same, natural and artificial, are truly and correctly described and set forth in the foregoing plat and field notes, just as I found them on the ground.

Dale A. Sultemeier  
 County Surveyor



1" = 200 V.



SURVEYOR'S REPORT COVERING  
CORRECTED FIELD NOTES FOR  
THE T. M. SMITH SURVEY NO. 109,  
ABSTRACT NO. 1035

File No. Sketch File 49  
Blanco County  
Re-survey of Travis-S-1059 1508  
Filed November 19 19 90  
By GARRY MAURO, Com'r  
Douglas Howard

PREPARED BY: Dale A. Sulzemeier  
Registered Professional  
Land Surveyor No. 4542  
County Surveyor of Blanco  
County, Texas



On October 2, 1990 my firm, Sulzemeier Surveying, was contacted by Mr. Charles Bendele. Mr. Bendele explained that his father, Mr. Henry Bendele, had a tract of land that he wanted to partition into various tracts. He further explained that there probably existed excess in one of the original surveys, the T. M. Smith Survey No. 109. At the advise of his attorney, Mr. Bendele wanted to have the property surveyed in order to obtain a Deed of Acquittance from the State of Texas. I explained to Mr. Bendele that since the property was in Blanco County and I was the County Surveyor, we could perform the survey.

Our first task was to obtain copies of the T. M. Smith Survey and all adjoining surveys, as well as copies of Mr. Bendele's deed and deeds to all adjoining properties. I then prepared a deed plot/working sketch from this information. The Patent survey dates indicated that the T. M. Smith Survey No. 109 was junior to all adjoining surveys: the John A. Alberthal Survey No. 61, the George Ratliff Survey No. 63, the C. H. Bundick Survey No. 82, and the J. R. Gipson Survey No. 108 and the Louis Fred Survey No. 107.

Initial field work consisted of locating original monuments called for in the Patent metes and bounds. Stone mounds were found at the following locations:

- on the south line of Survey No. 82 at the northwest corner of Survey No. 107, for the northeast corner of corner of Survey No. 109,
- at the southwest corner of Survey No. 82 on the east line of Survey No. 108, for the northwest corner of Survey No. 109,
- on the north line of Survey No. 61 at the southwest corner of Survey No. 107, for the southeast corner of Survey No. 109, and
- at the southwest corner of Survey No. 61.

We could not locate the stone mound called for at the northeasterly reentrant corner of Survey No. 63 (southwest corner of Survey No. 109). An old Cedar fence corner post, however, was located. I believe this post, as detailed later in this report, was set at the original location of the southwest corner of Survey No. 109. A fence corner post was also found at what I believe to be the original northeast corner of Survey No. 61 and southeast corner of Survey No. 107.

After locating the above monuments and becoming familiar with the subject property, we ran a closed traverse around the T. M. Smith Survey No. 109, obtaining ties to all corners and fences. Additionally, traverse lines were run to tie down the stone mound at the southwest corner of Survey No. 61 and the fence corner post we believed to be the northeast corner of Survey No. 61.

Reduction of field data revealed the north and east lines of Survey No. 109 were both longer than called for, by 33.45 and 18.94 varas, respectively. This indicated that excess acreage probably existed.

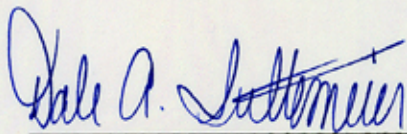
To reconstruct Survey No. 109 I had to determine from evidence we had obtained in the office and field where the original southwest corner of the Survey was located. After considering the evidence and applying established surveying principles, I concluded that a Cedar fence corner post had been set at the southwest corner of the survey. I based my reconstruction on the following:

- All four sides of Survey No. 109 were fenced. Ties taken on the fenceline at various points indicated that the fence was generally along a line between the corners. Fence corner posts at the northwest, northeast and southeast corners were placed as close to the stone mounds as possible without disturbing them. I felt that the fenceline had therefore been constructed, or replaced an older fenceline which was constructed shortly after the original survey was performed, and as a consequence should control direction and distance.



- The deed to the adjoining property along the west and south line of Survey No. 109 calls for a fence corner post at a reentrant corner of Survey No. 63 (southwest corner of Survey No. 109) and a fence corner post at the northeast corner of Survey No. 63 (on the west line of Survey No. 109). This indicates the occupation line is along the original survey line. The date of this deed, September 1945, also suggests that the fence may have been built when the stone mound at the southwest corner of Survey No. 109 was intact. I feel these fence lines and deed calls represent evidence indicating the fence lines were built on or along the original survey lines.
- A point for the southwest corner of Survey No. 109 set by intersecting lines turned at right angles off of the north and east lines of the survey, at the northwest and southeast corners, respectively, would be S 83° 04' 51" W, a distance of 66.22 varas from the found Cedar fence corner post.

In conclusion it is apparent Survey No. 109 is excessive by 10.3 acres, more or less. Although all four sides of the survey or longer than called for, there is no conflict with the senior surveys along the west, south and east line. Facts on the ground point out that fences on the north and east line of the survey are along lines between the original corners. My presumption is that all sides were fenced when the original monuments were in existence. Subsequent surveys and occupation also suggests this.



Dale A. Sultemeier  
County Surveyor  
Blanco County



On October 2, 1990 my firm, Sultemeyer Surveying, was contacted by Mr. Charles Bendale. Mr. Bendale explained that his father, Mr. Henry Bendale, had a tract of land that he wanted to partition into various tracts. He further explained that there probably existed excess in one of the original surveys, the T. M. Smith Survey No. 108. At the advice of his attorney, Mr. Bendale wanted to have the property surveyed in order to obtain a deed of Acquittance from the State of Texas. I explained to Mr. Bendale that since the property was in Blanco County and I was the County Surveyor, we could perform the survey.

Our first task was to obtain copies of the T. M. Smith Survey and all adjoining surveys, as well as copies of Mr. Bendale's deed and deeds to all adjoining properties. I then prepared a deed plot/working sketch from this information. The Patent survey dates indicated that the T. M. Smith Survey No. 109 was junior to all adjoining surveys: the John A. Albrecht Survey No. 81, the George Ratliff Survey No. 83, the C. H. Bundick Survey No. 82, and the J. R. Gibson Survey No. 108 and the Louis Fred Survey No. 107.

Initial field work consisted of locating original monuments called for in the Patent maps and bounds. Stone bounds were found at the following locations:

- on the south line of Survey No. 82 at the northwest corner of Survey No. 107, for the northeast corner of corner of Survey No. 109,
- at the southwest corner of Survey No. 82 on the east line of Survey No. 108, for the northwest corner of Survey No. 109,
- on the north line of Survey No. 81 at the southwest corner of Survey No. 107, for the southeast corner of Survey No. 109, and
- at the southwest corner of Survey No. 81.

We could not locate the monument called for at the northeast corner of Survey No. 109. However, a fence corner post, as detailed later in this report, was located at the southwest corner of Survey No. 109. The original northeast corner of Survey No. 109 was also found. After locating the monument and becoming familiar with the subject, a closed traverse around the T. M. Smith Survey and fences. Additionally, traverse lines were run to the down the stone mound at the southwest corner of Survey No. 81 and the fence corner post we believed to be the northeast corner of Survey No. 81.

Reduction of field data revealed the north and east lines of Survey No. 109 were both longer than called for, by 33.45 and 18.94 varas, respectively. This indicated that excess acreage probably existed.

To reconstruct Survey No. 109 I had to determine from evidence we had obtained in the office and field where the original southwest corner of the Survey was located. After considering the evidence and applying established surveying principles, I concluded that a Cedar fence corner post had been set at the southwest corner of the survey. I based my reconstruction on the following:

- All four sides of Survey No. 109 were fenced. The fence on the fence line at various points indicated that the fence was generally along a line between the corners. Fence corner posts at the northwest, northeast and southeast corners were placed as close to the stone mounds as possible without disturbing them. I felt that the fence line had therefore been constructed, or replaced an older fence line which was constructed shortly after the original survey was performed, and as a consequence should control direction and distance.

File No. Sketch File 49  
Blanco  
Re-survey of Travis 9-1508 County  
 Filed November 19 19 90  
 By GARRY MAURO, Com'r  
Douglas Howard



The deed to the adjoining property along the west and south line of Survey No. 109 calls for a fence corner post at a northeast corner of Survey No. 63 (southwest corner of Survey No. 109) and a fence corner post at the northeast corner of Survey No. 63 (on the west line of Survey No. 109). This indicates the occupation line is along the original survey line. The date of this deed, September 1917, also suggests that the fence may have been built when the stone mound at the southwest corner of Survey No. 109 was intact. I feel these fence lines and deed calls represent evidence indicating the fence lines were built on or along the original survey lines.

A point for the southwest corner of Survey No. 109 set by intersecting lines turned at right angles off of the north and east lines of the survey, at the northwest and southeast corners, respectively, would be S 83° 04' 51" W, a distance of 66.22 yards from the found Cedar fence corner post.

In conclusion it is apparent Survey No. 109 is excessive by 10.3 acres, more or less. Although all four sides of the survey or larger than called for, there is no conflict with the senior surveys along the west, south and east line. Facts on the ground point out that fences on the north and east line of the survey are along lines between the original corners. My presumption is that all sides were fenced when the original monuments were in existence. Subsequent surveys and occupation also suggests this.

File No. Sketch File 49 County Blanco  
Re-Survey of Travis-S-1508  
 Filed November 19 19 90  
 By GARRY MAURO, Com'r  
Douglas Howard

*[Signature]*  
 Date A. Auditor  
 County Surveyor  
 Blanco County