

SURVEYOR'S STATEMENT

RECEIVED

3597

Hon. J. H. Walker, Comm'r.,
General Land Office
Austin, Texas

OCT 18 1935

REFERRED TO MAP

Dear Sir:

Supplemental to my report and statement as of April 9th, 1935 relative to the location of the South one-half of G.B. & C.N.G. Ry. Section No. 226 for patent to F. E. Chernosky and in answer to your verbal request for verification of the North and South distances from the South line of said Section No. 226 to some definite point established by original stakes or witness trees to the North and in order to find the correct distance that should be placed in said section No. 226 along it's East and West lines.

On October 1st I returned to this area and measured North from the Northwest corner of the South one-half of Section No. 226 as established by me in April past; then ran East to the division line between Sections 118 and 117 B.S. & F. Surveys and thence North following apparently an ancient hacked and blazed line mostly on large dead Mesquite to the Northwest corner of B.S. & F. No. 115, Southwest corner No. 113, Southeast corner No. 114 and Northeast corner of 116. This being the nearest point to my previous work at which the field notes called for a witness tree. At this point I found a large iron axle in a fence corner in the center of the San Diego and Tilden County Road. The accepted common corner of these four surveys. From this axle I found a 14 inch Mesquite marked with \triangleright , new on the North side and \equiv , apparently old on the Northwest side. This tree bearing South 13 deg. West 20.4 varas from the said point. I take this tree to be the Mesquite called for in the field notes in the last aforementioned survey, although it does not exactly fit the course and distance call as given in said original notes.

From this point I ran East down the center line of the said County Road and the common line between Sections No.s 113 and 115. At 1940.6 varas or 40.6 varas excess over the patented call I found a fence line to the North where the road runs West and South and from which said point I found a large Mesquite stump in the South edge of the road grade. This road has been recently cleared out and graded. The stump brs. South 80 deg. West 36 varas. The bole of this tree is lying on the ground a few feet South of the fence on the South side of the road. The bole is marked J, (S), the same type of mark as found at the Northwest western corner of G.C. & S.F. No. 307 and at the Southeast corner of Section No. 266. This tree is unquestionably the original witness tree called for at the Southeast corner of B.S. & F. No. 113 and the Northeast corner of No. 115.

Having found the original corner of these surveys No.s 113 and 115 and 113-114-115 and 116, I find the total North and South distance from the same to the South line of G.C. & S.F. No. 307 to be 5347.4 varas against patented calls of 1900 varas in 116, 1900 varas in 117, patented and 1560 varas along the East line of G.C. & S.F. 307 and the West line of Section 226 G.B. & C.N.G. Ry. or a total shortage of 12.6 varas.

The said section No. 226 being State owned and as yet unpatented, I have divided the shortage into half thereby making the South half of Section No. 226, 773.7 varas instead of 780 varas as the original notes by Surveyor Dix would indicate one-half of the said section would be along it's East and West lines.

Bayless

To

Page No. 2
Hon. J. H. Walker
Oct. 7, 1935

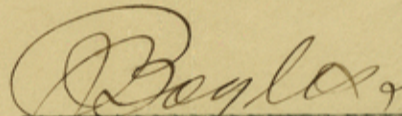
From the original corners on the North line of Sections B.S.& F. 115 and 116 to the fence that Mr. W. H. Sling claims to be the fence constructed by him for the South line of Section 118 and 117, both of which he owns, and which had been currently used as the North line of G.B.& C.N.G. Ry. Section No. 226, I find an excess of appromixate $53\frac{1}{2}$ varas which said fence is encroaching over and upon Section No. 226.

While limitation might run against the owner of the North half of said Section 226 to the fence line, personally I do not see how it can effect the State as neither the North or South half of said section have been patented.

Corrected field notes for the South half of Section 226 together with Map No. 3592-B showing the connections run for both the North and South and the East and West locations for said Section No. 226 is attached hereto and made a part of this report.

Trusting that this statement, together with the statement of April, 1935 and the map will give you the desired information so that patent can be issued to Mr. Chernosky, I am

Respectfully yours,



J. S. Boyles
Licensed State Land Surveyor

JSB:mc

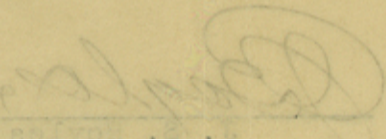
226
Statement
of J. S. Boyles
on 22 Apr
Daval Co

From the original corners on the North line of Section 228
E. S. 113 and 114 to the fence line of W. S. 211, it shall be
be the fence constructed by him for the 228th line of Section 118
and 117, both of which he owns, and which had been erroneously used
as the North line of O. S. 113. R. S. 228, 229, 230, 231 and an
excess of approximately 250 acres which said fence is encroaching
over and upon Section No. 228.

While litigation might run against the owner of the
North half of said Section 228 to the fence line, personally I
do not see how it can affect the State as either the North or
South half of said section have been patented.

Corrected field notes for the South half of Section 228
together with map No. 3892-B showing the corrections run for
both the North and South and the East and West locations for
said Section No. 228 is attached hereto and made a part of this
report.

Trusting that this statement, together with the state-
ment of April, 1935 and the map will give you the desired infor-
mation so that patent can be issued to Mr. Chernovsky, I am

Respectfully yours,

J. S. Boyles
Licensed State Land Surveyor

35C

Statement -
By J. S. Boyles
See - 35 A + B.
Duval Co.