

File No. Sketch File 51
Brewster County
NE pt. Sur. 64, A-4538, Blk. 300, G.C.&S.F. Ry. Co.
374.32 ac
Filed May 21 19 96

WALKER LAND SURVEYING
Steven F. Walker
Registered Professional Land Surveyor #4425
Licensed State Land Surveying
Brewster County Surveyor

GARRY MAURO, Com'r
By Douglas Howard
See Flattened
R.D. SK. 151

Date: April 19, 1996

TO:
Honorable Garry Mauro
Commissioner of the Texas General Land Office
Austin, TX.

SURVEY REPORT

This report concerns a survey for patent location of the Northeast part of Survey 64, Abstract no. 4538, Block 300, G.C.&S.F. Ry. Co. Surveys, Brewster County, Texas, located East about 9 miles from Alpine, the County seat.

This survey was conducted on the Texas Coordinate System, Central Zone, NAD 1927, and is tied to triangulation station "MORRISS". A Wild T-2 and a DI4L Distomat were the instruments used to perform this survey.

Record research involved the records of the General Land Office and the Brewster County Surveyors Records. A plat of this survey and a Corrected Field Note description of said tract accompany this report.

The following is a list of Surveys and Blocks in the order of their seniority that are involved in this survey.

| <u>SURVEY/BLOCK</u> | <u>ORIG. GRANTEE</u> | <u>DATE SURVEYED</u> | <u>ORIG. SURVEYOR</u> |
|---------------------|----------------------|----------------------|-----------------------|
| Block 9 | G.H.&S.A. Ry. Co. | 1875 | L. E. Edwards |
| Resurvey | | 1889 | J. B. Ammerman |
| Block 300 | G.C.&S.F. Ry. CO. | 1881 | S. A. Thompson |
| Block 352 | Various Grantees | 1882-83 | S. A. Thompson |

G.H. & S.A. RY. CO. BLOCK 9

Block 9 was originally surveyed and field notes returned by L. E. Edwards in 1875. It is believed that very few original monuments, if any, were set Mr. Edwards. However, this Block is senior to and has no adjoiner calls to surrounding Blocks.

RESURVEY OF 1889, J. B. AMMERMAN

In 1889, J. B. Ammerman, State Surveyor, resurveyed and wrote corrected field notes for all of Block 9. Acting under the Act of 1887, which authorized the Commissioner to have State Lands resurveyed, these corrected field notes were co-signed and approved by R. M. Hall, Commissioner of the General Land Office. Mr. Ammerman's corrected field notes contain numerous calls for specifically described monuments set during the course of this resurvey. Many of these monuments exist today and those recovered for this survey are indicated on the plat accompanying this report.

STATE VS. G.H.& S.A. RY. CO.

By the Act of 1854, patents in Block 9 were issued to said railroad company on the odd numbered surveys. In the judgement rendered in the above styled case on September 14, 1893, Cause no. 101, Brewster County District Court, the state recovered the railroad surveys in this Block, which were reclassified as School Land and repatented accordingly. These patents are based on the corrected field notes of Mr. Ammerman or those surveyors that perpetuated his monuments.

CONCLUSIONS AND CONSTRUCTION

Since Mr. Ammerman's resurvey, all subsequent surveys in Block 9 have relied on his monuments and corrected field notes as the framework from which to retrace and reconstruct the Surveys in this Block. I have also accepted Mr. Ammerman's monuments, as indicated on our plat.

G.C.& S.F. BLOCK 300

In 1881, S. A. Thompson surveyed and returned field notes for Block 300. This Block contains some 82 surveys, with "rock mound" or "stake and mound" called for at almost all corners. It has long been known to Texas courts and Texas surveyors that, especially in large railroad Blocks, these nondescript calls for monuments usually indicated that the surveyor did not actually set said monument. However, when the field notes called for a more definite and positive description of a monument, with calls for size, marked rocks, topographical features, bearings to witnesses, etc., this indicated that the surveyor did indeed set this monument. Since it is the duty of a retracing surveyor to "follow the footsteps of the original surveyor", these monuments must be recovered, if possible, and used to reconstruct the Block.

The field notes of Mr. Thompson have several calls for definitely described monuments. At the Southwest corner of Survey 64 a "rock mound 2' high, cap rock marked A2" is called for. When all of these called for monuments, rock mounds with marked rocks, are plotted on a map of the area, they generally follow a diagonal line Southeasterly along the railroad. They are also called to be marked "A2, B3, C5," etc. For this and other surveys in Block 300, we have found most of Mr. Thompson's existing original monuments.

Mr. Thompson's field notes for Survey 64 on file in the Brewster County Surveyors Records are actually "corrected" field notes. It appears that Mr. Thompson corrected his own field notes by "editing" the face of the original field notes. It should be noted that along the West line running North from the "A2" corner" these notes were edited to read "at 126 vs. cross road 631 vs. pass rk. mnd. original NW cor. 64, 909 vs. corner". As stated above, usually the non-descript call for a "rk. mnd. original NW cor. 64" would be considered as a monument probably not set by Mr. Thompson. However, the passing call to the road may indicate that Mr. Thompson actually ran this West line and established this rock mound at the original Northwest corner of Survey 64, which is now a line mound along East line of the corrected position of Survey 64. This mound will be discussed later in this report.

STATE LAND OFFICE

Mr. Thompson then calls for running North 63deg. East 2600 varas along the South line of Block 9 to a stake for the North corner of Survey 64. He does not call for going to the Southeast corner of Survey 178, said Block 9, in the field notes of Survey 64.

SURVEYS OF WM. HARMON, 1924

In 1924, Wm. Harmon, Brewster County Surveyor, surveyed and wrote corrected field notes for all of Survey 64 and corrected field notes for the Southwest part and the Northeast part.

Mr. Harmon first wrote corrected field notes on the Southwest and Northeast parts in January of 1924, with the South Railroad fence being the dividing line between the two. Then in March of 1924 he wrote field notes on the whole of Survey 64 and again the Southwest part. The field notes for the Northeast part written in January differed from the field notes of all of 64 written in March. Mr. Harmon's field notes were not used for patent but they do call for a number of monuments which were found and perpetuated by others.

SURVEYS OF H. R. GARD, 1934

In 1934, H. R. Gard, Brewster County Surveyor, also wrote field notes for the Southwest part of Survey 64. Mr. Gard's field notes essentially read the same as Mr. Harmon's and also had the South Railroad fence as the dividing line between the Northeast part.

Mr. Gard also calls for the "A2" corner, the rock mound marked "NE 57" at the Northeast corner of Survey 57 and a rock mound at the Northwest corner of Survey 64 along the South line of Block 9, as did Mr. Harmon. Mr. Gard also calls for passing a "rock mound" along the West line of Survey 64 at approximately the same distance North of the "A2" corner as the original field notes of Mr. Thompson. This would indicate that Mr. Gard found and used this "line mound" for his West line of Survey 64.

Mr. Gard's field notes were used for the patent location of the Southwest part of Survey 64.

SURVEYS OF JOHN STOVELL, 1946

In 1946, John Stovell, Licensed State Land Surveyor, wrote corrected field notes for the "North part" of Survey 64. Mr. Stovell followed the basic configuration of the original field notes and had the exact same calls along the South Railroad fence as the field notes of Mr. Gard for the Southwest part of Survey 64. Although not called for in the field notes, a plat of Mr. Stovell's found in the corrected field notes of Brewster County indicates that he found monuments at the Southwest corner of Survey 64 and the Northeast corner of Survey 57, Block 300, as well as monuments at the South corners of Survey 177 and 178, Block 9.

CONCLUSIONS AND CONSTRUCTION

For the construction of this survey of the Northeast part of Survey 64 I found and honored the monuments indicated on the plat accompanying this report.

The "A-2, B-3, C-4 and C-5" monuments are accepted as being original monuments of S. A Thompson.

The rock mound marked "NE 57" at the Northeast corner of Survey 57 has been called for and accepted by the above surveyors, as well as more recent boundary work in this area. I believe that it has a definite record dignity and I accept it as a reasonable retracement of the original position of the Northeast corner of Survey 57.

I also accept the 5/8" iron rod in a rock mound along the South line of Survey 177, Block 9, as being the one called for in Mr. Gard's 1934 field notes for the patent location of the Southwest part of Survey 64 and by Mr. Harmon in 1924. Since that time it has also been accepted in all surveys of record in the area known to me. As stated earlier, Mr. Gard called for passing a rock mound at 631.4 varas North of the "A-2" corner. Mr. Thompson called for a distance of 631 varas. Although this rock mound has now been destroyed by a fence line road that runs closely along both sides of the fence indicated on the plat, if this line mound were indeed Mr. Thompson's, it would locate the original West line of Survey 64.

The monuments indicated in Block 9 are accepted as the monuments of J. B. Ammerman in his resurvey of 1889.

The line between the "C-4 and C-5" corners is projected North to intersect a line extended from the "A-2" corner and the Northeast of Survey 57. The East-West distance between the East line of Survey 63 and the West line of Survey 64 is proportioned from the original distance calls to establish the East line of 64 and the West line of 63.

Then running North parallel to the West line as established by the monuments discussed earlier, this being the best evidence of the original bearing used, the original distance of 1723 varas (1722.68 varas State Plane) called for by Mr. Thompson establishes that corner. It should be noted that this bearing runs about 0deg.43' West of true North. All of the original Thompson monuments located by us in Block 300 indicate that Mr. Thompson was indeed running consistently to the West of North by about this amount.

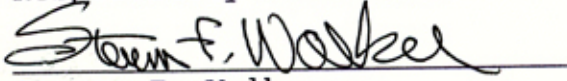
From this corner, the call distance of 145 (144.97 varas State Plane) is run on the original bearing rotated to conform to the West line of Survey 64 to establish an "ell" corner.

From this "ell" corner the original bearing, again rotated as above, is run Northwesterly to intersect the South line of said Block 9.

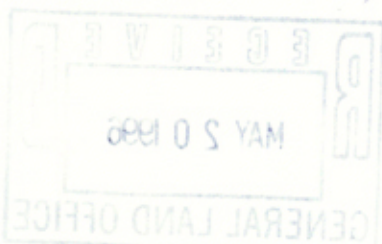
I believe that this construction defeats the fewest original calls and conforms to the configurations of the above surveyors and that of others of record.

The South Railroad fence was traversed and points were established along said fence proportionately to conform to our ground distances in relation to the patent calls of the Southwest part of Survey 64.

Respectfully submitted,



Steven F. Walker
Licensed State Land Surveyor
Brewster County Surveyor



The No. Sketch File 51
 County Brewster
 Filed May 21 1996
 GARRY MAURO Com'r

WALKER LAND SURVEYING
 Steven F. Walker
 Registered Professional Land Surveyor #4425
 Licensed State Land Surveying
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TO:
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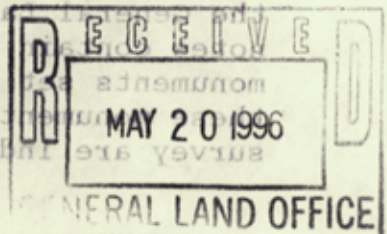
| SURVEY/BLOCK | ORIG. GRANTEE | DATE SURVEYED | ORIG. SURVEYOR |
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Brewster SK File 51

Counter # 80007

CONCLUSIONS AND CONSTRUCTION

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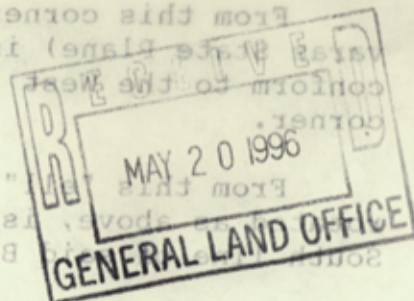
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From this corner, the call distance of 145 (144.97 varas State Plane) is run on the original bearing rotated to conform to the West line of Survey 64 to establish an "E11" corner.

"From this 'E11' corner the original bearing, again as run Northwesterly to intersect the South line of Block 9.



Mr. Thompson then calls for running North 63deg. East 2600 varas along the South line of Block 9 to a stake for the North corner of Survey 64. He does not call for going to the Southeast corner of Survey 178, said Block 9, in the field notes of Survey 64.

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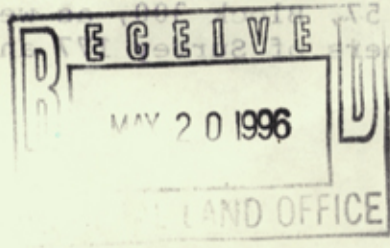
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Brewster Sk File 51

County # 80009

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CONCLUSIONS AND CONSTRUCTION

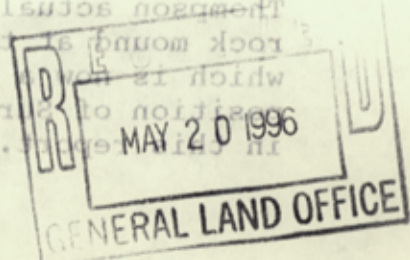
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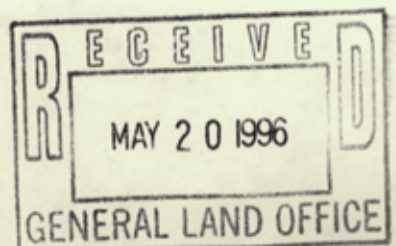


I believe that this construction defeats the least original calls and conforms to the configurations of the above surveyors and that of others of record.

The South Railroad fence was traversed and points were established along said fence proportionately to conform to our ground distances in relation to the patent calls of the Southwest part of Survey 64.

Respectfully submitted,

Stevens F. Walker
Stevens F. Walker
Licensed State Land Surveyor
Brewster County Surveyor



Brewster SK File 51

Counter # 80011