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LICENSED LAND SURVEYOR
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TYLER, TEXAS

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GENERAL LAND OFFICE

Reports On:

Deed of Acquittance Applications,
Jacob C. Baldwin
Washington Ingram, A-320
McKinney & Williams, A-467
Geo. B. Zimpleman (S. H. Werlein, Assignee)

Freestone County, Texas, Goetz Area

SURVEYOR'S REPORT

Hon. Bascom Giles, Commissioner
General Land Office
Austin, Texas

Dear Sir:

Here is my report covering the Jacob C. Baldwin Survey, A-850, and adjacent surveys, Freestone County, Texas.

In connection with the above designated applications a map is attached showing original survey corners ringed in red and original deed record corners are shown by solid red circles. On the various survey boundaries call bearings and distances are in vertical letters and the actual bearings and distances are in slant letters.

In preparing for field work in this area, I had a search made of the General Land Office Records and I prepared a patent and field note map from this information. I also made a study of the deed records in the County Clerk's Office of Freestone County and prepared a record sketch showing that information. My preliminary study in this area enabled me to have a convenient record, both documentary and graphically, of all of the lines, corners, and other boundary information as set out in the records, together with a history of the surveys as to date of survey, name of surveyor, methods of construction, etc.

The purpose of this report is to explain my procedure in locating the various surveys in this area and to describe my findings on the ground.

GENERAL

In general the surveys covered in this report were constructed in three groups. The first group from the R. M. Williamson Survey northward; the second group from the Florindia Dixon southward and eastward; and the third group westward from the Trinity River.

R. M. WILLIAMSON SURVEY, A-630

The R. M. Williamson Survey was laid down by C. W. Love and the field notes are dated Dec. 7, 1860. Four surveys, the J. B. Bonham, McKinney & Williams, A-888 and A-467, and the D. B. Scarborough depend on the Williamson for their positions. The north portion of the Williamson survey was re-established from a possible original patent corner (corner #1) and recognized occupation. At the northwest corner of the Williamson, Love's field notes recite a call for a stake from which a 10" pecan bears S 63° E 3 varas, and a 10" ash bears S 18-1/4° W 4 varas. Approximately 8 varas northward from the occupied northwest corner I set a stake from which a 31" pecan marked with a very old \bar{X} bears S 63° E 3 varas, but I did not find an ash. In my opinion the old pecan tree at this corner is one of the original witness trees described by Love, and I have considered the stake set at this corner the original northwest corner of the R. M. Williamson survey. The north line of the Williamson was established from the original northwest corner eastward along a marked and occupied line to the recognized northeast corner (corner #2). From the northeast corner a portion of the east line was established on called bearing along a marked and occupied line. The remaining lines of the Williamson Survey as shown on the plat were established along marked lines, occupation, and recognized corners. Recognition is established at the original deed corners 3 and 4 in a deed from R. N. Compton to H. M. Johnson (May 1, 1912, Vol. 37, p. 420, D/R Freestone Co.) and at corners 2, 3, 4 and 6 in a deed from R. L. Cartwright to Mrs. Lena C. Preston et al (June 19, 1934, Vol. 133, p. 509, D/R Freestone Co.). Thus located, the north line of the Williamson is approximately 45 varas excessive, the west line 36 varas deficient, and the upper south line 5 varas deficient of field note call.

J. B. BONHAM SURVEY, A-106

The J. B. Bonham Survey was laid down by C. W. Love (field notes dated Dec. 9, 1860) and I established it in accordance with its patent field notes from its beginning point, the northwest corner of the R. M. Williamson Survey. Thus located the passing call for Lindsey Slough on the north line and the call for the northeast corner to be on the bank of a lake as recited in Love's field notes are honored. The re-established east and west lines vary with the occupied lines slightly as shown on the plat. The north line of the Bonham Survey is not occupied.

McKINNEY & WILLIAMS SURVEY, A-888

The McKinney & Williams Survey, A-888 was originally laid down by an unknown surveyor, however, B. P. Hammett adopted his work and dated his field notes March 13, 1861. The patent was issued on Hammett's adopted field notes. The southwest corner, which is the beginning point of this

survey, was located at the southeast corner of the J. B. Bonham Survey and in the north line of the R. M. Williamson as called. From this point the west line was established coincident with the east line of the J. B. Bonham as called and extended northward on a marked and partially occupied line to the recognized northwest corner (corner #7). From the northwest corner the north line was extended eastward along a marked line and occupation to the recognized northeast corner (corner #8). The east line was extended southward from the northeast corner along a marked line and occupation to the recognized southeast corner (corner #6) in the north line of the R. M. Williamson Survey. The south line was extended westward from the southeast corner coincident with the north line of the Williamson Survey as called to the beginning corner. Recognition at corners 7 and 8 is established in a deed from R. L. Cartwright to Mrs. Lena C. Preston et al dated June 19, 1934, recorded in Vol.133, p. 509, D/R Freestone County, Texas.

Thus located, a portion of the occupied west line is in disagreement with the west line of the survey as I have established it. The survey lines are excessive of field note calls by the following amounts: west line 45 varas, north line 178.3 varas, east line 56.2 varas, and south line 156.1 varas. The east and west lines must be excessive to reach the recognized and occupied north line. The occupied position of the north line is further substantiated through the field notes of the McKinney & Williams Survey, A-468. The south line of said McKinney & Williams Survey, A-468 when constructed in accordance with its field notes from the southeast corner of the Florindia Dixon agrees within 37.9 varas of occupation. The said McKinney & Williams, A-468 also recites a call for its south line to adjoin the north line of the survey in question, the McKinney & Williams, A-888.

The occupied north line honors Hammett's ^{#8} call to cross Richland Creek twice and the northeast corner (corner #7 as I have re-established it) is approximately field note call distance from the east bank of Richland Creek. If the north line should be placed any farther south it would strike Richland Creek in a bend and would not actually cross the creek twice as is clearly set out in the field notes. Hence, the occupied position, same being the position established by my survey, more nearly satisfies the field note calls for natural objects.

By placing the east line in accordance with occupation as I have done, the southeast corner (corner #6) agrees within 11.7 varas of field note call distance from the northeast corner of the Williamson Survey (corner #2) as recited in the field notes of the adjoining McKinney & Williams Survey, A-467.

D. B. SCARBOROUGH SURVEY, A-562

The D. B. Scarborough Survey was laid down by C. W. Love and his field notes are dated April 16, 1861. I have established this survey by placing its west line coincident with the east line of the R. M. Williamson

Survey as called and extended northward to the intersection of a marked line which runs in an easterly direction to the river. I have used this marked line to establish the north line of the Scarborough Survey. The east line follows the meanders of the Trinity River as called. My survey did not extend far enough in a southerly direction to establish the south line. Thus located, the general configuration of the river agrees with the field note meanders very closely but the north line is approximately 86 varas excessive of field note call. The northwest corner of the Scarborough as I have re-established it, agrees with the field note call distance from the northeast corner of the Williamson within 7.1 varas.

123 1/2
44 1/2
MCKINNEY & WILLIAMS SURVEY, A-467

The McKinney & Williams Survey, A-467, was laid down by John Longbridge and the field notes are dated March 14, 1861. The southwest corner (beginning corner #6) was located coincident with the southeast corner of the McKinney & Williams, A-888 and in the north line of the R. M. Williamson Survey, as called. From the southwest corner, the lower south line was located coincident with the north line of the Williamson Survey to the northeast corner of the same, as called. The upper south line was located along a marked line coincident with the north line of the D. B. Scarborough, as called, to a possible original patent corner. At the southeast corner, the field notes call for a stake on the bank of the Trinity River, from which a 15" elm bears N 15° W 3.0 varas, and a 12" ash bears S 11° E 9.0 varas. In the marked line, approximately 35 varas from the river bank, I set a point for corner, from which a 30" ash (marked with an old X, one hack above and below) bears S 11° E 9.0 varas, but I did not find an elm witness tree. It is possible that the ash is one of the original trees marked by Longbridge and if so, this is the original southeast corner of the McKinney & Williams, A-467. In establishing the southeast corner, however, I extended the upper south line through the original corner to the bank of the river, as called in the field notes. From this re-established southeast corner up the Trinity River to the original southwest patent corner of the Stumpf Survey, the meanders agree very closely with the field notes, and also agree with the passing call for the mouth of Richland Creek. The upper southeast corner, therefore, was established coincident with the original southwest corner of the Stumpf. The east line was extended northward along a marked line to its intersection with another marked and recognized line. In other words, the east line of this survey is coincident with the west line of the Stumpf Survey, which will be fully explained later. From the northeast corner thus established, the north line was run westward along the marked line to intersect the west line which was located coincident with the east line of the McKinney & Williams, A-888, extended northward. With the survey thus established, the lower south line is 11.7 varas deficient; the jog in the south line 7.1 varas deficient, and the upper south line 47.0 varas excessive. The east line is 98.0 varas excessive, the north line 38 1/2

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varas deficient and the west line 144.9 varas excessive. The north line of the survey calls to cross Richland Creek several times, and calls for the northwest corner to be on the south bank of the creek. As I have located the north line, it crosses the center line of the creek only once, but touches the bank at another point and crosses a portion of the creek in a bend at another point. To honor the call for the northwest corner to be on the bank of the creek, the corner would have to be moved 80 varas farther north and the north line would cross the creek only once. The survey, as I have re-established it, contains an excess of 27.59 acres and it is my recommendation that the survey be accepted according to the corrected field notes prepared for it and the applicant be permitted to purchase this excess acreage.

WILLIAM H. SPILLER SURVEY, A-557

The William H. Spiller was originally laid down by an unknown surveyor. B. B. Hammett adopted the previous work and dated his field notes Jan. 23, 1861. Only a portion of this survey was retraced and the south, east and north lines established. The southeast corner (beginning corner) was placed coincident as called, with the northeast corner of the J. B. Bonham. The south line was established coincident as called with the north line of the Bonham. The east line was established coincident with the west line of the McKinney & Williams, A-888 and the same excess allowed as in the west line of the said McKinney & Williams, A-888. The northeast corner thus located is in its field note position with respect to the northwest corner of the McKinney & Williams A-888, as recited in the field notes of the adjoining McKinney & Williams Survey, A-468.

The north line when placed on called course westward from the northeast corner agrees with its field note position south of Richland Creek as recited in the field notes of the adjoining McKinney & Williams, A-468.

FLORINDIA DIXON SURVEY, A-198

This survey was laid down by John Longbridge and the field notes are dated Jan. 20, 1854. It calls to begin at the southeast corner of the William Lockridge Survey. Since I did not attempt to re-establish the Lockridge Survey, I have constructed the Florindia Dixon Survey from its upper northwest corner. The northwest corner was located at the intersection of the occupied east line of the Lockridge and the occupied north line of the Dixon. The north line was then run eastward from the occupied northwest corner to an intersection of a marked and partially occupied line running in a southerly direction. In this position the northeast corner agrees with call distance from the northwest corner and falls on the bank of a dry lake. Longbridge's field notes called for the northeast corner to be on the bank of a lake. The remaining lines of this survey were run out in accordance with the field notes from the re-established northwest corner.

McKINNEY & WILLIAMS SURVEY, A-468

The McKinney & Williams A-468 was also laid down by John Longbridge with field notes dated March 21, 1861, and calls to begin at the southeast corner of the Florindia Dixon Survey. Honoring the beginning corner, I established the east line southward along a marked line to the north line of the McKinney & Williams A-888 as called. Called distance was exceeded by approximately 38.0 varas to honor Longbridge's call to adjoin the north line of the McKinney & Williams A-888. In this position a passing call for Richland Creek is checked. However, it must be pointed out that the creek crosses the survey line at an acute angle and the stream is so wide that a 100 vara variation in the passing call would still fall within the banks of the creek. The lower south line was placed coincident with the north line of the McKinney & Williams A-888 westward to the northwest corner of the same as called, although field note call was exceeded by approximately 62 varas. The jog and the western portion of the south line were established in accordance with the field notes to the southwest corner. A line run northwardly from the re-established southwest corner along a marked line enters Richland Creek at 620 varas which agrees with the passing call for Richland Creek as recited in the field notes of this survey.

WASHINGTON INGRAM SURVEYS, A-317 and A-320

The Washington Ingram Surveys were laid down by John Longbridge over a period of two years. The upper survey, A-317 was surveyed on Sept. 18, 1857, but these field notes were cancelled and Longbridge resurveyed the tract on October 18, 1859. The survey was patented on the corrected field notes. The middle Ingram Survey, A-320, was laid down in 1857, and calls to begin at the southeast corner of the upper Ingram Survey, A-317. I could not establish the beginning point of the upper Ingram Survey nor any of the corners of the Ingram Surveys from original witness trees. These surveys call to follow the meanders of the Trinity River; hence the Trinity River has been used to establish them. The Washington Ingram Surveys, A-317 and A-320 are excessive. This can be demonstrated by applying the field note meanders of the two surveys to the present configuration of the Trinity River. There are certain points in the field notes along the river that can be established, such as outstanding bends or curves, and the ground distance between those points is greater than the distance between the same points as shown by the field notes. Therefore, the west lines of these two surveys have been placed far enough back from the river to allow for an excess that is consistent with that along the river. The south line of the Washington Ingram, A-317, has been placed in its marked and recognized position, same being coincident with the north line of the Washington Ingram Survey, A-320. The north line was placed as an easterly extension of the lower north line of the H. E. & W. T. Railroad Company Survey, which will be subsequently explained. By

placing the lines of the two Ingram Surveys as thus explained, the exact field note call distance east and west for the H. E. & W. T. Railroad Company Survey has been allowed and the approximate field note relationship between the southwest corner of the W. Ingram, A-317, and the northwest corner of the W. Ingram, A-320, has been allowed. This will result in the proper configuration as set out in the field notes for the George B. Zimpleman Survey, which will be subsequently explained. The south line of the Washington Ingram Survey, A-320, has been placed in its marked and recognized position and the east line follows the meanders of the Trinity River. This construction results in an excess of 38.63 acres in the Washington Ingram Survey, A-320, and it is my recommendation that the survey be accepted according to the corrected field notes prepared for it and the applicant be allowed to purchase the excess by Deed of Acquittance.

WASHINGTON INGRAM SURVEY, A-318

The lower Ingram Survey was laid down by Longbridge in 1857 and calls to begin at the southeast corner of the middle Ingram Survey, A-320. Its north line was established on a marked and recognized line coincident with the south line of the Ingram Survey, A-320. Its west line was located along a marked and occupied line running to the river. Its southern and eastern boundaries follow the meanders of the Trinity River. The west line agrees with called distance within 1 vara. The north line is excessive by 145 varas.

H. E. & W. T. RAILROAD CO. SURVEY, A-735

This survey was laid down by William Kirven and the field notes are dated July 19, 1882, but these field notes were cancelled. Kirven resurveyed this tract and changed one call (the length of the east line was changed from 1045 to 1040 varas) and the survey was patented on these field notes, Nov. 19, 1884. The field notes call to begin at the northeast corner of the Florindia Dixon Survey and recite calls for identical witness trees. A study of the records further indicates that the lower northeast corner was intended to be coincident with the northwest corner of the Upper Washington Ingram Survey. I have established all of the lines of this survey in accordance with the field notes.

GEORGE B. ZIMPLEMAN SURVEY, A-832

The George B. Zimpleman Survey, A-832, was laid down by William Kirven and the field notes were dated July 20, 1882. A study of the records clearly indicates the intention of Surveyor Kirven to adjoin the surrounding senior surveys. His field notes call to begin at the southeast corner of the H. E. & W. T. Railroad Company Survey and adjoinder calls are recited for the two upper Ingram

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Surveys on the east, the McKinney & Williams, A-468, and the Florinda Dixon on the west, and the H. E. & W. T. Railroad Company Survey on the north. The boundaries of these senior surveys have been established and explained in the foregoing portions of this report. In establishing the boundaries of the Zimpleman Survey, therefore, I have honored the adjoinder calls. The upper north line of the Zimpleman Survey, which is the south line of the H. E. & W. T. Railroad Company Survey, has been established according to field notes. The west line was also located according to the field notes and the upper east line is only 1.3 varas excessive of called distance. An excess of 116.2 varas was placed on the south and lower north lines of the Zimpleman Survey to honor its call for adjoinder with the west line of the Washington Ingram A-320. This survey, when re-established in this manner, contains 19.67 acres excess. I have considered the discrepancy as reasonable and am recommending that the survey be accepted in accordance with the corrected field notes prepared for it and that the applicant be permitted to purchase the excess acreage resulting therefrom.

J. C. BALDWIN SURVEY, A-850

This survey which is definitely a fill in survey was laid down by W. W. Steward, and the field notes are dated Sept. 22, 1905. The field notes on this survey recite adjoinder calls for all of the surrounding surveys. In establishing the boundaries of this survey I have honored all of the adjoinder calls which indicate a number of latent ambiguities insofar as the field note position is concerned. The resulting placement of the boundaries places 15.22 acres excess in the survey. A study of Surveyor Steward's records clearly indicates that this was not an office survey but was the result of a ground survey. Undoubtedly it is certain that there were mistakes in his measurements and he doubtlessly made corrections to effect a closure but his calls for lines and corners are clear. I have therefore adopted the lines of the senior surveys and recommend that the above stated excess be allowed within the boundaries of the survey as described in my corrected field notes, and that the excess acreage be allowed by a deed of acquittance.

J. STUMPF SURVEY, A-865

This survey was laid down by W. W. Steward and the field notes are dated Jan. 18, 1911. The General Land Office field notes and patent notes recite witness trees at all corners except the northwest corner. The Surveyor's Records of Freestone County, however, contain field notes on the Stumpf Survey that are identical to the General Land Office field notes except witness trees are recited at

all corners. I have re-established the original southwest and northwest corners of this survey as described in the Surveyor's Records. These corners are shown by the conventional symbol on the map and I have accepted them as original corners of the survey.

The west line was placed between the two corners above mentioned.

The north line was established eastward along an old marked line to an intersection with a marked line which runs in a southerly direction to the river.

The east line was placed along the marked line running to the river. This marked line was accepted as the footsteps of the original surveyor because one of the line trees was blocked and 41 annual growth rings counted, which dates this line to agree with Steward's work.

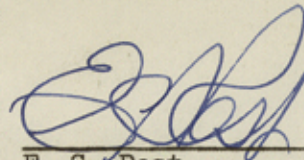
The south line was established coincident with the north bank of the Trinity River as called.

With the survey established in this manner, the meanders of the river as recited in the field notes do not check the ground position of the river. All of the lines are excessive -- the west line by 98 varas, the north line by 6.1 varas, and the east line by 9 varas.

SUMMARY

This completed my survey in this area. As shown on the attached map and as pointed out in this report there is excess acreage in the following surveys: 27.59 acres in the McKinney & Williams, A-467; 38.63 acres in the Washington Ingram, A-320; 19.67 acres in the George B. Zimpleman, A-832; 15.22 acres in the Jacob C. Baldwin, A-850. I repeat that it is my recommendation that these excesses be allowed according to the corrected field notes for the tracts and that the applicants be permitted to purchase such excess by deed of acquittance.

This survey has involved rather difficult and complex explanations in some of its parts, all of which I hope are clear. If, however, any further explanation regarding my construction of any of the boundaries is required, please advise.



E. S. Rest
Licensed State Land Surveyor

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