

D-289

SURVEY REPORT

Corrected Field Notes on
the C. H. Schmidt Survey,
Abstract No. 347, Fayette
County, Texas.
Land Office Scrap File
No. 12799

Sketch File No.

6

Fayette County

Mrs. C. H. Schmidt's Sur.

Filed 6-22-1981

BOB ARMSTRONG, Com'r

By *Jane E. McCarty*

22508

SURVEY REPORT

Dated April 30, 1981.

The Honorable Bob Armstrong
Commissioner General Land Office
1700 North Congress
Austin, Texas 78701

RE: Corrected Field Notes on the C. H. Schmidt Survey, Abstract No. 347, Fayette County, Texas. Land Office Scrap File No. 12799.

Dear Sir:

Enclosed herewith please find the following Exhibits.

- (1) Copy of surveys in this area taken from connected map of Austin's Colonies prepared by Stephen F. Austin and J. F. Berry 1833 to 1837, from original map on file with the General Land Office.
- (2) Copy of field notes of the John F. Berry Survey and accompanying sketch taken from the Spanish Archives filed in the General Land Office.
- (3) Copy of Field Notes for the John Cooke Survey and accompanying sketch taken from the Spanish Archives on file in the General Land Office.
- (4) Letter from Mrs. C. H. Schmidt to General Land Office dated August 19, 1924.
- (5) Copied from Scrap File No. 12799.
- (6) Copy of Field Notes of the Old River Channel filed by A. L. Krause calling for 160.0 acres of land dated September 25, 1924
- (7) Letter to Mrs. C. H. Schmidt from the General Land Office dated October 8, 1924.
- (8) Copy of letter to Mrs. C. H. Schmidt from the General Land Office dated January 7, 1925.
- (9) Copy of letter from General Land Office to Mr. A. L. Krause dated January 12, 1925.
- (10) Copy of letter to Mr. A. L. Krause from the General Land Office dated January 24, 1925.
- (11) Copy of letter to Mr. A. L. Krause from the General Land Office dated February 11, 1925.

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JUN 22 1981

Counter 22509

General Land Office

- (12) Copy of letter to Mr. A. L. Krause dated February 18, 1925 from the General Land Office.
- (13) Copy of letter to Mr. T. C. Schmidt from the General Land Office dated February 24, 1925.
- (14) Copy of letter to Mrs. C. H. Schmidt from the General Land Office dated March 25, 1925.
- (14a) Application to purchase dated March 31, 1925.
- (15) Two Affidavits dated February 9, 1925 and July 10, 1925.
- (15a) An Affidavit dated February 10, 1925.
- (16) Corrected Field Notes filed March 6, 1925.
- (17) Sketch made by A. L. Krause, Licensed State Land Surveyor dated September 11, 1924.
- (18) Aerial photograph a Scale: 1" = 1000' of the subject area.
- (19) Our survey map of the subject area.

From the records of the General Land Office we find that the John Cooke and J. F. Berry Surveys were titled in April of 1831. These surveys were apparently titled as shown on the attached Exhibit No. 1 showing a portion of Austin's Colony and as shown on sketches accompanying the field notes on file at the General Land Office.

Exhibits No. 2 and 3

Subsequently in August of 1924, Mrs. C. H. Schmidt made inquiry as to the purchase of abandon river bed located in this area. Reference is made to Exhibit No. 4.

The application for survey was made with Mr. A. L. Krause, Licensed State Land Surveyor, Fayette County, Texas and was filed September 29, 1924.

Reference is made to Exhibit No. 5.

Mr. Krause filed a set of field notes with the General Land Office dated September 25, 1924. These field notes ran only one side of the subject old abandon river channel and called for the old river channel to contain 160.0 acres of land. These notes were later cancelled by corrected field notes. Several letters were written to Mrs. C. H. Schmidt and Mr. Krause concerning the survey requirements and pointing out errors and omissions in the field notes that were submitted to the General Land Office during a period between October 8, 1924 and February 24, 1925.

JUN 22 1981

General Land Office

Counter 22510

Reference is made to Exhibit No. 7, 8, 9, 10, 11, 12, and 13.

Survey notes were finally approved and application for purchase was made by Mrs. C. H. Schmidt dated March 31, 1925.

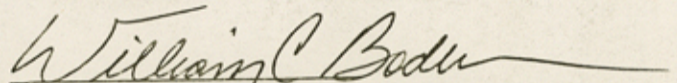
References made to Exhibit No. 14 and No. 14a.

Corrected field notes were filed and accepted by the General Land Office and filed March 6, 1925. These notes, at this time, called for 218.0 acres of land to be contained within the Old Colorado River Channel. As compared to the 160.0 acres called for in the original set of field notes filed with the General Land Office. When these field notes were checked they were found to contain 175.0 acres with the calls. It is apparent from the correspondence between the Land Office and Mr. Krause and Mrs. Schmidt that there were several problems in obtaining a mathematical closure of this survey. This may partially account for the considerable difference in acreages originally called for in the notes, later called for in the corrected notes and the acreage we now find to be within the Old River Channel. In addition, since the time of survey made in 1925 it is evident from the aerial photograph, Exhibit No. 18, that the present location of the Colorado River as moved in a northwesterly direction accreting on the southeasterly bank and eroding the northwesterly bank of the Colorado River. This erosion has further reduced the amount of acreage within the original survey. A comparison of the widths of the old channel as measured by us and as measured by Mr. Krause indicates that in some cases he most likely ran on the upper banks where he encountered the least amount of vegetation. This land would have been previously titled to either the John Cooke Survey or the John F. Berry Survey and should not have been included within the old river bed and this would account for additional excess acreage in the original survey. There remains a question as pointed out in the letter to Mrs. C. H. Schmidt from the Commissioner of General Land Office dated January 7, 1925 as to the validity of this entire survey. In that letter the Commissioner notes and I quote "also I wish to emphasize that before this area may be sold to you it will be necessary for you to establish the facts as to this area being an actual old river bed. I find upon investigation of the maps of this office going back to the time John Cooke Grant was surveyed that none of them show this large bend in the river. Instead, they indicate the river to run about as it is indicated on your sketch at the present time. Therefore, I wish to

know if the river ran through this old channel at the time the Cooke and Berry Leagues were surveyed." It is important to note that the only information found were the affidavits on file as to the location of the river in 1860, 1875, 1882 and 1896 found in the Scrap File No. 12799 submitted in 1925.

References made to Exhibit No. 15 and No. 15a.

The only information found indicated the location of the Colorado River at the time the John Cooke and the John F. Berry Surveys we titled were the sketches accompanying the field notes, Exhibit No. 2 and No. 3, and the compiled map made of Austin's Colony, Exhibit No. 1. No further information was located. There still exists a question in our mind as to where the river actually was at the time of the John Cooke and the John F. Berry Surveys. Exhibit No. 17 is a sketch filed by A. L. Krause of this area with his field notes that show basically the same configuration of the river as we find at this time. Exhibit No. 19 shows a plat of the current survey made by us of the area between the high banks of the Old River Channel of the Colorado River determined by an "on the ground survey" using the upper portions of the cut banks and projected level lines to accretion banks where a definite line could not be determined. Also, noted is the erosion areas cut away by the present location of the Colorado River. We find that within the Old River Channel at the present time there is actually 139.55 acres of land. We are submitting corrected field notes reflected by this sketch.


William C. Boden
Licensed State Land Surveyor
Byron L. Simpson and Assoc., Inc.

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MAY 29 1981

General Land Office

Counter 22512

ADDENDUM TO SURVEY REPORT

April 30, 1981

RE: Corrected Field Notes on the C. H. Schmidt Survey,
Abstract No. 347, Fayette County, Texas.

Land Office Scrap File No. 12799

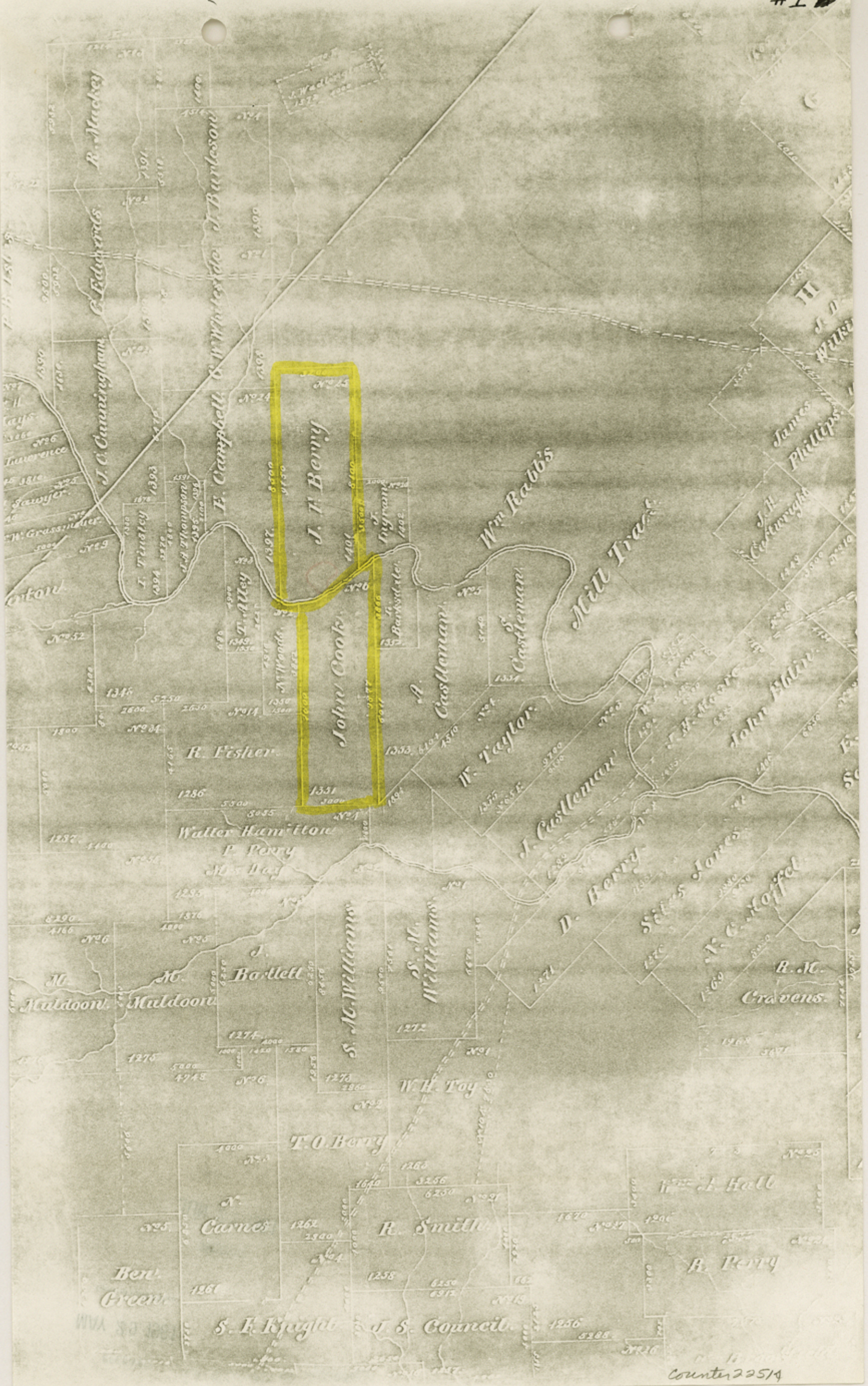
Referring to Exhibit No. 19, our survey map of the subject area, I would like to point out that the Point of Beginning of the corrected field notes filed by A. L. Krause dated March 6, 1925, Exhibit No. 16, would now fall within the area eroded by the northwesterly movement of the Colorado River. Also, the only point that we could positively identify as being a point called for in the above mentioned field notes was a large pecan tree, now dead, that was called to be on the original division line of the Hart and Hart, which is indicated on Exhibit No. 19. On Exhibit No. 19 there are two areas indicated as erosion areas into the river that are an approximation of the area that would have been lost by erosion from the correct field notes prepared by A. L. Krause. It should be noted that these are approximations only based on an overlay of a plot of Mr. Krause's field notes upon a current aerial photograph, Exhibit No. 18.

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J. T. Berry

John Cook

R. Fisher

John Hamilton

P. Perry

M. Day

J. Bartlett

S. M. Williams

S. M. Williams

W. H. Toy

T. O. Berry

Carnes

R. Smith

Ben Green

S. L. Knight

J. S. Council

Wm J. Hall

B. Perry

Sitio No 6

John Cooke
 Beginning at the N.W. corner on the line of 1/4 Sitio No 1
 Thence South 9877 or within ^{the} western boundary of
 1/4 Sitio No 5 - Thence West 8000 or to a
 corner Thence North 5930 to the Prairie 7800 or to the
 River a stake on a high prairie bluff from which a
 Sack 10 In dia Mk 2 Bus \$57 1/2 89 00 and a cedar
 6 In dia Mk 8 - + Bus \$45 8 90 00 - Thence down with the
 of the River to the place of beginning

Fourth Sitio No 2

Beginning at the N.W. corner of Sitio No 6 on the
 River thence South within the western boundary of 1/4 Sitio
 3852 to a stake on said boundary line from which a Post
 Oak 10 In dia Mk + Bus \$17 1/2 4 00 do 8 In dia Mk R Bus \$38 9 11 00
 - Thence West 1500 or to a stake from which Post Oak
 12 In dia Mk + Bus \$45 00 8 00 and a black Sack 8 In dia
 Mk W Bus \$40 00 9 00 - Thence North 3280 or to a small creek
 4010 or to the river bottom 4910 to the River from which a
 Mulberry 8 In dia Mk 3 Bus \$42 00 4 00 and a hickory 8 In
 dia Mk + Bus \$9 1/2 7 00 Thence down with the River to the place of beginning

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Thomas Alley

Fourth Site No 3 Thomas Alley
 Beginning at the NW corner of
 Site No 2 on the River - Thence
 South with the Western boundary
 of Site 242500 to a stake on
 10 line from which a Post Ok
 10 India Mk + + Pos \$588 600 to 10 In
 dia Mk \$ Pos \$7900 1000 - Thence West
 1350 00 to a stake from which
 a Post Ok 10 India Mk + Pos \$338 400
 to 8 India Mk N Pos \$89 00 3 1/2 00 -
 Thence North 1090 to Prase 29900 to
 River bottom 3510 00 point of Prase
 395000 to timber 4930 00 to the
 River estate from which an Elm 12 India
 Mk 3 Pos 421 E 600 and a Mulberry India
 Mk 7 Pos least thence down with the
 meanders of the river to the place of
 beginning -

Ok. Tab issued Feb 4 31
 Fayette County Vol 4. p. 594
 Road



GENERAL LAND OFFICE, AUSTIN, TEXAS

MAR 3 1981

I, BOB ARMSTRONG, Commissioner of the General Land Office of the State of Texas, do hereby certify that the above and foregoing is a true and correct copy of the English field notes as appears on page 407-8 of Book 7 which said volume is kept in the Spanish Archives of this office.

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

Bob Armstrong

BOB ARMSTRONG

Commissioner of the
General Land Office

Counter 22517

449

John Berry

Sitic No 25

OK Title issued Apr 7/31 - vol 47 #2
Fayette Co Mo

Beginning at the S E Corner of Site No 24 on
 the river - Thence North 8500 with the lower line of sd
 Site of its corner 9150 to a stake from which a Post oak
 12 In dia Mk x Bas 59 E 18 as Do 15 In dia Mk x Bas 78 W
 31 as East 3200 as to a stake from which a Post oak 12 In dia
 Mk x Bas 45 W 10 as Do 20 In dia Mk x Bas 45 E 15 as

Thence South 3500 to Prairie 6000 river bottom 8100 as
 to the River a stake from which an oak 18 In dia Mk 25
 Bas 32 W 3 as Do 15 In dia Mk 20 Bas 4 20 E 10 as - Thence up
 with the Meanders of the river to the place of Beginning

John Ingram
 Title issued May 29/31 vol 3 p 52
 Fayette Co Mo

Fourth Site No 20 - Thence to John Ingram

Beginning at the S E corner on the river of Site No 25 Thence
 North 3550 as with the lower line of sd Site to a stake from
 which a Post oak 18 In dia Mk x Bas 47 W 11 as Do 8 In dia
 Mk x Bas 40 E 33 as - Thence East 2000 as to a stake in the Prairie
 from which a Post oak 4 In dia Mk x Bas 420 W 55 as and a
 Live oak 8 In dia Mk x Bas 55 E 180 as - Thence South 1700 as
 to the River a stake from which an Oak 8 In dia Mk 25 Bas

GENERAL LAND OFFICE, AUSTIN, TEXAS

MAR 3 1981

I, BOB ARMSTRONG, Commissioner of the General Land Office of the State of Texas, do hereby certify that the above and foregoing is a true and correct copy of the *English field notes* as appears on page 449-50 of *Book 7* which said volume is kept in the Spanish Archives of this office.

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

Bob Armstrong

BOB ARMSTRONG

Commissioner of the
General Land Office

Counter 22520

#4

S. F. 12799

1.

Letter of Inquiry

J. T. Robison
Cowan.

Filed Aug. 19th, 1924.
Carl F. Blucher

counter 22521

431



General Land Office

State of Texas

~~Austin~~

Winchester Texas

J. T. ROBISON, COMMISSIONER

J. H. WALKER, CHIEF CLERK

RECEIVED

AUG 19 1924 10 ³⁷ a.m.

Land Commissioner
Austin Texas

REFERRED TO MAP

Dear Sir: It is believed there is some
unsurveyed school land in Fayette County
about 8 miles up the Colorado River from
La Grange and is an abandoned portion of
the Colorado River situated principally
between the ^{original} John Cook grant and the
J. P. Berry grant - the new channel
running through the end of the said Cook
survey, and if the old channel that is still
between the original Cook and Berry grants be
unsurveyed school land I desire to buy
it. The River changed at this locality in
about 1894. What I desire is all of the
old channel regardless of whether it be more
or less than the Cook and Berry frontage.

Yours truly,

Ans. 8-25-24 B

Mrs. C. H. Schmidt, Gt.
Br. Theo. C. Schmidt

Survey required to determine
if any land is available.

Recd. 10 ³²
a.m.

Aug 19 1924

Counter
22522

J. M. NIGBY, Engr. & Mgr.

#5

APPLICATION FOR SURVEY

APPLICATION NO. _____

To A. L. Krause County Surveyor of Licensed
County, Texas, or to State Land Surveyor District Surveyor of
Land District:

By virtue of Section 7 of an Act approved April 3, 1919, I hereby apply for a survey of the following described unsurveyed land appropriated to the Public Free School Fund under Chapter 11, Act February 23, 1900, to-wit:

Situated in Fayette County, Texas, about Eight miles N60°W

from the County site. Said tract is bounded as follows:

Vacant Bed of Old Colorado River between John Cook and the J. F. Berry Leagues of Land. Present Bounds on North West side of Old River Bed are as follows;

Mrs. Maggie E. Hart,

E. Zild,

Luke Hart,

State Thomas.

Bounded on the South East side of Bank

by;

State Thomas,

Leslie Simms,

W. H. Hart,

J. J. Hart,

Mrs. C. H. Schmitt,

Gotthart Schulze.

(N. B.—Write name and P. O. address Distinctly).

Mrs. C. H. Schmitt, Applicant,
P. O. Winchester Texas.

Letter of inquiry dated 8/25/24

I, A. L. Krause Licensed State Land Surveyor
County Surveyor of _____ County,

Texas, or Surveyor of _____ Land District, hereby certify that the above and foregoing application No. 1 was filed for record on the 8th day of Sept 1924, at 4 o'clock P. m., and recorded in Vol. A, page 94, in Surveyor's office Fayette County, Texas.

A. L. Krause

Licensed State Land Surveyor

5

2

LAND OFFICE

S. F. No. 12779

APPLICATION FOR SURVEY

Filed Sept. 29th, 1924

J. G. Robinson
Commissioner.

Lee Hawkins
Clerk.

FILED FOR RECORD
1 P. Thursday
25th Sept
Albert F. Mach
R. L. Gurnea

MORGAN PRINTING CO., AUSTIN, TEXAS

THE STATE OF TEXAS
County of Fayette

I, Albert F. Mach, Clerk of the County Court of said County, do hereby certify that the foregoing and attached instrument of writing (with its authentications) bearing the date _____ day of _____ A. D. 1924, was filed for record in my office at _____ o'clock _____ M., on the 25th day of Sept. A. D. 1924, and recorded in Book Volume A upon pages 178 of Records of _____ for said County, at _____ o'clock _____ M., the 26th day of Sept. A. D. 1924. *Transcribed Gurnea's Book*

To certify all of which I hereto sign my name and affix my seal of office in the City of LaGrange, this the 26 day of Sept. A. D. 1924.

Albert F. Mach
Clerk County Court, Fayette County, Texas.
By R. L. Gurnea Deputy.

counter 22524

#6

Fieldnote of Old River Channel in Fayette County Texas
 on the waters of Colorado River, located upon John F.
Berry League about 8 miles ^{60°} N. of La Grange
 and more fully described as follows.

Beginning at a stake on West bank of Colorado River
 from which a Cotton Wood "B." S 17 E 600. dist. (from S. West
 Body-line of League see plat) thence along West ^{bank} Channel
 of old River Channel N 53 1/4 W 430 m. to an iron pipe from
 a Cotton Wood "X." N 31 1/2 W 10 1/8 m. dist. thence N 18 W 24 m. thence
 N 29 W 63 m. to a Cotton wood "H." thence N 26 W 74 m. passing
 with in one m. of a Cotton wood "H." thence N 18 W 152 m. thence
 North 157 m. to Cotton wood, thence N 4 E 50 m. thence N 3 W 128 m.
 to a large Cotton wood, thence N 25 W 100 m. another Cotton wood
 thence N 30 W 198 m. to an Elm "X." thence S 33 W 100 m. to an
 iron pipe from which a Box Elder "X." S 66 E 10 m. an Elm
 "X." S 9 W 15 m. thence N 18 W 105 m. to an Elm "X." around
 thence North 90 m. to a stake thence N 15 E 100 m. thence N 17 E
 135 m. thence N 66 E 174 m. thence N 68 E 155 m. thence N 89 E
 121 m. to a Pecan "H." thence N 83 E to a triple Cotton Wood
 on East bank of Spring branch thence S 75 E 430 m. thence
 S 84 E 153 m. thence S 77 E 200 m. thence S 53 E 124 m. to
 dividing line of Thomas "d Hart a large Pecan "XX." for Cor.
 thence S 59 E 100 m. thence S 50 E 120 m. thence S 46 E 65 m. thence
 S 36 E 50 m. thence S 30 E 154 m. thence S 19 E 40 m. thence
 S 12 E 75 m. thence S 2 E 50 m. thence S 9 W 70 m. thence
 S 19 W 80 m. thence S 28 W 74 m. to large Pecan "H." thence
 S 50 W 135 m. thence S 56 W 87 m. thence S 66 W 36 m. thence
 S 71 W 118 m. thence S 85 W 110 m. thence N 85 1/2 W 130 m.
 thence N 80 W 270 m. a Pecan "H." thence S 68 W 100 m. a
 Pecan "X." thence S 60 W 108 m. to large Cotton wood thence
 S 12 W 47 m. an Elm "H." thence S 3 W 50 m. thence S 19 E
 34 m. a Cotton wood "H." thence S 35 E 284 m. to Cotton wood
 "H." for Cor on Colorado River from which a Cotton Wood N 80 W
 7 m. another "H." S 65 E 9 1/8 m. dist thence S 75 W 153 m.
 across old Channel thence at right angles all the way
 around Channel within 150 m. of above given lines

A

counter 22525

to see of beginning containing One hundred Sixty (160)
acres of land (180 w. being the average width of old channel)
variation 10% E. Surveyed this the 9-10-11th day of Sept 1928.

Lucas Brown, $\frac{1}{2}$

Halter Furbish $\frac{1}{2}$

} Wm. Theo. Schmitt

A. L. Krause

Licensed State Land Surv.

I A. L. Krause Licensed Surveyor of Fayette Co. Mo.
do hereby certify that the foregoing survey was made by
me on the ground, and according to law; that the limits,
boundaries and corners, with the marks, natural and artificial
accurately described in foregoing plat & exhibits,
just as I found them on the ground. This land is
subject to overflow, there is still water on 22 acres more.
This land can not be used for either Agriculture
nor grazing before proper drainage. The timber
on land consist of Cotton wood & Willow and a
few scattering Pecan trees, the surrounding land
is badly infested with Johnson & Sumner grass.
I would not value this land over Three (3) Dollars
per acre

A. L. Krause

Licensed State Land Surveyor



LAND OFFICE

S. F. No. 2799

FIELD NOTES

Filed Sept 29th 1924

J. H. Madison
Commissioner.

Lee Hawkins
Clerk.

Approved _____ 19

Commissioner.

Cancelled by Order

I, _____

Surveyor of _____ County,
do solemnly swear that the classification and
market value of the land included within the
limits of the within field notes is as follows,
viz.:

State Character _____ Soil _____

Agricultural, market value _____
Dry or Watered _____

Grazing, market value _____
Dry or Watered _____

Kind of timber _____

Market value of timber _____

Overflow _____ Swamp _____

Suitable for settlement _____

Surveyor.

Sworn to and subscribed before me this the
_____ day of _____ 19

Notary Public _____ Texas.

NOTARY PUBLIC, STATE OF TEXAS

Counter 27528

I, _____, Deputy Surveyor of _____, Texas,
do hereby certify that the foregoing survey was made by me on the ground, and according to law; that the limits,
boundaries and corners, with the marks, natural and artificial are truly described in the foregoing Plat and Field
Notes, just as I found them on the ground.

This _____ day of _____ 19

Deputy Surveyor of _____ County, Texas.

I, _____ Surveyor of _____ County, Texas,
do hereby certify that I have examined the foregoing Plat and Field Notes and find them correct, and that they
were made on the ground as stated in the above certificate, and that they are recorded in my office in Book _____

Page _____

This _____ day of _____ 19

Surveyor of _____ County, Texas.

FILED FOR RECORD
 at 1 o'clock P. on Thursday
 the 25th day of Sept.
Albert F. Mach
R. J. Franck
 Clerk of County Court, Fayette County, Texas.
 Deputy:

RECEIVED AS STATED
 \$1.00

SEP 29 1924

J. D. HEDICK
 REC'D

Mr. J. D. Hedick
Massachusetts Ave.

THE STATE OF TEXAS
 County of Fayette

I, Albert F. Mach, Clerk of the County Court of said County, do hereby certify that the foregoing and attached instrument of writing (with its authentications) bearing the date _____ day of _____ A. D. 1924 was filed for record in my office at 1 o'clock P. M., on the 25th day of Sept. A. D. 1924 and recorded in Book Volume A. upon page 48 of Records of transcribed for said County, at 3 o'clock P. M., the 26th day of Sept. Barner's Book A. D. 1924

To certify all of which I hereto sign my name and affix my seal of office in the City of LaGrange, this the 26th day of Sept. A. D. 1924

Albert F. Mach
 Clerk County Court, Fayette County, Texas.
R. J. Franck Deputy.

A2

counter 22527



General Land Office
State of Texas
Austin

J. T. ROBISON, COMMISSIONER
J. H. WALKER, CHIEF CLERK

Oct. 8, 1924.

#7

Mr. C. H. Schmidt,
Winchester, Texas.

Dear Sir:

surveyor gives

I have examined the field notes of survey made for you recently of the old river bed of Colorado river in Fayette county. Corrected field notes are required before proper consideration can be given your file in as much as the survey as given the river meanders along one side of the survey only; also the distance in the 19th acres has been omitted. The 18th acres *course* reaches North 89, East 121 vs.; 19th acres N. 83 E. *course*

If you will have the surveyor submit this information, it will be given careful attention when received. I am enclosing a few blank field note forms for the surveyors convenience.

Please mention S. F. 12799 when you write.

Yours truly,

Commissioner.

B:h

Counter 22529

#8

January 7, 1925.

Mrs. G. H. Schmidt,
Winchester, Texas.

Dear Madam:

Some time ago I wrote you for certain corrections of the field notes of a 160 acre survey in "old river bed of the Colorado River in Fayette County." To date this information has not been received and I would like for you to have the Surveyor attend to this matter at once.

Also I wish to emphasize that before this area may be sold to you, it will be necessary for you to establish the facts as to this area being an actual old river bed. I find upon investigation of the maps of this office, going back to the time the John Cook grant was surveyed, that none of them show this large bend in the river. Instead, they indicate the river to run about as it is indicated on your sketch at the present time. Therefore, I wish to know if the river ran through this old Channel at the time the Cook and Berry Leagues were surveyed. It would appear that the Eastern portion or bend of this old river bed, the last thirty or forty years has moved considerably to the Eastward. Was this movement slow and gradual or was it a sudden change. In what year did the Colorado River abandon its old bed and assume its present channel?

This information that I am requesting is absolutely essential to the development of your file as vacant land. Without it, I shall not be in a position to sell you this area and your file will have to be held up until this information is received. Please mention S. F. 12799 when you write.

Yours truly,

Commissioner.

Blucher/h

Counter 22530

#9

January 13, 1925.

Mr. A. L. Krause,
Fayette, Texas.

Dear Sir:

Under date of the 7th instant, Mrs. C. H. Schmidt sent to this office field notes of a portion of the meanders of her old river bed file of the Colorado River in Fayette County. While these field notes supplement and intend to complete the field notes of this area, they are not in legal form; hence should not be filed here, which would be necessary to prepare and complete a set of the field notes embodying the course and distance of all the boundaries of same, in one set. As it is now, they are recorded in two separate places in the Surveyor's records. Hence, I must require new field notes.

Under date of October 6th last when I wrote Mr. Schmidt in regard to corrections, I stated that the distance was omitted in the 19th course. The 18th course reads, N. 89 E. 121; the 19th course reads, N. 83 E, distance omitted. I have computed the traverse and find that same fails to close by an excess Northing and excess Westing of 457.5, which of course includes a missing distance.

Kindly let me have corrected field notes and refer to S. F. 12799 when you write. I am enclosing several field note blanks for your use; also am sending a copy of this letter to Mrs. Schmidt.

Yours truly,

Commissioner.

Blucher/h

County 22731

#10

January 24, 1925.

Mr. A. L. Krause,
Round Top, Texas.

Dear Sir:

Mr. Schmitt of Winchester was in the office yesterday and brought the corrected field notes of his Mother's old river bed survey in Fayette County. A traverse of these field notes indicate that they are badly out of balance as they fail to close by 412.9 vrs. in North latitude and 60.5 vrs. in West departure. The distance of 400 vrs. in the 19th course helps to balance the departures but only aggravates the trouble in the latitudes. I am therefore returning the field notes for your attention and correction.

Will you please give this your early attention and submit them at once in order that this file may not be held up any longer than necessary? When they are returned, reference should be made to S. F. 12799.

921572

Yours truly,

Commissioner.

Blucher/h

Counter 22532

#11

February 11, 1925.

Mr. A. L. Krause,
Round Top, Texas.

Dear Sir:

I have your letter of the 31st ult., returning your corrected field notes of the Mrs. C. H. Schmidt old river bed file in Fayette County. I cannot conform with your request to correct these field notes, as I am not familiar with the work on the ground, and under the law this office is not authorized, nor can it make such corrections, hence I am returning the field notes to you together with a photostat copy of my traverse of these field notes. You will notice this traverse fails to close by 412.9 varas N. and 60.5 W. Possibly a reference to your field notes will show you where the error occurred.

There is nothing intricate and mysterious about computing a traverse of all these meanders and you should be able to do this without any difficulty.

I will appreciate it if you will let me have corrected field notes just as soon as you possibly can, as this file has been pending since last September. Please mention S. F. 12799 when you write. A copy of this letter is being sent to Mr. F. C. Schmidt at Winchester for his information.

Very truly yours,

Commissioner.

Blucher/h

Counter 22533

#12

February 18, 1925.

Mr. A. L. Krause,
Round Top, Texas.

Dear Sir:

Looking over the field notes recently made by yourself for Mr. Steffan, it occurs to me that your tie or connection from the established corner of some senior survey is hardly sufficient as given. If there is some recognized corner that you could connect to, it would be well to do this. However, I will write you more fully in the near future concerning these field notes.

At this time I wish to make some suggestion in regard to the Schmidt field notes. The sketch submitted with them shows the connecting line to the beginning corner. However, this connection is not mentioned in the field notes, and as the sketch is not certified to by yourself, it could hardly be used as authority for correcting the field notes. I am enclosing this sketch for your signature and certificate and suggest that when you pre-corrected field notes you incorporate such connection if it is correct therein.

Very truly yours,

S. F. 12799
Blucher/h

Commissioner.

County 22534

#13

February 24, 1925.

Mr. T. C. Schmidt,
Winchester, Texas.

Dear Sir:

Under date of the 17th instant Mr. A. L. Krause returned to this office corrected field notes of survey of old river bed of Colorado River, which we previously had returned to him for correction. I find that the traverse of these field notes fails to close by 41.5 vs. excess North latitude and 60.8 vs. excess West departures. It will be necessary to have these field notes corrected so as to take out the above mentioned error. I sent Mr. Krause a copy of the traverse of the original field notes which does not quite agree with the corrected field notes enclosed herewith. If you will have these corrections made and the same applied to the copy on record in the Surveyor's office, I believe I can make the award when they are returned to this office.

Please mention S. P. 12799 when you write. I am sending a copy of this letter to Mr. Gates Thomas at San Marcos for his information.

Yours truly,

Blucher/a

Commissioner.

Counter 22535



GENERAL LAND OFFICE
AUSTIN, TEXAS

J. T. ROBISON, Commissioner
J. H. WALKER, Chief Clerk

March 25th, 1925.

Mrs. C. H. Schmidt,
Winchester, Texas.
Dear Sir:-

Your application to the county surveyor of **Fayette** County, for a survey of land under Section 8 of the Act of April 15, 1905, together with the field notes for Survey No. , Block No. **218** acres, has been examined and the field notes approved.

The land is classified as **Min. & Graz.** and valued at **\$3.00** per acre, and is subject to sale to you upon the following terms, to-wit:

For cash or one-fortieth cash at 5% interest without condition of settlement with the right to pay same out at any time and obtain a patent.

If you wish to buy the land for cash you should make your application accordingly send same to this office with full cash payment for the land and a patent and recording fee of \$6.00. These fees should be sent separately from the remittance for the land.

If you desire to buy the land on time kindly execute your application and obligation for same, send to this office together with one-fortieth of the purchase price for the land as the first cash payment.

Enclosed herewith is a blank for application to purchase this land. To avoid delays, mistakes and correspondence you are urged to fill every blank space in making out this application to purchase. Under the law you will have SIXTY DAYS from this date within which to file your application to purchase in this office.

In writing about this matter please refer to S. F. No. 12799

Very respectfully,

LeeH.

Commissioner.

APPLICATION AND OBLIGATION TO PURCHASE SCHOOL LAND WITHOUT SETTLEMENT

Winchester, Texas, March 28, 1925

To the Commissioner of the General Land Office, Austin, Texas:

I hereby apply to purchase the following land under the provisions of the Act of April 3, 1919, Chapter 163, relating to the sale of school land and asylum land without settlement and reserving to the State the oil, gas, coal and other minerals therein. The land is situated in Fayette County, Texas, about eight miles (give course) N. 60° W. from the county site; and I agree to pay for said land or timber, or both, the price per acre specified below:

Section	Block	Township	Certificate	GRANTEE	Acres	Price per Acre Offered	Classification
✓	✓	✓	✓	<u>Old River Bed</u>	<u>218</u>	<u>\$3.00</u>	<u>Min. & Grng.</u>

I am over twenty-one years of age.

For the purpose of securing said land I hereby represent that I am buying it for agricultural or grazing purposes, except as provided in Chapter 81, Act approved July 31, 1919, relating to the relinquishment of oil and gas, and I agree that the sale to me is upon the express condition that the oil, gas, coal and all other minerals therein shall be and are reserved to the fund to which the land belongs. I herewith enclose the sum of \$ 16.35 as the one-fortieth (Insert whether "full" or "one-fortieth")

cash payment therefor, and subscribe to the following oath, to-wit:

I, Mrs. C. H. Schmidt, do solemnly swear that I desire to purchase the land for myself and that no other person or corporation is interested in the purchase thereof either directly or indirectly.

Post Office Winchester (Mrs.) C. H. Schmidt Applicant.

Sworn to and subscribed before me, this 28th day of March, 1925

J. P. Rimmick
Notary Public
Fayette County, Texas.
(Officer must not omit seal.)

NOTE—If applicant pays all cash, he should tear off the obligation below.

\$ 637.65 OBLIGATION School Lands.

For value received, I, the undersigned, do promise to pay to the State of Texas the sum of Six hundred thirty seven and 65/100 Dollars, with interest thereon as hereinafter specified, the same being for the balance of purchase money for the following described tract of land purchased by me, of the State of Texas, in accordance with the provisions of the acts relating to the sale and lease of Public Free School and Asylum lands; to-wit, all of 218 acres between Cook and Berry Legett Section No. _____, Block _____, Township _____, Certificate _____, Grantee Old River Bed, situated in Fayette County, Texas.

The annual interest of five per cent, upon all unpaid principal, together with one-fortieth of the original principal, I am to pay or cause to be paid to the General Land Office, at Austin, Travis County, Texas, on or before the first day of each November thereafter, until the whole purchase money is paid. And it is expressly understood that I am to comply strictly with all the conditions, limitations and requirements, and am subject to and accept all the benefits and penalties contained and prescribed in the above recited Acts.

Witness my hand, this 28th day of March A.D., 1925
Post Office Winchester (Mrs.) C. H. Schmidt Applicant.

counter 22537

APPLICATION AND OBLIGATION TO PURCHASE SCHOOL LAND WITHOUT SETTLEMENT

RECEIVED
MAR 30 1925
PAGE 13 LINE 2

RECEIVED
MAR 30 1925
GEN. REV.
P. O. BOX 1000
AUSTIN, TEXAS

Accept 9/6/1

87. No. 12799

APPLICATION OF Mrs. C. H. Schmidt P. O. Winchester, Tex. WITHOUT SETTLEMENT

Section	Block	Certificate	Acres
			<u>218</u>

Township _____ Grantee Mrs. C. H. Schmidt

In Fayette County, Texas,
filed March 30th 1925
J. P. Rimmick
Notary Public

Awarded MAR 31 1925
Commissioner General Land Office

Rejected _____
19____
J. P. Rimmick
Commissioner General Land Office

Class Min. & Grng.
Appr. per A. 3.00
App'n _____
Obligation _____
Seal _____

Map _____
Lease _____
On Market _____
Form 1546a-1133-984-106

#144

#15

=====
State of Texas.
County of Fayette.
=====

Know ye, all men by this affidavit; That;

The Old Colorado River Channel now lying between the Cook and the Berry leagues in Fayette County (about 8 miles N.60W. of La Grange county site of Fayette County.) was the channel in which the Colorado River ran in the year 1860 .

Also that I have heard Nothing

=====
=====
=====

say that it has had the above mentioned course for a channel for thousends years before my remembrance.

I certify this statement to be true and correct.

Signed A. Cressy

Given under my hand and seal this the 10th day of July A.D.1925.



H. J. Reisch, J. P.
Notary Public Fayette County, Tex.

B

#15

State of Texas.
County of Fayette.

Know ye, all men by this affidavit; That;

The Old Colorado River Channel now lying between the Cook and the Berry leagues in Fayette County (about 8 miles N. 60° W. of La Grange county site of Fayette County.) was the channel in which the Colorado River ran in the year 1875 .

~~Also that I have heard~~ *****

~~say that, it has had the above mentioned course for a channel for~~ *****
~~years before my remembrance.~~

I certify this statement to be true and correct.

Signed C. W. Goebel

Given under my hand and seal this the 9th day of February ***** D.1925.

H. J. Reisch, J. P.
Notary Public Fayette County, Tex.

B,

counter 22538

Plat of Survey No.

THE STATE OF TEXAS.

Survey

Fayette County,

No.

or District

Blk.

Corrected
FIELD NOTES of a survey of 16¹/₂ 218.00

acres of land made for Mr. C. H. Schmidt

Variation 10 1/2 East

by virtue of his application filed with the Surveyor

of Fayette County, under Section 7 of an Act approved April 3, 1919, providing for the sale of the unsurveyed school land appropriated to the public Free School Fund by an Act approved February 23, 1900. Said land is situated in Fayette County, about 8 miles N60W from county site, and known as Survey No., in Block No., beginning at a stake on West bank

of Colorado River a Cotton Wood "B" S17E 16 ms. dist, (being ~~from~~ to the West Body of said Berry League or South West cor. of the J F Berry League S65W 1500 ms) thence along West channel N53 1/4 W 430 ms. to an iron pipe from which a Cotton Wood "A" N31 1/2 W 10 1/2 ms. dist thence N18W 24 ms. thence N22W 63 ms. to a Cotton wood "111" thence N26W 74 ms. passing within 1 ms. of a Cotton "111" thence N15W 152 ms. thence North 157 ms. to a cotton wood thence N4E 50 ms. thence N3W 128 ms. to a large cotton wood thence N25W 104 ms. to another cotton wood thence N30W 198 ms. to an Elm thence N33W 180 ms. on iron pipe from which a Box Elder "X" S66E 10 ms. on Elm S9W 15 ms. thence N18W 105 ms. to an Elm "X" around thence North 80 ms. to a stake thence N15E 100 ms. thence N12E 135 ms. thence N66E 174 ms. thence N68E 155 ms. thence N89E 121 ms. to a Pecan "111" thence N83E 400 ms. to a Double Cotton wood on East bank of spring branch thence S75E 430 ms. thence S84E 153 ms. thence S72 1/2 E 200 ms. thence S53E 124 ms. to dividing line of West & East

A

a large Pecan "XX" for cor. thence S58E 100 ms. thence S50E 120 ms. thence S46E 65 ms. thence S36E 50 ms. thence S30E 154 ms. thence S19E 40 ms. thence S12E 75 ms. thence S2E 50 ms. thence S9W 70 ms. S19W 80 ms. thence S28W 74 ms. to a large Pecan "111" thence S50W 135 ms. thence S55W 87 ms. thence S66W 36 ms. thence S71W 118 ms. thence S85W 110 ms. thence N85 1/2 W 130 ms. thence N80W 270 ms. to a Pecan "111" thence S58W 100 ms. a Pecan "X" thence S50W 108 ms. to a large Cotton wood thence S12W 47 ms. an Elm thence S3W 50 ms. thence S19E 34 ms. to a Cotton Wood "111" thence S35E 284 ms. to Cotton wood "H" for cor. on Colorado River another "H" N80W 7 ms. another S65E 9 1/2 W. thence S75W across old channel 175 ms. to a stake a Cotton wood "X" S73W 11 3/5 ms. another small Cotton wood N79E 7 ms. dist. thence N35 1/2 W 315 ms. a stake thence N17E 220 ms. to a stake thence N40E 88 ms. to a stake thence N49E 154 ms. a stake thence N58E 100 ms. a stake thence S80E 283 ms. to a stake thence S85 1/2 E 150 ms. to a stake thence N71E 150 ms.

I, _____, Deputy Surveyor of _____, Texas,
do hereby certify that the foregoing survey was made by me on the ground, and according to law; that the limits,
boundaries and corners, with the marks, natural and artificial, are truly described in the foregoing Plat and Field
Notes, just as I found them on the ground.

This _____ day of _____ 19 _____

Deputy Surveyor of _____ County, Texas.

I, _____ Surveyor of _____ County, Texas.
do hereby certify that I have examined the foregoing Plat and Field Notes and find them correct, and that they
were made on the ground as stated in the above certificate, and that they are recorded in my office in Book _____
Page _____

This _____ day of _____ 19 _____

Surveyor of _____ County, Texas.

LAND OFFICE

S. F. No. 12799

Corrected
FIELD NOTES

Filed March 6th - 1925

J. T. Pollock
Commissioner.

Carl F. Blucher
Clerk.

Approved _____ 19 _____

Commissioner.

Field notes corrected. 3-24-25 Blucher.

CORRECT ON MAP FOR 218⁰ ACRES
10-27-44 MWR

Patent 44
10-26-44
Johnston

3-24-25
Blucher

10-27-44
MWR

County 23540

to a stake thence N50 E 200 m. to a stake thence N19 E 82 m. to a stake
 thence North 3 1/2 S 5 m. to dividing line between Leslie Schmitt & part
 a G. W. "K" for Cor. from which a G. W. "M." S84 W 20 m. another G. W.
 "M." N7 1/2 E 20 m. thence N 30 W 170 m. to a stake thence N50 W 147 m.
 to a stake thence N53 W 210 m. to a stake thence N80 W 160 m. to a stake
 thence N83 1/2 W 160 m. to a stake thence N76 W 270 m. to dividing line
 between part x part at 364 m. to a well the north Cor. of C. H. Schmidt
 90 acre tract on Ash "X" S28 1/2 E 14 m. a J. Berry "H." S35 W 14 m. thence
 N80 W 62 m. thence S83 W 340 m. a stake thence S89 W 71.5 m. thence
 S68 W 200 to a stake thence S23 W 190 m. to a stake thence S25 E 190 m.
 to a stake thence S30 E 202 m. to a stake thence S20 E 18 m. to a stake
 thence S12 E 27 m. to a well in dividing line between C. H. Schmidt
 and Gottlieb Schuly a Willow "X" N1 1/2 E 11 m. dist. thence with said
 Schuly line S16 1/2 E 100 m. to a stake thence S.3 W. 270 m. to a stake
 thence S15 E 135 m. to a stake thence S26 E 164 m. to a stake thence
 S53 1/2 E 395 m. to a Cotton Wood "III" for Cor. thence S60 W 160 m.
 to place of beginning containing 160 acres of land this being
 the old River bed located upon the J. F. Berry League

Chain Carries.

Surveyed Oct 22 & 23^d 1924 Morris Kinnicke
H. K. Eason
the Schmidt plat man

I, H. K. Krause Surveyor of Fayette Texas

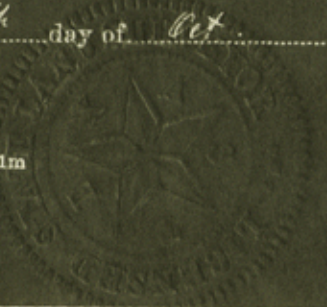
do hereby certify that the foregoing survey was made by me on the ground, and according to law; that the limits, boundaries and corners, with the marks, natural and artificial, are truly described in the foregoing Plat and Field Notes, just as I found them on the ground; and they are recorded in surveyor's office in Book H, Page 178-179

This 27th day of Oct. 1924

H. K. Krause

Licensed Surveyor of Fayette County, Texas.

Form 751b-M512-523-1m



A2

#15A

=====
State of Texas.
County of Fayette.
=====

Know ye, all men by this affidavit; That;
The Old River Channel now lying between the cook and the Bery
leagues in Fayette County. (about 8 miles N.60W. of LaGrange County site
of Fayette County.) was the channel in which the Colorado River ran in the
year 1882, until said Colorado river cut its new bed in about 1896

Also that I have heard

=====
say that it has been the channel for the colorado river for time immemorial
years before my remembrance.

I certify this statement to be true and correct.

Signed: H. Gilse

Given under my hand and seal this the 10th day of February A.D. 1925.



Raymond M. [unclear] Public [unclear] County of [unclear]

S. F. 12799

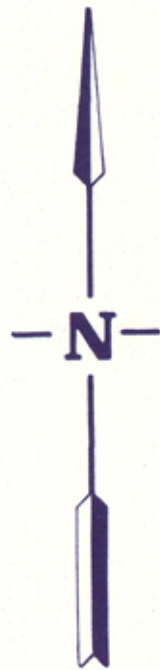
6.

*Applicant regarding
Old River Bed of Colorado R.
J. T. Robinson
Comman
Filed Feb. 18th, 1925
C. J. Buckler*

B2

counter 22539

FAYETTE COUNTY, TEXAS



Scale: 1" = 200 varas

Elizabeth Campbell
A-26

John F. Berry
A-16

Mrs. C. H. Schmidt, A-347

John Ingram
A-56

John Cooke
A-34

Plat of
A Survey of the Mrs. C. H. Schmidt Survey,
Abstract No. 347, Fayette County, Texas
139.55 Acres

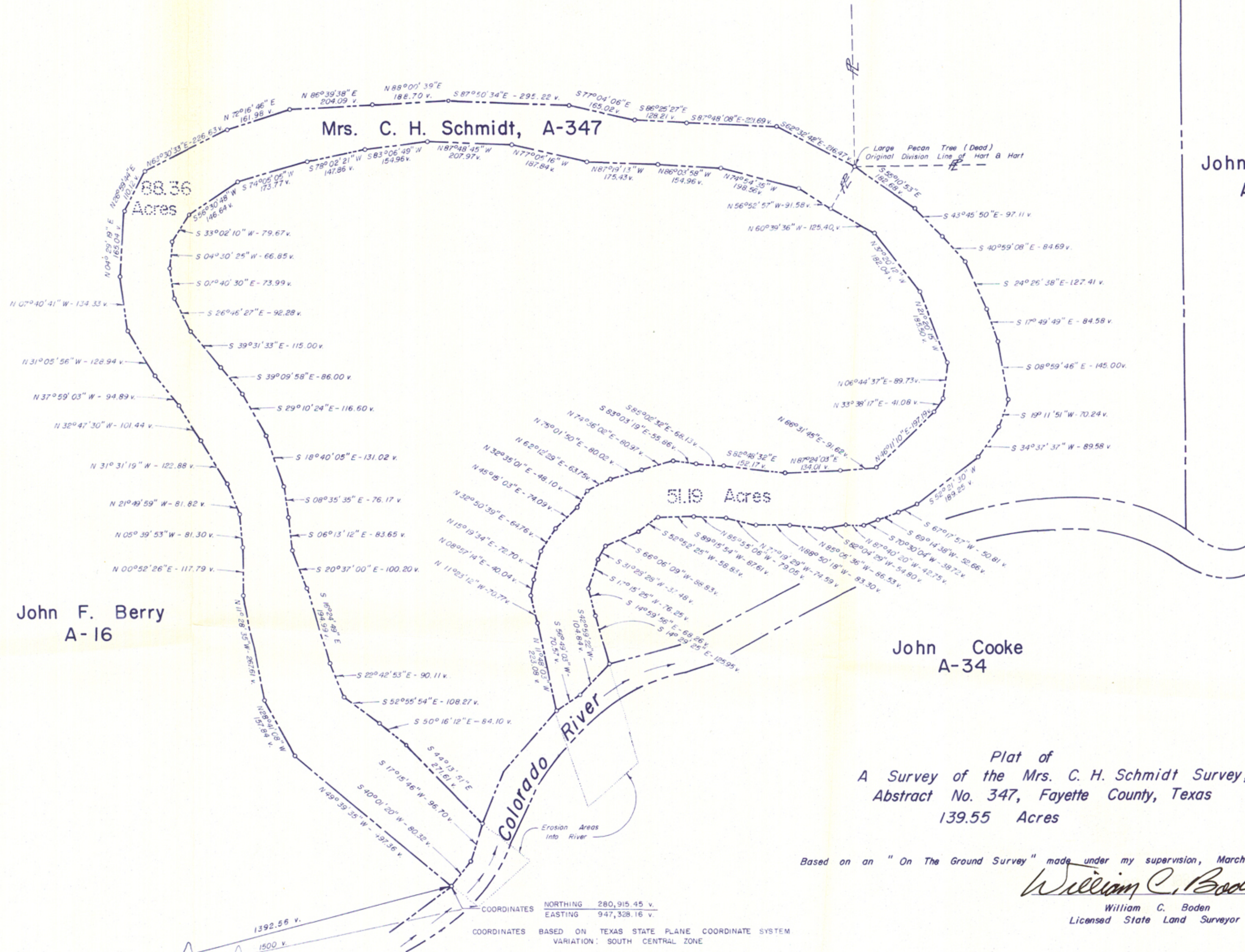
Based on an "On The Ground Survey" made under my supervision, March 1981.

William C. Boden

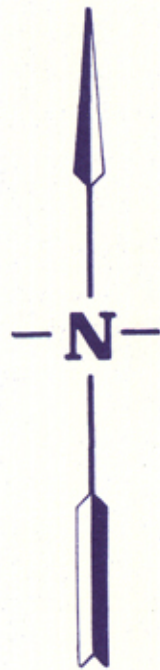
William C. Boden
Licensed State Land Surveyor

Prepared by: Byron L. Simpson & Associates, Inc.
San Antonio, Texas

Date Drawn: 4-6-81 J.A.S.



FAYETTE COUNTY, TEXAS



Scale: 1" = 200 varas

Elizabeth Campbell
A-26

John F. Berry
A-16

Mrs. C. H. Schmidt, A-347

John Ingram
A-56

John Cooke
A-34

Plat of
A Survey of the Mrs. C. H. Schmidt Survey,
Abstract No. 347, Fayette County, Texas
139.55 Acres

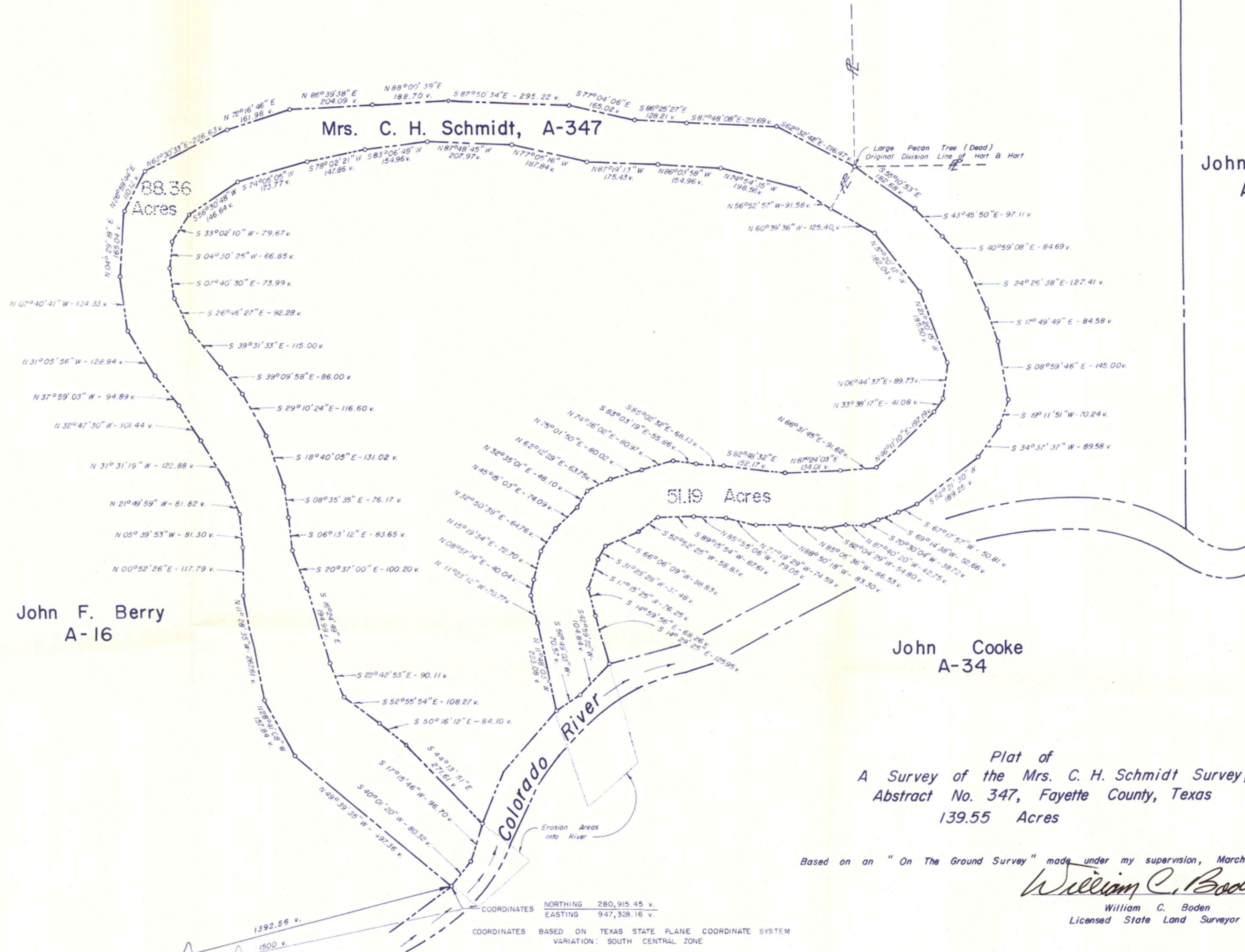
Based on an "On The Ground Survey" made under my supervision, March 1981.

William C. Boden

William C. Boden
Licensed State Land Surveyor

Prepared by: Byron L. Simpson & Associates, Inc.
San Antonio, Texas

Date Drawn: 4-6-81 J.A.S.



LEGEND

#18

- PROPERTY LINE _____
- LEASE LINE - - - - -
- SURVEY LINE _____
- COUNTY LINE _____
- HUMBLE LEASE LINE [thick solid line]
- FULLER LEASE LINE [thick dashed line]
- SIMPSON-MANN LEASE LINE [thick dotted line]

CHAMPLIN EXPL.
NO. 1 WANDA MITSCHE
WELL

Scale 1" = 1000'

JOHN COOKE
A-34

HUMBLE
(S.M.)
33 AC.
MELTON BROWN

HUMBLE EXPLOR.
BOSS NO. 1

HUMBLE B. (S.M.)
68.1 AC.
UGENE WESSELS, ET. UX.

(F) 63.5 AC.
EDWIN RASCHKE, ET. UX.

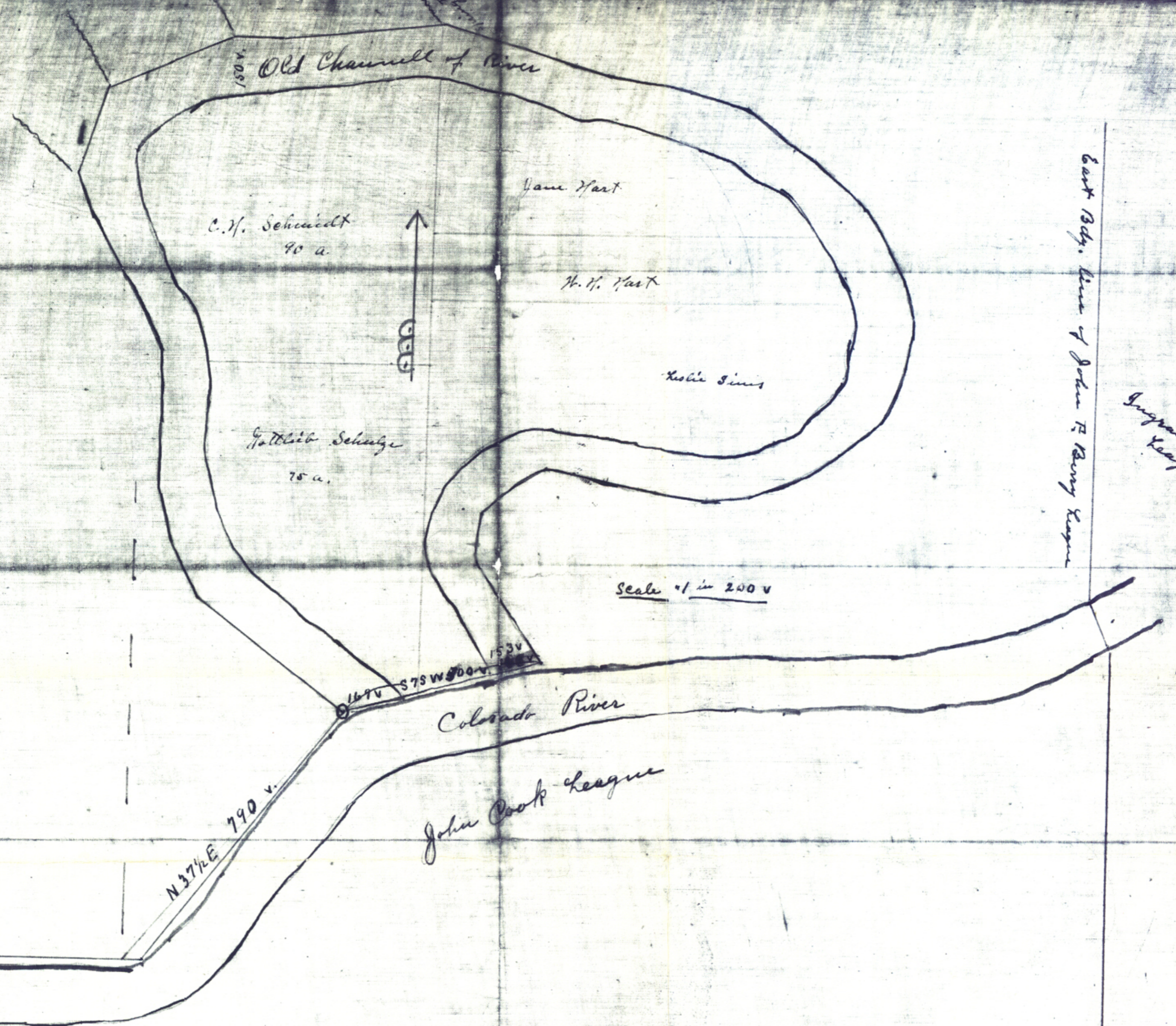
HUMBLE B.
(S.M.)
33.89 AC.
HARVEY HAVEMANN, ET. UX.
11.39 AC.

Counter 22541

C.O.

HUMBLE

#17.
 P.P.T. 51 7.2
 G. to Brown 22000
 Bdy. line between St. John Campbell and John F. Berry,
 Gils Bris
 E. line "X" N 2 E 20 1/2 v
 P. line "X" N 2 1/2 E 33 v
 East 870 v



East Bdy. line of John F. Berry League
 John F. Berry League

A. G. Moore
 Licensed State Land Surveyor
 Sept. the 11 - 1924