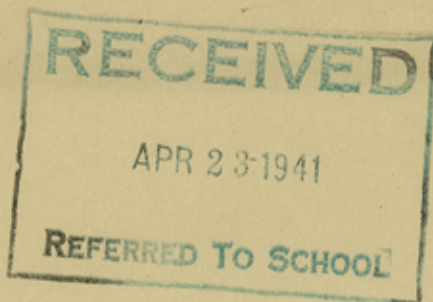


** R E P O R T **

On Excess in the Joseph Highland Survey
Ft. Bend County, Texas.



by
A. B. Connor, Licensed
Land Surveyor,
San Antonio, Texas.

To
The Honorable Bascum Giles
Commissioner of the General Land Office
Austin, Texas.

In December, 1940, this surveyor made a survey for Mr. J. L. Phariss of the tract know as the Kempner Rice Farm located in Ft. Bend County and composed of part or all of the following Original Patented Surveys:

All of the Edward Jeffery 1/4 League Survey, April 28, 1831, a part of the Samuel Young Survey, originally dated February 6, 1846, re-survey dated September, 1924, A part of the H. A. Alsbury Survey, October, 18, 1849, a part of the Joseph Highland Survey, August, 24, 1876 and all of the A. P. George Survey, March, 31, 1925.

These Surveys plot, or block in, regular with the Junior Surveys calling for the corners or boundaries of the Senior Surveys, with this exception, the H. A. Alsbury dated subsequent to the Samuel Young does not call for the Samuel Young West boundary, while the Samuel Young, dated three years before the Alsbury, does call for the East boundary of the Alsbury, showing that, at that time, there must have been some doubt on the part of the surveyors as to the exact location of the Alsbury South and East boundaries.

It appears, from the Land Office Records, that the Southwest corner of the H. A. Alsbury Survey was defined and located on the ground, according to a survey and plat by John M. Byers, Deputy County Surveyor of Ft. Bend County, submitted July, 10, 1920, with an application to patent by A. P. George of a tract of 307.47 acres of

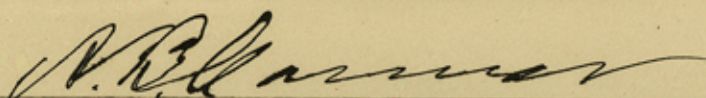
land being immediately South of the Alsbury and West of the Joseph Highland Survey and Nathaniel Peck's most Western Survey. The A. P. George Survey No. 5, containing 299.3 acres, was patented February, 26, 1926, under the corrected field notes of Byers and this Surveyor begins his survey at the Southeast corner of the Silas Jones Survey and calls for all adjoining surveys by course and distance according to the plat submitted by him on July, 10, 1920. The eighth call in his field notes reads, "Thence S. $89^{\circ} 29'$ E. with the South line of the H. A. Alsbury Survey 678.2 varas to a pine stake;" However, in the preceding, seventh call, he does not mention passing or arriving at, the Southwest corner of the Alsbury Survey, but according to his plat he must have done so, for he shows the Southeast corner of the A. D. Kelker, which he does call for in his seventh call, to be the Southwest corner of the Alsbury. His Ninth call is, "Thence South, at 110.3 varas pass an iron pipe, the Northwest corner of the Joseph Highland Survey and at 301.1 varas pass an iron pipe, the Northwest corner of the N. Peck Survey -----" If Byers was at the South Line of the Alsbury and in his Ninth call reaches and passes the Northwest corner of the Peck, then he must have been at the Northwest corner of the Highland in the South line of the Alsbury at the end of his eighth call, and did not pass this corner, as he states, in his ninth call, for the Joseph Highland calls to begin at the Northwest corner of N. Peck's Western Survey and Thence to the South boundary of the Alsbury, but his call distance was not sufficient to reach the South line of the Alsbury as set out by Byers survey, so it can be seen that the First call of the Highland should read, "Thence North 301.1 varas to the South line of the H. A. Alsbury Survey" and not "Thence North 190 varas to the South line of H. A. Alsbury Survey" as it does in the original Field Notes. It is evident from his plat and field notes that Byers did identify the South boundary of the H. A. Alsbury and did know that there was an excess distance between this survey and the N. Peck Survey to the South, but at that time he was not concerned with this excess or those mentioned surveys and did not report on it.

J. Stuart Boyles submitted a corrected set of Field notes for the Samuel Young Survey, which were approved by the General Land Office in September, 1924. In this set of field notes he begins his survey at a cedar stake set in the South boundary of the Edward Jeffery 1/4 League, 152 varas from its' Southeast corner. This corner, the Southeast corner of the Edward Jeffery is today, as it was then, established by a fence corner of the Kempner Rice Farm. The second call in his field notes follows the boundary fence of the Kempner Rice Farm for the Northwest boundary of the Samuel Young Survey and the Southeast boundary of the Jeffery 1/4 League. There were no witnesses given to establish this corner and if there were, none could be found today on account of the intense cultivation in this area for the past 20 years or more. The Southwest corner of the Edward Jeffery is established by a fence corner, maintained as such for more than 40 years. At the time of my survey, I found an old Live Oak post N.44° W. 700 varas with a 32" Live Oak tree mkd. "X" bearing N.88 $\frac{1}{2}$ ° E.39.42 vrs. set for the most Northern corner of the H. A. Alsbury, and while this witness is not given in any official record, I feel sure it must have been marked by a surveyor for this corner. Thus with the South boundary of the Jeffery established we have the North boundary of the Alsbury. Further, in Boyles field notes for the A. P. George Survey of 10.29 acres patented March, 31, 1925, he established the Northwest corner of the Alsbury in the South boundary of the Jeffery and 74.2 varas from his Northwest and beginning corner of the Samuel Young. So, by course and distance I have established the Southeast corner of the Alsbury and an inner corner of the Highland giving me the corrected second and third calls of the Highland and establishing the excess in this survey. Also, the fourth call of the Highland must be increased in order to reach the Northwest corner of the Denson Survey as called for in the original notes. This corner is established by the intersection of the South boundary of Boyles' re-survey of the Samuel Young and a 21.6 vara Public Road, which is the claimed Fee boundary of the owners in the Denson and Highland surveys. From that point it South 896.57 varas with the center line of this 21.6 vara

Public Road to its' intersection with another 21.6 vara Public Road, the accepted and claimed Fee boundary of the John Wade Survey. No marked trees or witnesses can be found to establish this line, so we must accept this road as the old original North line of the Wade. Following the center of this Public Road and its' turns, together with the established Fee boundary fences the courses and distances of same, as measured by me on the ground in December, 1940, we find that these courses and distances exactly correspond with the original field notes of the Joseph Highland dated August 24, 1876, and we must believe we are following the original Surveyor's footsteps to his beginning point.

Therefore, I submit this report, with the accompanying map of the area and the corrected field notes of the Joseph Highland Survey for your approval.

Dated March 25, 1941



Licensed Land Surveyor.

Fort Bend Co.
Sketch File 31

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ON EXCESS IN
JOSEPH HIGHLAND SURVEY
Ft. Bend County, Texas.

By
A. B. Connor,
Licensed Land Surveyor
San Antonio, Texas.

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