

Houston, Texas. December 4, 1935.

RECEIVED

DEC 5 1935

Mr. J. H. Walker,
Commissioner of General Land Office,
Austin, Texas.

Dear Sir:

REFERRED TO MAP

I wish to report the following on re-surveys of an area in the southern part of Brazoria County in the Cedar Lakes area. I made a verbal report of my work to Mr. Blucher in your office yesterday. I spent a little more than thirty days on the ground in making this re-survey. The location of the Martha Mings, William Harding, H. T. & B. R. R. No. 2, are made according to the location as surveyed by Mr. E. N. Gustafson in June and July 1917. According to Mr. Gustafson's map of this date there was a fence line on the North line of the H. T. & B. R. R. Co No. 2, which fence I still find on the ground, indicating his location of this northerly or northwest line of said H. T. & B. R. R. Co No. 2. In Gustafson's location of the Mings survey he ties to the west bank of an arm of Cedar Lake No. 4 at a distance of 111 varas from his westerly southwest corner of the said Mings survey, and he ties the easterly southwest corner 631 varas from the eastern shore of this same arm of Cedar lake. I, in turn, find the westerly southwest corner to be 112.6 varas from the lake shore, and the easterly SW corner to be 601.4 varas from the eastern lake shore; and in addition to this arm of the lake I find another arm which projects into the Mings survey to the extent of 9.68 acres, which Gustafson evidently did not consider as being below the tide line.

In locating the eastern part of the Walter E. Eggers Survey, I have first made a re-survey of the beach front surveys lying between the San Bernard River and Cedar Lake Bayou. The object of this work being to re-locate the Calvin Sumrall Survey according to its original field notes and thereby fix the westerly boundary of the Sumrall and the easterly boundary line of the Walter E. Eggers, I find that the call distance between the south easterly corner of the Sumrall survey and the San Bernard River-beach corner of the Williams survey to be 6423 varas. I have re-run the last few ^{Meander} calls of the original Williams survey, fitting them to the present location of the river as is shown on my map herewith. In addition to running the lines shown on the map herewith I have platted the entire Williams river meander line on a map previously prepared by Gustafson which shows a recent location of the San Bernard River and thereby find that the original notes of the Williams Survey still fit the present location of the river remarkably well. In study and consideration of the last two meander calls of the Williams survey at the mouth of the San Bernard River I have secured an old coast survey map by the U. S. Coast Survey of 1853, a copy of a portion of which I have loaned to Mr. Blucher, which shows the spread of the mouth and

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the sand bars in some of both the San Bernard River and Cedar Lake Bayou. This map, together with the evidence on the ground today are conclusive as to the proper location of the beach corners of the Williams, Butler, Gamble and Calvin Sumrall surveys. You will note the location of the original SW corner of the Sumrall survey at the end of the meander line indicated by small arrow on the map herewith. The point thus indicated is at present on the West side of the Bayou, but was originally on the East side. You will note in the original field notes of the H. Curtis survey, which lies in Matagorda County, west of the Bayou, adjoining what is now the Carrington survey, but which Carrington was originally surveyed for J. Reese, a sketch which shows the houses of both Reese and Curtis immediately adjoining the division line between these two surveys. You will then note in the field notes of the Joseph Reese survey that it calls as follows: "Commencing at a stake and mound equal distance from Hinton Curtis and Joseph Reese's houses". You will also note in this connection that the U. S. Coast Survey Map of 1853 had these two houses shown on their map. You will further note that the original call distance of the Joseph Reese for the length of its beach line to be 120 varas. In other words the distance from a point which would be located by projecting a line at proper bearing to the beach line from half-way between these houses would be the original Reese-Curtis corner. You will also note that the Carrington survey which was made in the location of the original floated Reese survey calls to have a beach frontage of 265 varas in place of 120 varas as was called for by the Reese notes. I have considered all the above facts in re-locating the Carrington Survey as is shown on the map herewith, and the SW corner of the Sumrall on the opposite side of the then bayou. The enlarged portion of the 1853 U. S. Coast map which I have loaned Mr. Blucher is slightly off scale. I tried to have same enlarged so as to have a scale on it of 200 varas to the inch, but the printer succeeded only in getting a photostat which scales approximately 198 varas to the inch, and not 200. Keeping this fact in mind, I have checked my location of the SW corner of the Sumrall by scaling the call distance for the Reese and also the Carrington surveys, and have found them to have a common SW corner, and that the SE corner of the Carrington is approximately 145 varas further north-easterly than the original Reese corresponding corner. The field notes of the Calvin Sumrall survey says as follows: " The meanderings of the bayou are taken at the magnet lines." I find by platting the original Sumrall field notes that the bayou meanders given in the field notes have to be considered as having been run with the magnetic north pole as North in order to fit the location of the bayou as

is indicated or located on the U. S. Coast map of 1853. When you make the necessary adjustment between the small working sketch drawn on tracing paper with the scale of 200 varas to the inch, which I have loaned to Mr. Blucher, placing the sketch on the 1853 map, you will find that the original meanders fit the said U.S.Coast map of 1853 too perfectly to leave any doubt that the map as drawn by the U. S. engineers represents its true location as of the Rowley survey of 1838.

After a study of the above facts, and a consideration of a description of the Calvin Sumrall survey, I have arrived at the conclusion that the only proper way the Calvin Sumrall can be located is by re-establishing the bayou meander lines as called in the original notes, running them as they would have been run in 1838, with no variation, or with the magnetic north pole used as true North, taking notice of the course of the beach line as was called for in the original notes and comparing the course of the present beach line which is at present still the same course as it was in 1838. Having so located the original bayou, I then located the southwesterly boundary line of the Sumrall survey accordingly. Having done this, I then made the re-survey of the Walter E. Eggers Survey as is shown on the map herewith and described in field notes herewith submitted.

Yours very truly,

J. F. Oubley
Licensed State Land Surveyor.

P. S. By locating the Sumrall survey as I have, there will be a very small area between Cow Trap Lakes 2 and 3 which at some later date will probably have to be included in corrected field notes of the Martha Mings survey. The owners of this land will no doubt do this at an early date.

J.F.O.

Sketch File No. 40

Brazoria County

Jos. F. Overbey's Statement

See Rotted Sk. Filed 12-9-1935

Filed Dec. 5th 1935

J. H. Walker, Comm.

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File Clerk

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