

Plat: Rld. St. 47
File No. Sketch File 87 p. 1 of 6
DUVAL County
Surveyor's Report G. E. Bobb Survey No. 2, 1991
Filed April 29
By GARRY MAURO, Com'r
Douglas Howard

April 16, 1991

The Honorable Garry Mauro
Texas Land Commissioner
General Land Office
1700 N. Congress Avenue
Austin, Texas 78701-1495

Re: Surveyor's Report on the G. E. Bobb Survey
Number 2, Daniel B. Purvis Survey Number 8
and Number 9, M. H. Reed Survey Number 1
in Duval County, Texas.

Dear Commissioner Mauro:

The following is a report of a ground survey, pursuant to a survey request made by the Acquisition/Disposition Division of Asset Management, to determine location and check for possible encroachments.

HISTORY

The J. Poitevent Surveys, lying immediately to the north and west of these surveys above referenced, were originally located by Mr. L. H. Lockett - Deputy Surveyor of the Nueces Land District in October and November 1875. This system of surveys is senior to all other surveys in this vicinity.

Mr. Lockett also located the Morris and Cummins Survey Number 77 and companion Survey Number 78 for the State on November 16, 1875. The State Survey Number 78 was subsequently subdivided. The west part of Survey Number 78 was surveyed by the Duval County Surveyor - R. M. Gonzalez on January 25, 1929. This part containing 100 acres was patented on Mr. Gonzalez's field notes. The remaining east part was patented for 509 acres on compiled field notes dated July 11, 1935, by J. B. Giles. The Purvis and Reed Surveys above referenced are adjoined on the east and south by said Survey Number 78.

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The W. W. Meek Survey Number 114 of 162 acres was surveyed by Mr. Hayes Dix - Duval County Surveyor on July 26, 1914, patent issued on his field notes. This survey adjoins the above referenced George E. Bobb Survey Number 2 on the east side.

Mr. George E. Bobb made application for survey (to lease), to Mr. J. L. Dellis - Licensed State Land Surveyor, which application was filed in the General Land Office on November 20, 1935. Mr. Dellis filed field notes, for George E. Bobb Survey Number 2, containing 18.9 acres dated September 25, 1935, along with his Surveyor's Report in the General Land Office, also on November 20, 1935, his plat was filed two days later as Duval County Rolled Sketch "GEB". He was awarded Mineral Application Number 28519. Mr. Bobb, on December 8, 1936, assigned his leasing rights to Mr. Daniel B. Purvis, a San Diego attorney. Mr. Purvis requested Mr. Dellis to file corrected field notes on said Bobb Survey Number 2 for 9.49 acres, dated December 10, 1936, canceling the original field notes on December 12, 1936 in the General Land Office. The General Land Office approved Mr. Purvis' mineral lease application on December 14, 1936. Mr. Purvis accepted the terms and conditions of the lease on said date, known as Mineral Lease Number 20897, with a five year term. The file jacket annotation reads "Expired 12/14/41" and initialed RAM.

Mr. Daniel B. Purvis made application for survey (to lease), to Mr. L. M. Brumfield - Duval County Surveyor, which application was filed in the General Land Office on March 19, 1937. Mr. Brumfield filed field notes for D. B. Purvis Survey Number 8, containing 3.03 acres dated February 26, 1937, along with his Surveyor's Statement in the General Land Office also on March 19, 1937. Mr. Brumfield filed his plat in the General Land Office on March 29, 1937. Mr. Purvis was awarded Mineral Application Number 30174. Mr. Purvis transferred his leasing rights to Mr. R. R. Stolley on June 21, 1937. Mr. Stolley's lease application was approved on June 22, 1937. Mr. Stolley's letter of acceptance of terms and conditions of the lease was filed on same date last shown above and known as Mineral Lease Number 21532, with a five year term. The file jacket annotation reads "Expired 6/22/42" and initialed RAM.

Mr. M. H. Reed made application for survey (to lease), to Mr. L. M. Brumfield, which application was filed in the General Land Office on March 19, 1937. Mr. Brumfield filed field notes for M. H. Reed Survey Number 1, containing 3.11 acres dated February 26, 1937, along with his Surveyor's Statement in the General Land Office also on March 19, 1937. Mr. Brumfield filed his plat in the General Land Office on March 29, 1937. Mr. Reed was awarded Mineral Application Number 30171 by virtue of assignment from Mr. R. R. Stolley executed on the 21st day of June, 1937. Mr. Reed's lease

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application was approved on June 22, 1937. Mr. Reed's letter of acceptance to terms and conditions of lease was filed in the General Land Office on same date last shown above and known as Mineral Lease Number 21533, with a five year term. The file jacket annotation reads "Expired 6/22/42" and initialed RAM.

Mr. Daniel B. Purvis made application for survey (to lease), to Mr. L. M. Brumfield, which application was filed in the General Land Office on March 19, 1937. Mr. Brumfield filed field notes, for D. B. Purvis Survey Number 9, containing 3.26 acres dated February 26, 1937, along with his Surveyor's Statement in the General Land Office also on March 19, 1937. Mr. Brumfield filed his plat in the General Land Office on March 29, 1937. Mr. Purvis' lease application was approved on June 22, 1937. Mr. Purvis was awarded Mineral Application Number 30175 by virtue of assignment from Mr. R. R. Stolley executed on June 21, 1937. His letter of acceptance to the terms and conditions of the lease was filed on same date last shown above and known as Mineral Lease Number 21534, with a five year term. The file jacket annotation reads "Expired 6/22/42" and initialed RAM.

A suit to try title, as for damages, was filed on July 12, 1937, titled Petroleum Producer Co. et. al. VS M. H. Reed and Daniel B. Purvis on the above mentioned leases. The law suit was eventually dismissed on motion of the plaintiff on January 7, 1941.

FACTS

Mr. J. L. Dellis - Licensed State Land Surveyor did extensive work in the general vicinity of Freer in 1934 and 1935. The basis of his bearings on the Rolled Sketch filed in the General Land Office as "GEB" was the east line of J. Poitevent Survey Number 41. He states in his report that the original southeast and northeast corners of said survey were recovered thus used that line as his "meridian" (NORTH).

From the southeast corner of said survey 41, to which he assigned coordinates of 0.00 varas North and 0.00 varas East, he calls to go East 1903.6 varas to the southeast corner of J. Poitevent Survey 42 where he set a 2" iron pipe, stump of the original bearing tree called to have been found. He also called for two other pipes for references at said corner. I found the 2" iron pipe 6" deep in dirt road, could not find either of the reference pipes.

From said pipe and southeast corner of Survey Number 42, Mr. Dellis calls to go East and at 1647.4 varas, passes a stone and original frijolio post for the common corner of Survey Number 101 and T. T.

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RR. Co., Survey Number 41, continuing for a total distance of 1934.6 varas to a stone for the northeast corner of J. Poitevent Survey 64 and an interior corner of said Survey Number 41. I did not search for these corners.

From this corner Mr. Dellis calls to go S 0° 07' W 415 varas to a rock and post, then S 0° 24' 39" E 1520.64 varas to the common corner of J. Poitevent Surveys Number 63 and Number 64 where he found an old stake down and one of the witness trees by Mr. Lockett. I did not find any evidence of said stake or witness tree.

From this corner he calls to go South, at 215.29 varas passes 12.49 varas East of a mesquite stake and a witness tree for the northwest corner of C. C. S. D. & R. G. N. G. RR. Co., Survey Number 67 and the southwest corner of Mucio Vela Survey Number 42, at 1613.65 varas he set a 1" iron pipe from which a 1" pipe and a stone for common corner of Survey Number 67 and Number 68 bears West 8.77 varas, also called for a 2" iron pipe and a U.S.G.S. Bench Mark, for reference, and then continued on a total distance of 1869.97 varas to where he set a 2" iron pipe for the original southeast corner of Survey Number 63. I found an old stake by old fence corner post where I set a 1/2" iron rod for the southwest corner of said Survey Number 42 and northwest corner of Survey Number 67, I found none of the monuments or witness trees called for by Mr. Dellis at the southwest corner of Survey Number 67 or southeast corner of Survey Number 63. I reset the southeast corner of Survey No. 63 with a 1" x 30" galvanized iron pipe marked "SE COR SUR 63".

From the southeast corner of Survey Number 63 he calls to go with the south line of said survey, West at 920 varas pass the northwest corner of Survey Number 68, a stake in public road, at 1892.09 varas pass a 2" iron pipe in public road for the northwest corner of Survey Number 114, at 1943.67 varas he set a 2" pipe in public road for the common corner of Survey Number 46, 62 and 63 (his plat calls for a 1" iron pipe). I found none of these monuments as they all fall in the asphalt surface of U. S. Highway 59/State Highway 44. He continues on West to a point he set for the northwest corner of Survey Number 62 then North 3805.56 varas to the southwest corner of said Poitevent Survey Number 42.

He then returns to the northwest corner of Survey Number 68, where he called for a stake in public road, from which he calls to go South with the east line of Survey 114, 986.82 varas to the southeast corner of said survey, where he set a 5/8" iron rod. I did not find this monument. Then he calls to go N 89° 58' 51" W 179 varas to the original northwest corner of Survey Number 77, calling for two original witness trees. I found a fence corner post but no

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evidence of corner or witness trees. Then he calls to go S 89° 24' 53" W 789 varas to a fence corner post for common corner of Survey 114 and Survey 78. I didn't find any evidence of a fence corner post in this area. Then he goes N 0° 14' 39" W 998.36 varas to a 2" iron pipe then back to the northeast corner.

Mr. Dellis then returned to the southwest corner of Survey 114 and calls to go S 0° 19' 42" E 912.5 varas to a stake in fence for the inner corner of the east part of Survey 78. Then he calls to go N 89° 40' 52" W at 1908.32 varas pass a 2" iron pipe for the north-east corner of Survey 250, G. B. & G. N. G. RR Co. and at 1968.32 varas a stake for the southwest corner of Survey 62. I didn't find either of these corner marks. He continues westerly S 89° 59' 11" W at 1896.38 varas to a 2" iron pipe for the southeast corner of J. Poitevent Survey 48. He called for a 2" pipe in concrete marked 48, 60, 61, 250 S 70° 15' W 15.85 varas from said southeast corner of Survey 48. The only mark I found was the reference 2" pipe in concrete marked as called. Then he calls to go with the east line of Survey 48, 47 and 56, at 1864.6 varas pass a 2" steel shaft for the common corner of Survey 47 and Survey 48. I found this mark in fence line. Then continuing with said east line at 3782.60 varas pass a 3" iron pipe and stone mound for the common corner of Survey 47 and Survey 56. I found this pipe lying by large stone. Then continuing along said east line at 5702.7 varas to a 2" iron pipe for the original northeast corner of Survey 56 calling for an original witness tree. I did not go to this corner. Then he calls to go East with the south line of Survey 41 1900.0 varas to his beginning point the common corner of said Survey 41 and Survey 42.

He then returns to the northwest corner of said Morris and Cummins Survey Number 77 and from there calls to go S 89° 58' 51" E at 179 varas passing the southeast corner of Survey 114, a total of 1930.01 varas to the northeast corner of Survey 77 and the northwest corner of Survey 84 calling for an old stake and stone, the original corner. The patented field notes for Survey 84 by D. B. Scott call for a 1-foot square stone. I found this stone in a east-west fence line.

Then he returns to the northwest corner of the Mucio Vela Survey Number 42 where he had called for a rock and post. I did not look for these marks. He then calls to go with the north line of said Survey N 89° 57' 32" E 2115.08 varas to a stake for its northeast corner, I didn't look for this mark either. He then goes with the west line of B. S. & F. Survey 553, S 0° 29' 37" W 1756.36 varas to its southwest corner and the southeast corner of said Survey 42, where he calls for a large rock on rocky ridge in E-W fence being S 89° 52' 12" E 2116.58 varas from the original southwest corner of Survey 42. I found this stone at a N-E-W fence corner.

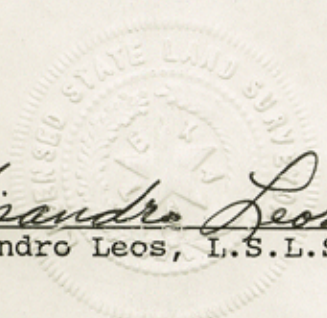
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CONCLUSION

I found an old 2" iron pipe that Mr. Dellis set for the southeast corner of the J. Poitevent Survey Number 62 and southwest corner of what he called the George E. Bobb Survey Number 2 of 18.9 acres. He called for a straight line from said corner to the southeast corner of Survey Number 42. For the northeast corner of said Survey 62 I came down said line from the southeast corner of said Survey 42 his called distance of 3805.56 varas, where I set a 1/2" iron rod in the asphalt shoulder of State Highway 44 being also the northwest corner of said Bobb Survey Number 2 and the southwest corner of Survey 63. I established the northeast corner of said Bobb Survey and the northwest corner of Survey 114 by coming 1892.09 varas, the combined called distances of Survey 68 and Survey 114, along the south line of Survey 63 from its southeast corner as reset by me. I set a 1/2" iron rod in the asphalt shoulder of said highway 44. At the interior corner of the east part of Survey 78, I set a 1" x 30" galvanized iron pipe marked "INT COR SUR 78" by old fence corner post which proved to be the location Mr. Dellis said he had found the original corner. To establish the southwest corner of Survey 114 I intersected Mr. Dellis' distances, from the interior corner of Survey 78, 912.5 varas northward and from the stone at the northwest corner of Survey 84, westerly 2718.96 varas where I set a 1" x 30" galvanized iron pipe marked "SW COR SUR 114" and stone mound. The D. B. Purvis Survey Numbers 8 and 9 were located by their north-south called distances as well as the M. H. Reed Survey Number 1, thus the southwest corner of the George E. Bobb Survey Number 2 was located along the east line of Survey 62, 912.5 varas northerly from the southeast corner of said Survey 62. These corners are marked with 1" x 30" galvanized iron pipes. As a result of my retracement of Mr. Dellis I find the Bobb Survey Number 2 to contain 8.105 acres, the D. B. Purvis No. 8, 2.537 acres, the M. H. Reed Survey No. 1, 2.615 acres and the D. B. Purvis No. 9, 2.725 acres. There are fences and part of a brick house that encroach upon this 15.982 acre piece of State land as shown on Duval County Rolled Sketch 47, which is made a part hereof.



Elisandro Leos
Elisandro Leos, L.S.L.S.