

File No. Sk. File 34
El Paso County

Filed Aug. 13 1984

GARRY MAURO, Com'r

By H. Forbes

SURVEY REPORT
OF
Re-survey of a part of public
school fund lands known as
Mrs. A.L. Daugherty Surveys
and Lillian E. Gibbs Surveys,
El Paso County, Texas

by: Wm. C. Wilson, Jr.
Licensed State Land Surveyor

RECEIVED

AUG 13 1984

General Land Office

D-92

*Filed for record in my office the 13th
day of August, 1984 and duly recorded the
13th day of August, 1984 in Book 10, Page 156,
of the Field notes records of El Paso County, Texas.*

Robert L. Fournier
EL PASO COUNTY SURVEYOR



August 13, 1984

Chevron U.S.A., Inc.
700 South Colorado Boulevard
Denver, Colorado 80222

Attention: Mr. S. H. Dowden

Re: Daugherty & Gibbs Surveys,
M. R. Hemley Survey 429,
Oil & Gas Leases

File No. Sk. File 34
El Paso County

Filed Aug 13 1984

GARRY MAURO, Com'r
By H. Forbes

Dear Mr. Dowden:

Please be advised that on this date I have approved and filed the corrected field notes and survey map as prepared by Wm. C. Wilson, Jr., Licensed State Land Surveyor, on Permanent School Fund Lands known as Lillian E. Gibbs Surveys 348, 349, 355, 356, 357, 358, 361 and 362, Mrs. A. L. Daugherty Surveys 350, 351, 352, 353, 354, 359 and 360 and M. R. Hemley Survey 429, all in El Paso County, Texas. A duplicate of each of the aforesaid is enclosed together with copy of Surveyor's Report filed therewith.

All previous field notes in the files for the aforesaid surveys have been marked "Cancelled by Corrected Field Notes" as of this date.

As a result of our filing the corrected field notes we recognize the acreage change in the following surveys some of which are under lease:

Lillian E. Gibbs Surveys 349, 355, 356, 357,
358, 361 and 362, Mrs. A. L. Daugherty Surveys
350, 351, 352, 353, 354, 359 and 360 and M. R.
Hemley Survey 429, all in El Paso County, Texas.

The rentals for these sections under lease will be adjusted to conform to the corrected acreage.

Very truly yours,

Garry Mauro, Commissioner
General Land Office

cc: Mr. Durward Goolsby
Wm. C. Wilson

Garry Mauro
Commissioner
General Land Office
Stephen F. Austin Building
1700 North Congress Avenue
Austin, Texas 78701
(512) 475-2071

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Mrs. A.L. Daugherty Surveys
and Lillian E. Gibbs Surveys,
El Paso County, Texas

by: Wm. C. Wilson, Jr.
Licensed State Land Surveyor

Sketch File 34
El Paso County
Filed Aug 13 1984
GARRY MAURO, Com'r
By T. Howard

WILSON, WILLIAMS, LANGOHR
AND ASSOCIATES

LICENSED STATE LAND &
REGISTERED PUBLIC SURVEYORS
PHONE 915/653-3916 - P. O. BOX 3326
1514 WEST BEAUREGARD AVE.
SAN ANGELO, TEXAS 76902

August 10, 1984

Honorable Garry Mauro,
Commissioner General Land Office
1700 North Congress
Austin, Texas 78701

RE: Re-survey of a part of public
school fund lands known as
Mrs. A.L. Daugherty Surveys
and Lillian E. Gibbs Surveys,
El Paso County, Texas

Dear Sir:

In January 1984 I was employed by Chevron Oil Company, Lessee, to make a survey and determine the ground location of the above referenced lands which became a part of the permanent school fund lands of the State of Texas by virtue of forfeiture. Said surveys were originally sold as scrap files, forfeited back to the State and resold as school land and again forfeited back to the State of Texas. These surveys were originally located under Section 8 of an Act approved April 15, 1905 and amendment Act May 16, 1907 providing for the sale of the unsurveyed school land appropriated to the Public Free School Fund by an Act approved February 23, 1900. The Field Notes for these surveys are in the scrap file jackets and are not in the school file jackets for the later sale and forfeiture, except the "Split" tracts where the surface only and drainage easements were conveyed to the Texas Highway Department. (See School Files 153161 and 153162.)

Record search revealed that these surveys had not heretofore been sufficiently monumented on the ground to make their location readily ascertainable. In consultations with Mr. Jack Giberson, Chief Clerk, and Staff Personnel, including Dr. Robert Turpin, Mr. Herman Forbes, and Mr. Clint Sumrall, and with Chevron's Legal Counsel, it was determined that a complete re-survey including proper monumentation on the ground, preparation and filing of a survey plat, and preparation and filing of corrected field notes on each of the surveys was necessary. Your office cooperated in this effort by furnishing copies of the necessary records from your archives.

This survey was to be, done in accordance with instructions from your office, subject to your approval, and when completed, officially approved and adopted by your office as the official location of each of the surveys referenced above.

Since the aforesaid surveys were all done by J. W. Eubanks in February and March, 1910 as one system of surveys, I will refer to them herein as the Daugherty and Gibbs Surveys. These surveys are Junior or Subsequent in location to all surveys surrounding them except M. R. Hemley Surveys 428 and 429. Said Surveys 428 and 429 were also forfeited back to the State. In each field note of each of the surveys in the Daugherty and Gibbs System adjoinder calls were made to all surrounding surveys, except said Surveys 428 and 429 in which case the Daugherty and Gibbs field notes called for adjoinder to University Lands Block L, but in no case was there any identifiable object or corner called for. The only identifiable monumentation as can be

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ascertained for this system is found on a plat prepared by J. W. Eubank and dated February and March 1910 and found in the file jacket for Survey 350, said jacket and said plat being identified as S.F. 9665. On this plat two concrete monuments are shown and identified as being the base line for the river surveys. One of these monuments is at the East corner of the San Elizario grant and the other is shown to be at the North corner of Ralph Wright Survey 44.

Given this fact situation it became apparent that we must first locate the surrounding surveys and blocks of surveys before we could properly locate the Daugherty and Gibbs Surveys insofar as their adjoiners to said surrounding surveys and blocks of surveys. Examination of the records and observation of the El Paso County map prepared by the General Land Office reveals that these surrounding surveys and blocks of surveys are (1) the surveys along the Rio Grande which will be referred to as the River Surveys and being Nos. 44 thru 52, and Surveys 281, 282, and 283 which took the place of Surveys 48 and 49, (2) the A. F. Davis Survey, (3) T. & P. R.R. Co. Surveys in Block 77 Township 5 and Block 76 Township 5, (4) Surveys 428 and 429, and (5) Block L University Lands. Such examination makes it clear that a survey report of the Daugherty and Gibbs Surveys must of necessity include a survey report of each of the aforesaid areas in order to substantiate the location of the Daugherty and Gibbs surveys in their entirety.

RIVER SURVEYS

These surveys were originally numbered 44 thru 52 on the Rio Grande and Surveys 44 thru 51 were originally surveyed by W. L. Diffenderffer in 1853 and 1854. Joseph A. Tivy originally located Survey 52 for Jesse Burdett September 12, 1858, said survey being patented on these field notes May 26, 1868. All evidence of original corners is now gone as the only corners made by Mr. Diffenderffer or Mr. Tivy were on the river. The river has changed many times as evidenced by various maps which were exhibits in law suits downstream from this area. The river is now in a rectified position as channeled by the International Boundary Commission in about 1935.

Surveys down river are Samuel Maverick Surveys 53 thru 114. These surveys were originally located by Joseph A. Tivy in 1858. Mr. Tivy began at the lower corner of river Survey 51 which is the upper corner of Jesse Burdett Survey 52 and even in that short time span (1853 to 1858) found according to his field note calls "the corner having fallen into the river, made a new one in line on the bank---".

The area covered by Surveys 53 thru 114 was the subject of several law suits which were studied and considered in connection with this survey. The proceedings, testimony and judgments in these suits reveal that this area was much surveyed from 1915 to about 1927 by several surveyors and/or civil engineers. Although some others prepared plats of this area, those whose work was adopted in one or another of the law suits were Murray Harris, R. E. Hardaway, and W. L. Rider.

Hudspeth County Sketch File 14 in the General Land Office contains Judgment of the 41st Judicial District Court of El Paso County, Texas, dated May 1, 1915, Cause No. 9841, styled Lamar Davis, vs. C. M. Newman, et al, which judgment holds lines established by Murray Harris as the Northern boundary of Maverick

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Survey No. 77. (See Hudspeth County Rolled Sketch 32 in the General Land Office). This judgment holds that Plaintiff, Lamar Davis, recover from Defendants, C. M. Newman, et al, lands situated in El Paso County, State of Texas, and known as Texas and Pacific Railway Company Survey 7 in Block A, it being the tract of land surveyed by virtue of Land Certificate No. 7039 issued to the said Texas and Pacific Railway Company by the Commissioner of the General Land Office of the State of Texas October 6, 1876 and patented to the Texas and Pacific Railway Company on the 4th day of May, 1883 by Patent No. 425, Volume 68, which said land is fully described as follows: "Beginning at a stone set for the South corner of said Survey 7, being also the East corner of Survey 77 in the name of M. Dugan, thence North 45° East crossing the public road (formerly the old G. H. & S. A. Grade) at 360 varas and at 369 varas a point South 45° East 48 varas from a fence post and corner in what is known as the Newman fence, 1900 varas to a stake, the East corner of said Survey, thence North 45° West 1900 varas to a stake, the North corner of this survey, thence South 45° West crossing the above public road at 1850 varas 1900 varas to a stone and West corner of this survey, thence 45° East crossing the East end of the old parade ground at Fort Hancock 1900 varas to the place of beginning."

This case (No. 9841) was appealed by Defendant Newman, to the Court of Civil Appeals of Texas as Cause No. 514, rehearing denied and judgment affirmed April 16, 1916. See Newman et al v. Davis, 184 SW 1078.

The purpose in quoting much from the above case and those that follow is to include herein sufficient information and references to reveal that there is more than a quarter of a mile difference Northeast and Southwest in the location of the back or Northeast lines of the Maverick surveys and the Southwest side or lines of the T. & P. Railway Company Surveys when located by Murray Harris vs the same when located by R. E. Hardaway, and that there is about 780 varas difference in the said lines as located by W. L. Rider vs the same as located by R. E. Hardaway.

Hudspeth County Sketch File 13 in the General Land Office contains judgment of the 65th Judicial District Court of El Paso County, Texas, dated June 20, 1917, Cause No. 9842, styled H. P. Deady, et ux, vs. C. M. Newman, et al. This judgment holds that plaintiffs do have and recover ---- all lands sued for lying Northeast of the Southwest line of T. & P. Railway Company Surveys 4 and 6, as said lines are fixed by Survey of R. E. Hardaway ---- and that Defendants C. M. Newman, et al have judgment of and against plaintiffs H. P. Deady and wife Caroline Miller Deady for all rights --- to following premises situated in El Paso County, Texas, to wit: Being all of Surveys No. 69 and 77 surveyed for Samuel A. Maverick by Joseph Tivey, and patented by the State of Texas, the patents thereof being here referred to --- said above numbered surveys so referred to being further surveyed and located on the ground by R. E. Hardaway, Surveyor appointed in this cause, and by virtue of such surveys so being made by the said Hardaway said above surveys being described as follows, to wit: Survey 69. Beginning at a cement monument set by the said Hardaway for the North corner of this survey and the East corner of Survey 62; thence S.45°E. 4,367 varas to a concrete monument set by said Hardaway, being the East corner of this survey in the West line of said Survey 71; thence S.45°W. 1,475 varas to the Rio Grande River; thence up the river with its meanders to the Southwest corner of Survey 68; thence N.45°E. 640 varas to the East corner of Survey 68; ---- Survey 77 Beginning

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at a cement monument set by the said Hardaway for the North corner of this survey; thence S.45°E. 4,310 varas to a cement monument set by said Hardaway for the East corner of this survey, and in the West line of Survey 82; thence S.45°W. along the West line of Survey 82, 399 varas to a stake on the bank of a river; thence up the river with its meanders to the SE corner of Survey 76; ---- and the above and foregoing metes and bounds including Surveys 69 and 77 as surveyed and located by R. E. Hardaway, Surveyor, appointed by this court, and is shown by the map filed herein and made by the said Hardaway, surveyor appointed by the court in the above numbered & identified cause, to locate and survey the lands and premises in controversy in this suit; ----.

Hudspeth County Rolled Sketch 33 in the General Land Office is a map by R. E. Hardaway dated 1914. Attention is called to the aforesaid maps and descriptions and particularly to the fact that Surveys 69 and 77 are described in total while the opposing party to the suit only owned, as stated in the suit and as sued for, Survey 4 adjoining Survey 69 and Survey 6 adjoining Survey 77. This seems to raise a valid question as to whether or not this judgment would be binding insofar as any other line of Survey 69 than the ones between Survey 69 and T. & P. R.R. Co. Survey 4 and likewise any other line of Survey 77 other than the line between said Survey 77 and T. & P. R.R. Co. Survey 6, Block A. This question is very important to the location of these surveys and particularly because observation of the said maps and descriptions and careful plotting of same indicate that the judgment in Cause No. 9841, 184 SW 1078, locates the South line of T. & P. R.R. Co. Survey 7, Block A, about 589 varas Southwest of the North line of said Survey 77 as located according to R. E. Hardaway's concrete monuments.

In Hudspeth County School File 104495, is found judgment of 65th Judicial District Court of El Paso County, Texas, dated September 21, 1925, Cause No. 9843, styled Marian Hemley and M. R. Hemley vs. C. M. Newman, et al. This judgment holds that the line established by R. E. Hardaway is the correct line and describes the dividing line between plaintiffs and defendants as follows: "Beginning at a concrete monument the S.W. corner of Section 6, Block A, T. & P. Lands in Hudspeth County, Texas, as established by R. E. Hardaway between February and May, 1914; thence South 45°0'E. 1900 varas to a concrete monument for the SE corner of Section 7, Block A, Texas and Pacific Lands, and a point in the Northwest line of Survey No. 82 S. A. Maverick Survey; thence North 45° E 377 varas a concrete monument, the NW corner of Section 8, Block A, Texas and Pacific Lands and Northeast corner of Survey 82, S. A. Maverick; thence S.45°E. 1483 varas along Northeast line of Survey No. 82, S. A. Maverick Surveys to a concrete monument the SW corner of Section 8, Block A, T. & P. Surveys, and a point in the NE line of Survey No. 82, S. A. Maverick Surveys, the lands to the Southwest of the last named call being adjudged to the defendants and the land to the Northeast of the last named call being adjudged to the plaintiffs".

As can be observed on the aforesaid maps, T. & P. R.R. Co. Survey 6, Block A is located Northwest of Survey 7 and T. & P. R.R. Co. Survey 8, Block A is located Southeast of Survey 7 in said Block A and thus with the line established by Hardaway along the Southwest line of Survey 8 and Southwest line of Survey 6 being adjudged the line while the line established by Murray Harris being adjudged the Southwest line of Survey 7 we then have a direct conflict in these judgments.

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Hudspeth County Sketch File 16 is a copy of judgment of the District Court of El Paso County, Texas, 65th Judicial District, September Term, A.D. 1925, Cause No. 25565, styled H. E. Dupuy, et al, vs. R. J. Wells, et al. In this judgment it is decreed by the court that the plaintiff H. E. Dupuy had parted with all his interest in said lands and that the plaintiff P. D. Anderson, was the owner and holder of the same and further that the plaintiff P. D. Anderson do have and recover of and from the defendants R. J. Wells ---- the following described lands and premises situated in the county of Hudspeth, State of Texas, to wit: Tract No. 1. That part of Survey 17, in Block A, Texas and Pacific Railway Company Lands in Hudspeth County, Texas, and described as follows to wit: (Metes and bounds description contained in judgment not recited herein for space conservation) Tract No. 2. All that certain tract or parcel of land situated in the Southwesterly part of Survey 19, Block A, Hudspeth County, Texas, and more particularly described as follows: (Metes and bounds description contained in judgment not recited herein for space conservation) all of which surveys are fully shown on a map made by W. L. Rider, introduced in this cause, which is hereby referred to for further description for which the said plaintiff, P. D. Anderson, may have his right of possession. (The map referred herein of W. L. Rider has not been discovered in the General Land Office, however copies of what appears to be the same map have been obtained from private sources and will be discussed further later herein). The judgment also went on to state -- be it remembered that the defendants cross action came on to be heard as to the following described lands, to wit all that portion of the Anna Mason Survey No. 110 1/2 described as follows to wit: beginning at the N.E. corner of Survey 110 same being the N.E. corner of the present form of Wells, Stillwell and Spears, and the corner of the fence erected by John T. McElroy, upon the line heretofore surveyed and established by E. L. DeShazo same being the present corner of the said fence, as the same stands today; thence N.45°34'E. 545.5 varas to the N.E. corner of the Anna Mason Survey 110 1/2, as originally located by Joseph Tivey and relocated by R. E. Hardaway as shown on map filed herewith and made a part hereof; --- along the present of fence of Wells, Stillwell and Spears, to the place of beginning. It is therefore order, adjudged and decreed by the court that the defendants, R. J. Wells, Charles Stillwell and J. B. Spears, as to their cross action for the above described lands, take nothing by the same and that the plaintiffs, H. E. Dupuy and P. D. Anderson, be permitted to go hence without day and recover their cost.

This case was appealed to the Court of Civil Appeals of Texas, El Paso, December 9, 1926 and rehearing denied January 6, 1927 and no reversible error found, and the case affirmed. This is found in 289 SW 718 and is Civil Appeals Cause No. 1918. Although the records of the court of Civil Appeals of El Paso indicate that the Exhibits have long since been returned to participants in the case, the original statement of facts containing 190 pages is very enlightening not only as to the determination of the surveys involved in the suit but the statement found therein by W. L. Rider where he stated that he had surveyed from Survey 44 all the way down the river. This would be the earliest known resurvey on the ground connecting all of the river surveys involved in this report if such could be found. Much time has been spent searching private files, court files, county records and General Land Office records but if a plat was made of Surveys 44 thru 52, the same continues to elude our search. We have recovered from private files 3 maps W. L. Rider's showing various parts of the surveys from Survey 53 downriver but none showing the river surveys upstream to Survey 44.

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Hudspeth County sketch file 15 is a copy of judgment of the 65th Judicial District Court of El Paso County, Texas for Cause No. 27116 styled M. R. Hemley vs. Rio Grande Valley Farms Company, C. L. Dillenbeck, Amita Dillenbeck and F. C. Woodburn. This judgment is dated February 9, 1927 and holds W. L. Riders location of the survey lines using R. E. Hardaways monument for description only. Quoting therefrom "It is, therefore, considered, ordered and adjudged by the court that the plaintiff, M. R. Hemley, do have and recover of and from the defendants and all of them, the following described real estate, situated in the county of Hudspeth, State of Texas, to wit: The Southwesterly part of Section 9, Block A, T. & P. Lands of Hudspeth County, Texas, which part of said Survey 9, is described as follows, to wit: beginning at a concrete monument set by R. E. Hardaway for the Southerly corner of Section 9; thence S.44°59'E. 271.65 varas for the Easterly corner of this tract; thence S.45°7'W. 100 varas more or less to the Northerly line of the public road; thence North 53°57' West 1384 varas along said highway right-of-way to a stake; thence N.45°7'E. 330 varas to a stake; thence S.44°59'E. 1098.68 varas to the place of beginning, containing 54.2 acres, more or less, all of which is more fully shown by a map prepared by W. L. Rider, Civil Engineer, in 1925. Referenced to the Hardaway monuments are for description only".

In some instances the decision of the aforesaid courts based on the jury trial led to great confusion due to using the different constructions which causes an offset to the extent of about a quarter of a mile in surveys that call to be in a straight line.

Since Jessie Burdett survey 52 and Samuel Maverick Surveys 53 thru 114 were all surveyed by Joseph A. Tivey in 1858 the Northeast line of Jesse Burdett Survey 52 could be located by offset calls from the Northeast or back lines of any of the Maverick surveys if the same could be located, however, as can be ascertained from the judgments hereinabove quoted confusion runs rampant as to the location of the aforesaid lines. The Northeast line of Survey 52 when located by the offset called distance from the North corner of Samuel Maverick Survey 57 according to R. E. Hardaway's location would be in the most Northeast position of several that might be determined. If Murray Harris' location of the North corner of Survey 57 is used then the Northeast line of 52 would be approximately 589 varas Southwesterly toward the Rio Grande, while if W. L. Rider's position for the North corner of Survey 57 is used then the Northeast line of Survey 52 would be located approximately 780 varas Southwesterly toward the Rio Grande. It will be shown by map accompanying this report that if W. L. Rider's lines are used and all original offset calls honored then there will be only about 100 varas discrepancy in the location of the Northeast line of Jesse Burdett Survey 52 working upstream from the Maverick surveys vs working downstream from the Diffenderffer river surveys, whereas if R. E. Hardaway's lines are used this discrepancy will be about 880 varas.

There are land owners in the area who indicate the Hardaway line is their boundary line and Public School Land Surveys 24 and 25, Block 65, Hudspeth County, were patented on Corrected Field Notes calling for Hardaway's monuments.

The surveys up river from 44 were not located until 1873 and 1888. These appear to have been office projections from the upper corner of Survey 44 except the San Elizario Grant. The San Elizario grant was by far the earliest survey in this area

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originally surveyed in 1823 by the Surveyor General of the Territory of New Mexico. The surveyors of 1873 and 1888 either ignored the San Elizario Grant or thought it to be farther upstream as said surveys are almost totally in conflict with said grant.

The Northeasterly or back line of the San Elizario grant was the subject of a law suit which was styled The State of Texas vs. Michael Meehan, et al in the District Court of Travis County, Texas, Cause No. 16, 282. Judgment is dated December 6, 1902 and can be found in El Paso Rolled Sketch No. 44 in the General Land Office.

The concrete monument found at the East corner of the San Elizario Grant was mentioned as early as 1908 by Albro and was used in 1910 by J. W. Eubank and has been recognized all these many years as the East corner of the said San Elizario Grant.

Survey 45 by Diffenderffer was abandoned and unlocated balance certificate issued in 1871. Bexar Pre-emption 6790, Tomas Ramires Survey 155 and Bexar Pre-emption 6802, R. N. Atkinson Survey 156 were located by J. W. Eubank, May 23, 1888, in place of said Survey 45. These surveys were patented June 13 and July 19, 1888, respectively.

Surveys 48 and 49 by Diffenderffer were forfeited in 1857. Joseph W. Tays located Surveys 281, 282, and 283, in the area formerly covered by said Surveys 48 and 49, November 15, 1873. Tays used the same width as the combined width of Surveys 48 and 49 but his offsets and depth dimensions will not fit Diffenderffer's offsets and depth as called for in the Field Notes of said Surveys 48 and 49. In other words Tays, some 20 years after the original Diffenderffer survey, appears to have overlooked changes in the position of the Rio Grande and indicates 790 varas less offset N.45°E. from the lower corner of Survey 47 (upper corner of Survey 48) to the upper corner of Survey 50 (lower corner of Survey 49). Also Tays included 1213 varas more N.45°E. across the back of forfeited Survey 48 and omitted 419 varas S.45°W. across the back or Northeast end of forfeited Survey 49.

Tays recited different witness trees at both corners where he should join Diffenderffer's surveys, the lower corner of Survey 47 and the upper corner of Survey 50 therefore the difference of 790 varas in offset calls between these two corners makes the location of the Northeast line of Survey 283 questionable. I have constructed Survey 283 (and Surveys 281 and 282) according to its Field Note called relationship to Survey 47 because this is the best evidence of its location as verified by "lower valley" survey maps made by J. W. Carter and plat found in S.F. 9665 made by J. W. Eubank, all of which has been recognized for over 50 years.

Surveys 50 and 51 were patented December 22, 1856 on original Diffenderffer Field Notes. Surveys 46 and 47 were patented June 2, 1858 on original Diffenderffer Field Notes. Survey 44 was patented March 14, 1861 on original Diffenderffer Field Notes.

J. W. Carter resurveyed parts of Surveys 44 thru 51 and made maps thereof known as the "Lower Valley Surveys" in 1928 thru 1932. These maps were filed in the County Surveyors Office, in the County Clerk's Office and were used for record of ownership

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and taxing purposes by the County of El Paso and some of these are also filed in the General Land Office. Permanent monuments were set in Texas Highway 20 thru the town of Tornillo and the East corner of San Elizario Grant, being the concrete monument above referred, was tied to these monuments. Also the centerline of the railroad track was tied to this work.

By checking course of centerline of the railroad track and the centerline of Texas Highway 20 vs lines of occupation where lines of Surveys 44 thru 51 cross said Highway and Railroad it appears that the Carter resurvey is uniformly recognized as to the lines between said surveys. However the back or Northeast lines of these surveys were apparently not monumented by Carter at this time. No evidence of his survey to the backs of these surveys can be found on the maps or in his field books which are also of record in the County Surveyor's and County Clerk's Office of El Paso. He did show the dimensions or distances back to these lines on his maps but this was by projection rather than actually monumenting as far as I can ascertain. Mr. Carter filed two different maps for Block 11 showing reverse offset between Surveys 283 and 50. This would make 381.17 varas difference in the location of the back lines of Surveys 50 and 51.

Mr. Carter appears to have been a very careful surveyor and generally performed a commendable job of surveying. On his lower valley Block 11 map which indicates the offset in the proper direction (N.45°E.) between Survey 283 and Survey 50, Mr. Carter apparently was attempting to use the Field Note calls to determine the offsets from one survey to another, however, he like J. W. Eubank apparently failed to consider the forfeited Surveys 48 and 49 by W. L. Diffenderffer.

If Mr. Carter had considered the Diffenderffer Field Notes, he would have realized that the Northeast line of Survey 283, by Tays, was not in the same place as the Northeast line of forfeited Survey 49, or if he placed these lines in the same position then he would have to increase the offset from the North corner of Survey 283 to the East corner of Survey 47 by 419 varas. That is the difference between the Northeast line of Survey 283 and the Northeast line of forfeited Survey 49, the Northeast line of said Survey 49 being 419 varas Northeast of the Northeast line of said Survey 283.

The original offset call, determined by the original Diffenderffer Field Notes, from the East corner of Survey 49 to the North corner of Survey 50 is 247 varas. Therefore, if the above determined 419 varas is added to this 247 varas, the correct offset distance from the East corner of said Survey 283 to the North corner of Survey 50 is 666 varas.

A plat dated December 9, 1960 by J. W. Carter showing Jesse Burdett Survey 52 together with division, conflicts and discrepancies therein, was obtained from private files and is submitted herewith as exhibit. From the facts shown on said plat coupled with facts found on the ground there are six iron pipes which can be verified as marking Mr. Carter's positions on the ground. Three of these match what he indicates as his 1930 and 1947 corners and three match his position indicated on said 1960 plat as the correct location for Survey 52. Mr. Carter's said plat clearly shows the large discrepancy he found in attempting to reconcile the offset calls from the Diffenderffer surveys to the Tivy surveys as aggravated by R. E. Hardaway's monuments being apparently too far Northeast and Mr. Carter's "Lower Valley

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Surveys" being too far Southwest. Mr. Carter shows this discrepancy to be 3500.1 feet or 1260 varas.

If Carter would have considered Diffenderffer's field notes on forfeited Surveys 48 and 49, his East corner of Survey 51 would be at least 419 varas N.45°E. from where it is shown on his 1960 plat. This would make the discrepancy at least 419 varas less or about 841 varas, and if W. L. Rider's location of Tivy's 1858 Rio Grande River were honored instead of R. E. Hardaway's position then the East corner of Survey 52 would be located about 780 varas S.45°W. from where Carter's 1960 plat shows, leaving a discrepancy of about 61 varas. This small discrepancy would seem more realistic and more in harmony with the beginning call in Tivy's original field notes for Survey 52 where he stated --- "Beginning at the lower corner of Survey No. 51 made for E. Hendree, assignee of Wm. C. Stanley, the ground on which the old corner stood having fallen into the river, I established a new corner in line on the bank of the river, set a stake for the lower corner of No. 51 and the upper corner of this survey ---". This call indicates that Mr. Tivy was some distance N.45°E. from the original lower corner of Survey 51 made by Diffenderffer. He, Tivy, was on the Northeast bank of the river and therefore if the corner had "fallen into the River" this indicates he was somewhere N.45°E. from same. The words "fallen into the River" seem to imply a short distance and certainly not 1260 varas, or 841 varas, or 780 varas, for if this were the case it seems Mr. Tivy would have said "the river having changed course", or "the corner falling across the river" or some indication of a great distance. It is unfortunate that Mr. Tivy did not state how far he was from where the corner should have been, but according to the sketch drawn at the top of the page of his field notes he makes it even more clear that it was but a short distance. This sketch indicates the original Diffenderffer calls of 7884 varas on Northwest line and 6531 varas on Southeast line of Survey 51 and Mr. Tivy's 9608 varas on the Northwest line of Survey 52.

CONSTRUCTION OF RIVER SURVEYS

Since no original corners of these surveys are recoverable either physically or by ties thru subsequent surveyors, the best evidence rule of location must be relied upon. The best evidence is (1) the original Diffenderffer field note calls with proper application of the subsequent Tays field notes, (2) J. W. Carter's Lower Valley Surveys Block 11 plat, (3) J. W. Carter's plat of San Elizario Grant Block No. 51, Tornillo Townsite, Sheet "A", and (4) J. W. Carter's plat of North portion of Jesse Burdett Survey 52, Hudspeth County. Some harmonizing of the aforesaid is necessary as will be pointed out herein.

As already stated herein it is clear from on the ground survey as shown on survey plat prepared by me and accompanying this report, that, as far as lines between the subject surveys, the occupation and long recognition is mostly harmonious with J. W. Carter's Lower Valley Surveys plat of Block 11. Compared to original field note calls, Carter's plat indicates a shortage of 49.73 varas in the width of A. F. Davis survey, which transfers to Ralph Wright survey and Surveys 155 and 156 where original Survey 45 was located, and 0.3 vara excess in Survey 46. I found only 20.94 varas shortage in said Davis survey, however, I found 24.26 varas shortage in Survey 46, which totals 45.20 varas shortage where Carter's plat reflects a net of 49.43 varas shortage, a difference of 4.23 varas. Carter's plat shows widths of 0.3 vara excess in Survey 47, 6.74 varas shortage in Survey

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283, 1.14 varas shortage in Survey 50 and 4.23 varas excess in Survey 51. I found widths of 0.95 vara shortage in Survey 47, (1.25 varas less width than Carter), 7.78 varas shortage in Survey 283, (1.04 varas less width than Carter), 2.20 varas shortage in Survey 50, (1.06 vara less width than Carter), and 3.22 varas excess in Survey 51, (1.01 vara less width than Carter).

Mr. Carter's plat of "Lower Valley Block 3" indicates he used as the North corner of Survey 44 a point 6.5 feet or 2.34 varas N.60°07'E. from the concrete monument shown on his San Elizario Grant Block 51 plat. I have used as the North corner of Survey 44 the concrete monument, found buried 2 1/2 feet in cultivated land, because its position relative to the concrete monument found at the East corner of the San Elizario Grant as verified by J.W. Carter's plat distances and his ties to El Paso County monument in Texas Highway 1, now Highway 20, and my ties to all three of said monuments, all indicate that this must have been the monument recognized and used as the North corner of Survey 44, by Albro in 1908 and J. W. Eubank in 1910. While it is true that a point 6.5 feet or 2.34 varas N.60°07'E. of said monument would fit Eubank's distance, S.60°W. 726 varas, from the monument he found at the East corner of the San Elizario Grant, the fact that Carter found the monument at the North corner of Survey 44 as called for on Eubank's plat S.F. 9665, indicates the monument should be used. The monument has higher dignity than distance from another monument of equal dignity.

In the process of constructing these river surveys, it was first thought that the centerline of Highway 1, (now 20), and the centerline of railroad track all shown on Carter's plats, would best represent the course from which to locate the lines between said river surveys, however, it was discovered that the average of the lines as occupied and recognized was on a course 0°02'50" left of the average course of the railroad vs the highway. In relation to grid course shown on my survey plat submitted herewith, the course shown by Carter for the centerline of highway must be rolled 3°02'15" right to fit grid course as determined by ties to El Paso County monuments in the centerline thereof, the course shown by Carter for the centerline of the railroad must be rolled 3°01'41" right to fit grid course determined by ties to said centerline. The average roll is then 3°01'58" right while the said lines between the survey needed to be only 2°59'08" (average) right (N.45°E. call = N.47°59'08"E., Grid) to fit as per ties to objects on the ground.

Using the aforesaid course with back lines right angle thereto and constructing these river surveys according to the offset calls determined from the original Diffenderffer Field Notes, applying the Tays Field Notes where applicable as aforesaid, I located the East corner of Survey 51 on Carter's Northwest line of Survey 52 (as per monumentation found as ascertained from his 1960 plat) as follows: From said concrete monument found at the North corner of Survey 44, N.45°E. (N.47°59'08"E., Grid) 7,348.90 varas, which is the sum of the offset calls determined from the original Diffenderffer Field Notes, and then S.45°E. (S.42°00'52"E., Grid) 12,034.49 varas to said East corner of said Survey 51. The sum of the width calls by Diffenderffer is S.45°E. 12,087.40 varas, therefore I found net shortage of 52.91 varas, distributed in each individual survey as discussed previously herein. My total width of 12,034.49 varas is very close to Carter's 12,034.62 varas total per his Lower Valley Plat of Block 11.

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Because of Carter's apparent failure to consider Diffenderffer's original field notes for forfeited Surveys 48 and 49, as previously mentioned herein, and other reasons now to be set forth, I found the East corner of Survey 51, as above located, to be 454.40 varas N.45°E. (N.47°59'08"E., Grid) from the position that would be arrived at using Carter's plat distances. Referring to Carter's Lower Valley Block 11, Plat and comparing to original field note calls it can be ascertain that the Northeast line of Survey 46 should be 146.87 varas farther Northeast, while the offset from East corner Survey 46 to North corner Survey 47 is 99.50 varas short, offset from East corner Survey 47 to North corner Survey 283 is 0.42 vara short, offset from East corner Survey 283 to North corner Survey 50 is actually 406.59 varas short instead of 419.0 varas (because the plat offset was 259.41 varas instead of 247.00 or 12.41 varas difference) and the offset from East corner Survey 50 to North corner Survey 51 is 0.02 vara short. However, I found that my East corner of Survey 51, as above located, was only 375.00 varas Northeast from iron pipe and concrete slab marked "E.51" found in position for Carter's East corner Survey 51 as determined from his 1960 plat. This then indicates that he somehow had 79.40 varas excess N.45°E. (N.47°59'08"E., Grid) from said North corner of Survey 44 to the North corner of Survey 51 as reflected on his 1960 plat. Mr. Carter's Northwest line of Survey 52 per his 1960 plat from East corner of Survey 51 to North corner of Survey 52 has a course 0°01'19" left of the course found and used for surveys 44 thru 51. Mr. Carter's 1960 plat also indicates that the course of the Southeast line of Survey 52 is 0°05' left of the Northwest line of Survey 52. Since the Northwest line of Survey 52 calls to be common with the Southeast line of Survey 51 it was necessary to minutely adjust the Northwest line of Survey 52 to correspond to the Southeast line of said Survey 51. This is reflected on my accompanying survey plat.

The Northeast line of Survey 52 is occupied according to the offset call as can be deduced from the calls of Diffenderffer on Survey 51 and of Tivy on Survey 52, without considering what Tivy said in the Field Notes of Survey 52 about the old corner (lower corner of Survey 51) having fallen into the river, 3077 varas Northeast of Carter's East corner of Survey 51 per his 1960 plat. My construction as above outlined would therefore locate the Northeast line of Survey 52, Northeast 375.00 varas from said occupied line plus whatever the distance was from the lower corner of Survey 51 that had fallen into the river to the corner as re-established by Tivy. Since this latter distance is undeterminable the Northeast line of Survey 52 likewise cannot be located in this manner.

The proper location of the Northeast line of Survey 52 depends on Tivy's position for it and the Maverick Surveys as discussed earlier in this report. The confusion resulting from the several re-surveys and law suits previously discussed herein must be resolved in order to properly locate said Northeast line of Survey 52.

I have indicated and identified on my accompanying plat the various locations for said Northeast line of Survey 52 using the original calls found in Tivy's Field Notes in conjunction with R. E. Hardaway's monuments found on the ground and the references thereto indicated on Murray Harris' plat and references thereto found in testimony of W. L. Rider in Civil Appeals Cause No. 1918, 289 S.W.718.

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TEXAS AND PACIFIC RAILWAY 80 MILE RESERVATION

By act dated May 2, 1873 the 16 mile reservation was enlarged to 80 miles wide West of the 100th meridian. The 16 mile reservation was created by act dated February 4, 1856 wherein the Memphis, El Paso & Pacific Railroad Company was authorized to construct a railway across Texas.

Jacob Keuchler was employed as Principal Land Surveyor for The Texas and Pacific Railroad Company in August 1878. He was to locate several thousand unlocated land certificates prior to the expiration of such right of location granted by the State to the Railroad in Section 8 of the act dated May 2, 1873. This expiration date was January 1, 1880. For more details of the history of this reservation and laws pertaining thereto see book about the same written by J. J. Bowden and particularly his references 1 and 2 in said book. (See reference 201).

Jacob Kuechler returned the original Field Notes dated 1878 and 1879 and Paul McCombs was employed to retrace Kuechler's work in 1883. McCombs was to check Kuechler's work, record the distances as he found them, and interline Kuechler's Field Notes to show these distances, but he was not allowed to file corrected Field Notes.

Many hours over several years have been spent in considering the many aspects involved in the subject area. Some of the things considered were (1) Kuechler's original field book (2) Kuechler's original maps (3) the original field notes by Kuechler (4) the voluminous correspondence pertaining to this area found in the General Land Office, T. P. Land Trust files and other sources including the book written by Mr. J. J. Bowden and titled "Surveying the Texas and Pacific Land Grant West of the Pecos River" (5) field books of Paul McCombs showing retracement of Kuechler's survey (6) the several maps prepared by Paul McCombs over a number of years from about 1884 thru 1916 (7) the original field notes of Jacob Kuechler as interlined by Paul McCombs under instruction from the Commissioner of the General Land Office (as per aforesaid correspondence which includes many letters from Paul McCombs to the Commissioner and from the Commissioner to Paul McCombs) (8) the retracement work of W. J. Powell and H. L. George in 1930-1933 consisting of field books, traverse sheets, maps and many coordinates on the military grid system (which we have converted to the Texas Coordinate System-Central Zone), and much correspondence, (9) several maps filed for information such as they may contain, in the General Land Office showing the work of R. W. Baker in the western end (mostly El Paso County) of the T. P. Reservation, and (10) many piecemeal attempts at relocating segments of this vast system of surveys.

Various law suits and court decisions including the Canda Case in 1893 have also been considered in this matter. There are several instances where the field book calls, the map calls, and the field note calls, all by Jacob Kuechler can not be correlated or do not put the corner in the same position.

There are several instances where the identifiable corners made by Kuechler are not located on the ground in the position long recognized in that particular area for the location of these surveys. In some instances the discrepancy is from 1 mile to as much as 3 miles one direction and 3 miles at right angle direction. In situations of this nature, it is considered that

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some adjudication must take place in order to reconcile these differences. It is thought that in certain instances, where gross error was made, it would be appropriate to adjudicate the patent calls of identifiable corners made by Mr. Kuechler out of said patent and field notes, in other words strike these calls.

There has been much written about the use of convergence (method of running each line on true north and thereby converging or shortening the east-west distance between same as one moves Northerly) as a method of constructing the surveys in the T. P. Lands. This was advocated early by Paul McCombs, however his method was not to run converging lines but to run straight lines and put offsets in to correct for convergence and the curvature of the latitudes. This is evidenced by his own statement in several reports that he "ran straight lines with rear and forward sights" using a transit. This is also reflected where he interlined offsets in certain places in the Kuechler original field notes. Mr. McCombs was not consistent in applying this as in many instances he surveyed on the plane making no corrections.

Major Powell had an agreement with the then Commissioner of the General Land Office to construct North-South lines each on a true bearing thru such corners as they found, where there were no other corners on the same line. Although this may be a proper method in Federal Land States it is not surveying as was done in Texas. Convergence brings up the question of which end gets the called distance if you are having to construct course and distance in an East-West direction. Does one give the call distance on the State line and allow an increase in the East-West distance as you progress Southward for no other reason than that the lines are diverging going South? Does one allow course and distance on the South line of the T. P. Reservation and shorten the East-West distance as you move Northward toward the State line for no other reason than that the lines converge when all are put on a true bearing?

There was also discussion about running all East-West lines on a true parallel of latitude which would be a series of parallel curved lines. Although this would leave the North-South distances consistent as you move in East or West direction it is not surveying as was done in Texas. More importantly it is not "following the footsteps of the original surveyor".

None of the previous attempts to resurvey this area were ever finally completed. The nearest was the work of Major Powell and H. L. George in 1930-1933 but few maps were finally completed and none officially recognized. Mr. R. W. Baker filed maps showing most of the T. P. lands in El Paso County however his work was not officially approved.

It is interesting to note that none of these surveyors completely adhered to the planned convergence of North-South lines nor the planned parallels of latitude of East-West lines. Mr. McCombs did not construct his maps to show convergence or true parallels of latitude but used offset method instead. It is also apparent that his work was not that accurate both from on the ground observations and from one of his letters wherein he states that his closure was about 800 varas out which he thought fair in this rough terrain. R. W. Baker chose to accept one particular line of McCombs' running from the Northwest corner of Survey 4 Block 78 Township 4 to the Southwest corner of Survey 36 Block 78 Township 4. Although it had several different bearings between the various intervening corners, Mr. Baker meant that

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8 miles obtaining $N.0^{\circ}33'12''W.$ on what he said was a true bearing. He then projected his line and made all of his North-South lines parallel to it on a true bearing which meant that he was converging from South to North but with a $0^{\circ}33'12''$ left twist. This was for no apparent reason other than he simply chose one line over many others to represent what he thought was McComb's North.

James E. McCarty, a General Land Office Surveyor, ran from McCombs' S.W. corner of T. & P. Ry. Co. Survey 33, to McCombs N.W. corner Survey 26 all in Block 75 Township 6, and called this line North, projected it and made all other lines parallel and at right angles to same. This line is $N.0^{\circ}11'38''W.$ on True course and $N.2^{\circ}38'00'' E.$ Central Zone Grid Course, theta angle being $-2^{\circ}49'38''$ at the S.W. corner of said Survey 33.

Whatever construction is used in the T. P. Reservation must be consistent throughout the entire reservation. Although this is a unique and large area it is not so unique and large that it warrants a different construction than that which good surveying rules of construction dictates. Therefore in this consideration we must get back to the basics of surveying.

The most basic rule of surveying is to follow the footsteps of the original surveyor. In this instance we actually have a combination original surveyor, i.e. Kuechler-McCombs, because of the fact situation wherein the Commissioner of the General Land Office authorized Paul McCombs to interline the original field notes of Jacob Kuechler. These interlined field notes have gone thru the process of patents being issued as well as being individually listed in exhibits in the Canda Case in 1893. This suit was styled "State of Texas v. Canda, Drake and Strauss, No. 10,351 in the District Court of Travis County, Texas" and became final for lack of appeal. The Canda Case incidently returned some lands to the State of Texas and QUIETED TITLE to all other lands listed therein, to Charles J. Canda et al. Much of these lands still belong to T. P. Land Trust and most of the minerals under them belong to Texaco, Inc.

In getting back to basics, let us examine the footsteps of Kuechler-McCombs relative to the proposed convergence theory that has been espoused over the years in so many written words pertaining to this area. We realize that, in this connection, we must also harmonize with the various court decisions, that have been handed down through the years. Although some schools of thought are that there are conflicting court decisions I do not believe so if all of the facts are presented in each instance. I think that they are in fair harmony where all the facts were set forth. The proposal to lay in the North-South lines each one True North probably derived from court decisions such as State v. Ohio Oil Co. et al (173 S.W. 2d, 470). The court said that if a mean deviation was not determined (in other words a particular North for the original surveyor could not be determined because his work was not consistent enough to do so) or where he did not actually run the lines, that then and in that event the lines should be layed in on "due course". They did not say the line was a curved line in the East-West direction and they did not say that lines running North and South would converge. In harmonizing this instruction of the courts with the instruction of the courts "that in the absence of calls for natural or artificial objects, course and distance shall apply", one must conclude that the court in talking about due course was saying that in that particular area a due course or true course should be determined and all of that area layed in

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parallel and 90 degrees to same except where natural or artificial objects cause the lines to be otherwise. This now is in harmony with the admonition of the basic surveying rule to follow the footsteps of the original surveyor.

It has been said by many that the work with a compass followed true bearings, true parallels of latitude and true North-South lines. This is like swallowing an elephant and strangling on a gnat. In convergence we are talking about a matter of 31 seconds per mile while in running line with a compass the daily variation of the declination can be in the vicinity of one-quarter degree or fifteen minutes. This is 30 times the magnitude of convergence and this happens on a daily basis swinging back and forth from the supposed North the surveyor is using (or East or West or South) therefore it is completely ridiculous to consider applying such a minute correction as convergence to such a large variation in the original footsteps.

To clarify the above, one must have a continuous area of about 60 miles in an East-West direction before he approaches the extremes of the effect of the daily variation of the compass on the original work. Add to this the fact that the old compasses could not be read much closer than one-fourth degree and you could easily have an area stretching 120 miles in an East-West direction in which you could follow the footsteps of the original surveyor without applying convergence. A good example of the impossibility of applying convergence is found in attempting the proper construction for river surveys. The question can be asked, who is to determine where the called width for these surveys will be applied, at the river or at the back of the surveys? While it is true that course usually gets a higher priority than distance, it is often applied as course and distance. It is not considered proper surveying to adhere to course, at the expense of distance without good cause. It would certainly be improper to do so, for no other reason than to apply convergence, and impose the need for a judgmental call, although minute, in the case of distance that is impossible to resolve.

In most of the decisions that have come down through the courts, and in much of the practice of surveying, an area so large as the T. P. 80 Mile Reservation has not been encountered. Most areas are broken either by calls for natural or artificial objects or separate systems of surveys into smaller areas than this. However, when one takes a close look at the T. P. Reservation it is readily ascertainable that this is not one solid system of surveys. This is especially true considering the interlined field notes creating the McCombs-Kuechler original survey.

There are distinct and separable parts of the T. P. Reservation which can and must be constructed each to its own natural and artificial object calls and in the absence of same on due course. It should also be considered that McCombs' maps (one of which was introduced in evidence in Canda Case, although it is not ascertainable which map is referred to) show many little black circles indicating corners Mr. McCombs established. By and large these corners are unidentifiable. There are a few instances where the identity was interlined into the field notes and there are some instances where subsequent surveyors have identified them as McCombs' corners. There is one area in El Paso County where Mr. McCombs came back at a later date and set

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iron pipes in mounds that were previously established by him. This is reflected and explained in detail in report by Mr. McCombs dated November 15, 1905 and attached to a map, which was apparently prepared by Mr. McCombs, all of which is identified as El Paso County Sketch File 19 in the General Land Office.

I do not believe there is any question that Mr. McCombs' corners have the dignity of original corners where the same are interlined into the field notes on which patents subsequently issued.

The judgment in the Walling case (See W.D. Johnson, Jr. et al v. J. B. Walling, et al, Cause No. 5050 in the District Court of Reeves County, 109th Judicial District of Texas) commonly referred to as Gulf v. Walling, is an example of what the courts interpret was done in the Canda Case. The court recognized McCombs' corner because he had claimed to have found the original in that instance. The court also aluded to McCombs' map in the Canda Case and the entire file in the Canda Case as evidence that McCombs' work was merged with Kuechler to become the original McCombs-Kuechler survey of the area. In light of these, and other court decisions, it is reasonable to conclude that any place a McCombs' corner can be identified the same would have the dignity of the original corner even though not called for in the interlined field notes upon which patents issued but simply because it was shown as a little black dot on the map used in the Canda Case. Of course one must keep in mind that all of the aforesaid is not withstanding that in the case of fraud, gross error or other reasons that the court might throw out some McCombs' corners and even some original Kuechler corners in order to keep the intended and long recognized location of the many various surveys and blocks and townships in the T. P. Reserve harmonious.

If one were merely considering the part of the T. P. Reserve in El Paso County one might use the three North-South lines of McCombs and project the same Northward to the State line and Southward to the South end of whatever block or township they are in, because there are few Kuechler corners and those were not found nor used by McCombs. Where said Kuechler corners can be located they disagree by at as much as 2 miles with the position established by McCombs. One would then prorate the excesses found over McCombs' distances between such projected corners. This in indeed a possible solution although it does not fit with what has been done and does not fit other long recognized corners in the area. However some of the long recognized corners and other constructions are not harmonious. In one instance you have the construction of R. W. Baker which would follow the above construction in one place, but he places all other lines on a parallel, true bearing, to this using convergence and is therefore inconsistent with the aforesaid.

As heretofore stated one must look at the entire area and yet consider it as broken into many parts and should keep in mind the basic rules of surveying and the harmonizing of the court decisions.

When all of this is done there is but one solution that can be used and this solution is as follows.

Each area of connected blocks and townships must be considered as one system but separate from each other area of

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blocks and townships as are separated by other systems such as the public school land and University Lands. To harmonize this we follow in the footsteps of the original surveyor or, in this case surveyors, and harmonize with the court decisions. A north meridian should be established near the center of each of these separate areas and all lines made parallel and at right angles to that line except where natural and artificial monuments called for by McCombs-Kuechler must be connected. For construction purposes those corners that are thought to be in gross error or otherwise unusable should be disregarded. However, these corners should be identified and reported for posterity so that some official action such as court judgment may be obtained in order to properly cure the problems that could otherwise be caused by the use or rather misuse of such corners.

There were instances where McCombs interlined offsets which are very short, such as one vara, three varas, nine varas and so on. It should be remembered that McCombs, in at least most instances, did not measure these offsets on the ground but determined same by calculations based upon his traverses to Kuechler corners, and in some instances corners of his own, at least a mile or more away. Therefore these corners or physical monuments on the ground should be used and the aforesaid construction applied based on a true course for the center of the area. Parallel lines and 90 degrees thereto should be utilized by starting these lines at these natural or artificial monuments as called for and upon intersection redetermining the aforesaid offsets realizing that in some instances the offset length will change considerably, due to the errors in McCombs traverses and ties to the more distant corners.

One can absolutely ascertain that Paul McCombs did not use convergence by simply observing El Paso Co. Rolled Sketch 26 in the General Land Office. This is a map of the T. P. Ry. Co. Surveys in the 80 Mile Reserve copied from the original map in the office of W.H. Abrams in Dallas, Texas by Paul McCombs in December 1896 and showing in round black dots the corners of surveys as originally erected by Jacob Kuechler locating surveyor and other corners erected by Paul McCombs under the instruction of State Land Board and Commissioner of General Land Office in the State of Texas. As can be seen thereon East-West distances at the South line of New Mexico and North line of 80 mile Reserve are 1900 varas per mile and along the Southern extremes of the map the same are 1900 varas per mile, therefore no convergence. Also it can be seen that this was treated as a separate area from other areas of the T. P. Reserve by the fact that in the upper right hand corner there is a block of the T. P. lands shown with dimensions of 2000 varas East and West on each of the surveys and 2092 varas and other dimension over 2000 varas in a North-South direction in that particular area while all of the adjoining lands in the vicinity of El Paso and on Southeast to Sierra Blanca are shown 1900 varas. Note that it is my opinion that this map is very misleading. It states that it is showing in round black dots corners of surveys made by Jacob Kuechler locating surveyor when in fact most if not all of the round black dots on the map were corners set by Paul McCombs. These were corners to which Kuechler never went according to his field book and his field notes.

Another aspect that needs mentioning, is that some of these corners over in the El Paso area of the T. P. Reserve may not have been set by Paul McCombs at the time of the Canda Case. The question of their authority and dignity is raised in these

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areas. If it can be determined that McCombs did set these corners under the instruction of the Land Office then the following will likely apply. In State v. Ohio Oil Co. et al (173 S.W. (2d), 470) the Court, after speaking of establishing lines on due course that were not run by the original surveyor, said that R. S. Dodd, from instructions from the Commissioner of the Land Office, attempted to do just as instructed and run the lines back from the river on due course. The court further stated that just because he made some errors this did not alter the fact that it was his intention to locate them as instructed, and that because of these intentions and instructions from the Commissioner, that the corners should be used the same as if they were the original corners.

This even though there were some considerable errors. The magnitude of these errors may not have been known by the court at the time. There is one line monumented by Dodd that is about 6 degrees off and others that are 100 varas or so off in distance.

CONSTRUCTION

The separate area of the Texas and Pacific Railway 80 mile reservation to be considered and constructed here is comprised of Block 71, Townships 6 & 7; Blocks 72 & 73, Township 7; Block 74, Townships 6 & 7; Block 75, Townships 5 & 6; Block 76, Townships 4, 5 & 6; Block 77, Townships 1, 3, 4 & 5; Block 78, Townships 1, 2, 3 & 4; Block 79, Townships 1, 2 & 3; Block 80, Townships 1 & 2; Block 81, Townships 1 & 2; and Block 82, Township 1, all in Hudspeth and El Paso Counties, Texas.

The line I have chosen for the central meridian, or true North-South line, for this area is near the center of the East and West dimension of said area. This line is monumented by an iron pipe found as identified by R. W. Baker as a McCombs corner found at the S.W. corner of Survey 7, Block 76, Township 5. (See El Paso Co. Rolled Sketch 46 in the General Land Office). The Theta angle at this iron pipe is $-2^{\circ}54'54''$ and therefore a line extending True North from said pipe has a course of $N.2^{\circ}54'54''E.$ on the Texas Coordinate System-Central Zone.

The above line is also the Northern portion of the East line of El Paso County and the Northern portion of the West line of Hudspeth County.

On my survey plat accompanying this report, I have indicated all of McCombs' iron pipes I found which were identified as McCombs' pipes by R.W. Baker. (See El Paso Co. Rolled sketch 46 and Hudspeth County Rolled Sketch 37 in the General Land Office) (See also El Paso County Sketch File No. 19 in the General Land Office). Where McCombs' corners were not found that position was determined by prorating any excess or shortage found between existing McCombs' corners. I then placed all North-South lines thru said McCombs corners parallel ($N.2^{\circ}54'54''E.$, Grid) to aforesaid meridian, and I placed all East-West lines thru said McCombs corners at right angle or perpendicular ($S.87^{\circ}05'06''E.$, Grid) to said North-South lines. This construction uses the consistently long recognized McCombs' corners while disregarding those corners inconsistent with same. The corners disregarded are those set by R. W. Baker in 1937 (See El Paso Co. Rolled Sketch 46 and Hudspeth Co. Rolled Sketch 37 in the General Land Office), and those set by General Land Office Surveyor James E. McCarty in 1979 as indicated on Hudspeth Co. Rolled Sketch 63,

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and any other corners set in piecemeal fashion.

This construction also disregards several original Kuechler corners which when located are found to be about two miles East and about one mile South of McCombs' long recognized position. To locate these corners it is necessary to use Kuechler's Field Book (General Land Office File N-2-30 El Paso Co.) in conjunction with his Field Notes. In his field notes, on which patents were issued, Kuechler recited only the bearing to Sierra Blanca Peak while in his Field Book he noted this same bearing and also the bearing to North end of Mesa, Northeast end of Mesa and South end of Mesa. This occurred in varying combinations at the S.W. corners of Surveys 37, 36, 29, 28, 21, 22, 23, 24 also SE corner of 24 Block 76 Township 5. These bearings are in such combinations that one can easily plot sufficient intersections to closely locate the position for the aforesaid corners. As previously stated these so located Kuechler corners are about 2 miles East and about 1 mile South of McCombs' position and are the result of gross error which can be determined by careful study and application of Kuechler's Field Book and Field Note calls. This construction conforms to instructions from W C. Walsh, Commissioner of General Land Office to Paul McCombs. (See last three sentences of reference 204).

UNIVERSITY LANDS BLOCK L

This block was originally Field Noted September 25, 1886 by B. P. Eubank. Much surveying was done in this area by Behn Cook, Special State Surveyor, in 1916, under instructions from J. H. Walker, Chief Clerk and Acting Commissioner. Mr. Cook's detailed report is found in El Paso County Sketch File 21 in the General Land Office. He was surveying to determine the vacant areas between the University Lands and the Texas and Pacific Railway Surveys.

J. A. Conklin, Special Surveyor, resurveyed a part of the West end of University Block L in 1945 as per Sketch K-8-218 in the General Land Office.

Under letter of authority dated September 9, 1971, from the University of Texas System, Mr. Otha Draper, Licensed State Land Surveyor made a complete re-survey of University Lands Block L. Mr. Draper filed a detailed report and Corrected Field Notes in book designated as "Book U.T., Block L, El Paso County" in the General Land Office. This work as surveyed under Article 6643, V.T.C.A., Education Code, was approved as indicated in said book by Bob Armstrong, Commissioner of the General Land Office on September 7, 1973. Mr. Draper's Plat is El Paso County File K-8-317.

CONSTRUCTION

Since Mr. Draper monumented all corners on the perimeter of the block where the same adjoined this survey, it was only necessary to tie in his corners. All of said corners were very close to where Mr. Draper indicated except one. This was at the East corner of Survey 14. After careful checking of my work and verifying by three of Mr. Draper's witnesses, the Draper monument (marked pipe in concrete) was found to be 46.00 feet or 16.56 varas N.43°19'26"W. from where it should have been set. A point for corner was used for this corner making a witness of the marked pipe Draper set for corner, and from which Rider bolt found during this survey and also found and used as witness by

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Draper, bears S.51°37'30"W. 303.80 feet or 109.37 varas. Draper's marked pipe at South corner of Survey 14 bears S.55°29'36"W. (Grid) 5176.18 feet (Grid) or 1899.42 varas. Also Draper's marked pipe at North corner of Survey 14 bears N.34°29'47"W. (Grid) 5276.27 feet (Grid) or 1899.46 varas. These distances were recited as 1900 varas by Draper and check very close, for by applying the grid factor of .99972188 used in my work they check within 0.05 and 0.01 vara respectively. The Rider bolt witness of course checks exactly when Mr. Draper's bearing course is rolled 3°00'30" clockwise, S.48°37'W. plus 3°00'30" equals S.51°37'30"W. and 109.4 varas times .99972188 equals 109.37 varas.

M.R. HEMLEY SURVEYS 428 AND 429

These surveys were located by W. L. Rider in August 1923 between the University Lands Block L and the Daugherty and Gibbs Surveys. Mr. Rider called for iron stakes at all corners of each survey. Authority for these surveys was application filed under Section 7 of an act approved April 13, 1919, providing for the sale of the unsurveyed school land appropriated to the Public Free School Fund by an Act approved February 23, 1900. The jacket of each survey bears a scrap file number which is the same as on the Field Notes, Survey 428, S.F. 12704 and Survey 429, S.F. 12705, and has "Land Forfeited" stamped on the front of said jacket. On the front of jacket for Survey 428, S.F. 12704 is written "sold in file 142019". On the front of jacket for Survey 429, S.F. 12705 is written "sold in file 142020". File jackets 142019 and 142020 have no field notes but refer to Surveys 428 and 429. Each jacket is stamped "forfeited". File jacket 142019 has "See Right-of-way Split in File 153160" written on it. It appears that the surface only was conveyed to The Texas Highway Department on a small part of Survey 428 in File 153160.

These surveys are the most junior of all the surveys discussed in this report, but are constructed prior to the Daugherty and Gibbs Surveys for reasons to be stated herein and also in the Daugherty and Gibbs part of this report.

W. L. Rider's report found in S.F. 12703 gives a detailed account of how he arrived at the location of University Lands Block L, and T. & P. Surveys, as well as stating that he was actually the Original Surveyor of Daugherty and Gibbs. He indicates that he had set iron pipes for corners of Daugherty and Gibbs Surveys, however none were called for in the Field Notes and none have been found except some of those identified in his report. Mr. Rider's report helps to identify the iron stakes where I have indicated "Rider Bolt". These were also identified by Otha Draper in his report and on his survey plat of University Block L.

The statements by Rider found in the second, third and fourth paragraphs of page 3 of his report or statement dated November 21, 1923, in S.F. 12703, are helpful in clarifying the location of the Daugherty and Gibbs Surveys as well as these surveys.

CONSTRUCTION

The construction of Surveys 428 and 429 was simplified by the finding of several iron bolts that could be identified and accepted as W. L. Rider's corners thru the hereinabove

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referenced Rider report as well as Otha Draper's Report and Plat.

Survey 429 has twelve corners or angle points of which seven were found and five could be re-located by intersecting parallel lines thru the found corners. It was found that Survey 429 conflicted with the Northeast line of University Lands Block L, Surveys 13, 14 and 15, and that part of Survey 429 is considered lost to conflict with Senior University Lands. A slight conflict was also found where Survey 429 abuts T. & P. Ry. Co. Surveys 14 and 15, Block 77, Township 5.

A narrow strip was found between the Southeast line of University Lands Survey 14 and Survey 429. In this instance the Southeast line of Survey 14 was held and the strip absorbed in Survey 429. In other words this is treated as a strip of unsurveyed school land that has been discovered, surveyed and included in with other surveyed school land. The theory of this construction is found in the statements of the court made in conjunction with the decision rendered in Post, et al vs. Embry, 205 S.W. 514. This being that when two adjoining surveys are both made for or belong to the same State fund, it makes little difference in which survey the land is situated.

Where Survey 429 joins the Daugherty and Gibbs Surveys, the lines of Survey 429 were held and Daugherty and Gibbs made to conform for same reasons discussed above. It was considered best not to disturb long recognized corners where to do so would serve no useful purpose, since all of the Surveys belong to the same state school land fund. See further discussion of this in Daugherty and Gibbs portion of this report.

An iron pipe as described by W. L. Rider was found at the South corner of Survey 428, but failed to reach the North line of the A. F. Davis Survey, therefore it was used as a witness to the monument placed on the North line of A. F. Davis Survey for the South corner of said Survey 428. A. F. Davis Survey was originally located by B. Mariany in 1881 and because of its calls was necessarily constructed course and distance from adjoinder to aforesaid River Surveys.

Since the North corner and East corner of Survey 428 were not found, the East corner of Survey 428 was placed on the Southwest line of University Lands Survey 13 at the intersection of a line drawn from the re-entrant or ell corner of Survey 429 to the said pipe found at the South corner of Survey 428. The most Westerly Southwest line of Survey 428 was projected to the Southeast line of University Lands Survey 10. Thus by honoring adjoinder calls the strips of land found between Surveys 428 and University Lands Surveys 10, 12 and 13, were included in Survey 428. This was done consistent with the reasoning discussed above in including strips of unsurveyed school land in Survey 429. The Southeast line of Survey 428 and the Westerly Northwest line of Daugherty and Gibbs Survey 352 are a common line using the Southeast line of Survey 428 as above constructed, both surveys being a part of Public School Fund lands by virtue of forfeiture.

DAUGHERTY AND GIBBS SURVEYS

As discussed in the first page and one-half of this report this system of surveys was originally located by J. W. Eubank in 1910. No identifiable monuments were called for in the Field Notes. The only monuments identified in any manner in this system, are the concrete monuments as indicated on Eubank's plat

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found in file jacket S.F. 9665 in the General Land Office.

Eubank called for adjoinder to all surrounding surveys, except the Hemley Surveys 428 and 429, however it appears these calls were by conjecture. The adjoinders to University Lands Block L were broken and the Hemley Surveys located between said University Lands and this Daugherty & Gibbs system of surveys in 1923. The error in this adjoinder was about one-half mile.

The Eubank's plat in S.F. 9665 shows two black circles, one at the S.W. corner and one at the S.E. corner of T. & P. Ry. Co. Survey 4, Block 76, Township 6, as the base line for constructing the T. & P. Ry. Co. Surveys and no other monuments. These two are of course not identifiable and I found no record of any monument at these corners.

If Mr. Eubank had located these surveys on the ground, surely he would have called for McCombs' iron pipe at the N.W. corner of T. & P. Ry. Co. Survey 28, Block 75, Township 5, when he called to begin at said corner in his Field Notes of Survey 348 of this system, but he did not call for said pipe. According to El Paso County Sketch File 19 in the General Land Office, McCombs' pipe was in place in 1905, therefore, certainly available for Eubank to call for.

It is evident that Eubank did not run the back lines of the River Surveys and that he failed to consider the original Diffenderffer Field Notes for the forfeited River Surveys 48 and 49.

School Land File 153160 contains a plat of Right-of-way of Interstate Highway 10 which clearly indicates that the location of survey lines, thus the location of R.O.W. lines, is considerably different to location of survey lines found by this survey, as well as those found by Otha Draper. This is mentioned for your consideration of the desirability of correcting deeds for said Highway Right-of-way.

CONSTRUCTION

Because of the above recited facts, it appears that if the Daugherty and Gibbs Surveys were not State School Fund lands, that there would be strips of vacant unsurveyed school land between the East line of this system of surveys and the West line of T. & P. Ry. Co. Surveys 37, 36, 29, & 28, Block 76, Township 5, and also along the back or Northeast lines of River Surveys.

However, since the Daugherty and Gibbs Surveys were all forfeited back to the State and therefore belong to the same State School fund as does all the public domain, surveyed or unsurveyed, (See Act approved April 23, 1900) there is nothing I know of to stop the State, thru its Land Commissioner, from approving Corrected Field Notes which include the aforesaid lands that would otherwise be vacant. This is consistent with the statements of the court made in conjunction with the decision rendered in Post, et al vs. Embry, 205 S.W. 514.

Consistent with all aspects of this report, my construction of the Daugherty and Gibbs surveys is based on course and distance projection of the Plat and Field Note calls from the said concrete monuments found at the East corner of San Elizario Grant and at the North corner of Ralph Wright River Survey 44.

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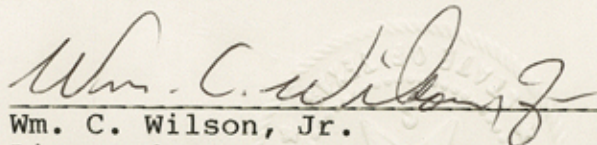
Where the lines and corners so located are in conflict with surrounding surveys the conflict is removed so as to affect only that survey. In other words this is treated as a conflict and not as a shortage which would be prorated.

Where the lines and corners so located fail to reach the surrounding surveys then this strip is included in such a way as to affect only that survey. In other words this is treated as a strip of unsurveyed State land that has been discovered, surveyed and included in with other surveyed state land and is not treated as excess which would be prorated.

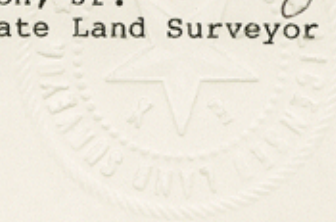
The same methods described above were also used relative to M. R. Hemley Surveys 428 and 429. This is because following the same line of reasoning expressed by the court in Post vs. Embry, it makes little if any difference in which survey the State land is included since it all belongs to the same State Public Free School Fund, and I saw no point in disturbing the Hemley Survey lines as originally monumented by W. L. Rider. If this were not the case, then of course it would be necessary to remove the Hemley surveys from any conflict with this Daugherty and Gibbs System of surveys.

In conclusion monuments have been set at all corners as indicated on the accompanying plat and called for in the accompanying Corrected Field Notes all of which is submitted for your approval and adoption as the Official location of these surveys.

Respectfully submitted this 10th day of August, 1984.



Wm. C. Wilson, Jr.
Licensed State Land Surveyor



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REFERENCES

General Land Office Records Unless Otherwise Indicated

1. S.F. 9665 Parcels 1 1/2 & 2 and Jkt. (now 146372)
2. S.F. 9672 Parcel 2 and Jkt. (now 146377)
3. S.F. 9673 Parcel 1 and Jkt. (now 146378)
4. S.F. 9666 Parcel 1 and Jkt. (now 146373)
5. S.F. 9668 Parcel 1 and Jkt. (now 146375)
6. S.F. 9669 Parcel 1 and Jkt. (now 146376)
7. S.F. 9674 Parcel 1 and Jkt. (now 146379)
8. S.F. 9675 Parcel 1 and Jkt. (now 146380)
9. S.F. 9678 Parcel 1 and Jkt. (now 146383)
10. S.F. 9679 Parcel 1 and Jkt. (now 146384)
11. S.F. 9677 Parcel 1 and Jkt. (now 146382)
12. S.F. 9676 Parcel 1 and Jkt. (now 146381)
13. S.F. 9670 Parcel 1 and Jkt. (now 146371)
14. S.F. 9667 Parcel 2 and Jkt. (now 146374)
15. Working Sketch of Surveys in El Paso County
16. University Lands Tracing-Block L-El Paso-K-8-317
17. 146370 (see S.F. 9671)
18. 146371 (see S.F. 9670)
19. 146372 (see S.F. 9665)
20. 146373 (see S.F. 9666)
21. 146374 (see S.F. 9667)
22. 146375 (see S.F. 9668)
23. 146376 (see S.F. 9669)
24. 146377 (see S.F. 9672)
25. 146378 (see S.F. 9673)
26. 146379 (see S.F. 9674)
27. 146380 (see S.F. 9675)
28. 146381 (see S.F. 9676)
29. 146382 (see S.F. 9677)
30. 146383 (see S.F. 9678)
31. 146384 (see S.F. 9679)
32. 153162 Parcels 1 and 4 and Jkt.
33. 153161 Parcels 1 and 4 and Jkt.
34. Act approved April 15, 1905
and copy of ammendment May 16, 1907
35. S.F. 10986 Parcel 2 and Jkt.
36. S.F. 11763 Parcels 1 and 2 and Jkt.
37. S.F. 11764 Parcels 1, 2 and 14 and Jkt.
38. S.F. 11765 Parcels 1 and 15 and Jkt.
39. S.F. 11783 Parcel 1 and Jkt.
40. S.F. 11784 Parcel 1 and Jkt.
41. 100002 Parcel 20
42. 106690 Parcel 29 and Jkt.
43. 107416 Jkt.
44. 107417 Jkt.
45. 123985 Jkt.
46. 123987 Parcel 38 and Jkt.
47. 130391 Old and New Jkt.
48. 133901 Office Sketch and Jkt.
49. 135617 Parcel 19 and Jkt.
50. 142020 Jkt.
51. 142021 Jkt.
52. 145215 Parcel 23 and Jkt.
53. 145216 Parcel 8 and Jkt.
54. 145217 Jkt.
55. 145218 Jkt.
56. 145806 Parcel 13 and Jkt.
57. 145807 Parcel 13 and Jkt.
58. 145828 Parcel 13 and Jkt.
59. 146280 Parcel 33 and Jkt.

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60. 153051 Parcels 1 and 3 and Jkt.
61. 153052 Parcel 1 and Jkt.
62. 153176 Parcels 1 and 6 and Jkt.
63. 153839 Jkt.
64. 153840 Jkt.
65. 153841 Jkt.
66. 153842 Jkt.
67. 153845 Jkt.
68. 153160 Parcels 1, 3, 6, 8 and Jkt.
69. S.F. 10315 Parcels 2, 2 1/2, 11 and 12 and Jkt.
70. S.F. 10316 Parcels 1 and 5 and Jkt.
71. S.F. 10317 Parcels 1 and 5 and Jkt.
72. S.F. 10318 Parcels 1 and 5 and Jkt.
73. S.F. 11562 Parcels 2, 3, 4, 5, 6 and Jkt.
74. S.F. 8412 Parcels 2, 2 1/2 and Jkt.
75. S.F. 9609 Parcels 2, 2 1/2, 7, 8, 16, 17, old & new Jkt
76. S.F. 12703 Parcels 2, 2 1/2, 4, 5, 6, 8, 9, 19, 20,
Parcels 1 1/2, and old jkt.
77. S.F. 12704 Parcels 2 and 4 and Jkt.
78. S.F. 12705 Parcels 2, 4, 5 and Jkt.
79. S.F. 12706 Parcels 2 and 4 and Jkt.
80. S.F. 12707 Parcels 2 and 4 and Jkt.
81. 142019 Sketch, Field Notes for Parcel #2,
Tornillio Con. Road, Jkt.
82. 142022 Jkt.
83. S.F. 10955 Parcels 2, 2 1/2, 5, 6 and Jkt.
84. *Note: 131105 forfeited and resold in 145218
85. *Note: 153491-Sec.20, T.&P. Blk. 76, Tsp. 4
"Court Judgment" is proceeding in Eminent Domain for
Hwy. ROW beginning in Sec. 19 thru Sec. 24 same Block.
86. 106688 Parcels 55 and 58 and 3 Jkts.
87. Bex-3-6923 Parcels 6, 8, 9 and Jkt.
88. S.F. 11862 Parcels 2, 2 1/2 and Jkt.
89. 127152 Parcels 8, 10 and Jkt.
90. Bex-1-1007 Parcels 2, 3, 4, 5, 6(Sk.), 7, Two Jkts.
Sk. A1, 8(Sk.), 2 sks., Decree of Court Cause 16282
(7 pages) Patent 542 Volume 10
91. Bex-1-1193 Parcels 1, 2 and Jkt.
92. Bex-1-1195 Parcels 1, 2 and Jkt.
93. Bex-1-1519 Parcel 2 and Jkt.
94. Bex-1-1520 Parcel 3 and Jkt.
95. Bex-2-621 Parcel 4 and Jkt.
96. Bex-B-1128 Parcel 2 and Two Jkts.
97. Bex-1-1194 Parcels 1, 2 and old Jkt.
98. Bex-P-6754 Parcels 2, 5 and Jkt.
99. Bex-P-6755 Parcels 2, 3 and Jkt.
100. Bex-P-6756 Parcel 2 and Jkt.
101. Bex-P-6757 Parcels 2, 5 and Jkt.
102. Bex-P-6761 Parcel 2 and Jkt.
103. Bex-P-6762 Parcel 2 and Jkt.
104. Bex-P-6790 Parcel 2 and Jkt.
105. Bex-P-6802 Parcel 2 and Jkt.
106. Bex-S-6467 1/2 Parcels 4, 5, 6 and Jkt.
107. Bex-S-39669 Parcel 2 and Jkt.
108. Bex-1-1375 Parcels 1 and 2 Jkts.
109. Univ. 1608 Parcels 1, 2 and Jkt.
110. Univ. 1609 Parcel 1 and Jkt.
111. Univ. 1610 Parcel 1 and Jkt.
112. Univ. 1611 Parcel 1 and Jkt.
113. Univ. 1612 Parcel 1 and Jkt.
114. Univ. 1613 Parcel 1 and Jkt.
115. Univ. 1614 Parcel 1 and Jkt.

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116. Univ. 1615 Parcel 1 and Jkt.
117. Univ. 1616 Parcel 1 and Jkt.
118. Univ. 1617 Parcel 1 and Jkt.
119. Univ. 1618 Parcel 1 and Jkt.
120. Univ. 1619 Parcel 1 and Jkt.
121. Univ. 1620 Parcel 1 and Jkt.
122. Univ. 1621 Parcel 1 and Jkt.
123. Univ. 1622 Parcel 1 and Jkt.
124. Univ. 1623 Parcel 1 and Jkt.
125. Univ. 1624 Parcel 1 and Jkt.
126. Univ. 1625 Parcel 1 and Jkt.
127. Univ. 1626 Parcel 1 and Jkt.
128. Univ. 1627 Parcel 1 and Jkt.
129. Univ. 1628 Parcel 1 and Jkt.
130. Univ. 1629 Parcel 1 and Jkt.
131. Univ. 1630 Parcel 1 and Jkt.
132. Univ. 1631 Parcel 1 and Jkt.
133. Univ. 1632 Parcel 1 and Jkt.
134. Bex-S-29155 Parcel 3 and Jkt.
135. Bex-S-29156 Parcel 3 and Jkt.
136. Bex-S-29157 Parcel 3 and Jkt.
137. Bex-S-29158 Parcel 2 and Jkt.
138. Bex-S-29159 Parcel 2 and Jkt.
139. Bex-S-29160 Parcel 2 and Jkt.
140. Bex-S-29161 Parcels 2, 3 and Jkt.
141. Bex-S-29228 Parcel 2 and Jkt.
142. Bex-S-29231 Parcel 3 and Jkt.
143. Bex-S-29233 Parcel 2 and Jkt.
144. Bex-S-29236 Parcel 2 and Jkt.
145. Bex-S-29238 Parcel 2 and Jkt.
146. Bex-S-29241 Parcel 3 and Jkt.
147. Bex-S-29381 Parcels 2, 3 and Jkt.
148. Bex-S-29240 Parcel 2 and Jkt.
149. Bex-S-29237 Parcel 2 and Jkt.
150. Bex-S-29235 Parcel 3 and Jkt.
151. Bex-S-29232 Parcel 3 and Jkt.
152. Bex-S-29230 Parcel 3 and Jkt.
153. Bex-S-29227 Parcel 3 and Jkt.
154. Bex-S-29089 Parcel 2 and Jkt.
155. Microfilm letter #202254 (2 pages)
156. Microfilm letter #204733 (Received but not complete)
157. Old letters pertaining to vacancy filings in El Paso County Parcels 8, 11, 20, 21, 22, 23 and 24
158. Microfilm letters in answer to these letters:
October 23, 1914
June 13, 1923
January 18, 1923
September 29, 1923
159. El Paso Rolled Sketch 2(1)
160. El Paso Rolled Sketch 2-A
161. El Paso Rolled Sketch 8(1)
162. El Paso Rolled Sketch 19 & 19-Flat Folder
163. El Paso Rolled Sketch 23(1)
164. El Paso Rolled Sketch 26(1)
165. El Paso Rolled Sketch 36(2)
166. El Paso Rolled Sketch 46
167. El Paso Rolled Sketch 52
168. El Paso Rolled Sketch J.E.(1)
169. El Paso Rolled Sketch W(2)
170. El Paso Rolled Sketch 44 & envelope
171. El Paso Sketch File 11
172. El Paso Sketch File 19

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173. El Paso Sketch File 21
174. El Paso Sketch File 32
175. El Paso Working Sketch March 3, 1916
176. El Paso Working Sketch April 22, 1916
177. K-8-304 Univ. map May 1906
178. K-8-218 Univ. map September 1945
179. University Blk. L, El Paso Co. 1972 Otha Draper-Bound
Field Note Book "Book U.T., Block L, El Paso Co."
180. University 1633 Parcel 1 and Jkt.
181. University 1634 Parcel 1 and Jkt.
182. University 1635 Parcel 1 and Jkt.
183. University 1636 Parcel 1 and Jkt.
184. University 1637 Parcel 1 and Jkt.
185. University 1638 Parcel 1 and Jkt.
186. University 1639 Parcel 1 and Jkt.
187. University 1640 Parcel 1 and Jkt.
188. University 1641 Parcel 1 and Jkt.
189. University 1642 Parcel 1 and Jkt.
190. University 1643 Parcel 1 and Jkt.
191. University 1644 Parcel 1 and Jkt.
192. University 1645 Parcel 1 and Jkt.
193. University 1646 Parcel 1 and Jkt.
194. University 1647 Parcel 1 and Jkt.
195. University 1648 Parcel 1 and Jkt.
196. University 1649 Parcel 1 and Jkt.
197. University 1650 Parcel 1 and Jkt.
198. University 1651 Parcel 1 and Jkt.
199. University 1652 Parcel 1 and Jkt.
200. University 1653 Parcel 1 and Jkt.
201. Paper back book titled "Surveying the Texas and Pacific
Land Grant West of the Pecos River" by J. J. Bowden
published by Texas Western Press, The University of
Texas at El Paso, Monograph No. 46, ISBNB 0-87404-104-X.
202. Letter from W. C. Walsh, Commissioner, General Land
Office to Paul McCombs dated Sept. 17, 1883, Letters
General Land Office 150/27, Reel #138-ES.
203. Letter from W. C. Walsh, Commissioner, General Land
Office to Paul McCombs dated March 12, 1884, General
Land Office letter Book 155 pages 676-677 & 678.
204. Letter from W. C. Walsh, Commissioner, General Land
Office to Paul McCombs dated November 29, 1884, Letters
General Land Office 165/562, Reel #147.
205. Magnetic Surveys, Serial No. 718, U.S. Department of
Commerce, U.S. Government printing office, Washington
D.C.
206. Kuechler Field Book GLO File N-2-30
207. Kuechler Original Maps GLO File K-7-34a, K-7-34b,
K-7-34c,
208. J. W. Carter Plat dated December 9, 1960 from private
files.
209. Lower Valley Surveys Plats, County Surveyors Office and
County Clerks Office El Paso, Texas.
210. Hudspeth County Rolled Sketch 32
211. Hudspeth County Rolled Sketch 33
212. Hudspeth County Rolled Sketch 37
213. Hudspeth County Rolled Sketch 63
214. Hudspeth County Sketch File 13
215. Hudspeth County Sketch File 14
216. Hudspeth County Sketch File 15
217. Hudspeth County Sketch File 16
218. 104495 Parcel 6 (Judgment Cause No. 9843)

- 173. El Paso Sketch File 31
- 174. El Paso Sketch File 32
- 175. El Paso Working Sketch March 3, 1916
- 176. El Paso Working Sketch April 22, 1916
- 177. K-8-304 Univ. map May 1906
- 178. K-8-218 Univ. map September 1945
- 179. University Bk. I., El Paso Co. 1972 Otha Draper-Bound
Field Note Book "Book U.T., Block B., El Paso Co."
- 180. University 1833 parcel 1 and 3kt.
- 181. University 1834 parcel 1 and 3kt.
- 182. University 1835 parcel 1 and 3kt.
- 183. University 1836 parcel 1 and 3kt.
- 184. University 1837 parcel 1 and 3kt.
- 185. University 1838 parcel 1 and 3kt.
- 186. University 1839 parcel 1 and 3kt.
- 187. University 1840 parcel 1 and 3kt.
- 188. University 1841 parcel 1 and 3kt.
- 189. University 1842 parcel 1 and 3kt.
- 190. University 1843 parcel 1 and 3kt.
- 191. University 1844 parcel 1 and 3kt.
- 192. University 1845 parcel 1 and 3kt.
- 193. University 1846 parcel 1 and 3kt.
- 194. University 1847 parcel 1 and 3kt.
- 195. University 1848 parcel 1 and 3kt.
- 196. University 1849 parcel 1 and 3kt.
- 197. University 1850 parcel 1 and 3kt.
- 198. University 1851 parcel 1 and 3kt.
- 199. University 1852 parcel 1 and 3kt.
- 200. University 1853 parcel 1 and 3kt.
- 201. Paper back book of the Pacific

File No. Sketch File 34
El Paso County

Filed Aug-13 19 84

GARRY MAURO, Com'r
By D. Howard

- 202. Letter from W. C. Walsh, Commissioner, General Land Office to Paul McCombs dated Sept. 17, 1883, letters General Land Office 150252, Reel #138-82.
- 203. Letter from W. C. Walsh, Commissioner, General Land Office to Paul McCombs dated March 12, 1884, General Land Office letter book 155 pages 676-677 & 678.
- 204. Letter from W. C. Walsh, Commissioner, General Land Office to Paul McCombs dated November 29, 1884, letters General Land Office 152562, Reel #147.
- 205. Magnetic Surveys, Serial No. 718, U.S. Department of Commerce, U.S. Government Printing Office, Washington, D.C.
- 206. Kuehler Field Book GLO file K-7-34b
- 207. Kuehler Original Maps GLO file K-7-34a, K-7-34b, K-7-34c
- 208. J. W. Carter plat dated December 9, 1860 from private files.
- 209. Lower Valley Surveys Pinar County Surveyors Office and County Clerk's Office El Paso, Texas.
- 210. Hudspeth County Rollof Sketch 32
- 211. Hudspeth County Rollof Sketch 33
- 212. Hudspeth County Rollof Sketch 37
- 213. Hudspeth County Rollof Sketch 63
- 214. Hudspeth County Sketch File 13
- 215. Hudspeth County Sketch File 14
- 216. Hudspeth County Sketch File 15
- 217. Hudspeth County Sketch File 16
- 218. 10495 parcel 6 (Judgment Cause No. 9843)

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EL PASO CO. ST. FILE # 34

Survey of North Portion
Jesse Burdett Sur 52
Hudspeth County

Scale 1" = 1000' Dec. 9, 1960

Carter & Carter

J.W. Carter
Licensed Engrs. Surveyors

