

FILE

CLASS

File No. 14-North & South

Brewster County

Re E. Pt. Map 1/31/1952

Filed Nov. 4 19 70

JERRY SADLER, Com'r

By V. E. Steyning

Copies of letters concerning the conflicts in Blks. D. 12, G. 18, 343, etc.

Blk.

OLD

Map of E. Pt. Brewster Co. compiled as per 83rd Dist. Ct. Decree Files Bx. S. 38485, S. 38490, S. 38491, S. 38489, S. 38480, S. 39650

File No. _____

County _____

Filed _____ 19 _____

BOB ARMSTRONG, Com'r

ER
OFFICE
By

Counter 16224

PECOS Co

County Line

TERRELL Co

County 16825

11
D-12
10

BLK 343
Tex Mex Ry

21
D-12
22

BLK. D-12

T. C. Ry. Co.

BLK D-11

29
T.C. Ry
BLK D-12

33
BLK D-12

BLK. 343

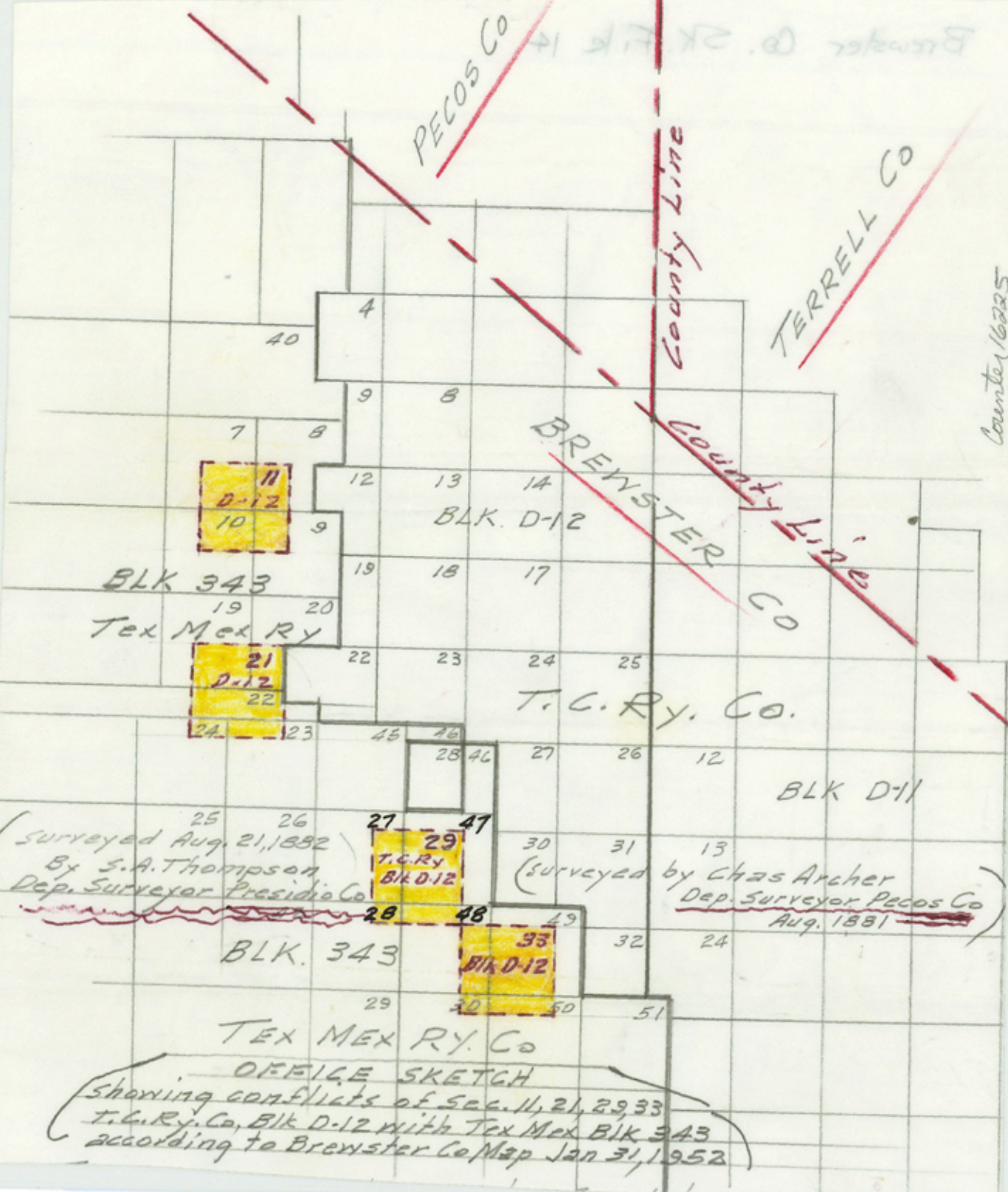
TEX MEX RY Co

OFFICE SKETCH

showing conflicts of sec. 11, 21, 29, 33
T.C. Ry. Co, Blk D-12 with Tex Mex Blk 343
according to Brewster Co Map Jan 31, 1952

(surveyed Aug. 21, 1882)
By S.A. Thompson
Dep. Surveyor Presidio Co

(surveyed by Chas Archer
Dep. Surveyor Pecos Co
Aug. 1881)



By 5-38485

October 8, 1970

Miss Anna M. DeWeese
1301 Euclid Street, NW
Washington, D.C. 20009

Dear Madam:

Receipt is acknowledged of your letter of September 28, 1970 concerning a tract of land in Brewster County, Texas.

The Court Judgment referred to in the letter from the Tax Assessor and Collector, Marathon, Texas, is apparently Cause No. 1934 in the 83rd District Court of Brewster County, Texas, Special October 1947 Term: F. M. Roark et al. vs. H. D. Smith et al. This suit involves the location and boundaries of certain sections of land in Brewster County, Texas. A copy of this Judgment was filed in the General Land Office February 11, 1948, and is indexed as Brewster County Sketch File No. 10.

Subsequent to the filing of the Court Judgment in Cause No. 1934 in this office, a new official Land Office map of the East Part of Brewster County was compiled January 31, 1952. This map reflects and represents the construction of the various Blocks and Sections as ORDERED in said Judgment.

In reviewing our copy of the Court Proceedings in the Judgment in Cause No. 1934, it is noted, that among the list of those cited to appear and answer at the regular August A.D., 1947, term of the court, were the Big Bend Realty and Development Company, a corporation (State of Indiana) and a J. Louis Smith.

Two surveys on which we have received inquiries are Section 11, T.C. Ry. Co., Block D-12, Certificate 1152, Abstract 3288 (Land Office File Bexar Scrip 38480) and Section 21, T.C. Ry. Co., Blk. D-12, Certificate 1157, Abstract 2669 (Land Office File Bexar Scrip 38485). These two surveys were patented September 14, 1882 and the Land Office does not have records of ownership after title has passed from the state.

For your information, we are enclosing a copy of the letter written to Miss Anna M. DeWeede, Washington, D.C., on March 18, 1948.

S-38485

October 8, 1970

This letter goes into detail and explains the reasons that Section 21, T.C. Ry. Co., Blk. D-12 is now void. Section 11, T.C. Ry. Co., Blk. D-12 is also in the same category as Section 21. Also enclosed is a copy of a rough plat we have compiled to illustrate the relative locations of Section 11 and Section 21 to Block 343.

The Judgment in Cause No. 1934 is of record in Volume 7, Page 1, et seq., Minutes of the District Court of Brewster County, Texas. Photostatic copies of field notes for Section 11 or Section 21 may be secured from this office for \$1.50.

Sincerely yours,

JERRY SADLER, COMMISSIONER

JS/ves

Encl.

Bx. S-38485, S-38480

Brewster Co. Sk. File 10

copy to Ms. Billye Wilson

Tax Assessor & Collector

Marathon Independent School District

Marathon, Texas 79842

D²

Counter 16227

March 26, 1931

Vinson, Elkins, Sweeton, and Weems
Niels Esperson Building
Houston, Texas

Gentlemen:

This acknowledges receipt of your letter of the 10th inst. with which you enclosed a plat prepared by Mr. W. L. Rider, Licensed Land Surveyor of El Paso, Texas, showing surveys in the eastern part of Block G-18, Brewster County, and have carefully noted what is said concerning the apparent shortage and discrepancy shown by said sketch in the location of surveys with reference to the Rio Grande and stone mound (county corner) at the mouth of San Francisco Creek called for in the field notes of the river surveys in said block.

Some years ago the owners of lands in a number of blocks in that particular part of Brewster County were more or less troubled over the uncertainty of their boundaries. This trouble, however, was thought to have been settled by a judgment of court hereinafter referred to which has been accepted and followed by this Department.

As a matter of information as shown by the records of this office, Blocks G-1, G-15, and G-18, Brewster County, were originally located by Jno. T. Gano, Deputy Surveyor, Presidio County, based apparently on long traverselines,

#2.

one of more than forty-six miles run by him from Survey 1, Block 21, G.H.&S. A. Ry. Company southeastwardly to the mouth of Maravillas Creek, and one of more than thirty-six miles from the mouth of said Maravillas Creek to the mouth of San Francisco Creek. There appears to be only two marked corners called for in these three blocks, one at the S.W. corner of survey No. 1, Block G-1, and the other at the N.E. corner of Survey No. 95, Block G-18, at the mouth of San Francisco Creek.

In 1908 Block G-1 and a number of the T. & St. L. Ry. Company blocks adjoining G-1 on the west were resurveyed by R. S. Hunnicutt, State Surveyor. In this work he reported to have found what he took to be the S.W. corner of Survey 1, Block G-1, considerably north and west of its former map position as shown by all Land Office maps prior to that time, which resulted in a reduction or shortage of surveys in the T. & St. L. Ry. Company blocks, and by reason of the calls of surveys in Block G-15 to begin on Block G-1 and surveys in Block G-18 to begin on Block G-15, the surveys in the north part of these two blocks were made to conflict with blocks 334, 336, and 343 as shown by Land Office maps of Brewster County based on the Hunnicutt surveys dated 1914 and 1915. This resurvey seems to have been the cause of trouble referred to in a previous paragraph.

The District Court of Terrell County in a judgment rendered at its January Term, 1926, in Cause No. 1670, A. Stewart vs. Joe Harrell, in which the location of Sections 40 and 42,

#3.

Block G-18, were involved, -copy of said judgment together with the Court's findings of fact and conclusions of law were filed in this office November 27, 1926, -in effect held that the Hunnicutt resurvey was erroneous and placed said blocks back in their original map position, thereby releasing the conflicts shown by the maps above referred to. Since the filing of this copy of Judgment this department has respected and followed the court's construction and location of surveys in the several blocks effected thereby.

Referring to this Judgment and the Court's findings of fact, it does not appear that the court took into consideration the rock mound at the mouth of San Francisco Creek called for in the field notes of Section 95, Block G-18. If this be true, then it would seem that the court's construction is erroneous at least insofar as it applies to Block G-18 if, by following its construction, the discrepancy in location with reference to the mouth of San Francisco Creek exists as shown by the Rider plat.

The rock mound at the mouth of San Francisco Creek appears to have been a well-known point at the time of the original location of Block G-18, and there seems to be no question at this time with reference to same. Therefore, it would seem to be an important and controlling corner for surveys in said Block G-18.

Surveys in the N.E. part of Block G-18 located from this corner will conflict with surveys in Blocks D-10 and D-11, T.C. Ry. Company, on the north end and will also conflict with

#4.

the Court's construction of said Block G-18.

This department will be glad to render any possible assistance, but inasmuch as the apparent discrepancies and confusion appear to be the result of former court decisions, which I understand have been accepted and respected by a large number of land owners in the blocks affected, it would seem to be a matter for further court action unless all parties concerned can settle these differences by agreement.

I am enclosing copy of plat by Jno. T. Gano, the original locator of blocks G-1, G-15, and G-18 shown thereon. The Rider plat is also returned as requested.

Very truly yours,



Commissioner

SCC-HL
cc-
Judge J. J. Foster
Del Rio.
Asa Jones
El Paso.
L. B. Wiseman
Floresville.
Payne & Payne
Del Rio.

D600

JOHN E. ALLEN
ATTORNEY AT LAW
208 W. AVE. E - P. O. BOX 484
ALPINE, TEXAS 79830
TENNYSON 7-3558
AREA CODE 915

November 6, 1970

Mrs. W. A. Blanckertz
Hendricks-Blanckertz Farms
Mounds, Illinois 62964

Dear Mrs. Blanckertz:

I am sorry that I did not answer your letter sooner, but I have been doing some things that I could not set aside to do so.

Section 21, Block D-12 of T.C. Ry. Co., Original Grantee still exists on the map, a copy of that portion of Texas I here enclose with the section outlined in red. I also enclose a Texas map with the approximate vicinity of Section 21 located.

I am enclosing a copy of Page 7- Land Commissioner's statement of facts, dated March 10, 1955, filed for record Nov. 19, 1955, recorded (in full 11 pages of typewritten facts as on copy enclosed) in Volume 127, Page 636 of the Deed Records of Brewster County, Texas, and note the first paragraph of this page.

I have checked the Judgment in the case of F.M. Roark, et al (the et al is numerous other Plaintiffs) vs. H.D. Smith, et al (et al here also is numerous Defendants - several hundred) Cause No. 1934, 83rd Judicial District Court of Brewster County, Texas. The Final Judgment was entered on Nov. 1. 1947 and recorded in Volume 7, Page 1 et seq of the minutes of the District Court. The Judgment is 30 pages long, very implicated and complicated, having to do with the priorities of overlapping surveys.

I have not, on the rather hurried examination that I have made, been able to establish that the reference section no longer exists, as it appears on maps made thereafter.

I would suggest that you make inquiry of the Chief Clerk, General Land Office, State of Texas, Archives Building, Austin, Texas; sending him a copy of the information you sent to me, plus the name of the original Grantee: T.C. Ry. Co. that your father was deeded this land on January 16, 1911 by Mark Logan, that the deed is recorded in Volume 21 at Page 621 of the Deed Records of Brewster County, Texas; also send him a copy of the copy of certificate of facts that I here enclose and ask him if they will inform you as to the reasons for the letter to the Marathon Independent School District stating that the section is no longer in existence.

RECEIVED

NOV 20 1970

General Land Office

Counter 16232

Block D-10

Sections 1 thru 16, Cert 347 thru 354 ^{Pres Co}
appl. filed with Sur ^{EW Bates} 7-15-81 (App. in Bex S-35706)

Sections 17 thru 124 Cert 897 thru 950 ^{Pres Co}
appl filed with Sur ^{EW Bates} 7-15-81 (App. in Bex S-35706)

Sections 125 thru 178, Cert 1095 thru 1121 ^{Pres Co}
appl filed with Sur ^{EW Bates} 7-15-81 (App. in Bex S-35706)

Blk surveyed Aug 1st thru 6th 1881 by Chas. Archer
1-30 on 8-1-81 61-90 on 8-3-81 121-150 on 8-5-81
31-60 on 8-2-81 91-120 on 8-4-81 151-178 on 8-6-81

Block D-11

Sections 1 thru 44. Cert 1123 thru 1144 ^{EW Bates Colum Pres Co}
(App. filed with Sur 7-15-81) (App. in Bex S-35706)

Blk surveyed by Chas Archer Aug 8th thru 9th - 1881
1-30 on 8-8-81 31-44 on 8-9-81

Blk G-18

Sections 1 thru 20 - Cert 1638 thru 1647 ^{EW Bates Colum Pres Co}
App. filed with Sur Dec 2nd, 1881 (Bex S-39606)

Sections 21 thru 98 Cert 1649 thru 1687 ^{EW Bates Colum Pres Co}
App. filed with Sur. Dec 2nd, 1881 (Bex S-39606)

Section 100 Cert 2010
App. filed with Sur Dec 2nd, 1881 (Bex S-39606)

Section 101 thru Section 108, cert 4237 thru 4237 thru 4240
App. filed with Surveyor Dec 2nd, 1881 (Bex S-39606)

Sec 109 thru Sec 118 (Cert 112 thru 116)
App. filed with Sur Dec 2nd 1881 (Bex S-39606)

Sec 119-120 (Cert 712) App. filed with Sur. Dec 2, 1881 (Bex S-39606)

App. for survey of all sections in Blk G-18 was
filed with surveyor on Dec 2nd 1881.

Blk G-18 was surveyed by Jno T. Gino Jan 9th thru
Jan 24th, 1882 as follows:

A

(2) 5.18

Section 1 thru 10 1-9-82
 11 thru 22 1-10-82
 23 thru 30 - 1-11-82
 31 thru 41 - 1-12-82
 42 thru 50 1-13-82
 51 thru 62 1-14-82
 63 thru 70 1-16-82
 71 thru 80 1-17-82
 81 thru 89 1-18-82
 90 thru 94 1-19-82
 95 thru 102 1-20-82
 103 thru 106 1-21-82
 107 thru 114 1-23-82
 115 thru 120 1-24-82

Block G-20.

E. G. Gleim

Section 1 thru Sec 10. Cert. 2235 thru cert 2239
 Appl. filed with Sur March 24, 1882. (Box 5-40003)
 Section 11 thru Sec 20 Cert 4852 thru cert 4856
 Appl filed with Surveyor March 24, 1882 (Box 5. - 40003)

Section 1 thru 9 surveyed by Geo T. Gano 4-19-82
 " 10 " 20 " " " " 4-20-82

Blk S-1.

Sec 1, thru Sec 6. Cert 5063-5066 & 5067
 Appl filed with Surveyor ^{At Thompson & Co. San Antonio Co} 2-18-83. (Box 5-48331.)
 Sec 1 & 2 Sur 3-8-83 Geo T Gano.
 Sec 3-6 " 3-9-83 " " .

Sec 1 Blk 51 calls for Rk Mt on W bank Rio Grande
 Co Corner - Presidio & Pecos Counties

A'

Block G-14 - GC&SF Ry Co

Sec 1-46 - Cert 3476 thru 3497 ^{E. G. Gleim}
 appl filed with Sur. Precidia Co 9-30-81 (Box 5-38773)
 Sec 1-7 Sur. 11-9-81
 8-20 " 11-10-81
 21-34 " 11-11-81 } by Jno T Gano
 35-46 " 11-12-81
 Builds off SE Cor Sec 83 Blk G.1.

Blk G.1 - D&W Ry Co.

Sec 1-14 Cert 186 thru 192 ^{E. G. Gleim}
 appl filed with Co Sur. Precidia Co 4/23/81 (Box 5-36158)
 Sec 15-180 Cert. 235 thru 317
 appl filed with Co Sur. Precidia Co 4/23/81 (Box 5-36158)
 Sec 181-200 Cert 2698 thru 2707
 appl filed with Co Sur. Precidia Co 4/23/81 (Box 5-36158)

Survey 1-10	Surveyed 5-5-81	190-200	Sur 5-26-81
11-20	" 5-6-81		
21-30	" 5-7-81		
31-40	" 5-9-81		
41-52	" 5-10-81		
53-58	" 5-11-81		
59-70	" 5-12-81		
71-80	" 5-13-81		
81-89	" 5-14-81		
90-99	" 5-16-81		
100-110	" 5-17-81		
111-120	" 5-18-81		
121-142	" 5-19-81		
143-154	" 5-20-81		
155-159	" 5-21-81		
160-170	" 5-23-81		
171-180	" 5-24-81		
A ² 181-189	" 5-25-81		

Blk G-1 surveyed May 5 through
 May 26, 1881 by Jno. T. Gano
 Byno at R.M. on NE slope Rio Grande Range
 Bony given to Mtn pks - NW cor Sec 1 Blk
 at G&SF Cert 1995 etc mounted
 Manzanillo Creek.

Block G-15

Surveys 1-54 - Oct 3448-3474

Appl. filed with E. G. Gleason & Son Placid Co 9-30-81 (Blk 5-3874G)

Sec 1-13 Surveyed 11-14-81

14-29 " 11-15-81

30-42 " 11-16-81

43-54 " 11-17-81

Jno. T. Leno

Bqns at R.M., NW corner Sec 200 Blk G-1 + NE Cor Sec 25
Blk 228.

A³

County 16236

Files and maps used in connection with examination of Gant's map & report in surveying sections in Blk G-18 & D-10, lying in the S.E. part of Brewster Co

Box 1-200

5-35705-6-7

35646-

36158-

38425-26-27-28

38450-51

38746-73-76

39339-

39494

39602-4-6-11-55-56-57-58-59-60-

40003-

40027

40508

40878

48304-31

F-115859

116728

118501-3

121982

Sk File N-5-1- Brewster Co

Gant's sk - Blk G-18 & adjoining Blks
small listing R.S. Dod - locating corners in Blk D-10 - (5-35705)

W.L. Rider rolled sketches - filed 8/22/30, 10/2/30, etc

RS Dod's rolled sketches - with letter dated 7/3/13

JP Dod's listing sk (rolled) filed 9/9/30

W.D. Hunters sk filed 1/15/08 - in Box 5-35705

B.I. Willcox's rolled sk Blk G-18 - in tube

B.M. Hahner's sk & report - dated 8/10/35

Gant's rolled sk (B/P) filed 7-3-35 "See 48- Blk 331"

W.C. Sk Brewster Co - in Rolled Sketches

" " - W.C. Sk file dated 10-24-29 & dated 11/30/08

Township W.C. Sk Brewster (in rolled sk) - 11-26-07

A⁴ Brewster Co W.C. Sk (in rolled sk) - Sept 1908

A⁴ Turrell Co W.C. Sk dated 11-25-08

Counter 16237

D-10 - Sur Aug 1/6, 1881 appl filed 7-15-1881 Geno

G-18 Sur. Jan 9/24, 1882 appl filed 12-2-81 Geno

M-2 Sur April 14/18, 1882 appl filed 3-29-82 Geno

Block M2, Confederate Scrip was surveyed, by
Jno. T. Geno, as follows

4-14-82

1-3-5-7-9-11-13

4-15-82

15-17-19-21-23-25-27

4-17-82

4-18-82

2-4-6-8-10-12-14-16-18-20-22-24-26-28

by virtue of Certs. no's 193-384-759-841-868-883-
1123-1227-1313-1488-1554-1571
1636-1723

for location of which, application was filed
with E. G. Gleim, Co. Surveyor of Presidia County
on March 29th, 1882. (Box 5-40878)

A⁵

Block M-2, Confederate Locations

Section	Cert No	Surveyed on	Surveyed by
1-2	193 ✓	4-14-82 ✓	John Gona
2	"	4-17-82	"
3	384 ✓	4-14-82 ✓	"
4	"	4-17-82	"
5	759 ✓	4-14-82 ✓	"
6	"	4-17-82	"
7	841 ✓	4-14-82 ✓	"
8	"	4-17-82	"
9	868 ✓	4-14-82 ✓	"
10	"	4-17-82	"
11	883 ✓	4-14-82 ✓	"
12	"	4-17-82	"
13	1123 ✓	4-14-82 ✓	"
14	"	4-17-82	"
15	1227 ✓	4-15-82	"
16	"	4-17-82	"
17	1313 ✓	4-15-82	"
18	"	4-18-82	"
19	1488 ✓	4-15-82	"
20	"	4-18-82	"
21	1554 ✓	4-15-82	"
22	"	4-18-82	"
23	1571 ✓	4-15-82	"
24	"	4-18-82	"
25	1636 ✓	4-15-82	"
26	"	4-18-82	"
27	1723 ✓	4-15-82	"
28	"	4-18-82	"

Application for survey or location of
 above numbered certificates
 filed with E. G. Gleim, Surveyor of
 Presidio County on March 29, 1882

(Box 5-40878)

Section 1 Bgn at RM on Bank Rio Grande - NE
& lower cor - no 1 Bk B.I. BC + SF Ry Co
210920 E of SE Cor No 21 Bk G 14 + 5 vs
below Cavalry Watering Trail; also 19182
no 5 + 42770 SW of St Mch at mouth of
San Francisco Creek.

Sec 2 calls for Str Mnt mld x - 3' high, near
Riv Bk above mouth of Small Arroyo

Sec 13 mentions large spring of bearing.

Sec 15 " " " "

Sec 19 " Head of Fall at mouth of Arroyo

" 21 " " " "

27 " Str Mnt x - 3' high above mouth of
Small Arroyo.

COPY OF A LETTER DATED

March 18, 1948.

Miss Anna M. DeWeese
1301 Euclid Street, N.W.
Washington 9, D. C.

Dear Madam:

Your letter of March 5, 1948, in regard to Section 20, Block 343, G.C.&S.F. Ry. Co. Survey, and Section 21, Block D12, T. C. Ry. Co. Survey in Brewster County, has been received and an investigation of our records relating to these surveys has been made.

It is found that Section 21, Block D12, was located on August 10, 1881, by Charles Archer, Deputy Surveyor of Pecos County. Section 20, Block 343, was located on April 21, 1882, by S. A. Thompson, Deputy Surveyor of Presidio County. From these dates it would appear that Section 21, Block D12, is senior and superior to Section 20, Block 343. However, at the time of the location of the surveys, the area in question was in what was then Presidio County and now Brewster County. The land in question was never a part of Pecos County. Charles Archer, the Deputy Surveyor of Pecos County, did not have authority to make his survey beyond the boundaries of Pecos County which were the limits of his jurisdiction. His survey of Section 21, Block D12, was therefore void.

Although surveyed at a later date, Section 20, Block 343, became the valid senior survey as it was located by a surveyor having the authority to make the location. Our records reveal Section 20, Block 343, and Section 21, Block D12, to be in conflict, and according to my findings, Section 20, Block 343, is the valid senior survey and is superior to Section 21, Block D12.

Miss Anna M. DeWeese
Page 2
March 18, 1948

Possibly some agreement can be reached between you and Mr. Holmes, the owner of Section 20. It is hoped that a settlement satisfactory to both can be made.

Sincerely yours,

BASCOM BILES, COMMISSIONER
OF THE GENERAL LAND OFFICE

Campbell:er
Files - Bex. S. 38485
Bex. S. 40049
140342

Counter 16271

MARATHON INDEPENDENT SCHOOL DISTRICT
MARATHON, TEXAS - 79842

RECEIVED

NOV 16 1970

General Land Office

November 10, 1970

Donald M. Nicholson
5639 Montview Blvd.
Denver, Colorado 80207

Dear Mr. Nicholson:

The Jane C. Buehler Trust has rendered and paid taxes on 4 tracts of land in this school district. When this office checked the map from the General Land Office, we found Survey 11, Block D-12 and Survey 79, Block G-18 were no longer on the map.

In reply to our letter to the General Land Office we received the following information:

"According to Judgement of 83rd District Court of Brewster County this area is covered by superior surveys."

This judgement involves the location and boundaries of certain sections of land in Brewster County, Texas. This is filed as Cause #1934, in volume 7, page 1, at the Brewster County Court House, Alpine, Texas. A copy of this cause can be purchased for about \$22.00.

I suggest you write Jerry Saddler, Land Commissioner, General Land Office, Austin, Texas for clarification of this matter. Please give description of land in question.

The 4 tracts of land owned by Jane C. Buehler Trust have been transferred to Warren and Richard Barrett and you.

I am listing each property and 1970 tax separate. You may pay on whatever tract or tracts you so desire.

5.38480	3288	3228	D-12	11	✓	TC Ry Co NW SE	40 acres	\$1.43 tax	(<u>GONE</u>)
5.39339	—	2834	334	X1	✓	TC Ry Co	589 acres	21.03 tax	Possibly 30A excess
5.39649	—	2714	G-18	X77	✓	TC Ry Co NW NW	40 acres	1.43 tax	Question
5.39650	—	2715	G-18	X79	✓	TC Ry Co NW NE	40 acres	1.43 tax	(<u>GONE</u>)

This office does not have the right nor is it our duty to determine ownership, refuse to accept taxes or to give an opinion in this matter. I am sorry that I cannot be of more help to you concerning this matter.

Sincerely yours,

Billy Wilson
Billy Wilson

BW/mr

Counter 16242

RECEIVED
 NOV 16 1970
 General Land Office

Roll 1 Page 19 Line 25
 DUE FROM:

Mrs. Jane Buehler
 American Fletcher National
 Bank & Trust Co.
 Indianapolis, Ind. 46204

MARATHON
 INDEPENDENT SCHOOL DISTRICT
 P. O. Box 577
 MARATHON, TEXAS 79842

1970
 TAX STATEMENT

No 79

Statement of Taxes due for current year on following described property:

Abstract or Lot No.	Certificate Tract or Block	Survey Division or Out Lot	ORIGINAL GRANTEE CITY OR TOWN	Acres	Value	Amount Due
3288	D-12	11	TC Ry Co NW SE	40	84.00	
2834	334	1	TC Ry Co	589	1236.90	
2715	G-18	79	TC Ry Co NW NE	40	84.00	
2714				40	84.00	

Please be advised: The tax rate for Marathon Independent School District has been lowered from \$1.80 to \$1.70 for the tax year 1970.

1% discount if paid in December. Penalty and interest if not paid by January 31st.

1,488.90 | 25.31

Billye Wilson
 Tax Assessor-Collector
 Steck-Austin 430 Series-O

PLEASE RETURN THIS
 STATEMENT WITH YOUR REMITTANCE.

Counten 16243

MARATHON INDEPENDENT SCHOOL DISTRICT
MARATHON, TEXAS - 79842

RECEIVED
NOV 16 1970
General Land Office

September 25, 1970

Jane C. Buehler
American Fletcher National Bank & Trust
Indianapolis, Ind. 46204

Dear Mrs. Buehler:

This office has received a letter from Jerry Sadler, Commissioner, General Land Office of Austin stating: "According to Judgement of 83rd District Court of Brewster County this area is covered by superior surveys."

Survey 11, Block & Survey 79 block G-18
are included in the Judgement.

7 — (If you wish to verify this statement that this land no longer exists, I suggest you write Jerry Sadler, Commissioner, General Land Office, Austin, Texas 78701.

It is not the duty of this office to determine if land exists or not or to refuse taxes from anyone who wishes to pay on any land. Your name is on the 1970 tax roll and you will receive a tax statement in the next week or so, please let us know if you desire to continue to pay tax on this land or not.

I believed that you should be notified of this Judgement. Sorry that this office can not help you with this situation.

Sincerely yours,

Billye Wilson
Billye Wilson
Tax Assessor & Collector

BW/mr

Counter 16244

RECEIVED

NOV 16 1970

General Land Office

INFORMATION TO TAXPAYERS

Full payment may be made as follows: 3% discount on total tax payments 90 days before Jan. 31, 1971, 2% discount on total tax payments 60 days before Jan. 31, 1971, 1% discount on total tax payments 30 days before Jan. 31, 1971. 6% penalty and 6% interest per annum which is equivalent to 1 1/2% penalty and interest per month. March-April 3%, April-May 4 1/2%, May-June 6%, June-Total 7 1/2%, July 8%, penalty plus 6% interest from Feb. 1st.

Roll 13 Page 47 Line 30 State and County Alpine, Texas, 197 1970

Tax Statement for 1970

STATEMENT of Taxes now due for the year 1970 on Personal Property and the following described Real Estate in Brewster County, Texas.

Nicholson, Donald M. 706
3990 Montview, Denver, Colo.
812 07

ABSTRACT OR LOT	Cert. or Block	Survey or Div.	ORIGINAL GRANTEE, CITY OR TOWN	ACRES	VALUE	DISTRIBUTION	FULL TAX	LAST HALF
2254	224	1	T.O. Co.	2.27	1130	State Ad Valorem	577	
2212	216	11	" " NW-SE	40	20			
2715	215	79	" " SW	40	20	County Ad Valorem	1144	
2114	215	79	" " NW-NW	40	20			
2212	216	47	HP-UTP		60	District School No. 2	50	
			NW-SE-OR-NWSE					
TAX STATEMENT						Value of Personal Property		
						Total Value	1436	
						State Value	1436	
						TOTAL TAX	1713	
						Less Discount		
						TOTAL		
By _____ Deputy.						Plus Pen. & Int.		
						AMOUNT COLLECTED		

V. G. HEIL
Tax Assessor and Collector, Brewster County, Texas.

County 16245

XXXX

17.03
51
16527

17.03
.03
.00
51.097

.001

DONALD M. NICHOLSON 6992
5639 EAST MONTVIEW BOULEVARD
DENVER, COLORADO 80207

October 7 1970 23-1
1020

DAY TO THE ORDER OF Tax Assessor and Collector, Brewster County, Texas \$16.52

-----Sixteen and 52/100----- DOLLARS

THE FIRST NATIONAL BANK OF DENVER
DENVER, COLORADO

For Tax Statement #1423

Donald M. Nicholson

⑆ 10 20 000 ⑆ 58 670 1 7 ⑆

Another time-saving idea from DAY-TIMERS, Inc. • Publishers of functionalized Desk, Pocket and Weekly DAY-TIMERS

RECEIVED

DAY/TIMER
time-saver

THE ELECTION COMMISSION
CITY AND COUNTY OF DENVER
ROOM 150, CITY & COUNTY OF DENVER
DENVER, COLORADO 80202

LETTER

NOV 16 1970

IN REFERENCE TO:
Tax Statement #1423

General Land Office

AIRMAIL FIRST CLASS MAIL INTER-OFFICE

FOR V. G. HEIL, Tax Assessor & Collector
Brewster County
Box 988
Alpine, Texas 79830

HOW TO USE THIS

DAY/TIMER
time-saver LETTER TO SAVE TIME.

Type or write your reply in the space below. Then mail the white copy to us and keep the pink copy for your files. You'll save time and effort, and we'll have your answer much faster! Thank you.

MESSAGE

DATE October 8, 1970

Please note the enclosed copy of Tax Bill #1423 and my personal check in the amount of \$16.52 ((\$17.03 less 3%).

Please acknowledge receipt by signing and returning the white (original) copy of this "time-saver" letter.

Thank you.

Donald M. Nicholson

Donald M. Nicholson

Home address:
5639 Montview Blvd.
Denver, Colorado
80207

Office address:
Nicholson Manufacturing, Inc.
3990 Ulster Street
Denver, Colorado 80207

BY

REPLY

DATE

10/12/70

Receipt hereby acknowledged,

[Signature]
Tax Collector

BY

AMERICAN FLETCHER NATIONAL BANK
AND TRUST COMPANY - INDIANAPOLIS 46204

JAMESON WOOLLEN, VICE PRESIDENT
AND TRUST OFFICER
TELEPHONE 633-2421 AREA CODE 317

May 12, 1970

RECEIVED

NOV 16 1970

General Land Office

Mr. Donald M. Nicholson
Nicholson Manufacturing Co., Inc.
3990 Ulster St.
Denver, Colorado

Re: Tr. u/w Jane C. Buehler

Dear Mr. Nicholson:

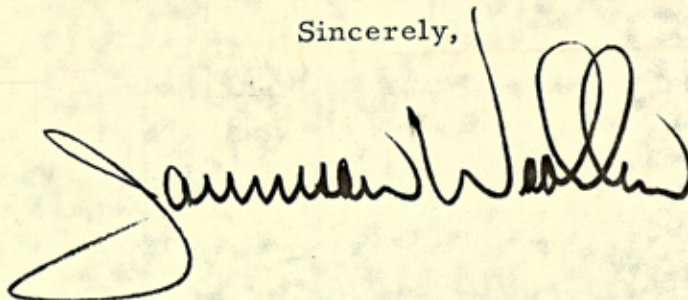
In my last communication with you I indicated that there was a litigation problem involving the title to the Brewster County real estate held in the Buehler trust. We have subsequently been advised by Richard E. Bowers, our legal representative in Alpine, Texas, that that action has been dismissed.

I am enclosing the original of the trustee's deed which conveys a 1/2 undivided interest to you in the unimproved real estate located in Brewster County, Texas, formerly held as an asset of the Jane C. Buehler trust. I am sending Xerox copies of this deed to Warren M. Barrett and Richard A. Barrett.

The tax basis on this real estate is \$100.00.

We are advised by the County Clerk of Brewster County that the tax assessor has been advised of this conveyance and that future tax statements will be sent to the holders of the three undivided interests.

Sincerely,



JW:ems
Enclosure

Coentes 16247

TRUSTEE'S DEED

American Fletcher National Bank and Trust Company as Trustee under the Will of Jane C. Buehler conveys to Warren M. Barrett of 103 Brookside Road, Newington, Connecticut, an undivided 1/4 interest, to Richard A. Barrett of 7943 Causeway Boulevard, North, St. Petersburg, Florida 77310, an undivided 1/4 interest, and to Donald M. Nicholson of 3990 Ulster Street, Denver, Colorado an undivided 1/2 interest in and to all of the following described real estate in Brewster County, Texas:

RECEIVED
NOV 16 1970
General Land Office

Abstract No. 2834, Certificate No. 334, Survey No. 1, T C Railway Company, original grantee, 589 acres.

The NW 1/4 of the SE 1/4 of Abstract No. 3288, Block No. D-12, Survey No. 11, T C Railway Company, original grantee, 40 acres.

Abstract No. 2715, Block G-18, Survey 79, Tract 9, T C Railway Company, original grantee, 40 acres.

The NW 1/4 of the NW 1/4 of Abstract No. 2714, Block G-18, Survey 77, T C Railway Company, original grantee, 40 acres.

The NW 1/4 of the SW 1/4 and the NE 1/4 of the NW 1/4 of the SE 1/4 of Abstract No. 2373, Block G-9, Survey 47, NE & W T Railway Company, original grantee, 50 acres.

Subject to all real estate taxes now alien and all easements and restrictions of record.

American Fletcher National Bank and Trust Company covenants that the above described real estate is free from any encumbrances made or suffered by it and that it and its successors and assigns will warrant and defend title to the above described real estate to the Grantees and the Grantees' assigns forever against the lawful claims and demands of all persons claiming by, through or under it but against none other. The officers of the Grantor who execute this Deed being duly sworn state that they are duly authorized to do so and that the execution and delivery of this Deed completely fulfills and finally terminates the Trust under the Will of Jane C. Buehler insofar as it pertains to the above described real estate.

Dated: April 22nd, 1970

AMERICAN FLETCHER NATIONAL BANK
AND TRUST COMPANY, Trustee

By Jameson Woollen
Jameson Woollen
Vice President and Trust Officer

Corporate Seal

Attest:

Thomas L. Plimpton
Thomas L. Plimpton
Trust Officer

RECEIVED
NOV 16 1970
General Land Office

October 28, 1970

The Marathon Independant School District
Attn: Billye Wilson, Tax Assessor and Collector
Marathon, Texas 79842

Dear M. Wilson:

The American Fletcher National Bank & Trust Company of Indianapolis, Indiana has forwarded to me a form letter dated September 25, 1970 - a letter indicating that certain property in Brewster County, Texas no longer exists and that there is a question whether or not the taxes need to be paid.

Under the terms of the Jane C. Buehler Trust, myself and my nephews, Warren and Richard Barrett, are the present owners of the property. Please note the enclosed Trustee's Deed dated April 22, 1970 which has been filed with the Clerk of the County Court in Brewster County, Texas in Volume 168, page 96.

Please also note that V. G. Hell, Tax Assessor and Collector for Brewster County, Texas has acknowledged receipt of payment of State and County taxes on this property for 1970.

I am confused concerning your statement "that this land no longer exists". Is it possible that the Marathon Independant School District was not aware of the transfer of the property from the Jane Buehler Trust in Indianapolis to Messrs. Barrett and myself?

I am ready and willing to pay the 1970 tax statement for the Marathon Independant School District (the bill in the amount of \$25.31 has been forwarded to me) but I would appreciate a clarification as to why this land may "no longer exist".

For your records, my home address is 5639 Montview Blvd., Denver, Colorado, 80207 and I may be reached at the Election Commission (as indicated on this letterhead) or at Nicholson Manufacturing, Inc., 3990 Ulster St., Denver, Colorado 80207.

Thank you for advising me concerning this matter.

Sincerely,

Donald M. Nicholson

DMN/ms
cc: Warren Barrett
Richard Barrett

Counter 16249

C
O
P
Y

COPY OF A LETTER DATED

March 18, 1948.

Miss Anna M. DeWeese
1301 Euclid Street, N.W.
Washington 9, D. C.

Dear Madam:

Your letter of March 5, 1948, in regard to Section 20, Block 343, G.C.&S.F. Ry. Co. Survey, and Section 21, Block D12, T. C. Ry. Co. Survey in Brewster County, has been received and an investigation of our records relating to these surveys has been made.

It is found that Section 21, Block D12, was located on August 10, 1881, by Charles Archer, Deputy Surveyor of Pecos County. Section 20, Block 343, was located on April 21, 1882, by S. A. Thompson, Deputy Surveyor of Presidio County. From these dates it would appear that Section 21, Block D12, is senior and superior to Section 20, Block 343. However, at the time of the location of the surveys, the area in question was in what was then Presidio County and now Brewster County. The land in question was never a part of Pecos County. Charles Archer, the Deputy Surveyor of Pecos County, did not have authority to make his survey beyond the boundaries of Pecos County which were the limits of his jurisdiction. His survey of Section 21, Block D12, was therefore void.

Although surveyed at a later date, Section 20, Block 343, became the valid senior survey as it was located by a surveyor having the authority to make the location. Our records reveal Section 20, Block 343, and Section 21, Block D12, to be in conflict, and according to my findings, Section 20, Block 343, is the valid senior survey and is superior to Section 21, Block D12.

Miss Anna M. DeWeese
Page 2
March 18, 1948

Possibly some agreement can be reached between you and Mr. Holmes, the owner of Section 20. It is hoped that a settlement satisfactory to both can be made.

Sincerely yours,

BASCOM FILES, COMMISSIONER
OF THE GENERAL LAND OFFICE

Campbell:er
Files - Bex. S. 38485
Bex. S. 40049
140342

Counter 16250

March 18, 1948.

Miss Anna M. DeWeese
1301 Euclid Street, N.W.
Washington 9, D. C.

Dear Madam:

Your letter of March 5, 1948, in regard to Section 20, Block 343, G.C.&F. Ry. Co. Survey, and Section 21, Block D12, T. C. Ry. Co. Survey in Brewster County, has been received and an investigation of our records relating to these surveys has been made.

It is found that Section 21, Block D12, was located on August 10, 1881, by Charles Archer, Deputy Surveyor of Pecos County. Section 20, Block 343, was located on April 21, 1882, by S. A. Thompson, Deputy Surveyor of Presidio County. From these dates it would appear that Section 21, Block D12, is senior and superior to Section 20, Block 343. However, at the time of the location of the surveys, the area in question was in what was then Presidio County and now Brewster County. The land in question was never a part of Pecos County. Charles Archer, the Deputy Surveyor of Pecos County, did not have authority to make his survey beyond the boundaries of Pecos County which were the limits of his jurisdiction. His survey of Section 21, Block D12, was therefore void.

Although surveyed at a later date, Section 20, Block 343, became the valid senior survey as it was located by a surveyor having the authority to make the location. Our records reveal Section 20, Block 343, and Section 21, Block D12, to be in conflict, and according to my findings, Section 20, Block 343, is the valid senior survey and is superior to Section 21, Block D12.

Miss Anna M. DeWeese
Page 2
March 18, 1948

Possibly some agreement can be reached between you and Mr. Holmes, the owner of Section 20. It is hoped that a settlement satisfactory to both can be made.

Sincerely yours,

BASCOM GILES, COMMISSIONER
OF THE GENERAL LAND OFFICE

Campbellier
Files - Bex. S. 38485
Bex. S. 40049
140342

Counter 16251

November 19, 1970

Mr. Donald M. Nicholson
Nicholson Manufacturing, Inc.
3990 Ulster Street
Denver, Colorado 80207

Re: Sec. 11, T.C. Ry. Co., Blk. D-12,
Sec. 1, T.C. Ry. Co., Blk. 334,
Sections 77 & 79, T.C. Ry. Co.,
Blk. G-18, Brewster Co., Texas
Land Office Files Bx. S-39339,
Bx. S-38480, Bx. S-39649 & S-39650

Dear Sir:

We have your letter of November 14, 1970 concerning your problems with the captioned surveys.

First, let us suggest that you procure a copy of the Land Office Map of the East Part of Brewster County. The price is \$3.00.

As to Section 1, T.C. Ry. Co., Block 334, Abstract 3288, there appears to be no discrepancy in the field notes and patent; in fact, there is a possibility that the survey may contain about 30 acres more than called for in the patent, but a resurvey would be required to confirm this.

The Tax Assessor has advised you of the Court Decrees which determined the Construction of the various blocks in the Eastern part of Brewster County. Cause No. 2006, Dick Williams, et al., vs. Asa A. Jones, et al., February 23, 1943, District Court of Brewster County, fixed the position for the Southwest corner of Block G-1, D. & W. R. R. Co., upon which the construction of Blocks G-18, T.C. Ry. Co., Tex. Mex. Ry., Block 343 and T.C. Ry. Co., Blocks D-11 and D-12 are dependent. It is noted that the name of James C. Buehler appears among those cited in this judgment.

Cause No. 1934, F. M. Roark, et al. vs. H. D. Smith, et al., 83rd District Court of Brewster County, involves the location and boundaries of certain sections of land in Brewster County.

November 19, 1970

With respect to the conflict between T.C. Ry. Co., Block D-10 and T.C. Ry. Co., Block G-18, the court order reads as follows: "1. Blocks D-10 and D-11 respectively, T.C. Ry. Co. grantee, shall take precedence over and be prior in location to all lands in Block G-18 in conflict therewith." Section 79, T.C. Ry. Co., Block G-18 is entirely in conflict with Block D-10 and is therefore no longer a valid survey.

With respect to Section 77, T.C. Ry. Co., Block G-18, the court order reads as follows: "4. With respect to Block G-18, when same is located as hereinabove directed, i.e., Surveys 1 to 68, inclusive, beginning at the N.E. corner of Survey No. 40 in Block G-15 and surveys Nos. 69 to 120, both inclusive, when located in relation to the Stone Mound at the mouth of San Francisco Creek, as hereinabove directed, there will be certain conflicts within said Block, and to the extent of any such conflict said surveys Nos. 1 to 68, both inclusive, prevail over surveys Nos. 69 to 120, both inclusive." If you will now examine the map of the East Part of Brewster County, you will note that the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 77, T.C. Ry. Co., Block G-18 is almost entirely in conflict with Section 65 in same block.

As to Section 11, the enclosed copies of replies to other inquiries on this survey should explain the conflict in that area.

Sincerely yours,

JERRY SADLER, COMMISSIONER

JS/ves
Encl.

B2

Coenter 16253

November 4, 1970

Mr. John C. Helm
Route 3, Box 120
Denison, Texas 75020

Re: Sec. 21, Blk. D-12,
T.C. Ry. Co., Abst. 2669,
Brewster Co., Texas.
Land Office File Bexar S-38485

Dear Sir:

Receipt is acknowledged of your letter of October 31, 1970 concerning the status of the captioned survey.

Section 21 was patented September 14, 1882, and after title has passed from the state, the Land Office has no further record of the ownership. The records of subsequent transactions may be found in the County deed records.

The official Land Office map of the East Part of Brewster County was compiled January 31, 1952, and the construction of the various blocks and sections was made in accordance with the ORDERS of the 83rd District Court of Brewster County in Cause No. 1934, Special October 1947 Term. This case involves the location and boundaries of certain sections of land in Brewster County.

In regard to Section 21, T. C. Ry. Co., Blk. D-12, we find that this survey is in conflict with Sections 19, 20, 22, 23 and 24, Tex. Mex. Ry. Co., Blk. 343 after the respective blocks are constructed in accordance with the orders of the Court.

The records of this office reveal that Sections 19, 20, 22, 23 and 24, Tex. Mex. Ry. Co., Blk. 343, are also patented; therefore, the problem of ownership and possession would appear to be a concern of the respective parties involved.

Certified copies of the patents for the above mentioned surveys may be procured from this office at \$1.50 each. Copies of the field notes are \$1.50 for two pages or less.

The Court Judgment of the 83rd District Court is of record in Vol. 7, Page 1, et seq., Minutes of the District Court of Brewster

E1
Counter 16254

November 4, 1970

County, dated January 21, 1948.

We are sending you a copy of a rough sketch we have prepared, so as to illustrate the areas of conflict. Also enclosed is a copy of the letter written to Miss Anna M. DeWeese in 1948, which explanation is also applicable to Section 33.

Please call upon this office if we can be of further assistance.

Sincerely yours,

JERRY SADLER, COMMISSIONER

JS/ves'
Encl.

E2

Coenter 16255

July 30, 1972

Trans-Pecos Abstract Company
Brewster County
P. O. Box 29
Alpine, Texas 78930

Attention: Gayle Bailey

Re: Sec. 21, Blk. D-12, T.C. Ry. Co.,
Abst. 2669, Brewster County,
Land Office File Bexar S-38485

Gentlemen:

Receipt is acknowledged of your letter of August 23, 1972 concerning the status of the captioned survey.

Sec. 21 was patented September 14, 1882, and after title has passed from the state, the Land Office has no further record of the ownership. The records of subsequent transactions may be found in the County deed records.

The official Land Office map of the East Part of Brewster County was compiled January 31, 1952, and the construction of the various blks. and sects. was made in accordance with the ORDERS of the 83rd District Court of Brewster County in Cause No. 1934, Special October 1947 Term. This case involves the location and boundaries of certain sections of land in Brewster County.

In regard to Section 21, T.C. Ry. Co., Blk. D-12, we find that this survey is in conflict with Sections 19, 20, 22, 23 and 24, Tex. Mex. Ry. Co., Blk. 343 after the respective blks. are constructed in accordance with the orders of the Court.

The records of this office reveal that Sections 19, 20, 22, 23 and 24, Tex. Mex. Ry. Co., Blk. 343, are also patented; therefore, the problem of ownership and possession would appear to be a concern of the respective parties involved.

Certified copies of the patents for the above mentioned surveys may be procured from this office at \$1.50 each. Copies of the field notes are \$1.50 for two pages or less.

F¹
Counter 16256

Trans-Pecos Abstract Company

July 30, 1972,

Page 2

The Court Judgment of the 83rd District Court is of record in Vol. 7, Page 1, et seq., Minutes of the District Court of Brewster Co., dated January 21, 1948.

We are sending you a copy of a rough sketch we have prepared, so as to illustrate the areas of conflict. Also enclosed is a copy of the letter written to Miss Anna M. DeWeese in 1948.

Please call upon this office if we can be of further assistance.

Sincerely yours,

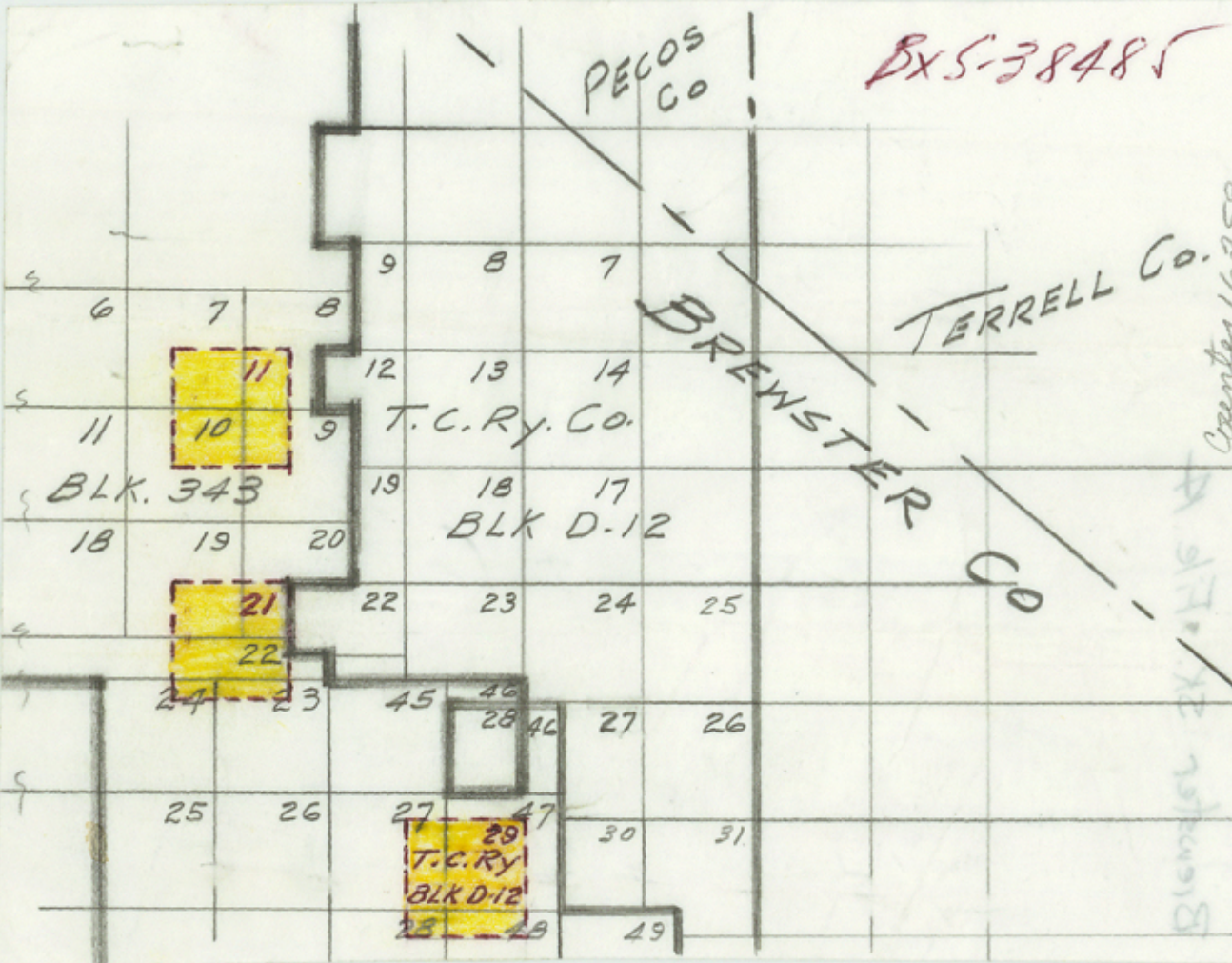
Bob Armstrong

By: R. C. Wisdom
Director, Surveying Division

RCW/dc

PECOS
CO

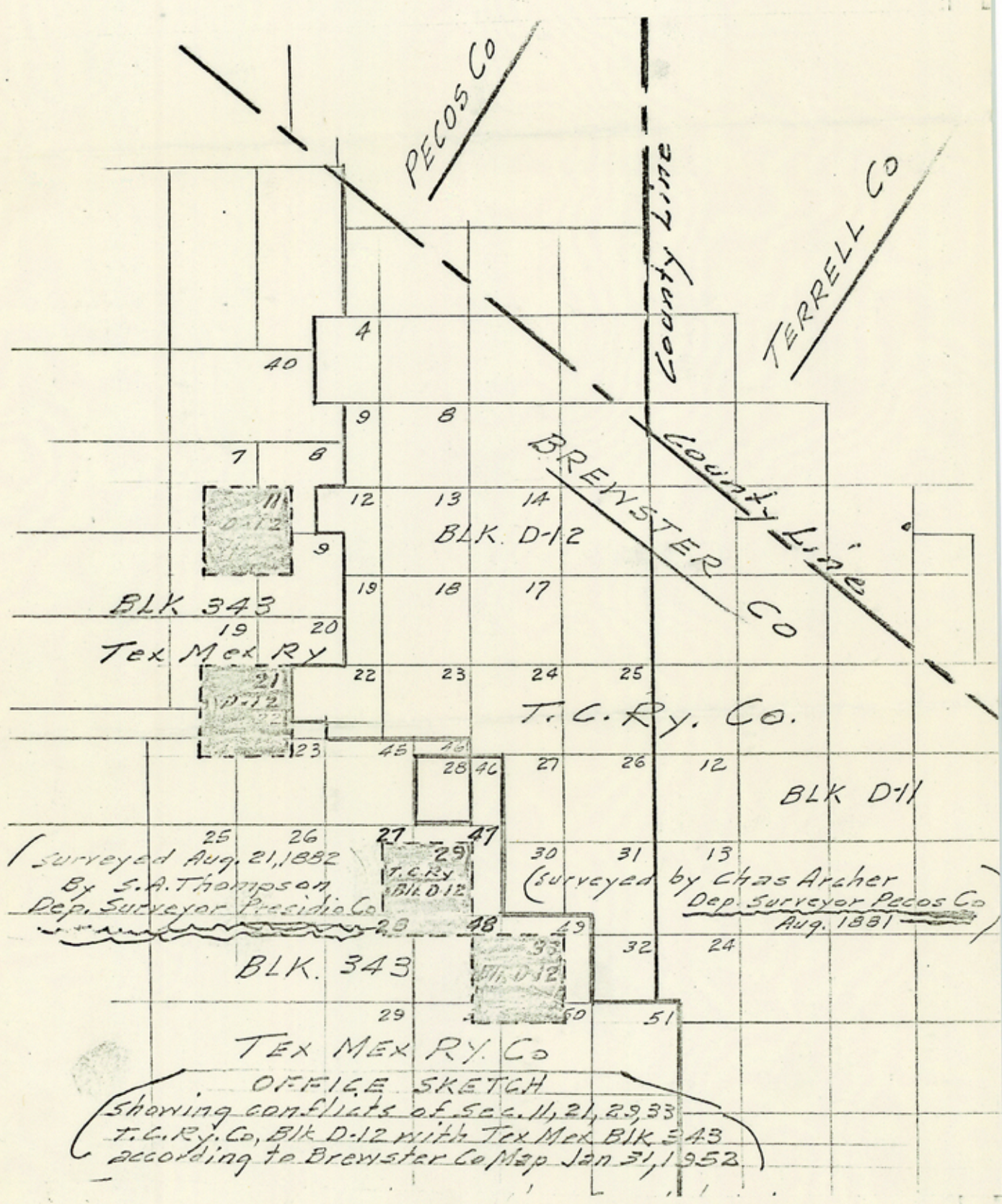
BX 5-38485



County 16258

Brewster Co. 21/16

Example of E.P. #



OFFICE SKETCH
 Showing conflicts of Sec. 11, 21, 29, 33
 T.C. Ry. Co., BLK. D-12 with Tex Mex BLK. 343
 according to Brewster Co Map Jan 31, 1952

Mary Hendricks Blanckertz ✓

1

D600

William A. Blanckertz

Hendricks = Blanckertz Farms and Nursery

MOUNDS, ILLINOIS



Who's friendly acres grow good
Things to eat, also flowers and
Evergreens to make your
Home... the more complete

NOV 17 - 1970
Chief clerk of General Land office
archives bldg.
Austin, Texas

Vic
White
from
J.H.

Dear sir:

My father The Late J. H. Hendricks
bought HOA of Land in Brewster county
Texas in 1971 - we have paid Taxes on
this Land all these years. This year I
received the enclosed letter, stating
the Land was not in the last survey
& our name not in 1970 Books -

I contacted attorney John E. Allen
of Alpine Texas - and am enclosing
photo & copy of part of his letter &
legal description. He suspected I said
you - an unusual situation. Kindly
advise me what I am to do.

Yours Sincerely
Mary (Hendricks) Blanckertz

RECEIVED
NOV 20 1970

General Land Office

G1

Counter 16260

9600

**YOUR 1970 TAXES ARE NOW DUE IN THE
AMOUNT SHOWN BELOW**

The below total amount is the amount of all of your taxes for this year including fee of "F. J. ELLYSON TAX AGENT" formerly "H. Leo Tucker Tax Agency".

Discounts for prompt payment apply with part of the tax units. If your check for the total shown below is sent us promptly, we will take maximum advantage of all discounts which apply and return the savings to you as a refund when the receipts are mailed.

**Regarding letter- PLEASE ADVISE
SHOW YOUR CORRECT ADDRESS AND
PLEASE RETURN THIS CARD**

State & County Tax	\$...94.....
City Tax	\$
Marathon Ind. School Dist.	\$ 1.43.....
Alpine Ind. School Dist.	\$
Rendering Fee & Postage	\$ 1.62.....
TOTAL	\$ 3.99.....

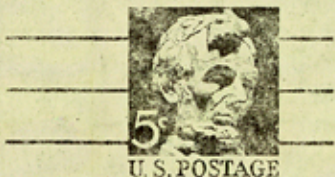
**F. J. Ellyson, Tax Agent
Box 418, Alpine, Texas**

RECEIVED
NOV 20 1970

General Land Office

Counter 16261

G2



Estate J. H. Hendricks
c/o Mrs. W.A. Blackertz Rte. 1, Box 97
Mounds, Illinois 62964

RECEIVED

NOV 20 1970

General Land Office

Counter 16262

D600

D600

MARATHON INDEPENDENT SCHOOL DISTRICT
MARATHON, TEXAS - 79842

September 25, 1970

J. H. Hendrick
% F. J. Ellyson
Alpine, Texas 79830

Dear Mr. Hendrick:

This office has received a letter from Jerry Sadler, Commissioner, General Land Office of Austin stating: "According to Judgement of 83rd District Court of Brewster County this area is covered by superior surveys."

Survey 21 Block D-12
are included in the Judgement.

If you wish to verify this statement that this land no longer exists, I suggest you write Jerry Sadler, Commissioner, General Land Office, Austin, Texas 78701.

It is not the duty of this office to determine if land exists or not or to refuse taxes from anyone who wishes to pay on any land. Your name is on the 1970 tax roll and you will receive a tax statement in the next week or so, please let us know if you desire to continue to pay tax on this land or not.

I believed that you should be notified of this Judgement. Sorry that this office can not help you with this situation.

Sincerely yours,

Billye Wilson
Billye Wilson
Tax Assessor & Collector

BW/mr

RECEIVED
NOV 20 1970
General Land Office

G³

Counter 16263

From: Certificate of Facts by J. Earl Redder,
Land Commissioner, Dated March 10,
1955 - Recorded Vol. 127, P. 626, Deed
Records of Brewster County, Texas,
Dennis Wallace, Chief Clerk.

payment in full for said tracts, Section 6 and 8, having been made, the same were patented November 4, and October 24, respectively, 1941 to Alfred Shelton, with minerals reserved to the State by Patents No. 313 and 227, respectively, Volume 82-A, Terrell Abstract 2745 for Section 6 and Terrell Abstract 2746 and Brewster Abstract 9031 for Section 8, Section 8 having 263 acres in Brewster County and 177 acres in Terrell County;

That Charles Archer, Deputy Surveyor of Pecos County, on August 10, 1881 surveyed a tract of land in Presidio, now Brewster County, by virtue of Certificate No. 1156, and compiled field notes thereof, showing said tract to consist of 640 acres, which he designated as Survey No. 20, Block D-12, and upon the filing of said field notes in the Surveyor's Records, the same were then transmitted, received and filed in the Land Office October 22, 1881, approved as correct May 20, 1882, approved as correct again on October 22, 1941, and on October 23, 1941, payment in full for said tract having been made, the same was patented October 24, 1941 to Alfred Shelton, with minerals reserved to the State by Patent No. 228, Volume 82-A, Abstract 9032;

That on May 14, 1948, Alfred A. Shelton made affidavit that he was the owner of Section 20, Block 343, G. C. & S. F. Ry. Co. Survey, and Section 20, Block D-12, T. C. Ry. Co. Survey, both in Brewster County, and understands that Section 20, Block D-12 is in conflict with Section 20, Block 343, and that he has made diligent effort to locate the patent pertaining to Section 20, Block D-12 and has been unable to do so, and therefore requests that said patent be cancelled, said affidavit being filed in the Land Office May 25, 1948, and School Land File No. 140341 as containing the papers pertaining to said Section 20, Block D-12, in Brewster County now bears the following endorsements: "Cancelled Patent No. 228, Volume 82-A, because of conflict with Section 20, Block 343, see affidavit within, 5-25-48;" "May 25, 1948, Patent No. 228, Volume 82-A cancelled, Bascom Giles, Commissioner;" "New map shows approximately 140 acres of this survey free of conflict 1-25-52;"

That School Section 20, Block D-11 in Brewster County, as consisting of 640 acres of land, located and surveyed by virtue of Certificate No. 1132, issued to the T. C. Ry. Co., was awarded to E. N. Ballard September 13, 1905 upon application filed in the Land Office September 2, 1905 to purchase said land at \$1.10 per acre and as additional to his home on Section 18, same Block and County, said Section 20 having been classified Dry Grazing and appraised at \$1.00 per acre;

That on November 4, 1908, E. N. Ballard made the required proof of occupancy on his Home Section 18, Block D-11, which proof was filed in the Land Office November 9, 1909, and upon which proof Certificate of Occupancy No. 4886 was issued November 11, 1908 and Alias Certificate of Occupancy No. 6616 was issued December 16, 1909;

That on October 1, 1909, the sale by the State of Said Section 20,

RECEIVED

NOV 20 1970

General Land Office

Counter 16264

That the file wrapper covering said Section 20 is endorsed across its face in pencil as follows: "Acct. apparent conflict with Section 21, Block D-12, Corr. F. N. Reqd. Also Cert. sk and statement, 7-8-38;"

That upon request of Alfred Shelton and Mrs. Alice Shelton for revaluation of said Sections 10 and 22, Block D-11, received in the Land Office and the sum of 1¢ per acre paid thereon, same were appraised January 31, 1926 by the Commissioner of the General Land Office at \$1.00 per acre;

That said two sections were awarded June 1, 1926 to Alfred Shelton and Mrs. Alice Shelton on applications filed in the Land Office March 31, 1926 to repurchase same at \$1.00 per acre, under the provisions of Chapter 94, Act approved on March 19, 1925;

That Charles Archer, Deputy Surveyor of Pecos County, on August 8, 1881, surveyed two tracts of land in Presidio, now Brewster County, by virtue of Certificates No. 1127 and 1133, and compiled field notes thereof, showing each of said tracts to consist of 640 acres, which he designated as Surveys No. 10 and 22, respectively, Block D-11, and upon the filing of said field notes in the Surveyor's Records, the same were then transmitted, received and filed in the Land Office on October 22, 1881, approved as correct September 4, 1882, approved as correct again on October 22, 1941, and on October 21, 1941 and 23, 1941, respectively, payment in full for Sections 10 and 22, Block D-11 having been made, the same were patented October 24, 1941, to Alfred and Alice Shelton, with minerals reserved to the State by Patents No. 230 and 232, respectively, Volume 82-A, Abstract 9036 and 9038, respectively;

That upon request of Alfred Shelton for revaluation of said Section 20, Block D-12, and Sections 6 and 8, Block D-11, received in the Land Office and the sum of 1¢ per acre paid thereon, same were reappraised January 31, 1926 by the Commissioner of the General Land Office at \$1.00 per acre;

That said Section 20, Block D-12, 640 acres in Brewster County, Section 6, Block D-11, 640 acres in Terrell County, and Section 8, Block D-11, 640 acres in Terrell and Brewster Counties, were awarded June 1, 1926, to Alfred Shelton on Applications filed in the Land Office March 31, 1926 to repurchase same at \$1.00 per acre, under the provisions of Chapter 94, Act approved March 19, 1925;

That Charles Archer, Deputy Surveyor of Pecos County, on August 8, 1881 surveyed two tracts of land in now Terrell and Brewster County by virtue of Certificates No. 1125 and 1126, and compiled field notes thereof, showing each of said tracts to consist of 640 acres, which he designated as Surveys No. 6 and 8, respectively, Block D-11, and upon the filing of said field notes in the Surveyor's Records, the same were then transmitted, received and filed in the Land Office October 22, 1881, approved as correct September 4, 1882, approved as correct again on October 22, 1841, and on November 3, and October 23, respectively, 1941,

RECEIVED
NOV 20 1970
General Land Office

G5

Counter 16265

November 24, 1970

Mrs. Mary Hendricks Blanckertz
Hendricks-Blanckertz Farms
Mounds, Illinois 62964

Re: Sec. 21, T.C. Ry. Co.,
Blk. D-12, Brewster Co.,
Texas. Land Office File
Bexar S-38485

Dear Madam:

Receipt is acknowledged of your letter of November 17, 1970 in which you inquire as to the status of the captioned survey.

This section of land does not appear upon the current official Land Office map of the East Part of Brewster County dated January 31, 1952. A copy of this map may be procured from the Land Office for \$3.00.

We have had a number of inquiries from land owners in this subject area; however, the jurisdiction of this office is not involved with the individual ownership after title has passed from the state. These matters apparently are in the province of persons guaranteeing the title.

We are enclosing copies of previous correspondence concerning this problem, also a copy of a small sketch illustrating the conflicts.

Whenever this office can be of assistance to you, please let me know.

Sincerely yours,

JERRY SADLER, COMMISSIONER

JS/ves
Encl.

cc: John E. Allen
Attorney at Law
208 W. Avenue E, Box 484
Alpine, Texas 79830

Coenter 16266

October 26, 1970

Mrs. H. G. Thayer
1422-A Kanawha Blvd.
Charleston, West Virginia 25301

Re: Section 29, Blk. D-12, T.C. Ry. Co.,
Abst. 2673, Brewster County, Texas.
Land Office File Bexar S-38489

Dear Madam:

1

Receipt is acknowledged of your letter of October 19, 1970 concerning the status of the captioned survey.

2

Section 29 was patented April 14, 1885, and after title has passed from the state, we do not have further record of the ownership in the state Land Office. The records of other transactions may be found in the County Deed Records.

3

The official Land Office map of the East Part of Brewster County was compiled January 31, 1952, and the construction of the various blocks and sections was made in accordance with the ORDERS of the 83rd District Court of Brewster County in Cause No. 1934, Special October 1947 Term. This case involves the location and boundaries of certain sections of land in Brewster County.

4

In regard to Section 29, T.C. Ry. Co., Blk. D-12, we find that this survey is in conflict with Sections 27, 28, 47 & 48, Tex. Mex. Ry. Co., Blk. 343 after the respective blocks are constructed in accordance with the orders of the Court.

5

The records of this office reveal that Sections 27, 28, 47 & 48 in Tex. Mex. Ry. Co., Blk. 343 are also patented; therefore, the problem of ownership and possession would appear to be a concern of the respective parties involved.

Certified copies of the patents for the above mentioned surveys may be procured from this office at \$1.50 each. Copies of the field notes are \$1.50 for two pages or less.

The Court Judgment of the 83rd District Court is of record in Volume 7, Page 1, et seq., Minutes of the District Court of Brewster

H

Counter 16267

October 26, 1970

County, dated January 21, 1948.

Please call upon this office if we can be of further assistance.

Sincerely yours,

JERRY SADLER, COMMISSIONER

JS/ves
Ex. S-38489, 138742, 138744
Ex. S-40045, S-44338
Encl.

H²

Counter 16268

January 20, 1970

Mary Bell Garrett
1026 South 4th, Apartment 34
Louisville, Kentucky 40203

Re: Sections 11 and 33
T. C. Ry. Co., Blk. D-12
Brewster co., Texas
Files Bexar S-38480, S-38491

Dear Madam:

Receipt is acknowledged of your letter of January 14, 1970, in which you inquire concerning the status of the captioned surveys.

Examination of the records of the Land Office reveals that these two sections were both found to be entirely in conflict with senior surveys in accordance with the judgment of 83rd District Court of Brewster County.

The file wrappers of the two surveys were endorsed relative to the conflicts and the official Land Office Map of Brewster County, dated January 31, 1952, indicates that the area for Sec. 33 is apparently covered by Sec. 49, Tex Mex Ry Co., Blk. 343, and that the area for Sec. 11 is apparently covered by parts of Sections 7, 8, 9, and 10, Blk. 343.

If we can be of further assistance, please call upon this office.

Sincerely yours,

JERRY SADLER, COMMISSIONER

JS/ves

Counter 16269

July 1, 1971

Ms. Mary Bell Garrett
1026 South 4th, Apt. 34
Louisville, Kentucky, 40203

Re: Sections 11 & 33
T.C. Ry.Co., Blk. D-12
Brewster County, Texas
Land Office Files S-38480, S-38491

Dear Ms. Garrett:

In reply to your letter of June 21, 1971, concerning the payment of taxes on the captioned surveys, we will advise that this matter is not within the province of the General Land Office.

After the title has passed from the State, we have no further record of ownership in this office, and there are many factors to consider in connection with ownership, among which is the occupation of the land.

We are enclosing a small office sketch upon which Sections 11 and 33 are delineated in relation to Block 343.

Sincerely yours,

Bob Armstrong

By: R. C. Wisdom
Director of Surveying Division

RCW/ves/bm

Enclosure

Counter 16270

S-38485

October 5, 1970

Mr. Robert A. Noe
Realtor and Insurance
19 South Sixth Street
Terre Haute, Indiana 47801

Re: Sec. 11, T.C. Ry. Co.,
Blk. D-12 and Sec. 21,
T.C. Ry. Co., Blk. D-12,
Brewster County, Texas
Files Bx. S-38480, S-38485

Dear Sir:

Receipt is acknowledged of your letter of September 29, 1970 in which you inquire as to the status of the captioned surveys.

The official Land Office map of Brewster County, dated January 31, 1952 reveals that the subject surveys are entirely in conflict with the senior surveys in Blk. 343.

Section 11 and Section 21 were both patented September 14, 1882, and the Land Office does not keep further records of ownership after title has passed from the state.

Please call upon this office if we can be of any further assistance.

Sincerely yours,

JERRY SADLER, COMMISSIONER

JS/ves

Counter 16271

March 9, 1972

Bowen, Myers, Northam & Soards
Suite 506 ISTA Center
150 West Market Street
Indianapolis, Indiana 46204

Attention: Mr. Wm. L. Soards

Re: Sec. 33, T.C. Ry. Co., Blk. D-12
Certificate 1163, Abst. 2675
Brewster County, Texas
GLO File Bexar S-38491

Gentlemen:

Receipt is acknowledged of your letter of February 23, 1972 concerning the status of the captioned survey.

Section 33 was patented April 14, 1885, and after title has passed from the state, the Land Office has no further record of the ownership. The records of subsequent transactions may be found in the County deed records.

The official Land Office map of the East Part of Brewster County was compiled January 31, 1952, and the construction of the various blocks and sections was made in accordance with the ORDERS of the 83rd District Court of Brewster County in Cause No. 1934, Special October 1947 Term. This case involves the location and boundaries of certain sections of land in Brewster County.

In regard to Section 33, T. C. Ty. Co., Blk. D-12, we find that this survey is in conflict with Sections 48, 49, 30 and 50, Tex. Mex. Ry. Co., Blk. 343, after their respective blocks are constructed in accordance with the orders of the Court.

The records of this office reveal that Sections 48, 49, 30 and 50, Tex. Mex. Ry. Co., Blk. 343, are also patented; therefore, the problem of ownership and possession would appear to be a concern of the respective parties involved.

Counter 16272

I

Bowen, Myers, Northam & Soards Page 2
March 9, 1972

Certified copies of the patents for the above mentioned surveys may be procured from this office at \$1.50 each. Copies of the field notes are \$1.50 for two pages or less.

The Court Judgment of the 83rd District Court is of record in Vol. 7, Page 1, et seq., Minutes of the District Court of Brewster County, dated January 21, 1948.

We are sending you a copy of a rough sketch we have prepared so as to illustrate the areas of conflict. Also enclosed is a copy of the letter written to Miss Anna M. DeWeese in 1948 which explanation is also applicable to Section 33.

If we may be of assistance at any time, please do not hesitate to call on us.

Sincerely yours,

Bob Armstrong

By: R. C. Wisdom
Director of Surveying Division

RCW/ves/dc

Counter 16273

I²

D562

31 October 1970

Yid

Judge
83rd District Court of Brewster County
Brewster County, Texas

Your Honor:

The enclosed letter of 25 September 1970 informs us that "According to Judgement of 83rd District Court of Brewster County this area" -- Survey 21, Block D-12 -- "is covered by superior surveys" and that this 20 acres no longer exists.

By Warranty Deed #930 filed for record 8A.M. 20 November 1967 the tract or parcel of land as described below was transferred from Linda Lockwood (owner since the 1930's) to John C. Helm and wife Louise B. Helm "to Have and to Hold -- forever -- against every person whomsoever lawfully claiming, or to claim the same, or any part thereof.":

"All the East one-half (E.1/2) of the Northwest One-quarter (S.W. 1/4) of the Southeast Quarter (S.E.1/4) of Section Twenty-one (21), Block D12, T.C. Ry. Co. Survey, Brewster County, Texas. Said above described land contains twenty (20) acres of land."

We have in hand both Marathon Independent School District and State and County signed Tax Receipts for the years 1967, 1968 and 1969. All taxes to that year had been paid by the previous owner. Further, no notification had been received from any source that there was to be any legal action regarding ownership of this property.

How, then, can the 83rd District Court rule that this land does not belong to us and no longer exists? How can anyone else claim this land without purchasing it from us, the lawful owners? Does the State of Texas not recognize legal Warranty Deeds to property?

Please advise us as to whether the enclosed letter is in error or provide us the answers to our questions. This is supposed to be a county/and country in which one had property rights. We just do not understand!

Sincerely,

Copy to: (w/encl.)
→ Cong. Ray Roberts, McKinney
Comm., General Land Office,
Austin

John C. Helm
Route 3, Box 120
Denison, Texas 75020

RECEIVED

OCT 31 1970

General Land Office

I'

Counter 16274

MARATHON INDEPENDENT SCHOOL DISTRICT
MARATHON, TEXAS - 79842

D562

September 25, 1970

John C. Helm
2213 W Morton Street
Denison, Texas 75020

Dear Mr. Helm

This office has received a letter from Jerry Sadler, Commissioner, General Land Office of Austin stating: "According to Judgement of 83rd District Court of Brewster County this area is covered by superior surveys."

Survey 21 Block D-12
are included in the Judgement.

If you wish to verify this statement that this land no longer exists, I suggest you write Jerry Sadler, Commissioner, General Land Office, Austin, Texas 78701.

It is not the duty of this office to determine if land exists or not or to refuse taxes from anyone who wishes to pay on any land. Your name is on the 1970 tax roll and you will receive a tax statement in the next week or so, please let us know if you desire to continue to pay tax on this land or not.

I believed that you should be notified of this Judgement. Sorry that this office can not help you with this situation.

Sincerely yours,

Billye Wilson
Billye Wilson
Tax Assessor & Collector

BW/mr

RECEIVED
OCT 31 1970
General Land Office

Counter 16275

I2

November 4, 1970

Mr. John C. Helm
Route 3, Box 120
Denison, Texas 75020

Re: Sec. 21, Blk. D-12,
T.C. Ry. Co., Abst. 2669,
Brewster Co., Texas.
Land Office File Bexar S-38485

Dear Sir:

Receipt is acknowledged of your letter of October 31, 1970 concerning the status of the captioned survey.

Section 21 was patented September 14, 1882, and after title has passed from the state, the Land Office has no further record of the ownership. The records of subsequent transactions may be found in the County deed records.

The official Land Office map of the East Part of Brewster County was compiled January 31, 1952, and the construction of the various blocks and sections was made in accordance with the ORDERS of the 83rd District Court of Brewster County in Cause No. 1934, Special October 1947 Term. This case involves the location and boundaries of certain sections of land in Brewster County.

In regard to Section 21, T. C. Ry. Co., Blk. D-12, we find that this survey is in conflict with Sections 19, 20, 22, 23 and 24, Tex. Mex. Ry. Co., Blk. 343 after the respective blocks are constructed in accordance with the orders of the Court.

The records of this office reveal that Sections 19, 20, 22, 23 and 24, Tex. Mex. Ry. Co., Blk. 343, are also patented; therefore, the problem of ownership and possession would appear to be a concern of the respective parties involved.

Certified copies of the patents for the above mentioned surveys may be procured from this office at \$1.50 each. Copies of the field notes are \$1.50 for two pages or less.

The Court-Judgment of the 83rd District Court is of record in Vol. 7, Page 1, et seq., Minutes of the District Court of Brewster

J1

Counter 16276

November 4, 1970

County, dated January 21, 1948.

We are sending you a copy of a rough sketch we have prepared, so as to illustrate the areas of conflict. Also enclosed is a copy of the letter written to Miss Anna M. DeWeese in 1948 which explanation is also applicable to Section 33.

Please call upon this office if we can be of further assistance.

Sincerely yours,

JERRY SADLER, COMMISSIONER

JS/ves'
Encl.

J²

Counter 16277

November 4, 1970

Shutts and Bowen
Attorneys and Counsellors at Law
Tenth Floor First National Bank Building
Miami, Florida 33131

Attention: Mr. R. M. White

Re: Sec. 33, T.C.Ry.Co., Blk. D-12,
Certificate 1163, Abst. 2675,
Brewster Co., Texas. Land Office
File Bexar S-38491

Dear Sir:

Receipt is acknowledged of your letter of October 30, 1970 concerning the status of the captioned survey.

Section 33 was patented April 14, 1885, and after title has passed from the state, the Land Office has no further record of the ownership. The records of subsequent transactions may be found in the County deed records.

The official Land Office map of the East Part of Brewster County was compiled January 31, 1952, and construction of the various blocks and sections was made in accordance with the ORDERS of the 83rd District Court of Brewster County in Cause No. 1934, Special October 1947 Term. This case involves the location and boundaries of certain sections of land in Brewster County.

In regard to Section 33, T. C. Ry. Co., Blk. D-12, we find that this survey is in conflict with Sections 48, 49, 30 and 50, Tex. Mex. Ry. Co., Blk. 343, after their respective blocks are constructed in accordance with the orders of the Court.

The records of this office reveal that Sections 48, 49, 30 and 50, Tex. Mex. Ry. Co., Blk. 343, are also patented; therefore, the problem of ownership and possession would appear to be a concern of the respective parties involved.

Certified copies of the patents for the above mentioned surveys may be procured from this office at \$1.50 each. Copies of the field notes are \$1.50 for two pages or less.

November 4, 1970

The Court Judgment of the 83rd District Court is of record in Volume 7, Page 1, et seq., Minutes of the District Court of Brewster County, dated January 21, 1948.

We are sending you a copy of a rough sketch we have prepared, so as to illustrate the areas of conflict. Also enclosed is a copy of the letter written to Miss Anna M. DeWeese in 1948 which explanation is also applicable to Section 33.

Please call upon this office if we can be of further assistance.

Sincerely yours,

JERRY SADLER, COMMISSIONER

JS/ves
Encl.

K2

Counter 16279

November 6, 1970

St. Anthony Hospital
St. Anthony Place
Louisville, Kentucky 40204

Attention: Mr. B. J. Hall
Controller

Re: Sec. 11, T. C. Ry. Co., Blk. D-12,
Cert. 1152, Ebst. 3288, Brewster
Co., Texas Land Office File Bezar
S-38480

Dear Sir:

Receipt is acknowledged of your letter of November 3, 1970 concerning the status of the captioned survey.

Section 11 was patented September 14, 1882, and after title has passed from the state, the Land Office has no further record of the ownership. The records of subsequent transactions may be found in the County deed records.

The official Land Office map of the East Part of Brewster County was compiled January 31, 1952, and the construction of the various blocks and sections was made in accordance with the ORDERS of the 83rd District Court of Brewster County in Cause No. 1934, Special October 1947 Term. This case involves the location and boundaries of certain sections of land in Brewster County.

In regard to Section 11, T. C. Ry. Co., Block D-12, we find that this survey is in conflict with Sections 7, 8, 9 and 10, Tex. Mex. Ry. Co., Block 343, after the respective blocks are constructed in accordance with the orders of the Court.

The records of this office reveal that Sections 7, 8, 9 and 10 are also patented; therefore, the problem of ownership and possession would appear to be a concern of the respective parties involved.

Certified copies of the patents for the above mentioned surveys may be procured from this office at \$1.50 each. Copies of the field notes are \$1.50 for two pages or less.

The Court Judgment of the 83rd District Court is of record in Volume 7, Page 1, et seq., Minutes of the District Court of Brewster County, dated January 21, 1948.

Counter 16280

November 6, 1970

We are sending you a copy of a rough sketch we have prepared, so as to illustrate the areas of conflict. Also enclosed is a copy of the letter written to Miss Anna M. DeWeese in 1948 which explanation is also applicable to Section 33.

Please call upon this office if we can be of further assistance.

Sincerely yours,

JERRY SADLER, COMMISSIONER

JS/ves
Encl.

2
Counter 16281

October 20, 1970

Mr. James C. Trefz
9020 Flower Avenue
Silver Spring, Maryland 20901

Re: Section 21, T.C. Ry. Co.,
Blk. D-12, Brewster County,
Texas. Land Office File
Bexar Scrip 38485

Dear Sir:

Receipt is acknowledged of your letter of October 6, 1970, concerning the status of the captioned file.

Section 21, T.C. Ry. Co., Blk. D-12, Abstract 2669, was patented September 14, 1882 for 640 acres. The state Land Office does not have an ownership record of a survey after the title has passed from the state.

We have received a number of inquiries in the last few weeks in connection with a letter written by the Tax Assessor-Collector at Marathon, Texas, and, inasmuch as your letter covers the same subject matter, we are enclosing copies of our replies.

If the enclosed letters do not sufficiently explain the problems, please call upon this office if we can be of further assistance.

Sincerely yours,

JERRY SADLER, COMMISSIONER

JS/ves
Encl.

Counter 16282

October 20, 1970

Tibiletti, Ritchey & Cano
Law Offices
Suite 200, Victoria National Bank Building
P.O. Drawer 2590
Victoria, Texas 77901

Attention: Mr. C. E. Ritchey

Re: R. H. Mathison,
Sec. 21, T.C. Ry. Co.,
Blk. D-12, Brewster Co.,
Texas. Land Office File
Bexar Scrip 38485

Dear Sir:

Receipt is acknowledged of your letter of October 9, 1970 concerning the status of the captioned file.

Section 21, T.C. Ry. Co., Blk. D-12, Abstract 2669, was patented September 14, 1882 for 640 acres. The State Land Office does not have an ownership record of a survey after the title has passed from the state.

We have received a number of inquiries in the last few weeks in connection with a letter written by the Tax Assessor-Collector at Marathon, Texas, and, inasmuch as your letter covers the same subject matter, we are enclosing copies of our replies.

If the enclosed letters do not sufficiently explain the problems, please call upon this office if we can be of further assistance.

Sincerely yours,

JERRY SADLER, COMMISSIONER

JS/ves
Encl.

Coenter 16283

B/S-38485

October 5, 1970

Marathon Independent School District
Marathon, Texas 79842

Attention: Ms. Billye Wilson
Tax Assessor and Collector

Re: Section 29, Abstract 2673;
Section 33, Abstract 2675;
T.C. Ry. Co., Blk. D-12;
Brewster County, Texas

Dear Madam:

In reply to your letter of September 23, 1970 concerning the status of the captioned surveys, we will advise that the area embraced in the metes and bounds description of the field notes for these surveys is entirely in conflict with the senior surveys in Blk. 343, according to the official Map of Brewster County, dated January 31, 1952.

Please call upon this office if we can be of further assistance.

Sincerely yours,

JERRY SADLER, COMMISSIONER

JS/ves

Ex. S-38489, S-38491

Counter 16284

November 4, 1970

American Fletcher National Bank
and Trust Company
Indianapolis, Indiana 46204

Attention: Mr. John A. Smith
Trust Department

Re: Sec. 33, T.C.Ry.Co., Blk. D-12,
Certificate 1163, Abst. 2675,
Brewster Co., Texas. Land Office
File Bexar S-38491

Dear Sir:

Receipt is acknowledged of your letter of October 28, 1970 concerning the status of the captioned survey.

Section 33 was patented April 14, 1885, and after title has passed from the state, the Land Office has no further record of the ownership. The records of subsequent transactions may be found in the County deed records.

① The official Land Office map of the East Part of Brewster County was compiled January 31, 1952, and the construction of the various blocks and sections was made in accordance with the ORDERS of the 83rd District Court of Brewster County in Cause No. 1934, Special October 1947-Term. This case involves the location and boundaries of certain sections of land in Brewster County.

In regard to Section 33, T. C. Ry. Co., Blk. D-12, we find that this survey is in conflict with Sections 48, 49, 30 and 50, Tex. Mex. Ry. Co., Blk. 343, after the ~~the~~ respective blocks are constructed in accordance with the orders of the Court.

The records of this office reveal that Sections 48, 49, 30 and 50, Tex. Mex. Ry. Co., Blk. 343, are also patented; therefore, the problem of ownership and possession would appear to be a concern of the respective parties involved.

② Certified copies of the patents for the above mentioned surveys may be procured from this office at \$1.50 each. Copies of the field notes are \$1.50 for two pages or less.

M¹

Coenter 16285

November 4, 1970

3 The Court Judgment of the 83rd District Court is of record in Volume 7, Page 1, et seq., Minutes of the District Court of Brewster County, dated January 21, 1948.

4 We are sending you a copy of a rough sketch we have prepared, so as to illustrate the areas of conflict. Also enclosed is a copy of the letter written to Miss Anna M. DeWeese in 1948 which explanation is also applicable to Section 33.

5 Please call upon this office if we can be of further assistance.

Sincerely yours,

JERRY SADLER, COMMISSIONER

JS/ves
Encl.

mz

Counter 16286

November 6, 1970

Ellyson-Guarantee Abstract Co.,
of Brewster County
Box 418
Alpine, Texas 79830

Attention: Mr. Jack Baugh
Assistant

Re: Sec. 33, T. C. Ry. Co., Blk. D-12,
Cert. 1163, Abst. 2675, Brewster
Co., Texas. Land Office File Bexar
S-38491

Dear Sir:

In reply to your letter of October 31, 1970, in which you inquire of the status of the captioned survey, we are sending you copies of letters and a sketch which are relevant to the problem.

Please call upon this office if we can be of further assistance in this matter.

Sincerely yours,

JERRY SADLER, COMMISSIONER

JS/ves
Encl.

Coenter 16287

D-204

✓ 1026 South Fourth
Apt 34
Louisville Kentucky
June 21-1971

Mr. Jerry Sadler
Commissioner
General Land Office
Austin, Texas

RECEIVED
JUN 23 1971
General Land Office

Dear Mr. Sadler

Last year I wrote to you regarding
some land I and my father were supposed to
own in Brewster County, Texas.

You told me that sections 11--and 33
were covered by other sections in Block 343

Block 343

Will you tell me if I should still be
paying taxes on these since other sections cover them
I paid for 1970 but cannot keep up with it any
longer. Please let me know what is necessary
to do about it.

Thank you
Mary Bell Garrett ✓

(9)

Section 33 was covered by Section 49

Section 11- was covered by sections 7, 8, 9, 10

You told me. Land originally in name of Arthur W. Garrett

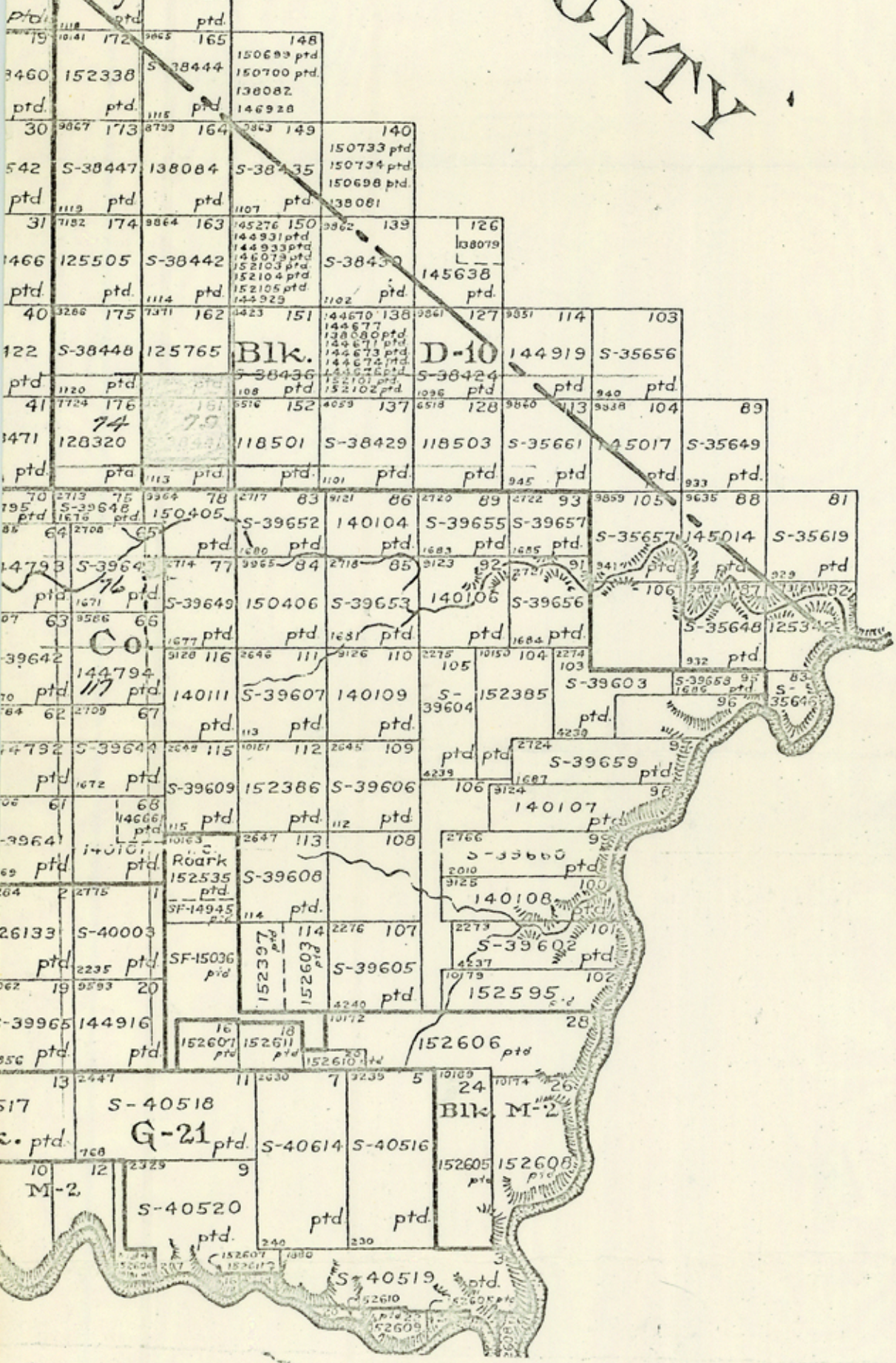
M 139

Counter 16288

16281-S-192271

Ky. Co.

COUNTY



710

October 22, 1970

J. D. Jewell, Inc.
Box 1058
Gainesville, Georgia 30501

Attention: Mr. B. H. Carter

Re: Survey 79, Blk. G-18, T.C.
Ry. Co., Cert. 1678
Abst. 2715, Brewster County,
Texas. Land Office File
Bx. S-39650

Dear Sir:

Receipt is acknowledged of your letter of October 19, 1970 in which you inquire concerning the status of the captioned survey.

The records of the Land Office reveal that Section 79 was patented September 26, 1882 for 640 acres. The Land Office does not have an ownership record of land after the title has passed from the state. We do, however, have on record as Brewster County Sketch File No. 10 (Filed on February 11, 1948) a copy of the judgment of the 83rd District Court of Brewster County in Cause No. 1934, which case involves the location and boundaries of certain sections of land in Brewster County, Texas. It is noted that among the list of those cited in this judgment appears the name of the Estate of W. C. Morris.

Paragraph XIV of this Judgment reads in part, as follows:

"With respect to the location on the ground of the several blocks and surveys, respectively, involved in this suit, IT IS ORDERED THAT:

1. Blocks D-10 and D-11, respectively, T.C. Ry. Co. Grantee, shall take precedence over and be prior in location to all lands in Block G-18 in conflict therewith."

The new official Land Office Map of the East Part of Brewster County was compiled in 1952 and this map reflects the construction of the various blocks and sections as ordered by the Court. Section 79, T.C. Ry. Co., Blk. G-18, as delineated on this map is entirely covered by T.C. Ry. Co., Blk. D-10 surveys and would therefore appear to be void.

Copies of the field notes or patent for Section 79 may be procured from this office for \$1.50 each.

The Court Judgment referred to in this letter is of record in Volume 7, Page 1, et seq., Minutes of the District Court of Brewster County, dated January 21, 1948.

N¹

11-24 217 X3 102048 Counter 16290

October 22, 1970

Please call upon this office if we can be of further assistance.

Sincerely yours,

JERRY SADLER, COMMISSIONER

JS/ves

cc: W. D. Morris Estate
c/o F. J. Ellyson
Alpine, Texas 79830

4
of
F. J. Ellyson
Alpine, Texas

N²

Coenter 16291



GENERAL LAND OFFICE

AUSTIN, TEXAS

78701

JERRY SADLER
COMMISSIONER

November 4, 1970

American Fletcher National Bank
and Trust Company
Indianapolis, Indiana 46204

*Bowen, Myers, Northam & Soards
(see Ltr.)*

Attention: Mr. John A. Smith
Trust Department

Wm L. Soards

Re: Sec. 33, T.C.Ry.Co., Blk. D-12,
Certificate 1163, Abst. 2675,
Brewster Co., Texas. Land Office
File Bexar S-38491

Dear Sir:

Feb. 23, 1972

Receipt is acknowledged of your letter of ~~October 28, 1970~~
concerning the status of the captioned survey.

Section 33 was patented April 14, 1885, and after title has
passed from the state, the Land Office has no further record of
the ownership. The records of subsequent transactions may be found
in the County deed records.

The official Land Office map of the East Part of Brewster
County was compiled January 31, 1952, and the construction of
the various blocks and sections was made in accordance with the
ORDERS of the 83rd District Court of Brewster County in Cause
No. 1934, Special October 1947 Term. This case involves the
location and boundaries of certain sections of land in Brewster
County.

In regard to Section 33, T. C. Ry. Co., Blk. D-12, we find
that this survey is in conflict with Sections 48, 49, 30 and 50,
Tex. Mex. Ry. Co., Blk. 343, after their respective blocks are
constructed in accordance with the orders of the Court.

The records of this office reveal that Sections 48, 49, 30
and 50, Tex. Mex. Ry. Co., Blk. 343, are also patented; therefore,
the problem of ownership and possession would appear to be a concern
of the respective parties involved.

Certified copies of the patents for the above mentioned surveys
may be procured from this office at \$1.50 each. Copies of the field
notes are \$1.50 for two pages or less.

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11-20-70 28 25000

Coenter 16292



GENERAL LAND OFFICE

AUSTIN, TEXAS

78701

November 4, 1970

JERRY SADLER
COMMISSIONER

The Court Judgment of the 83rd District Court is of record in Volume 7, Page 1, et seq., Minutes of the District Court of Brewster County, dated January 21, 1948.

We are sending you a copy of a rough sketch we have prepared, so as to illustrate the areas of conflict. Also enclosed is a copy of the letter written to Miss Anna M. DeWeese in 1948 which explanation is also applicable to Section 33.

Please call upon this office if we can be of further assistance.

Sincerely yours,

JERRY SADLER, COMMISSIONER

JS/ves
Encl.

Handwritten notes on the right margin: "b", "9/17", "RC", "reference".

02

Counter 16293

Nov. 23, 1970

Jerry Sadler
 Commissioner
 General Land Office
 Austin, Texas.

Dear Mr. Sadler:

Would you please explain the enclosed letter. I have been paying taxes on that property for at least 30 years. We even had a geologist go down and look at the property years ago. What do they mean by "This land no longer exists"? Thank you for a reply and please return the enclosed letter.

Mr. Hazel Green
 2115 Placentia Ave
 Apt #32
 Costa Mesa, Calif.
 92627

RECEIVED

NOV 27 1970

General Land Office

Counter 16294

December 15, 1970

Mrs. Hazel Gunn
2115 Placentin Avenue, 32
Costa Mesa, California 92627

Re: Sec. 79, T.C. Ry., Blk. G-18.
Sec. 21, T.C. Ry., Blk. D-12.
Brewster Co., Texas

Dear Madam:

In reply to your letter of November 23, 1970, we are enclosing copies of previous correspondence concerning this problem, which quote the related facts. Also included are sketches of the pertinent areas.

If we can be of further assistance, please call upon this office.

Sincerely yours,

JERRY SADLER, COMMISSIONER

JS/ves
Encl.

Counter 16295

October 22, 1970

J. D. Jewell, Inc.
Box 1058
Gainesville, Georgia 30501

Attention: Mr. E. H. Carter

Re: Survey 79, Blk. G-18, T.C.
Ry. Co., Cert. 1678
Abst. 2715, Brewster County,
Texas. Land Office File
Bx. S-39650

Dear Sir:

Receipt is acknowledged of your letter of October 19, 1970
in which you inquire concerning the status of the captioned survey.

The records of the Land Office reveal that Section 79 was
patented September 26, 1882 for 640 acres. The Land Office does
not have an ownership record of land after the title has passed
from the state. We do, however, have on record as Brewster County
Sketch File No. 10 (Filed on February 11, 1948) a copy of the
judgment of the 83rd District Court of Brewster County in Cause
No. 1934, which case involves the location and boundaries of certain
sections of land in Brewster County, Texas. It is noted that among
the list of those cited in this judgment appears the name of the
Estate of W. C. Morris.

Paragraph XIV of this Judgment reads in part, as follows:

"With respect to the location on the ground of the several
blocks and surveys, respectively, involved in this suit,
IT IS ORDERED THAT;

1. Blocks D-10 and D-11, respectively, T.C. Ry. Co.
Grantee, shall take precedence over and be prior
in location to all lands in Block G-18 in conflict
therewith."

The new official Land Office Map of the East Part of Brewster
County was compiled in 1952 and this map reflects the construction
of the various blocks and sections as ordered by the Court. Section
79, T.C. Ry. Co., Blk. G-18, as delineated on this map is entirely

P1

Counter 16296

October 22, 1970

covered by T.C. Ry. Co., Blk. D-10 surveys and would therefore appear to be void.

Copies of the field notes or patent for Section 79 may be procured from this office for \$1.50 each.

The Court Judgment referred to in this letter is of record in Volume 7, Page 1, et seq., Minutes of the District Court of Brewster County, dated January 21, 1948.

Please call upon this office if we can be of further assistance.

Sincerely yours,

JERRY SADLER, COMMISSIONER

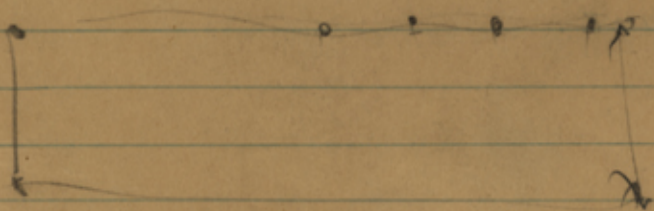
JS/ves

cc: W. D. Morris Estate
c/o F. J. Ellyson
Alpine, Texas 79830

Brewster SK. File 14 (7)
B4 5-38485

Please keep these
papers in this
file for ref.

Thanks.
Vic



North Brewster

A⁴

Counter # 78996

Brewster SK File NS-14

Brewster Co. 17

*Letters - referring
to Block D-10-MG-1
14, 15, 18, 20 and 21
in South Part of
Brewster Co.*

GENERAL LAND OFFICE, AUSTIN, TEXAS, 8-8-1934

I, S. Sayers Chief Clerk Acting Commissioner of the General Land Office of the State of Texas, do hereby certify that on the reverse hereof and attached hereto is a true and correct copy

of the original pages 107 to 110 inclusive, in Letter Book #1798 which is now on file in this office together with all endorsements thereof.

IN TESTIMONY WHEREOF, I, Hereunto set my hand and affix the seal of said office the day and date first above written.

S. Sayers Chief Clerk Acting Commissioner of the General Land Office

1798 Counter # 78995

Brewster SK File NS 14

B/S-38485

Count # 78998

Brewster SK File NS-14