

RECEIVED  
JUL 11 1987  
GENERAL LAND OFFICE

NO. 79-53537

SEABROOK LAND COMPANY, § IN THE DISTRICT COURT OF  
A CORPORATION §  
VS. § HARRIS COUNTY, TEXAS  
§  
THE STATE OF TEXAS, ET AL. § 11TH JUDICIAL DISTRICT

FINAL JUDGMENT

The above cause coming on for trial, Plaintiff SEABROOK LAND COMPANY and Defendant THE STATE OF TEXAS appeared by their respective counsel and all parties announced ready for trial; whereupon on Plaintiff's Motion for Non-Suit, Plaintiff's action herein is dismissed from the docket of this Court. The case then proceeded to trial on the State's cross-action and Seabrook Land Company's answer thereto and the Court heard the evidence and arguments

It appearing that this cause requires establishment of the boundary between certain lands owned by SEABROOK LAND COMPANY on Seabrook Peninsula and adjoining submerged lands in Clear Creek Channel and Galveston Bay owned by the State, that in this cause the State seeks to recover lands lying below the present water line surrounding the Seabrook Peninsula, and is entitled to recover all submerged land beyond and lying toward Clear Creek Channel and the Galveston Bay from the below described line (seaward of the line below described), but should take nothing with respect to the area lying landward thereof, it is accordingly

ORDERED, ADJUDGED and DECREED that the STATE OF TEXAS recover title and possession of all lands lying seaward (as defined above) from said line, shall take nothing with respect to the area lying landward of said line which is here awarded to Plaintiff SEABROOK LAND COMPANY, and that the following line marks the boundary between lands owned by the State and lands owned by SEABROOK LAND COMPANY in Harris County adjacent to lots, streets and reservation as platted on maps recorded in Vol. 92, pp. 284-8 Deed Records and Vol. 1, p. 50 of Map Records of Harris County, Texas (Seabrook Peninsula):

VOL 1895 PAGE 849

counter 25600



RECEIVED  
JUL 11 1987  
GENERAL LAND OFFICE

THE STATE OF TEXAS, BY AND THROUGH THE ATTORNEY GENERAL,  
PLAINTIFF,  
VERSUS  
SABROOK LAND COMPANY,  
A CORPORATION,  
DEFENDANT.

The above cause came on for trial, Plaintiff Sabrook Land Company and Defendant THE STATE OF TEXAS appeared by their respective counsel and all parties announced ready for trial; whereas on Plaintiff's motion for non-Suit, Plaintiff's motion herein is dismissed from the docket of this Court. The case then proceeded to trial on the State's cross-motion and Sabrook Land Company's motion thereon and the Court heard the evidence and arguments.

If a party fails to appear at a trial, the court may enter a default judgment against that party. In this case, the State failed to appear at the trial on the State's cross-motion and Sabrook Land Company's motion thereon. The court therefore entered a default judgment in favor of Sabrook Land Company. The court also entered a judgment on the State's cross-motion and Sabrook Land Company's motion thereon. The court's judgment is as follows: The court hereby awards to Sabrook Land Company the land described in the petition, together with all accretions and improvements thereon, and the cost of this suit. The court also awards to Sabrook Land Company the land described in the State's cross-motion and Sabrook Land Company's motion thereon, together with all accretions and improvements thereon, and the cost of this suit. The court's judgment is as follows: The court hereby awards to Sabrook Land Company the land described in the petition, together with all accretions and improvements thereon, and the cost of this suit. The court also awards to Sabrook Land Company the land described in the State's cross-motion and Sabrook Land Company's motion thereon, together with all accretions and improvements thereon, and the cost of this suit.

File No. Sketch File 91  
Harris County  
Final Judgment, No. 79-63537; PLAT  
Filed 7-11 19 87  
By GARRY MAURG, Com'r  
Douglas J. Howard  
Pg. 1 of 3



For the beginning, start in the southeast line of Bath Avenue, based on a 50 foot width, located N.40°14'E. 150 feet from its intersection with the southwest line of Sixth Street, based on a 50 foot width, and being located S.49°46'E. 50 feet from the east corner of Lot 7, Block 80 of Seabrook Peninsula; THENCE S.49°46'E. 40 feet to the northerly point of the division line here delineated;

THENCE S.45°25'W. 48.47 feet;

THENCE S.59°11'W. 705 feet;

THENCE S.40°00'W. 90 feet;

THENCE S.38°02'W. 77 feet along a wood bulkhead;

THENCE S.26°19'W. 129.68 feet;

THENCE S.6°00'W. 150 feet;

THENCE S.10°00'E. 165 feet;

THENCE S.26°00'E. 205 feet;

THENCE S.50°20'E. 510.01 feet;

THENCE N.40°14'E. 40 feet;

THENCE S.49°37'E. 390.39 feet;

THENCE S.48°32'E. 306 feet;

THENCE S.31°15'E. 200 feet;

THENCE S.26°00'W. 218 feet;

THENCE S.69°16'26"W. 182.65 feet;

THENCE N.89°15'W. 122 feet;

THENCE N.75°W. 118 feet;

THENCE N.71°34'W. 53.85 feet;

THENCE N.63° 29'25"W. 193.01 feet;

THENCE N. 73°42'W. 1009.39 feet to the PLACE OF TERMINATION in the east line of State Highway No. 146, located S.8° 28'E. 182.23 from the southwesterly line of Block 172 of said Seabrook Peninsula.

Providing that nothing herein shall affect the rights of persons not parties hereto who are owners under deeds or judgments of public record in Harris County, Texas.

Any and all parties not named herein are dismissed, and all relief not herein specifically granted is denied.

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File No. Sketch File 91  
Harris County

Final JUDGMENT, No. 53537, PLAT

Filed 7-11 19 87  
GARRY MAURO, Com'r

By Douglas J. Howard  
Pg. 2 of 3



SIGNED  
DONE and ENTERED this 30<sup>th</sup> day of April, 1980.

W. H. Blanton Jr.  
Judge Presiding

APPROVED:

The State of Texas

Sharon Gillespie  
Sharon Gillespie  
Assistant Attorney General

Seabrook Land Company

Joyce Cox  
Joyce Cox

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File No. Sketch File 91  
Harris County  
Final Judgment No. 79-53537 & PLAT  
Filed 7-11 19 87  
By Douglas J. Howard  
GARRY MAURO, Com'r  
pg. 3 of 3

STATE OF TEXAS  
COUNTY OF HARRIS

I, Ray Hardy, District Clerk of Harris County, Texas, do hereby certify that the foregoing is a true and correct copy of the original record, now in my lawful custody and possession, as appears of record in Vol. 1595 Page 549, Minutes of said court on file in my office.

Witness my official hand and seal of office, this  
JUL 01 1987

RAY HARDY, DISTRICT CLERK  
Harris County, Texas  
By S. Constantino Deputy  
S. CONSTANTINO





General Land Office

Jack Giberson  
Chief Clerk

Garry Mauro  
Commissioner

June 9, 1989

Mr. Henry J. N. Taub  
Seabrook Land Company  
Texan Building, Fourth Floor  
333 West Loop North  
Houston, Texas 77024

Dear Mr. Taub:

In regard to the land on Seabrook Peninsula, we have no record of any easements being issued landward of the boundary line established by the judgment in Seabrook Land Company v. The State of Texas, in the 11th District Court of Harris County, Texas, Cause No. 79-53537, dated April 30, 1980.

The judgment awards to the Seabrook Land Company all land claimed by the state landward of the boundary line. It is the policy and practice of the General Land Office to honor this judgment. Any questions about the ownership of property landward of the boundary set by the judgment will be private matters and do not involve the State of Texas.

Since we do not own the property in question, we have no authority to issue the lease requested by the Seabrook Land Company by letter dated May 29, 1989.

Please call me if we can be of further service.

Sincerely,

Jack Giberson  
Chief Clerk

JG/slr/nde

File No. Sketch File 91  
Harris County  
Seabrook Land Co. vs. St. of Texas Cause No.  
Filed June 13 19 89  
By GARRY MAURO, Com'r  
Douglas Howard



SEABROOK LAND COMPANY

TEXAN BUILDING  
FOURTH FLOOR  
333 WEST LOOP NORTH  
HOUSTON, TEXAS 77024

May 29, 1989

Mr. Garry Mauro,  
Commissioner  
Texas General Land Office  
Stephen F. Austin Building  
1700 North Congress Avenue  
Austin, Texas 78701

Re: Request to Lease State Lands  
Seabrook, Harris County, Texas

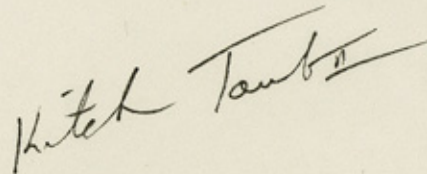
Dear Commissioner Mauro,

The Seabrook Land Company wishes to lease some submerged lands which are believed to be owned by the State of Texas. Enclosed you will find a plat map with the location of the property highlighted in yellow.

At your convenience, I am available to meet with your representative in Austin, or if your representative will forward me the appropriate documentation I will complete it and return to your office. Thank you for your time and consideration in this matter.

All best wishes.

Sincerely,

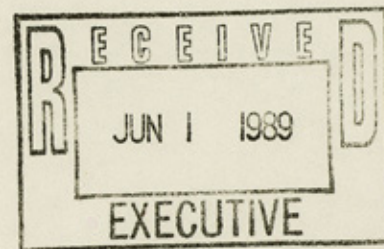


Henry J. N. Taub, II  
Vice President

HJNT,II/md

cc: Mr. Henry J. N. Taub

File No. Sketch File 91 County \_\_\_\_\_  
HARRIS  
Seabrook vs St. of Texas Cause No. 79-53537  
Filed June 13 19 89  
By GARRY MAURO, Com'r  
Douglas Howard



counter 25607



**SEABROOK LAND COMPANY**

TEXAN BUILDING  
FOURTH FLOOR  
333 WEST LOOP NORTH  
HOUSTON, TEXAS 77024

May 24, 1989

156

Ms. Paula Wise  
Physical Scientist  
Department of the Army  
Galveston District, Corps of Engineers  
P. O. Box 1229  
Galveston, Texas 77553-1229

Re: May 23, 1989 meeting Seabrook, Texas  
Formal Complaint

Dear Paula,

It was a pleasure meeting you on Tuesday May 23, 1989. I agree that the only way to resolve the problems which have occurred was an on-site inspection.

The following is the Seabrook Land Company complaint:

1. Mi of Mi's Seafood, who purchased the Emery Waite land which has a small basin in front of it, has built a new pier without a Corp permit. There has **not** been a pier in this location for over two years. Approximately one month ago Mi built a new pier. This was evidenced not only by the new pilings but by the photographs we reviewed which were two years old. The prior landowner chose to remove the pier over two years ago.
2. Two new black/creosote pilings were driven without a Corp Permit.
3. Item No. 2 above was driven on land owned by the Seabrook Land Company, per verification by the survey crew of Robert M. Atkinson, Jr.
4. It is believed that Mi does **not** have a lease with the Texas General Land Office. A lease is necessary because **only** the Seabrook Land Company has title to submerged lands according to the judgment we reviewed on-site. In an effort to assist you I am enclosing photocopies of the file I brought down and reviewed with you on-site. Contained in these photocopies you will find the following:
  - A. June 10, 1987 Corp of Engineers letter in reponse to the Seabrook Land Company May 27, 1987 request to rebuild **our** pier which was mysteriously removed.
  - B. Photostatic copy of a photograph showing that the previous owner of the adjacent property, Emery Waite, removed his pier. At the same time the Seabrook Land Company's pier disappeared. This photograph should be in your files.
  - C. A letter dated June 15, 1987 from the City of Seabrook requesting that the Seabrook Land Company obtain a building permit before the land company rebuilt our pier which was mysteriously removed.
  - D. A letter dated June 17, 1989 from Josh Tillinghast to the Texas General Land Office complete with attachments. This is self-explanatory.
  - E. State of Texas judgment giving Seabrook Land Company title to submerged lands and **not** giving any title to submerged lands to any other party not named in this judgment.

Harris Co. Sketch File No. 91

counter 25608

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SEABROOK LAND COMPANY

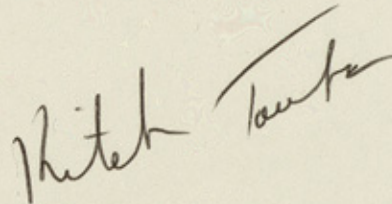
Ms. Paula Wise  
Physical Scientist  
Department of the Army  
Page 2

- F. A letter dated July 27, 1987 from the Texas General Land Office reconfirming the judgment referred to the above item "E".

I apologize for any inconvenience, but I hope this letter and attachments will assist you in understanding the problem. In addition, I will have Robert M. Atkinson, Jr. call you regarding the questions you had on the survey.

All best wishes.

Sincerely,



Henry J. N. Taub, II  
Vice President

HJNT,II/md  
Encl.

cc: Mr. Robert M. Atkinson, Jr.  
Mr. Jack Boettcher, Director Commercial Development - Texas General Land Office  
Mr. Spencer L. Reid, Attorney-At-Law - Texas General Land Office ✓  
Mr. Frank H. Morgan, Deputy Commissioner Land Management - Texas General Land Office

Harris Co. St. File N<sup>o</sup> 91

counter 25609





DEPARTMENT OF THE ARMY  
 GALVESTON DISTRICT, CORPS OF ENGINEERS  
 P.O. BOX 1229  
 GALVESTON, TEXAS 77553-1229

REPLY TO  
 ATTENTION OF:

Compliance & Special  
 Actions Section

JUN 10 1987

+ 2 yrs.

June 1989

Mr. Henry J. N. Taub, II  
 Seabrook Land Company  
 Texan Building  
 Fourth Floor  
 333 West Loop North  
 Houston, Texas 77024

Dear Mr. Taub:

This is in reference to your letter of May 27, 1987 requesting a determination of Department of the Army permit requirements to rebuild a pier on your property located near the intersection of 11th Street and Avenue D in Seabrook, Harris County, Texas.

Based on the information you provided and a review of our permit files it has been determined that the pier may be rebuilt pursuant to 33 C.F.R. 330.5(a)(3), nationwide permit, provided that there is no deviation from the plans of the original structure (minor deviation due to changes in construction techniques or materials are authorized) and that certain other conditions are met.

In order for the nationwide permit identified to be valid, the special conditions as identified in 33 C.F.R. 330.5(b) must be followed. In addition, the management practices identified in 33 C.F.R. 330.6(a) should be followed to the maximum extent practicable (copy enclosed). Failure to comply with these practices may be cause to regulate the activity on an individual or regional basis.

This nationwide permit does not convey any property rights, either in real estate or material, or any exclusive privileges; and it does not authorize any injury to property or invasion of rights or any infringement of federal, state, or local laws or regulations; nor does it obviate the requirement to obtain state or local assent required by law for the activity authorized herein. Further, this nationwide

Harris Co. Sk File N° 91

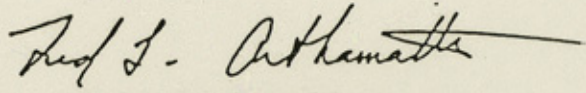
counter 25610



\* \*  
\* \*  
permit does not authorize interference with any existing or proposed federal project. This verification that the activity complies with the terms and conditions of the nationwide permit identified above is valid for a period of two years from the date of this letter.

If you have any questions, please contact Kevin Morgan at the letterhead address or by calling (409) 766-3947.

Sincerely,

  
Fred L. Anthamatten  
Chief, Compliance and Special  
Actions Section

Enclosure

Copies furnished:

Mr. Josh Tillinghast  
Tillinghast-Randall Architects  
1006 South Shore Drive  
Clear Lake Shores, Texas 77656

Mr. Andy Straub  
City of Seabrook  
P.O. Box 539  
Seabrook, Texas 77586

Harris co. Sk. File N<sup>o</sup> 91

counter 25611



33 C.F.R. 330.5(b) Conditions

a. That any discharge of dredged or fill material will not occur in the proximity of a public water supply intake.

b. That any discharge of dredged or fill material will not occur in areas of concentrated shellfish production unless the discharge is directly related to a shellfish harvesting activity.

c. That the activity will not jeopardize a threatened or endangered species as identified under the Endangered Species Act, or destroy or adversely modify the critical habitat of such species.

d. That the activity will not significantly disrupt the movement of those species of aquatic life indigenous to the water body (unless the primary purpose of the fill is to impound water).

e. That any discharge of dredged or fill material will consist of suitable material free from toxic pollutants in toxic amounts.

f. That any structure or fill authorized shall be properly maintained.

g. That the activity will not occur in a component of the National Wild and Scenic River System; nor in a river officially designated by Congress as a "study river" for possible inclusion in the system, while the river is in an official study status.

h. That the activity will not cause an unacceptable interference with navigation.

i. That, if the activity may adversely affect historic properties which the National Park Service has listed on, or determined eligible for listing on, the National Register of Historic Places, the permittee will notify the district engineer. If the district engineer determines that such historic properties may be adversely affected, he will provide the Advisory Council on Historic Preservation an opportunity to comment on the effects on such historic properties or he will consider modification, suspension, or revocation of the nationwide permit. Furthermore, that, if the permittee before or during prosecution of the work authorized, encounters a historic property that has not been listed or determined eligible for listing on the National Register, but which may be eligible for listing in the National Register, he shall immediately notify the district engineer.

(See page 2)

Harris Co. Sk. File N<sup>o</sup> 91

Counter 25612

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j. That the construction or operation of the activity will not impair reserved tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.

k. That the activity will comply with regional conditions which may have been added by the division engineer.

l. That the management practices listed below under 33 C.F.R. 330.6(a) shall be followed to the maximum extent practicable.

33 C.F.R. 330.6(a) Management Practices

a. Discharges of dredged or fill material into waters of the United States shall be avoided or minimized through the use of other practical alternatives.

b. Discharges in spawning areas during spawning seasons shall be avoided.

c. Discharges shall not restrict or impede the movement of aquatic species indigenous to the waters or the passage of normal or expected high flows or cause the relocation of the water (unless the primary purpose of the fill is to impound waters).

d. If the discharge creates an impoundment of water, adverse impacts on the aquatic system caused by the accelerated passage of water and/or the restriction of its flow shall be minimized.

e. Discharge in wetlands areas shall be avoided.

f. Heavy equipment working in wetlands shall be placed on mats.

g. Discharges into breeding areas for migratory waterfowl shall be avoided.

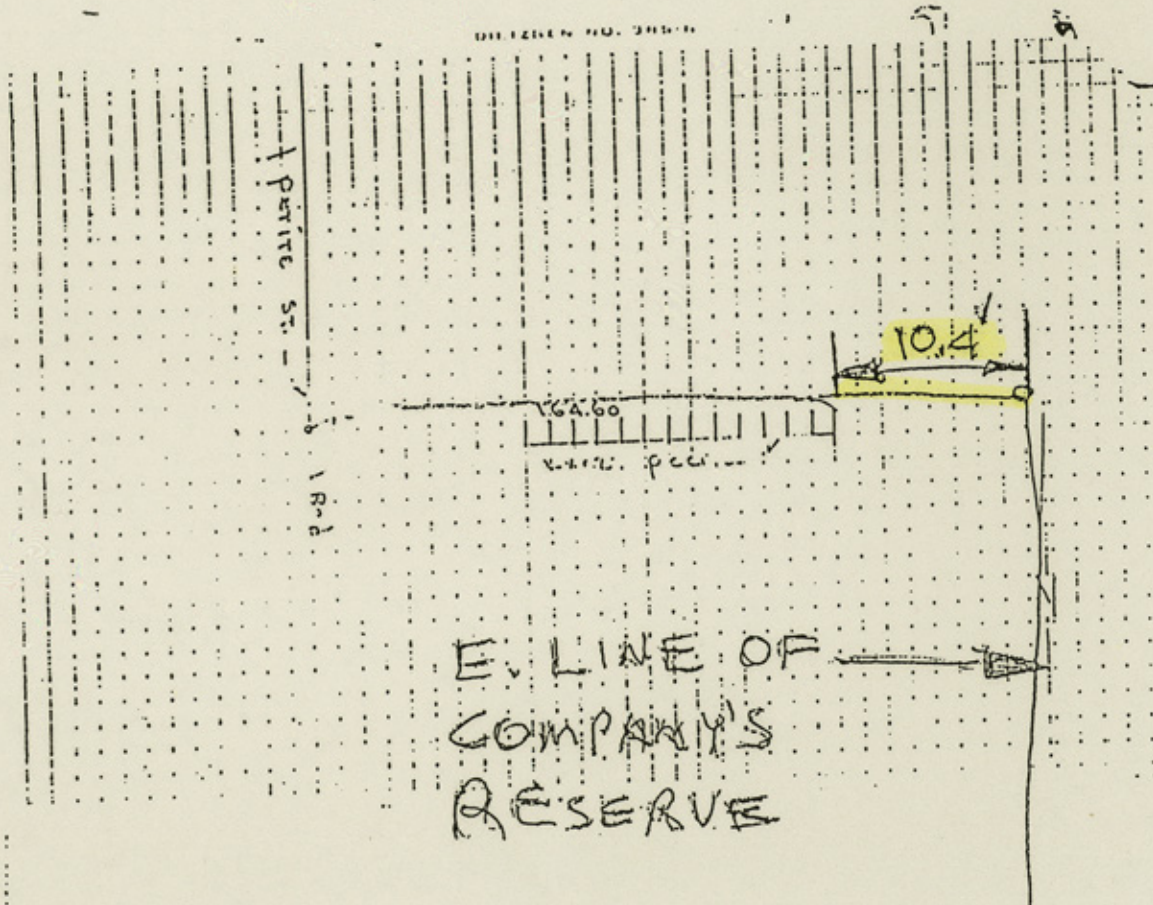
h. All temporary fills shall be removed in their entirety.

*2 Harris Co. Sk. File N<sup>o</sup> 91*

*counted 25613*



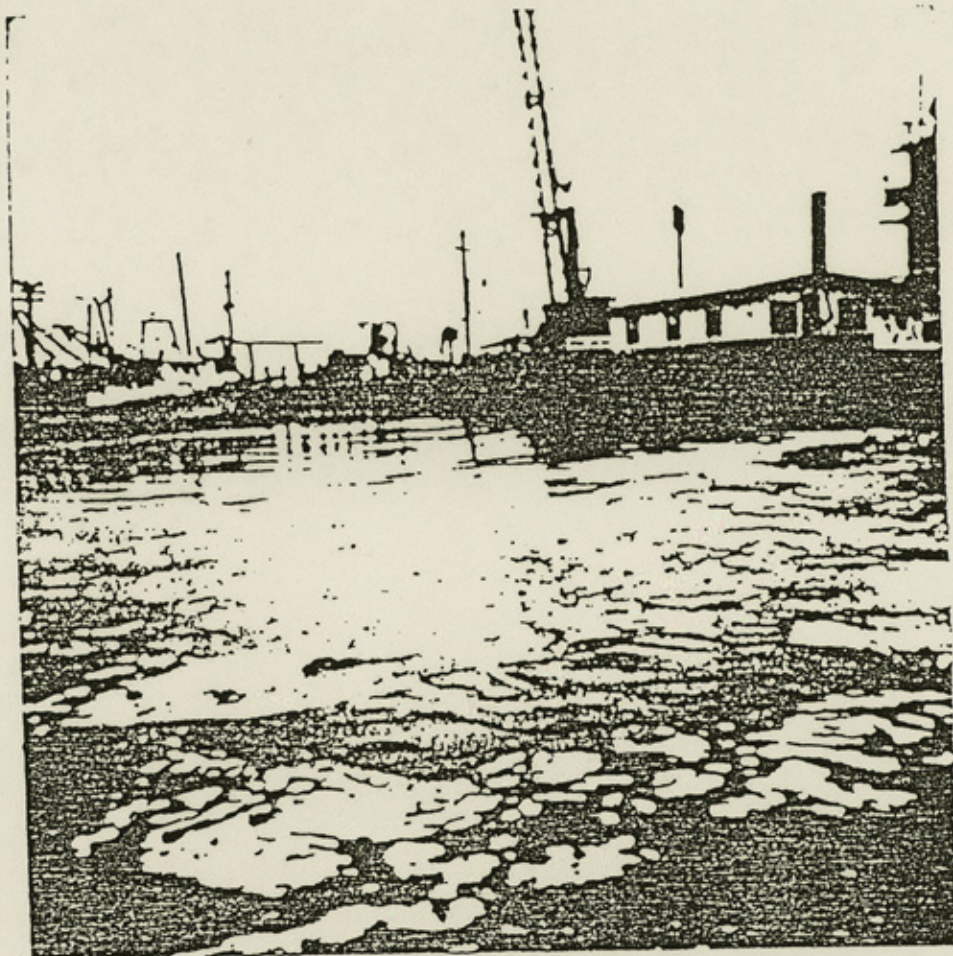
Add only 10' !!



Harris Co. Sk. File 91

Counter 25614





All Piers are gone

Harris Co. Sk. File No 91

counter 25615



# City of Seabrook

## Texas



P.O. BOX 539  
SEABROOK, TEXAS 77586  
PHONE 474-4342

BUILDING DEPARTMENT

June 15, 1987

Mr. Henry J. N. Taub II  
Seabrook Land Company  
Texan Building  
Fourth Floor  
333 West Loop North  
Houston, TX 77024

Dear Mr. Taub:

Enclosed is a copy of the letter from the Corps of Engineers which states that they will issue you a nationwide permit to rebuild a pier at Eleventh Street and Avenue D (Petite).

This letter is to advise you that it will be necessary for you to obtain a building permit from the city prior to rebuilding the pier.

Sincerely,

*Andy*  
Andy Straub  
Enforcement Officer

AS/mg



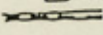
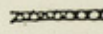
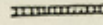
Harris Co. Sk. File N<sup>o</sup> 91

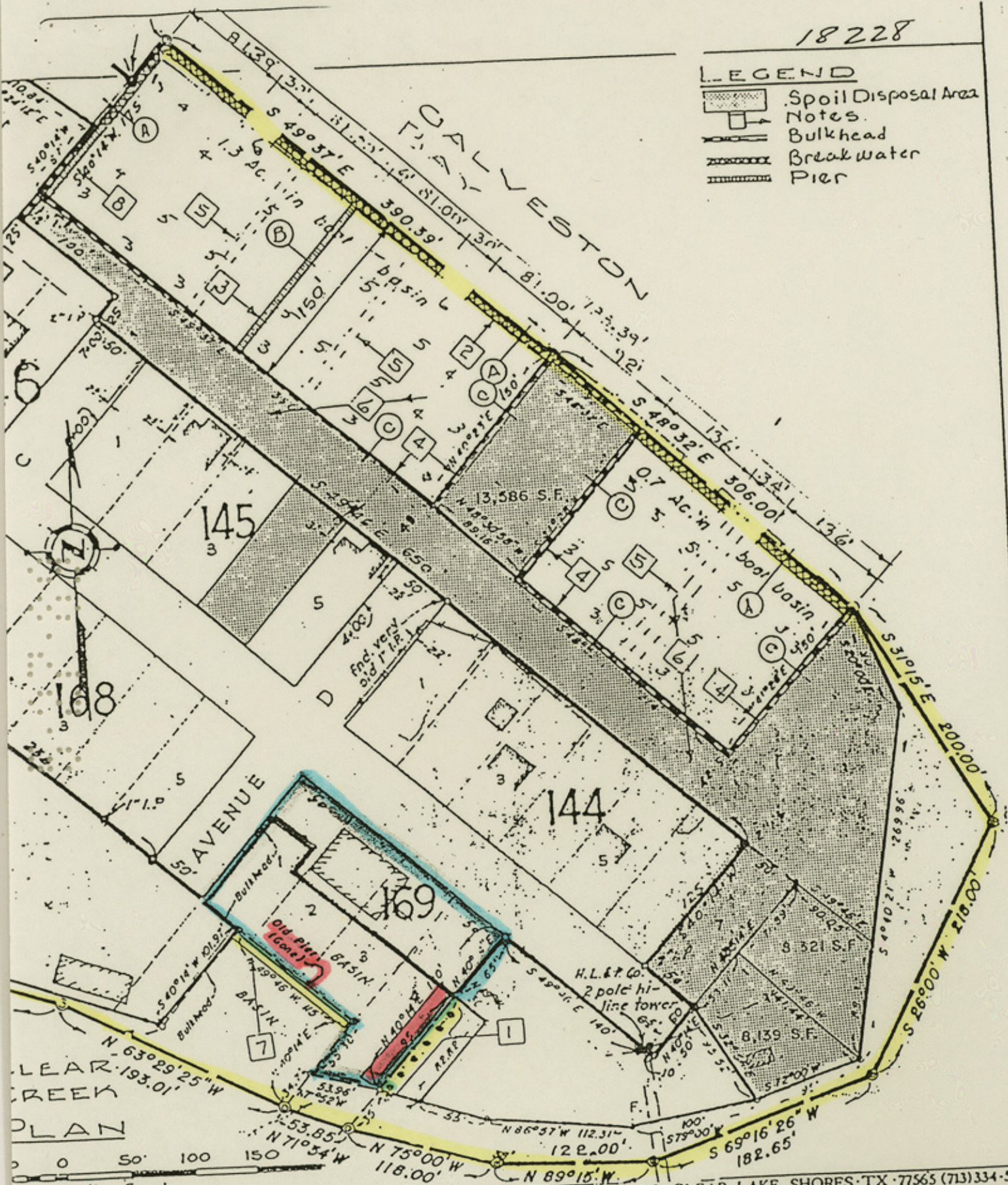
counter 25616



18228

LEGEND

-  Spoil Disposal Area
-  Notes
-  Bulkhead
-  Breakwater
-  Pier



Scale in feet

WILLINGHAST-RANDALL ARCHITECTS INC. A.I.A. 1006 SOUTH SHORE DR CLEAR LAKE SHORES TX 77565 (713)334-5535



REVISION

Harris Co. Sub File No 91

PROPOSED WATERFRONT  
IMPROVEMENTS FOR  
SEABROOK LAND CO.  
CITY OF SEABROOK  
HARRIS COUNTY, TEXAS

FILE NO.	870512-013
DATE	29 July '87
SHEET	3
OF	5

Counter 25617

15



# TILLINGHAST-RANDALL ARCHITECTS, INC.

1006 SOUTH SHORE DRIVE, CLEAR LAKE SHORES, TEXAS 77565

(713) 334-5535

JOSH TILLINGHAST, A.I.A.

ROBERT A. RANDALL, A.I.A.

17 June 1987

Ann Harrington  
Texas General Land Office  
105 San Jacinto  
LaPorte, Texas 77571

Dear Mrs. Harrington: Re: Seabrook Land Co., Seabrook, Texas

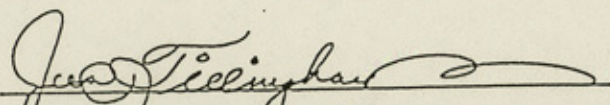
Enclosed are copies of parts of a survey made in 1981, then parts of the same survey after revisions on May 11, 1987.

1. The older copy, along with a letter about bulkhead work, was made on April 18, 1985 and shows the existing pier under discussion, highlighted in yellow.
2. The newer copy was made after the pier was removed. The tract where it was is outlined in yellow. Note the heavy line at the creek side.
3. The next copy is a note on the survey giving the origin of the heavy line which was a court settlement.
4. The last copy is of the title block showing the:
  - a. surveyor
  - b. date of original survey (May 26, 1981)
  - c. revision dated May 11, 1987

A copy of the survey can be seen at the architect's office.

I hope this will clear up the ownership of the tract. Seabrook Land Co. is anxious to replace the pier for the tenant's use.

Sincerely,

  
Josh Tillinghast, Architect

JT/lb  
Encls.

cc: James Flanagan, Marine, Inc.  
Henry Taub, II, Seabrook Land Co. ✓

Harris Co. Sk. File No 91

counter 25618



(2)



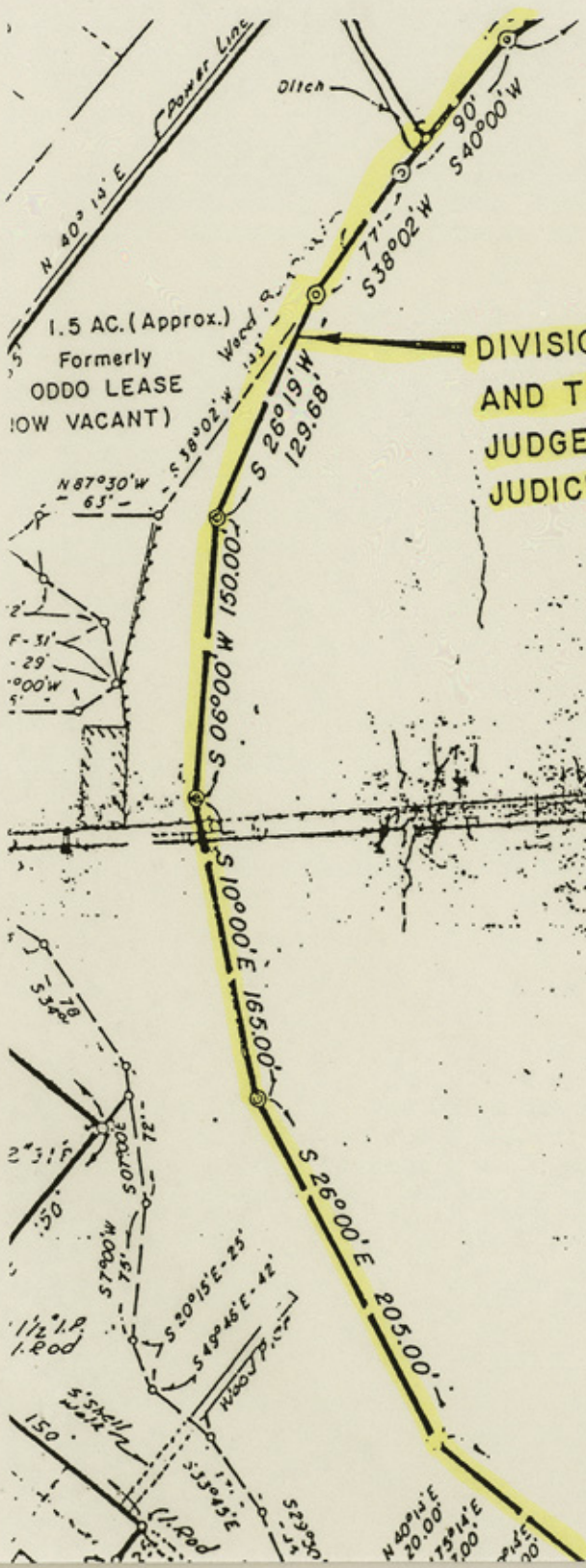
THIS TRACT  
IS NOT OWNED  
BY SEABROOK  
LAND CO.

Harris Co. Sk File No 91



(3)

County 25620



**DIVISION LINE BETWEEN SEABROOK LAND COMPANY  
AND THE STATE OF TEXAS, RENDERED IN THE FINAL  
JUDGEMENT OF THE DISTRICT COURT OF TEXAS 11 TH  
JUDICIAL DISTRICT, CAUSE NO. 79-53537.**

J E N N

Harris Co. Sk. File No. 91  
50



④

County 25621

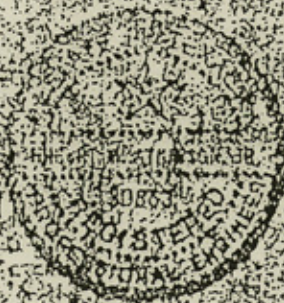
REVISED 5-11-87 TO SHOW BASIN IMPROVEMENTS IN BLOCK 169

ROBT. M. ATKINSON & ASSOCIATES, INC.  
CIVIL ENGINEERS

PLAT OF

SEABROOK LAND COMPANY  
RESERVE

IN THE  
RITSON MORRIS SURVEY  
HARRIS COUNTY, TEXAS



SCALE: 1" = 100'

DATE: MAY 26, 1981

REGISTERED PROFESSIONAL ENGINEER

FILE NO. 510

Harris co. Sk. File N<sup>o</sup> 91

61



SEABROOK LAND COMPANY, A CORPORATION	§	IN THE DISTRICT COURT OF
	§	
VS.	§	HARRIS COUNTY, TEXAS
	§	
THE STATE OF TEXAS, ET AL.	§	11TH JUDICIAL DISTRICT

FINAL JUDGMENT

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VOL 1895 PAGE 849



For the beginning, start in the southeast line of Bath Avenue, based on a 50 foot width, located N.40°14'E. 150 feet from its intersection with the northwest line of Sixth Street, based on a 50 foot width, and being located S.49°46'E. 50 feet from the east corner of Lot 7, Block 80 of Seabrook Peninsula; THENCE S.49°46'E. 40 feet to the northerly point of the division line here delineated;

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THENCE S.59°11'W. 705 feet;

THENCE S.40°00'W. 90 feet;

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THENCE S.26°19'W. 129.68 feet;

THENCE S.6°00'W. 150 feet;

THENCE S.10°00'E. 165 feet;

THENCE S.26°00'E. 205 feet;

THENCE S.50°20'E. 510.01 feet;

THENCE N.40°14'E. 40 feet;

THENCE S.49°37'E. 390.39 feet;

THENCE S.48°32'E. 306 feet;

THENCE S.31°15'E. 200 feet;

THENCE S.26°00'W. 218 feet;

THENCE S.69°16'26"W. 182.65 feet;

THENCE N.89°15'W. 122 feet;

THENCE N.75°W. 118 feet;

THENCE N.71°34'W. 53.85 feet;

THENCE N.63° 29'25"W. 193.01 feet;

THENCE N. 73°42'W. 1009.39 feet to the PLACE OF TERMINATION in the east line of State Highway No. 146, located S.8° 28'E. 182.23 from the southwesterly line of Block 172 of said Seabrook Peninsula.

Providing that nothing herein shall affect the rights of persons not parties hereto who are owners under deeds or judgments of public record in Harris County, Texas.

Any and all parties not named herein are dismissed, and all relief not herein specifically granted is denied.

Harris Co. St. File No 91



STAMP  
DONE and ENTERED this 30<sup>th</sup> day of April, 1980.

M. B. Blanton Jr.  
Judge Presiding

APPROVED:

The State of Texas

Sharon Gillespie  
Sharon Gillespie  
Assistant Attorney General

Seabrook Land Company

Joyce Cox  
Joyce Cox

Vol 1895 Page 851

Harris Co. Sk. File No 91





STATE OF TEXAS  
COUNTY OF HARRIS

I, Ray Hardy, District Clerk of Harris County, Texas, do hereby certify that the foregoing is a true and correct copy of the original record, now in my lawful custody and possession, as appears of record in Vol. 1521, Page 849, Minutes of said court on file in my office.

Witness my official hand and seal of office, this  
JUL 01 1987

RAY HARDY, DISTRICT CLERK  
Harris County, Texas  
By S. Constantino Deputy  
S. CONSTANTINO

*Harris co. Sk. File No 91*

*Counter 25625*



Garry Mauro  
Commissioner  
General Land Office



July 29, 1987

Mr. Henry J. N. Taub, II  
Seabrook Land Company  
Texan Building  
Fourth Floor  
333 West Loop North  
Houston, Texas 77024

Dear Mr. Taub:

The General Land Office has reviewed the Corps of Engineers Public Notice No. 13316. We have determined, based on the supporting evidence provided by Tillinghast - Randell Architects, Inc., i.e. Harris County District Court decision Seabrook Land Company vs. The State of Texas, ET AL, No. 79-53537 that the subject project will be conducted on privately owned land and therefore the state has no jurisdiction.

Sincerely,

A handwritten signature in cursive script that reads "Herman H. Forbes". The signature is written in dark ink and is positioned above the typed name and title.

Herman H. Forbes  
Director of Survey Division

HF/rc

*Harris Co. Sk. File No 91*

Stephen F. Austin Building  
1700 North Congress Avenue  
Austin, Texas 78701  
(512) 463-5256

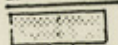
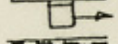
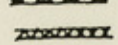
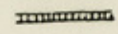

*counter 25624*

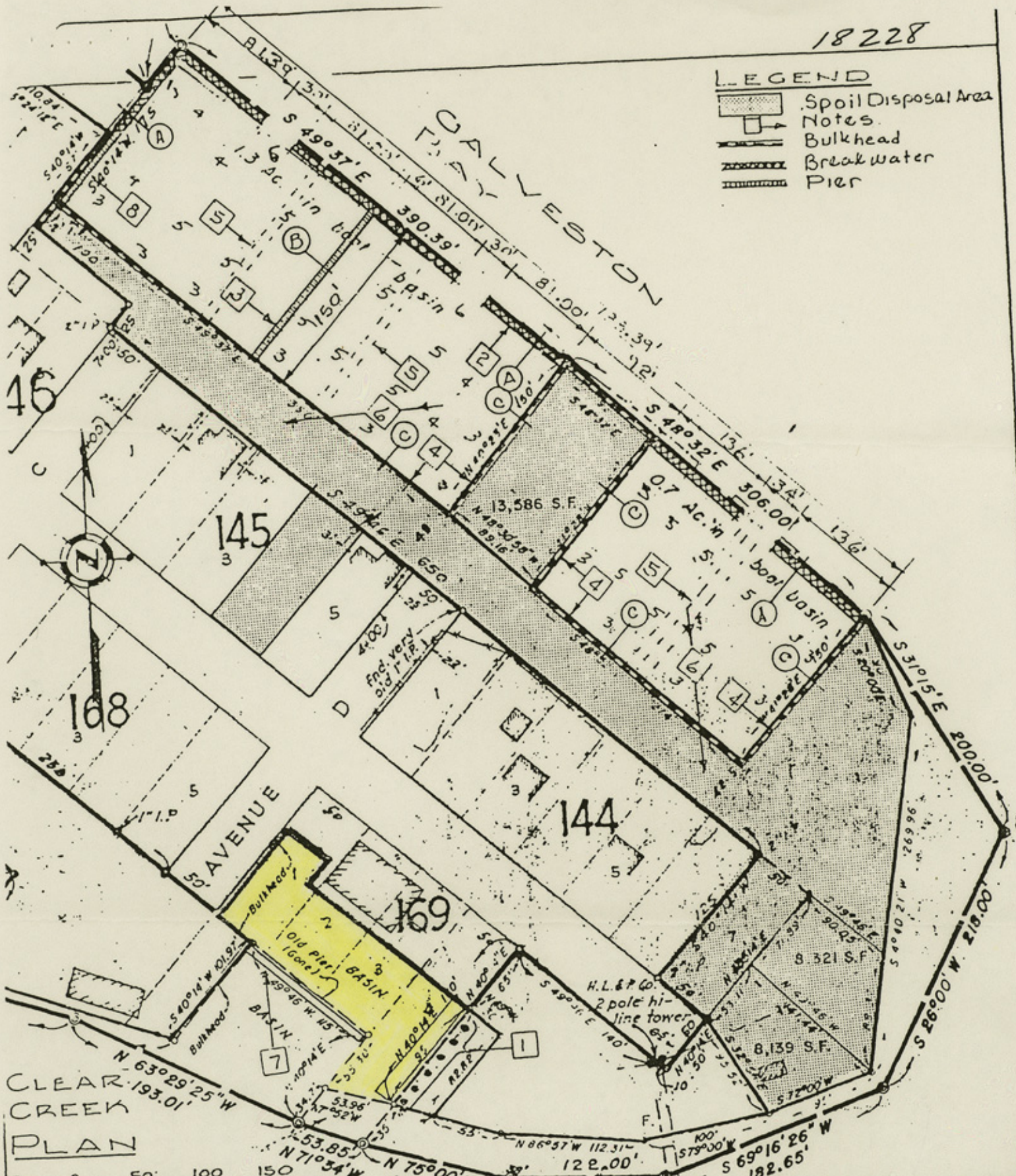
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18228

LEGEND

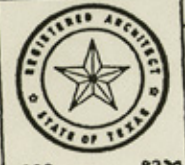
-  Spoil Disposal Area
-  Notes
-  Bulkhead
-  Breakwater
-  Pier



CLEAR CREEK PLAN

Scale in feet  
0 50 100 150

TILLINGHAST-RANDALL ARCHITECTS INC. A.I.A. 1006 SOUTH SHORE DR CLEAR LAKE SHORES TX 77565 (713) 334-5535



REVISION

Harris Co. Sk File No 91

PROPOSED WATERFRONT IMPROVEMENTS FOR SEABROOK LAND CO. CITY OF SEABROOK HARRIS COUNTY, TEXAS

FILE NO.	870512-013
DATE	29 July '87
SHEET	3
OF	5

Counter 25627

25



SEABROOK LAND COMPANY

TEXAN BUILDING  
FOURTH FLOOR  
333 WEST LOOP NORTH  
HOUSTON, TEXAS 77024

June 6, 1989

Ms. Paula Wise  
Physical Scientist  
Department of the Army  
Galveston District, Corps of Engineers  
P. O. Box 1229  
Galveston, Texas 77553-1229

Re: Formal Complaint  
Follow Up Status  
Conversation of June 6, 1989

Dear Paula,

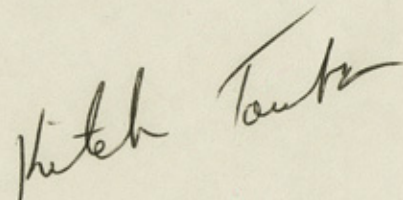
It was good to speak with you this morning. I am placing into writing our conversation. Bob Atkinson phoned Mr. Ted Grandier, (Paula, I am not certain of the spelling of this gentleman's name), Registered Surveyor. Mr. Grandier (?) told Bob Atkinson that he did not survey the upland property, that "My" purchased from Emery Waite. Mr. Grandier (?) stated he only measured distances by tape. He was instructed not to survey the upland property by "My" because it was too expensive. Mr. Grandier (?) stated that if he was to do a survey he would use the Seabrook Land Company's "corners" and "boundary markers". These "corners" and "boundary markers" have been upheld as accurate by the Texas Supreme Court. Refer to Judgment #79-53537. Bob Atkinson is to meet with Mr. Grandier (?) on Tuesday, June 13, 1989. At this meeting Bob Atkinson and Ted Grandier (?) will agree in writing to the facts referenced above.

"My's" attorney stated, on the pier during our on-site meeting of May 23, 1989, that "My" had a lease with the Texas General Land Office. He made this statement in front of you, the Seabrook Land Company tenants, my assistant, and me. "My's" attorney made this statement after I remarked that I was not sure who had title to the basin, where the new unpermitted pier in question is located. I further made the statement that I believed that "My" did not own this basin but the Texas General Land Office would probably know. In an effort to assist you, I am going to take the steps necessary to obtain a title report on the entire basin. We have heard "My's" position, and now the Seabrook Land Company will place into writing its position backed up by the facts. I would like to point out that the Seabrook Land Company always provides written evidence to back its position. "My" has only taken a verbal position. I have not seen any written documents, i.e. Texas General Land Office Lease, to support her position. I am happy to be able to provide this, per our discussion, because once you have **all** the written facts then you will be able to make an informed decision.

I appreciate all of your efforts in this matter. You are handling this matter in a very prudent and efficient manner.

All best wishes.

Sincerely,



Henry J. N. Taub, II  
Vice President

HJNT,II/md

Harris Co. Sk. File No 91

Counter 25628

26



Page 2 of 2

June 6, 1989

Ms. Paula Wise  
Physical Scientist  
Department of the Army  
Galveston District, Corps of Engineers

cc: Mr. Robert M. Atkinson, Jr.  
Mr. Garry Mauro, Commissioner - Texas General Land Office  
Mr. Jack Giberson, Chief Clerk - Texas General Land Office  
Mr. Jack Boettcher, Director Commercial Development - Texas General Land Office  
Mr. Spencer L. Reid, Attorney-At-Law - Texas General Land Office ✓  
Mr. Frank H. Morgan, Deputy Commissioner Land Management - Texas General Land Office

*Harris Co. Sk File No 91*

*counter 25629*

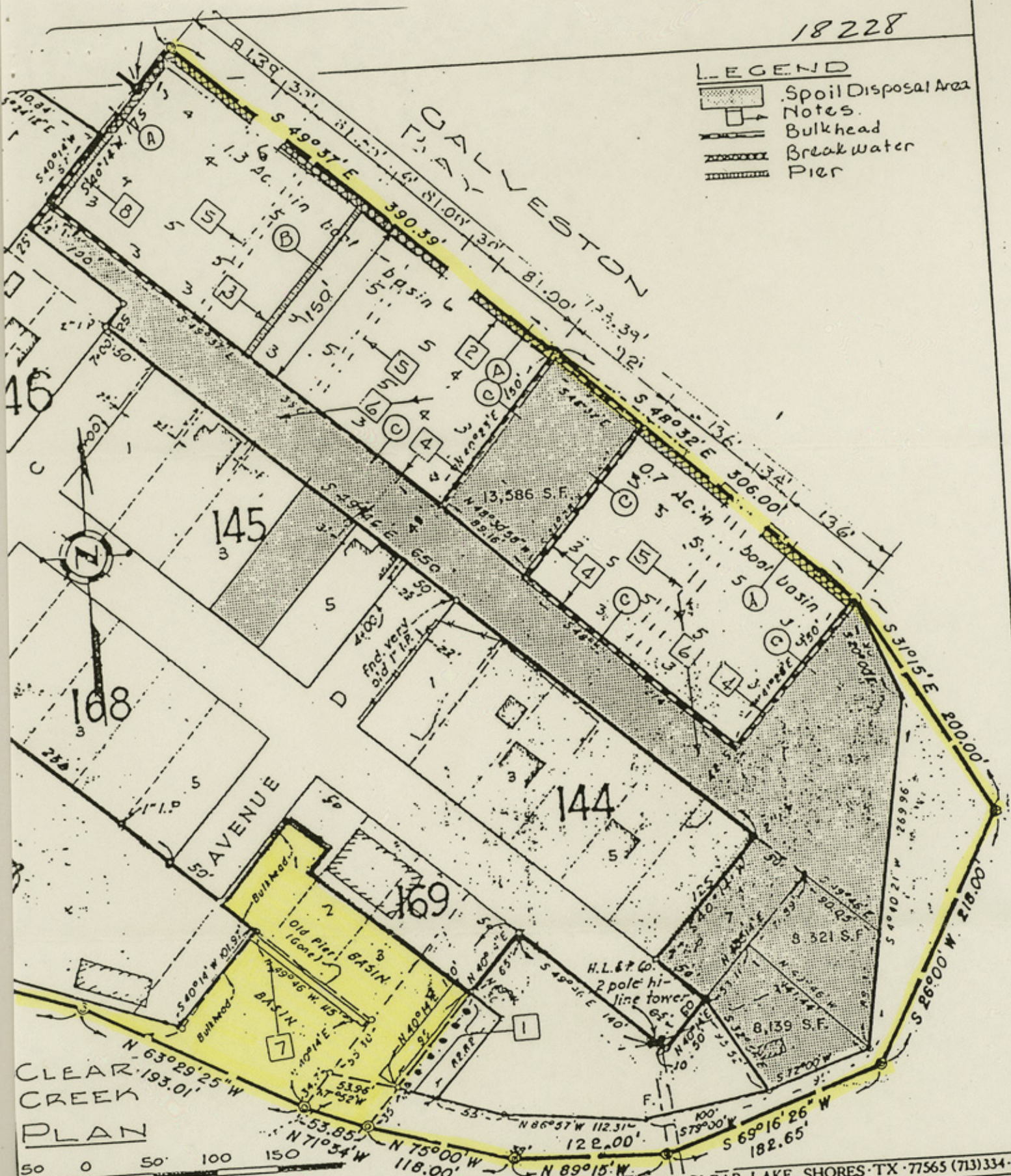
*27*



18228

LEGEND

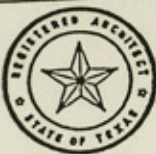
- Spoil Disposal Area
- Notes
- Bulkhead
- Breakwater
- Pier



Scale in feet  
 TILLINGHAST-RANDALL ARCHITECTS INC. A.I.A. 1006 SOUTH SHORE DR CLEAR LAKE SHORES TX 77565 (713)334-5535

PROPOSED WATERFRONT IMPROVEMENTS FOR SEABROOK LAND CO. CITY OF SEABROOK HARRIS COUNTY, TEXAS

FILE NO.	870512-013
DATE	29 July '87
SHEET	3
OF	5



REVISION

Harris Co. Sk. File No 91

counter 25630

28



SEABROOK LAND COMPANY

TEXAN BUILDING  
FOURTH FLOOR  
333 WEST LOOP NORTH  
HOUSTON, TEXAS 77024

June 6, 1989

Ms. Paula Wise  
Physical Scientist  
Department of the Army  
Galveston District, Corps of Engineers  
P. O. Box 1229  
Galveston, Texas 77553-1229

Re: Formal Complaint  
Follow Up Status  
Conversation of June 6, 1989

Dear Paula,

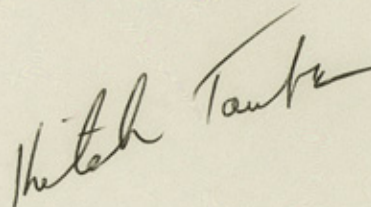
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I appreciate all of your efforts in this matter. You are handling this matter in a very prudent and efficient manner.

All best wishes.

Sincerely,



Henry J. N. Taub, II  
Vice President

HJNT,II/md *Harris Co. Sk. File No 91*

*counter 25631*



Page 2 of 2

June 6, 1989

Ms. Paula Wise  
Physical Scientist  
Department of the Army  
Galveston District, Corps of Engineers

cc: Mr. Robert M. Atkinson, Jr.  
Mr. Garry Mauro, Commissioner - Texas General Land Office  
Mr. Jack Giberson, Chief Clerk - Texas General Land Office ✓  
Mr. Jack Boettcher, Director Commercial Development - Texas General Land Office  
Mr. Spencer L. Reid, Attorney-At-Law - Texas General Land Office  
Mr. Frank H. Morgan, Deputy Commissioner Land Management - Texas General Land Office

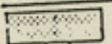
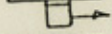
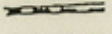
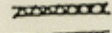
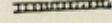
*Harris Co. Sk. File N<sup>o</sup> 91*

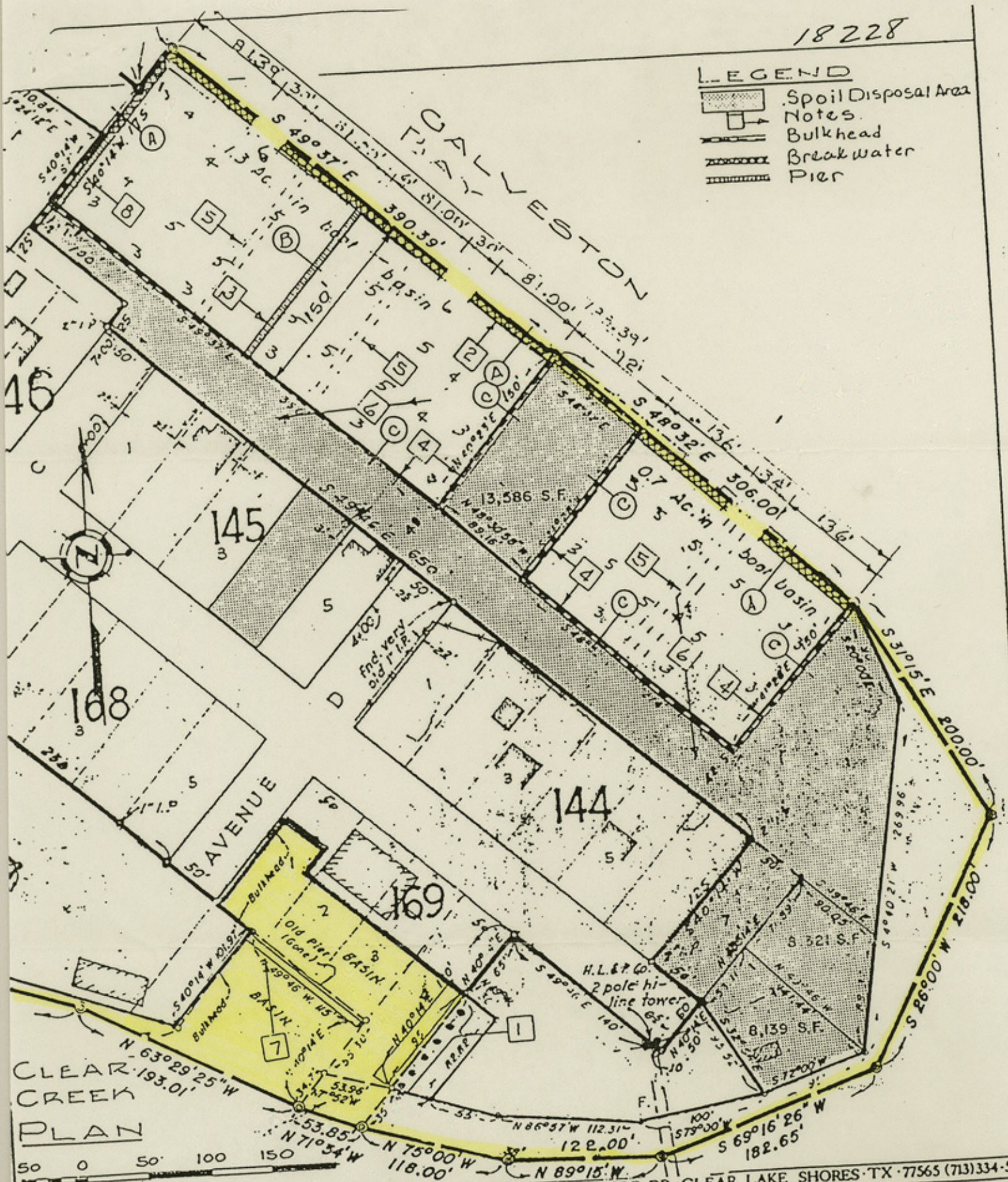
*counter 25632*

*30*



18228

- LEGEND**
-  Spoil Disposal Area
  -  Notes
  -  Bulkhead
  -  Breakwater
  -  Pier



Scale in feet  
 TILLINGHAST-RANDALL ARCHITECTS INC. A.I.A. 1006 SOUTH SHORE DR CLEAR LAKE SHORES TX 77565 (713)334-5535

REGISTERED ARCHITECT  
 STATE OF TEXAS

1220 8330

REVISION

Harris Co. Sk. File No 91

PROPOSED WATERFRONT  
 IMPROVEMENTS FOR  
 SEABROOK LAND CO.  
 CITY OF SEABROOK  
 HARRIS COUNTY, TEXAS

FILE NO.	870512-013
DATE	29 July '87
SHEET	3
OF	5

counter 25633





x=3,255,628.50  
y=650,457.90

Seabrook Judgement

760 Ac.  
x=3,270  
y=645,000

Harris Co. Sketch File #1  
Leased until  
4-01-83  
djh 8-20-87  
3,265,970 BRG:  
644,980 N: 10°W  
GRID

490-Ac.

File WITH HARRIS Co. SK. FILE 91

counter 25634

32



GENERAL LAND OFFICE

GARRY MAURO  
COMMISSIONER

MEMORANDUM

---

DATE: October 5, 1987

TO: Harris County Sketch File 91

FROM: Herman Forbes, Director, Surveying Division *7/7*

SUBJECT: FINAL JUDGMENT, SEABROOK LAND COMPANY VS. STATE  
OF TEXAS, ET AL, CAUSE NO. 79-53537

Persuant to an executive decision made by this office, this judgment will be recognized as including all land and land owners lying landward of the boundary line established by said judgment. The State takes nothing lying landward of this line.

cc: Rosendo Molina  
LaNell Aston  
Bruce Smith



Garry Mauro  
Commissioner  
General Land Office

*LaNell*



October 7, 1987

Department of the Army  
Galveston District, Corps of Engineers  
P. O. Box 1229  
Galveston, Texas 77553-1229

Attn: Mr. Fred L. Anthamatten  
Chief, Compliance and Special Actions Section

Re: Seabrook Slough, Harris County, Texas

Dear Mr. Anthamatten,

In reply to your letter of September 21, 1987, this is to advise that the Seabrook Slough in Harris County, Texas, as indicated on the enclosed map, is located within a survey Titled by the Mexican Government to Rinson Morris on November 14, 1832.

According to the information in this office, the slough was originally a freshwater lake before the channel was built along S. H. 146 making it now salt water; therefore, ~~the State makes no claim to Seabrook Slough unless further evidence is filed in this office proving otherwise.~~

The southern portion of the slough is within the bounds of the area affected by the judgment styled Seabrook Land Company, a Corporation vs. The State of Texas, et al, Cause No. 79-53537, a copy of which is enclosed along with the map filed with said judgment.

This judgment decrees that the State "shall take nothing with respect to the area lying landward of said line".

If you have any further questions, please do not hesitate to call.

Sincerely,

*Herman Forbes*  
Herman Forbes  
Director of Surveying

Enclosures

cc: Ron Brinkley  
HF/la  
Stephen F. Austin Building  
1700 North Congress Avenue  
Austin, Texas 78701  
(512) 463-5256

counter 25634



HUSTIN

US/KCS

APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT

(33 CFR 325)

OMB APPROVAL NO. 0702-0036  
Expires 30 June 1986

The Department of the Army permit program is authorized by Section 10 of the River and Harbor Act of 1899, Section 404 of the Clean Water Act and Section 103 of the Marine, Protection, Research and Sanctuaries Act. These laws require permits authorizing activities in or affecting navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters. Information provided on this form will be used in evaluating the application for a permit. Information in this application is made a matter of public record through issuance of a public notice. Disclosure of the information requested is voluntary; however, the data requested are necessary in order to communicate with the applicant and to evaluate the permit application. If necessary information is not provided, the permit application cannot be processed nor can a permit be issued.

One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned.

APPLICATION NUMBER (To be assigned by Corps)

17409 (01)

03 NOV 1987

3. NAME, ADDRESS, AND TITLE OF AUTHORIZED AGENT

NAME AND ADDRESS OF APPLICANT

KHANH DUY NGUYEN  
P. O. Box 243  
SEABROOK, TX. 77586

Telephone no. during business hours

A/C (713) 474 - 2516 (Residence)  
A/C (713) 474 - 2516 (Office)

Telephone no. during business hours

A/C ( ) \_\_\_\_\_ (Residence)  
A/C ( ) \_\_\_\_\_ (Office)

Statement of Authorization: I hereby designate and authorize \_\_\_\_\_

\_\_\_\_\_ to act in my behalf as my agent in the processing of this permit application and to furnish, upon request, supplemental information in support of the application.

SIGNATURE OF APPLICANT

*Khanh*

DATE

11/2/87

DETAILED DESCRIPTION OF PROPOSED ACTIVITY

a. ACTIVITY

I permit to construct a breakwater, perform maintenance dredging in Clear Creek channel, North Fork.

b. PURPOSE

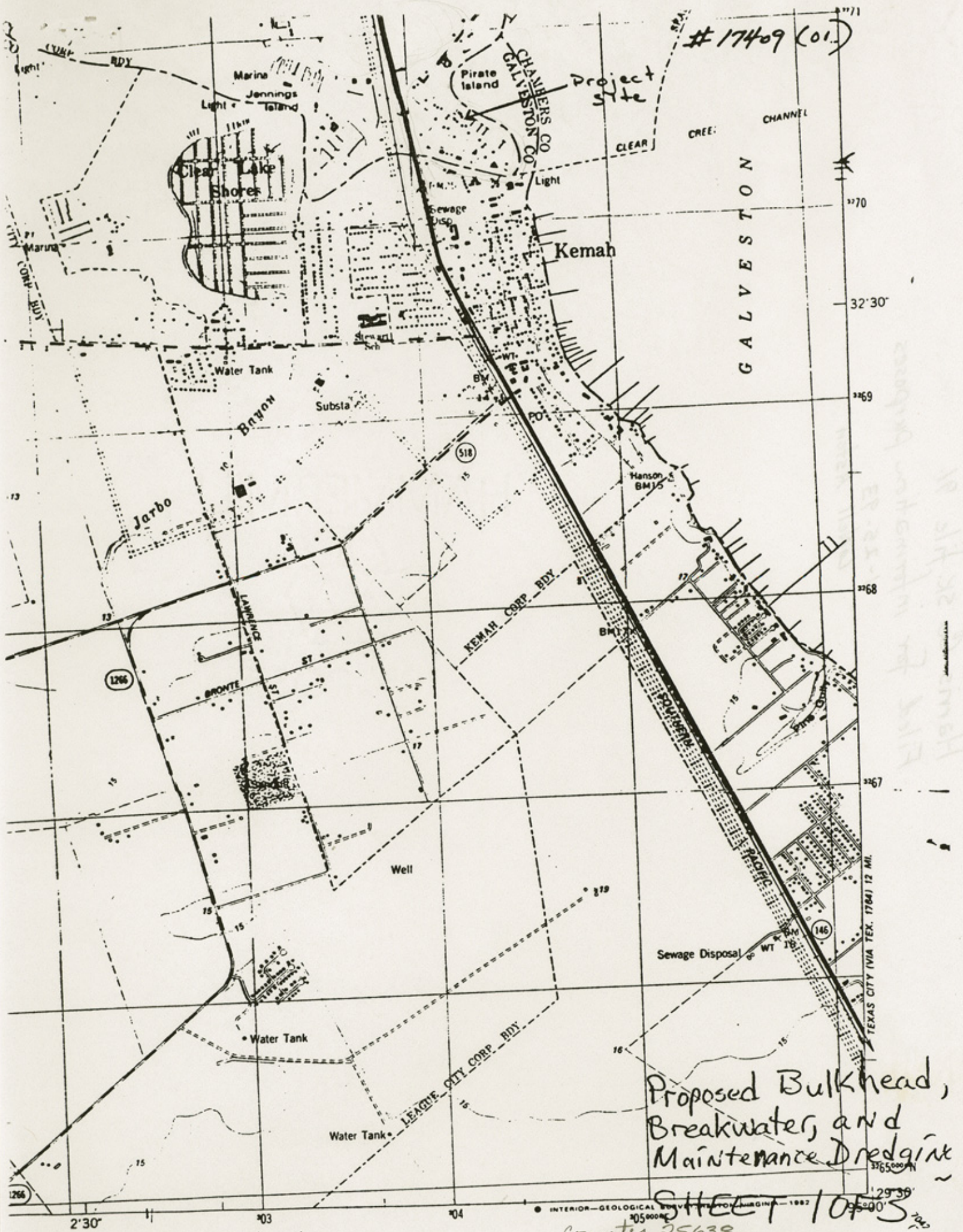
To expand the fish house

c. DISCHARGE OF DREDGED OR FILL MATERIAL

Discharged material will be put along bulkhead and on my lots and to trucked away.

Counter 25637





#17409 (01.)

Project Site

Proposed Bulkhead,  
Breakwater, and  
Maintenance Dredging

SHEET 1 of 5

Counter 25638

This map is for informational purposes only. It is not to be used for any other purpose.

INTERIOR-GEOLOGICAL SURVEY, WASHINGTON, D.C. 20508

TEXAS CITY (VIA TEX. 1764) 12 MI.





DIVISION LINE BETWEEN SEABROOK LAND COMPANY  
AND THE STATE OF TEXAS, RENDERED IN THE FINAL  
JUDGEMENT OF THE DISTRICT COURT OF TEXAS 11TH  
JUDICIAL DISTRICT, CAUSE NO. 79-53587.

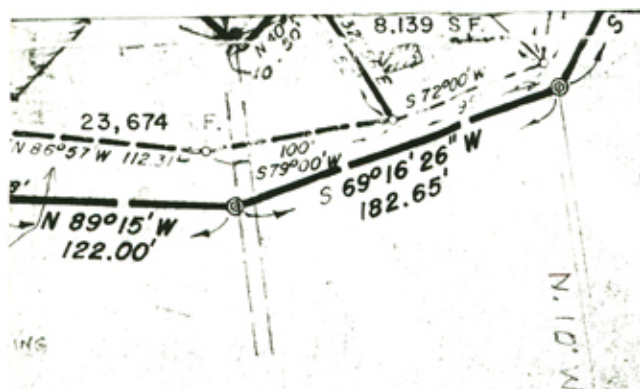
J E N N I N G S  
I S L A N D

LEGEND:  
L.M.L. LOUIS MUECKE LEASE  
D.F.L. DONALD FOREMAN LEASE  
E.W.L. EMERY WAITE LEASE

County 25639

G A L V E S T O N





REVISED 5-11-87 TO SHOW BASIN IMPROVMENTS IN BLOCK 169

ROBT. M. ATKINSON & ASSOCIATES, INC.  
CIVIL ENGINEERS

PLAT OF  
**SEABROOK LAND COMPANY  
RESERVE**

IN THE  
**RITSON MORRIS SURVEY  
HARRIS COUNTY, TEXAS**

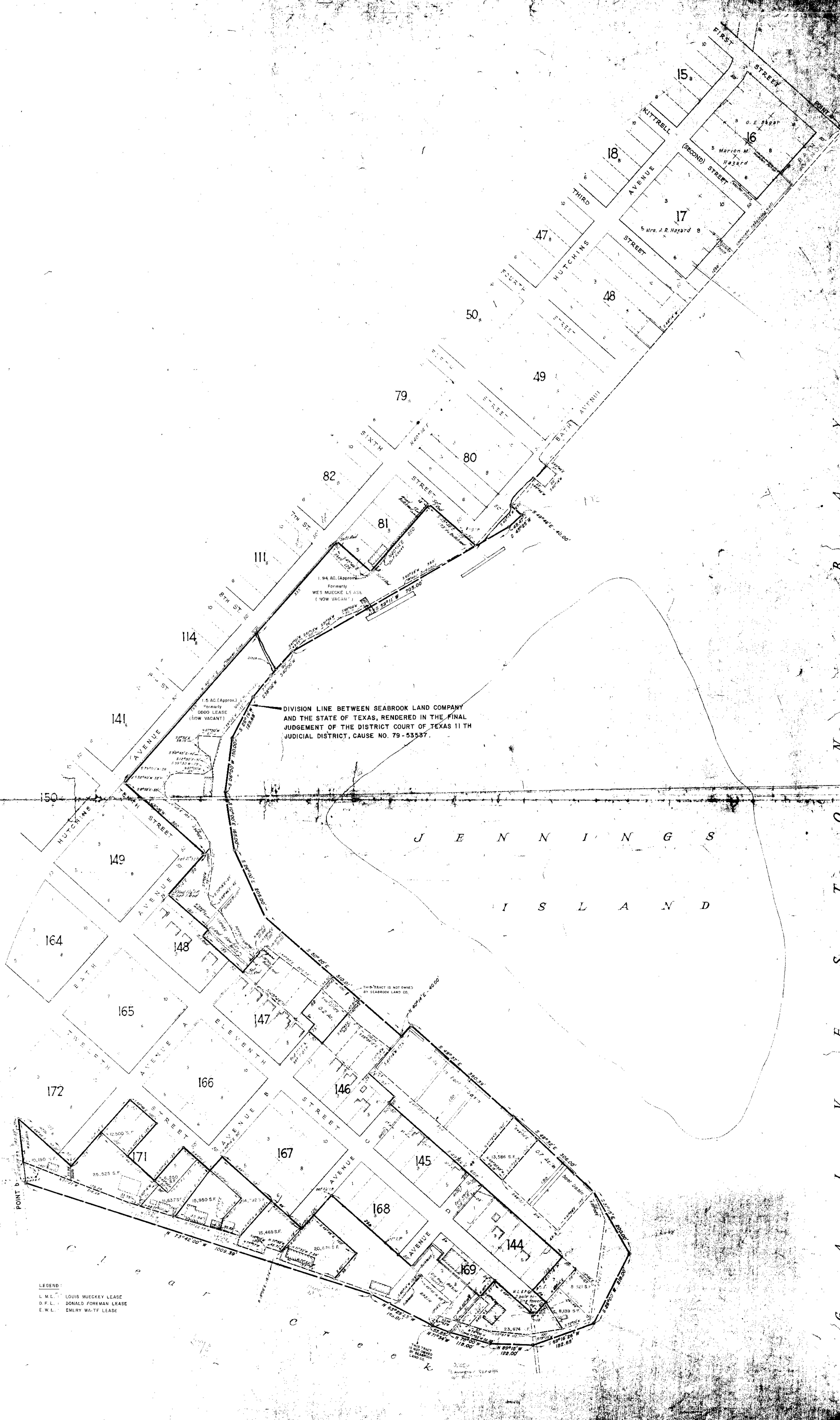


SCALE: 1" = 100'  
DATE: MAY 26, 1981

By: *[Signature]*  
REGISTERED PROFESSIONAL ENGINEER

Counter 25690 FILE NO. 510





LEGEND  
 L.M.L. LOUIS MUCKEY LEASE  
 D.F.L. DONALD FOREMAN LEASE  
 E.W.L. EMERY WATF LEASE

DIVISION LINE BETWEEN SEABROOK LAND COMPANY  
 AND THE STATE OF TEXAS, RENDERED IN THE FINAL  
 JUDGEMENT OF THE DISTRICT COURT OF TEXAS 11TH  
 JUDICIAL DISTRICT, CAUSE NO. 79-53537.

J E N N I N G S  
 I S L A N D

PLAT OF  
 SEABROOK LAND COMPANY  
 SCALE 1"=100'  
 DATE MAY 26, 1931  
 FILE NO. 50