



General Land Office

Jack Giberson  
Chief Clerk

Garry Mauro  
Commissioner

July 3, 1987

Mr. Cyril Brandt  
P.O. Box 972  
Seabrook, Texas 77586

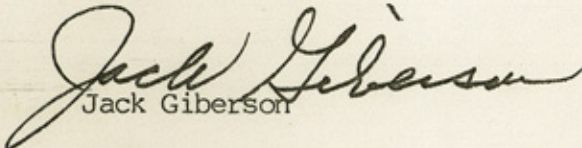
Re: El Lago Marina

Dear Mr. Brandt:

This office has reviewed photographs and overlays showing that the El Lago marina was dredged on or into private property. We have concluded that no state-owned submerged lands are currently involved in the project.

Any construction that may later occur in the old natural channel between Taylor Lake and Clear Lake will be subject to permitting.

Sincerely,

  
Jack Giberson

JG/mw

cc: Mike Hightower  
Hightower & Associates  
1502 West Avenue  
Austin, Texas 78701

File No. Sketch File 102 County \_\_\_\_\_  
EL LAGO MARINA Harris  
Filed June 3 19 92  
By Garry Mauro, Com'r  
Douglas Howard

FROM HERMAN FORBES  
on  
7-17-86  
overlay of 1953 shoreline

Harris Co. Sk. File 102

Harris Co. Sk. File 102

County 25917

County 25914

3 22 85

279

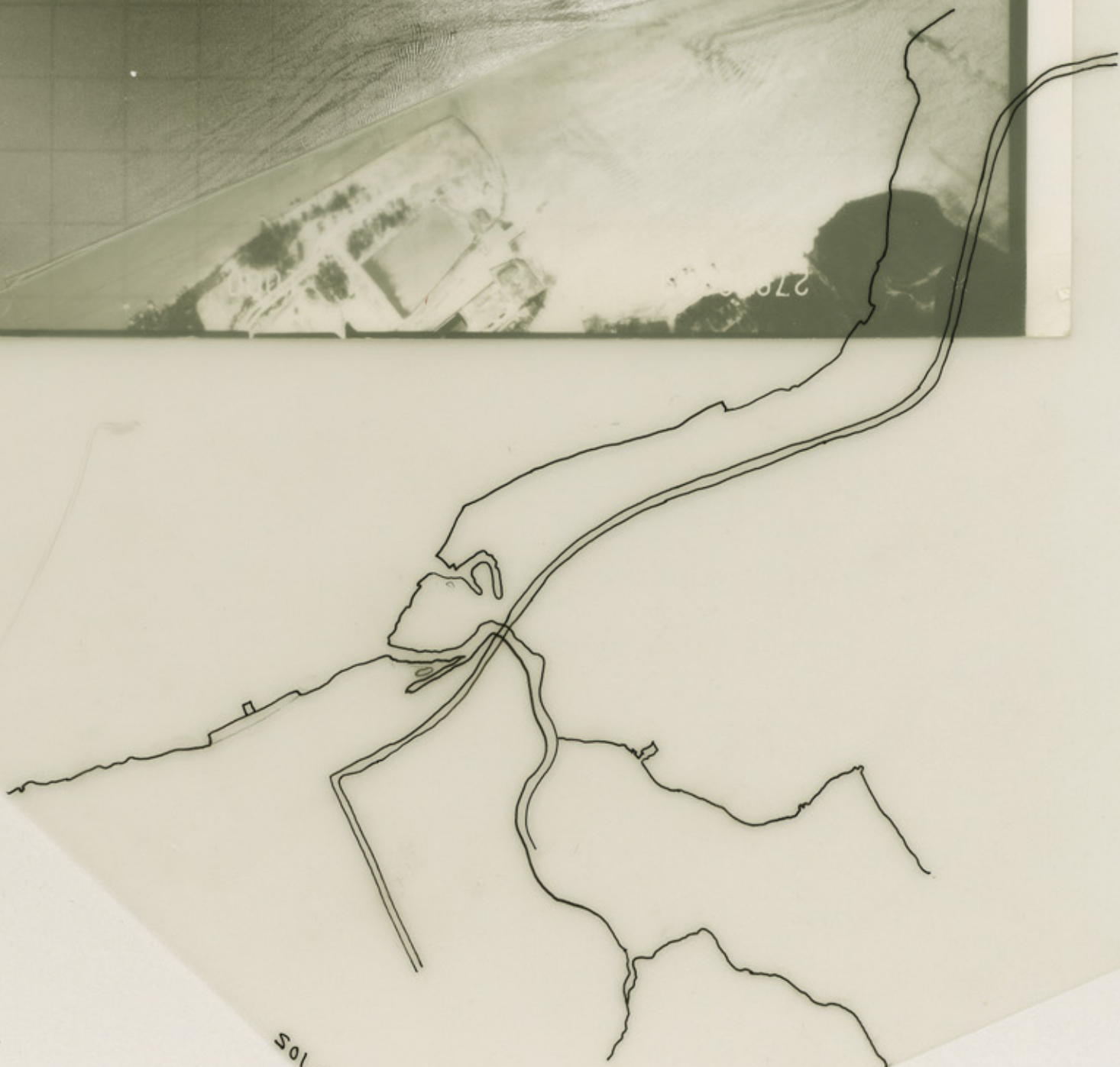
Harris Co. St. File 102

County 25917



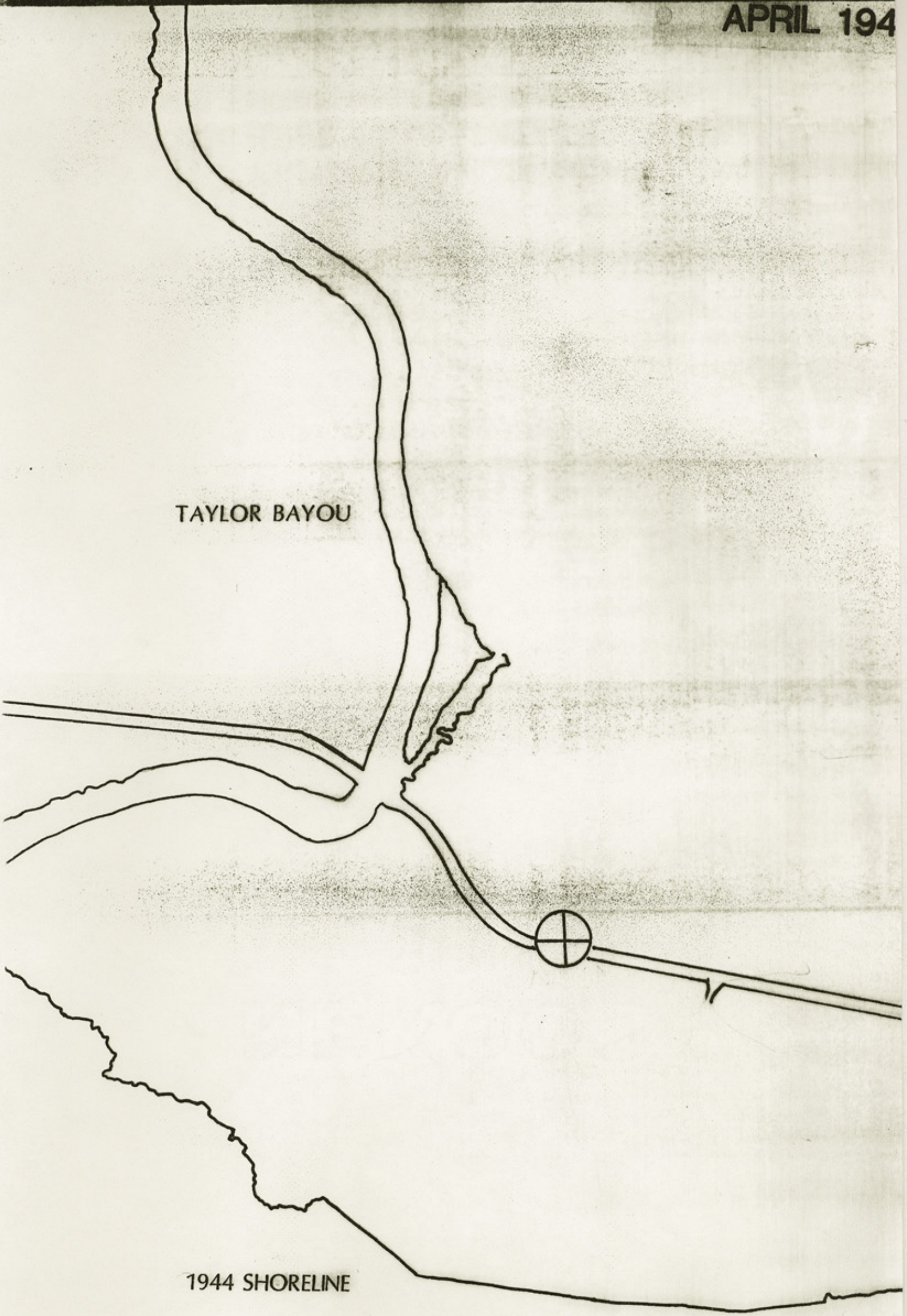
County 25917

St. File 105

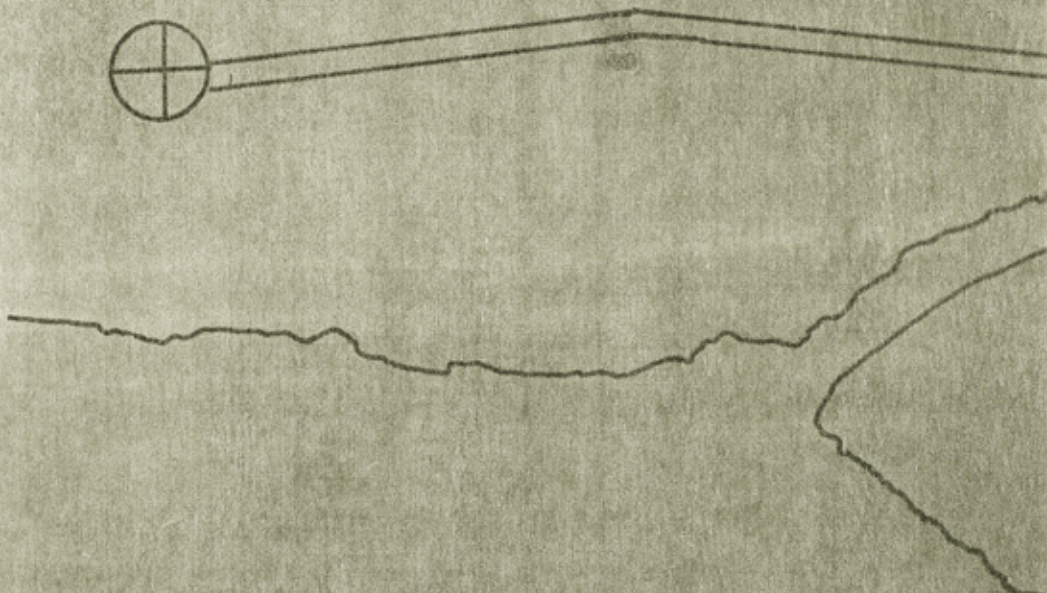


APRIL 194

TAYLOR BAYOU



1944 SHORELINE

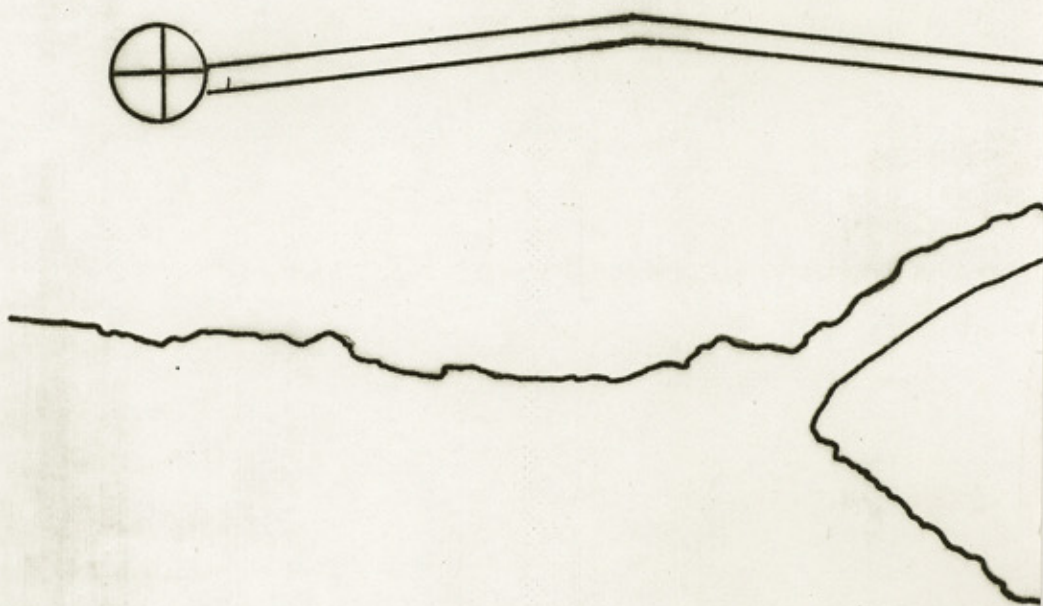


7-10-87  
Herman 022517  
This is my far you  
said we could get  
traced.  
Thanks  
C<sup>2</sup>

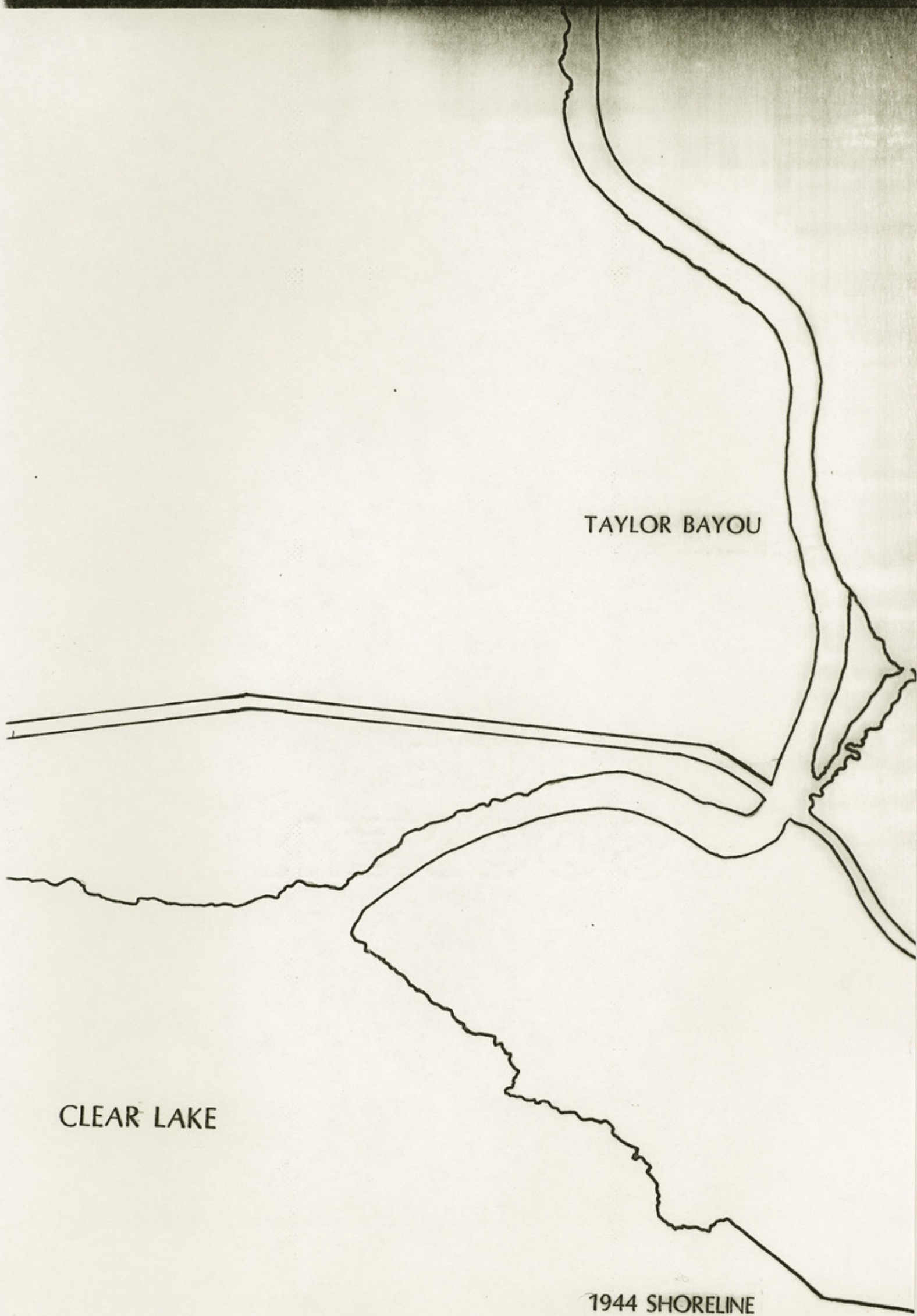
CLEAR LAKE



CLEAR LAKE



CLEAR LAKE



Harris Co. sk. File 102

cont. to 20922



GLO Contact Report

Date: 8-6-86 Time: 9:45

GLO Coordination number \_\_\_\_\_

Caller: Mike Hightower

Project Name El Lago Marina

\_\_\_\_ Telephone \_\_\_\_\_ Personal \_\_\_\_\_

Person Contacted: Claudette

Organization: \_\_\_\_\_

Address: \_\_\_\_\_

Position: \_\_\_\_\_

Telephone: 512/993-4696

Purpose: Needs status on El Lago Marina,  
Client of Hightower's  
He has not rec'd letter promised by Bruce  
when Nasa



Response: I will call Bruce + get status.

2:30 Called

sent to Surveying w/ photos & they gave him an overlay  
he thinks  
of marina not on state land. Sent material to Ann  
for comment.

3:40 Called Ann - She should have comments in  
middle of next week

Action Taken: Called Hightower + gave status to his office  
person.

See photography  
+ mylar in  
wooden file  
cabinet

GENERAL LAND OFFICE

GARRY MAURO  
COMMISSIONER

MEMORANDUM

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DATE: 9/23/86

TO: Stuart Roberts

FROM: Bruce Smith

SUBJECT: El Lago Marina - Suspected Encroachment

Please review your historical photographs for this site between 1950 and 1986. We are trying to determine how the shoreline changes came about, and where current state ownership limits are.

I have advised Malcom Bamburg of our work on this site and he is waiting for additional information to use in his review.

Please make copies of any pertinent photographs and forward to my attention.

Thanks for your help!

*Harris Co. Sk. File 102*

*Counter 25927*

GENERAL LAND OFFICE

GARRY MAURO  
COMMISSIONER

MEMORANDUM 86-20

DATE: 8/11/86

TO: Bruce Smith

FROM: Ann Bennett *AB*

SUBJECT: El Lago Marina, Clear Lake

I conducted an on-site inspection on 8/7/86 of El Lago Marina. Attached are the following photos taken during the inspection. Photo #1 shows that at the Clear Lake end of the marina is a new L-shaped pier with new floating markers that indicate El Lago's property line. Photo #2 shows pilings in front of the old bulkhead.

New structures at the lake end of marina may need to be permitted according to existing bulkhead that lies behind this L-shaped pier. Also, the existing pilings in front of the old bulkhead will need to be removed, for these could be hazardous to navigation. There are two (2) floating platforms with pilings and a walkway at the north end of the marina, which is adjacent to Nasa Rd. I. These structures according to my 1985 aerial photo does not lie behind the old bulkhead. The new structures at each end of the marina needs to be checked to see if an easement will be needed. If determination proves state-owned lands are being used, an existing structure application packet should be sent to El Lago Marina (Gerret Copeland - owner).

If I can be of further assistance, please let me know. Request notification of determination be sent to the La Porte field office.  
Thanks

AB/ab  
Attachments

cc: Walter Manchac

*Harris Co. Sk. File 102*

*Counter 25925*

CLEAR LAKE

PRIVATE PROPERTY

PHOTO #1  
(NEW STRUCTURE)

Property line -  
Timber Bulkhead

Timber Bulkhead  
w/ concrete SLAB

(PHOTO #2)  
old Bulkhead

counter 25926

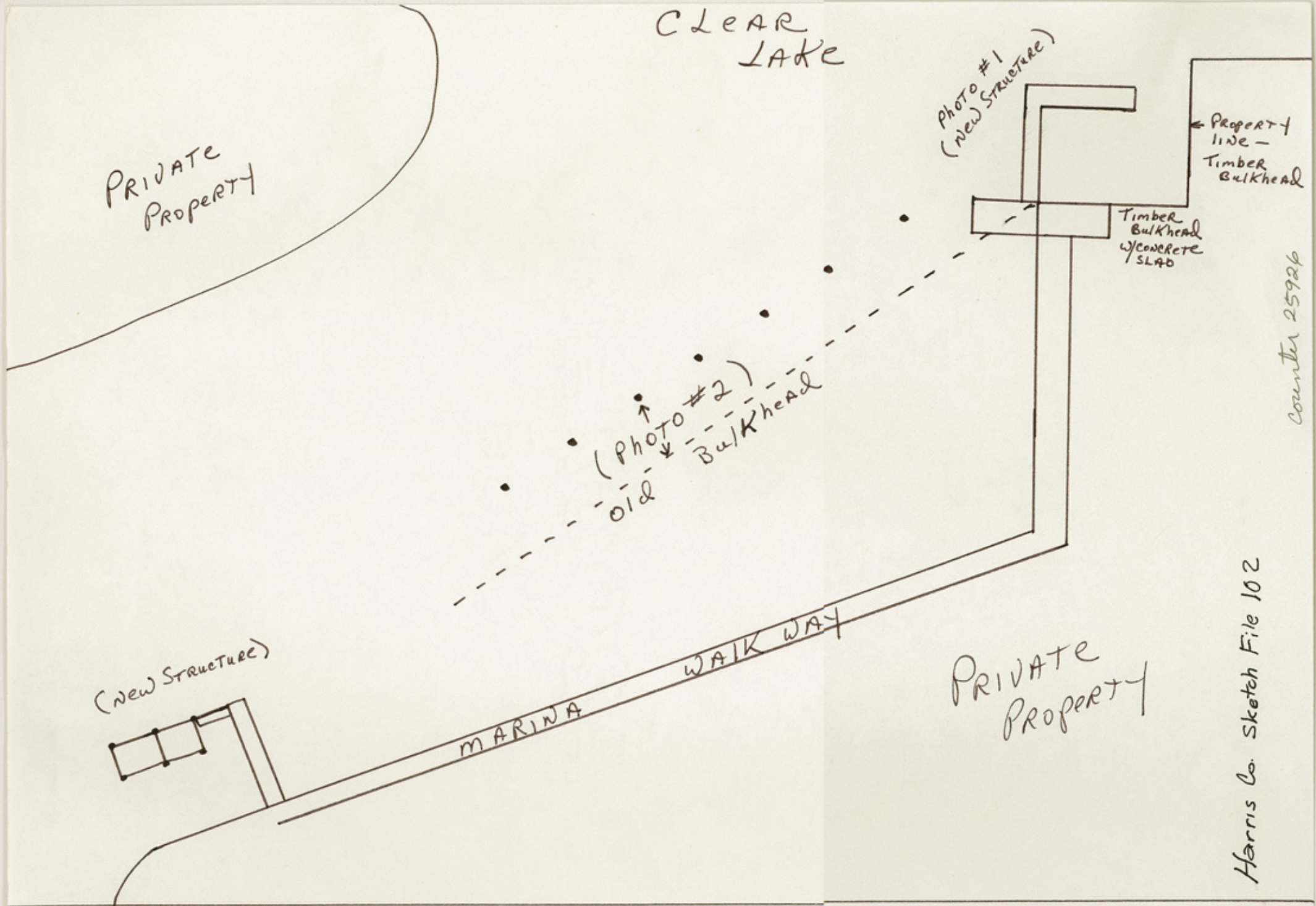
(New Structure)

PRIVATE PROPERTY

MARINA WALKWAY

Harris Co. sketch File 102

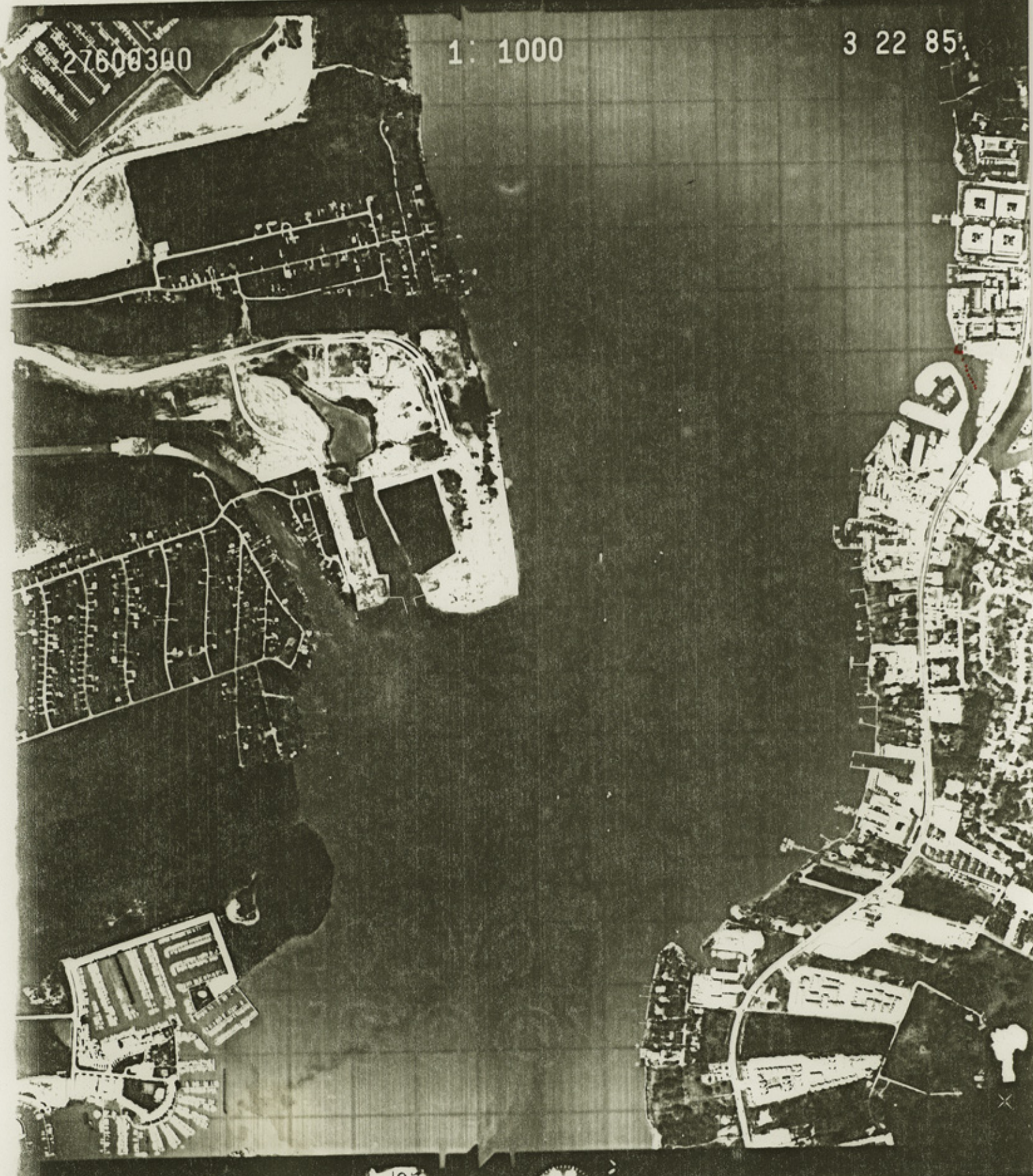
WASA RQ. I



27600300

1: 1000

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Harris Co. Sk. File 102

counter 25927



Photo #1 - New structures at lake end  
of marina X's shows floating markers



Photo #2 - Standing on new structure  
looking toward Nasa Rd. I at old bulk-  
head with pilings in front

Harris Co. Sk. File 102

counter 25928

GENERAL LAND OFFICE

GARRY MAURO  
COMMISSIONER

MEMORANDUM 86-20

DATE: 8/11/86

TO: **Bruce Smith**

FROM: Ann Bennett *AB*

SUBJECT: El Lago Marina, Clear Lake

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If I can be of further assistance, please let me know. Request notification of determination be sent to the La Porte field office.  
Thanks

AB/ab  
Attachments

cc: Walter Manchac

Harris Co. Sk. File 102

counter 25929

*Don't  
copy copy  
8/22  
es*

GENERAL LAND OFFICE

GARRY MAURO  
COMMISSIONER

MEMORANDUM

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DATE: 7/22/86

TO: Ron Brinkley / Ann Bennett

FROM: Bruce Smith

SUBJECT: Suspected Encroachments

Please review the materials attached. Based upon the 1985 photo and surveying's overlay I don't think there is an encroachment at El Lago. If new docks, piers, etc. have been constructed that are not shown on this photo, and if you think they fall outside of the original shoreline as shown, send me a note and I will continue looking into the matter. Otherwise, we need to advise Hightower that we are closing the file on this matter.

There are several areas which Herman Forbes recommends we look into further. I have highlighted these areas and request that you do field inspections to document current conditions.

These are SUSPECTED encroachments only! If possible, I would prefer that you not even tell the property owners why you are looking at the sites until we have confirmation from surveying that state land is involved. I know you will be questioned by many of them, but we don't need them calling the Commissioner until we have something solid to go on from surveying.

Thanks for your help.

*Harris Co. Sk. File 102*

*counter 25930*





MEMO from  
ELBERT MENZEL

Hetman:

I have the photos  
Attached, and my opinion  
is the Area in  
question is Filled or  
ENCROACHMENTS.

Em

7-18-86

7-17-86 7/7

Harris Co. Sk. File 102

Counter 25931

GENERAL LAND OFFICE

GARRY MAURO  
COMMISSIONER

MEMORANDUM

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DATE: 7/8/86

TO: Herman Forbes

FROM: Bruce Smith

SUBJECT: El Largo Marina

Our La Porte field office submitted the information attached regarding El Largo Marina in Clear Lake, Harris County, Texas.

Please review this material to determine if any of the marina is an encroachment on state land.

Also, please evaluate the area west of this marina on the Clear Lake shoreline for artificial fill or shoreline alterations.

Thank you for your help.

cc: Ron Brinkley / Ann Bennett  
Walter Manchac

*Harris Co. sk. File 102*

*Counter 25932*

From Harris Co. File  
1-17-56  
copying of 1956



TAYLOR LAKE

C

B

A

N

CLEAR LAKE

3 22 85

Harris Co.  
SK. File 102

27

County 25933

GLO Contact Report

Date: 6-30-86 Time: 9:00 AM GLO Coordination number Compliance

Caller: Bruce Smith Project Name Gerret Copeland - Owner

El Largo Marina - Clear  
Lake

Telephone  Personal

Person Contacted: Ron Brinkley/Ann Bennett

Organization: \_\_\_\_\_ Address: \_\_\_\_\_

Position: \_\_\_\_\_

Telephone: \_\_\_\_\_

Purpose: Check status of file. Bruce has a meeting with Mike Hightower to discuss  
the project. May be encroachment. Determination has to be made by survey.

Response: I told Bruce that the two contact reports that I have in the field office  
file was sent to Blake, since it was a marina. I told Bruce that I would send him  
a topo map and aerial map of the vicinity. I requested letter that Mike Hightower  
(Espy Huston) sent to Bruce requesting meeting.

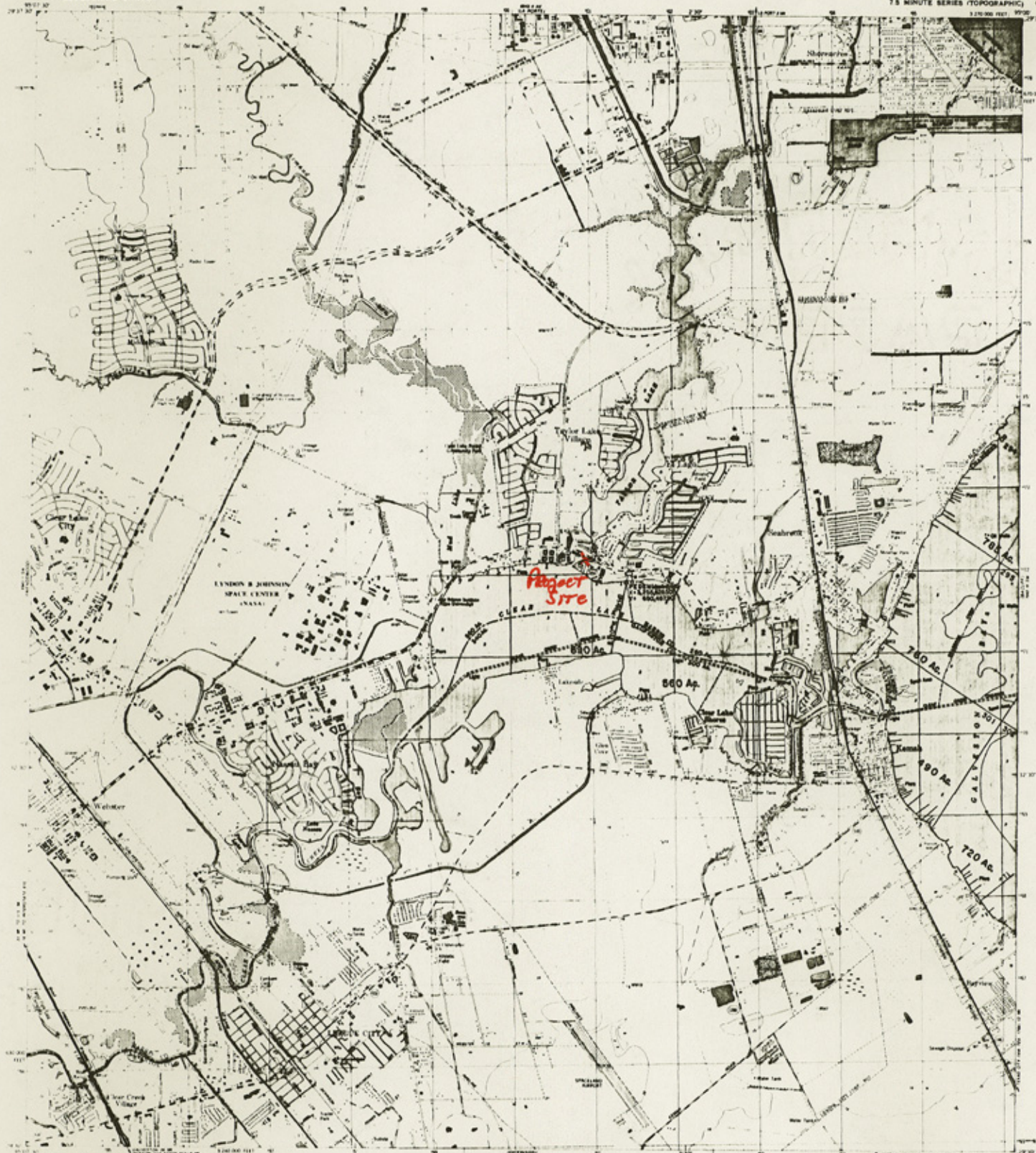
Action Taken: Sending the attached information to Bruce Smith.

Attn: Walter Manchac, Bruce Smith

GLO-FC-24-(1-82)

*Harris Co. Sk. File 102*

*Coenter 25934*



Mapped, edited, and published by the Geological Survey  
Control by UTM and NAD 83  
Topography by photogrammetric methods from aerial photography  
taken 1975 and 1976. Field check 1976. Map dated 1982  
Contouring based on 1973 adjustment of vertical control  
Special topographic data compiled from AEC/NOAA Charts 11326 and 11327, 1978  
This information not intended for navigational purposes  
Projection and 10,000 foot grid ticks. True  
coordinate system, south-southwest zone (Lambert conformal conic)  
6303 meter (constant) Transverse Mercator grid zone 18  
1983 North American datum  
To scale of the published North American Datum (NAD) 1983  
Near the projection lines 27 meters north and  
27 meters east as shown by dashed contour ticks  
Map not intended as a substitute for field observations  
For all detailed lines, please consult the source

SCALE 1:24,000  
CONTOUR INTERVAL, 5 FEET  
NATIONAL GEODETIC SURVEY DATUM OF 1983  
DEPTH CURVES AND SURFACES IN FEET-DEEPTH GREAT LAKES WATER DATUM  
SHORELINE SHOWN REPRESENTS THE APPROXIMATE LINE OF MEAN HIGH WATER  
THE HIGHER RANGE OF TIDE IS INDICATED  
THIS MAP COMPLETES WITH NATIONAL MAP SERIES 1:250,000  
FOR SALE BY U.S. GEOLOGICAL SURVEY, CENTER, COLORADO AVENUE, OR RESTON, VIRGINIA 20192  
A FOLDER CONTAINING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST  
2995-411

ROAD CLASSIFICATION  
 Primary highway — light duty road, hard or  
 hard surface — improved surface  
 Secondary highway — unpaved road  
 Road surface —  
 Interstate Route — U.S. Route — State Route

LEAGUE CITY, TEX.  
 7550-9950/15  
 1982  
 CBS - 1985

Harris Co Sk. File 102

counter 25935

Clear  
Lake

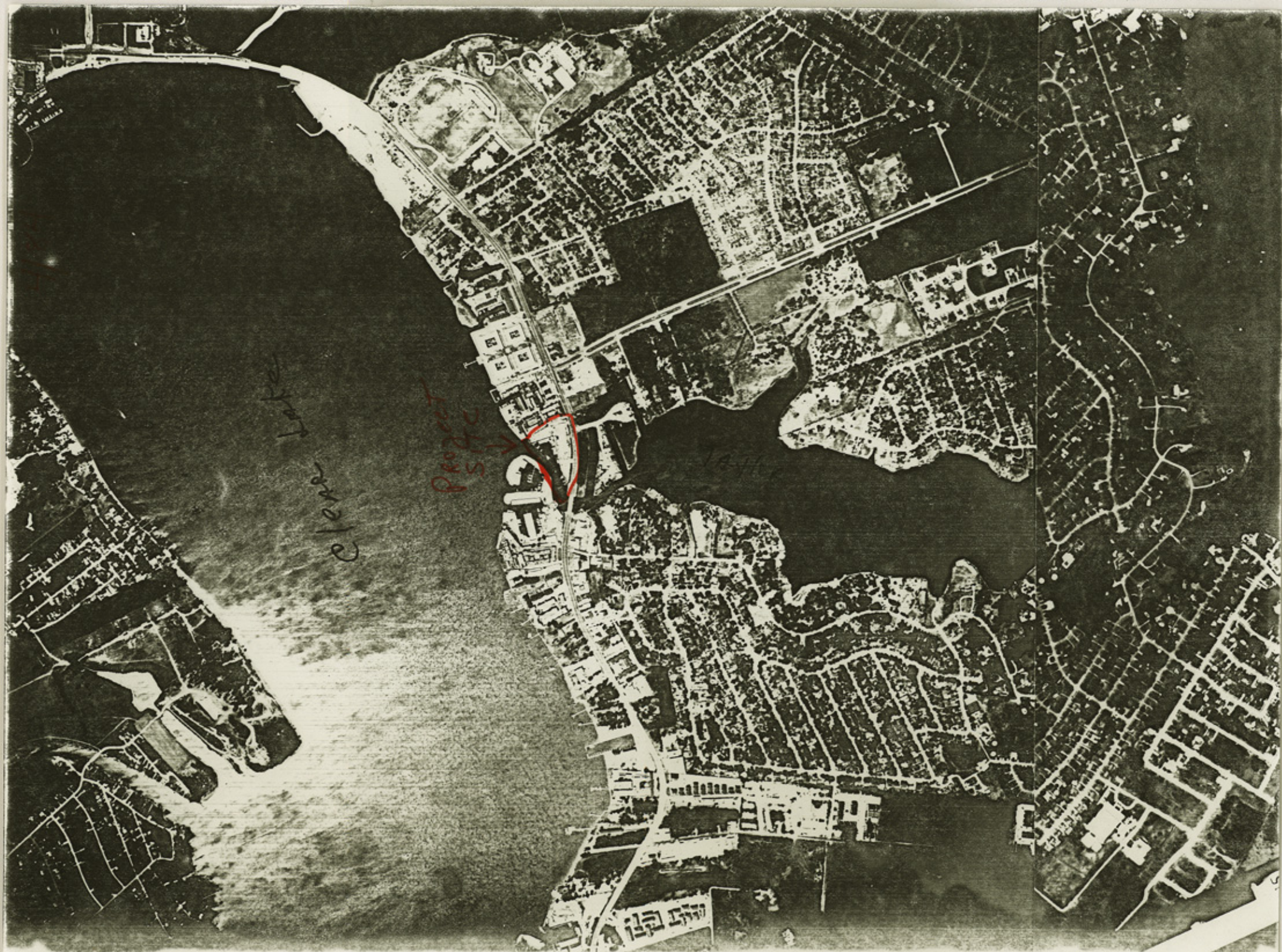
3 22 85

MARINA

Taylor Lake

Harris Co. Sk. File 102

counter 25936



elene

Project  
25937



**ESPEY,  
HUSTON &  
ASSOCIATES, INC.**  
Engineering & Environmental Consultants

June 5, 1986

Bruce Smith  
Texas General Land Office  
1700 North Congress  
Austin, TX 78701

RE: El Lago Marina

Dear Bruce:

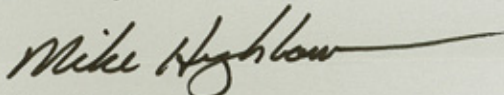
The purpose of this letter is to inform you that Espey, Huston & Associates, Inc. (EH&A) has been hired to represent El Lago Marina (Mr. Cyril Brandt, Manager) for resolving the alleged encroachment of said marina on state-owned lands.

I will be coordinating the position document for presentation to you at a later date and will move on this project as quickly as possible to hopefully resolve the issue in a timely fashion. In the interim, please call me if you have any questions concerning El Lago Marina.

I will be contacting you in the near future for a meeting to further discuss the issue.

Thank you for your continued cooperation with EH&A and my clients.

Sincerely,



Mike Hightower  
Office Manager

/pw

cc: Cyril A. Brandt  
Michael C. Ainbinder, Walsh, Squires & Tompkins

Harris Co. Sk. File 102

Sally -

6-9-86

Do you have any idea  
where this is or what he  
is talking about?

Why did he send this to me?

Bruce



eh

ESPEY,  
HUSTON &  
ASSOCIATES, INC.

Engineering & Environmental Consultants

RECEIVED  
JUN 07 1986  
GENERAL LAND OFFICE

Bruce Smith  
Texas General Land Office  
1700 North Congress  
Austin, TX 78701



5350 South Staples, Suite 212 · Corpus Christi, Texas 78411

Harris Co. Sk. File 102

Counter 05939



DEPARTMENT OF THE ARMY  
 GALVESTON DISTRICT, CORPS OF ENGINEERS  
 P O BOX 1229  
 GALVESTON, TEXAS 77550

*Greene Coupland - owner*

58600-05, W-N-243-41-PERMIT-5385

17 April 1972

9 January 1962, Taylor Bayou, basin & bulkheads,  
 boat sheds & wharves

Boat Town of Texas  
 P. O. Box 124  
 Seabrook, Texas

Gentlemen:

Reference is made to the permit issued you on the above date for dredging in the above named waterway and bearing the above permit number, if a number was assigned.

Information is requested as to whether or not you have been maintaining and wish to continue maintenance of the channel, basin or other area for which dredging was authorized by the permit. If continued maintenance is planned you may sign below that statement at the bottom of the inclosed copy of this letter, insert the date and return it. If there is any part of the address that is incorrect, please show the proper corrections below the signature. If we have not received a positive reply within 30 days from the date of this letter we shall assume that you no longer wish to maintain the dredged area. In this case the authorization will be considered withdrawn and you will need to submit a new application that will be processed in the usual manner before any further dredging is performed in the area.

Prior to performing any maintenance dredging, further authorization must be obtained. Your request must be submitted in sufficient time to issue a public notice and perform other processing tasks. The normal period for receipt of comments in response to the notice is 30 days. Any request for a shorter period must be fully justified. A letter requesting authorization for maintenance dredging should include a proper reference to the permit that authorized the dredging originally.

Sincerely yours,

*William G. Neely*

WILLIAM G. NEELY  
 Chief, Permit Branch

Continued maintenance is planned.

*Basil R. Smith*  
 (signature)

4-19-72  
 (date)

*R.F. Box 164*

*Harris Co. Sk. File 102*

*Seabrook, Texas*

353 0003

U. S. ARMY ENGINEER RESIDENT OFFICE

Galveston, Texas

17 July 63

(Date)

SUBJECT: Inspection of work done under permit No. W-N-243-41-Permit- 5385

TO: District Engineer, U. S. Army Engineer District, Galveston  
Through: Resident Engineer, U. S. Army Engineer Resident Office,  
Galveston, Texas

1. Reference is made to a permit issued to Boat Town of Texas, P. O.

Box 324, Seabrook, Texas

(Permittee's name and address)

under date of 9 January 1962, authorizing the maintain existing

boat lift, construct bulkheads, boat sheds, wharves and dredge a basin

The spoil to be placed on (Description of work)  
shore

in Taylor Bayou

(Name of waterway)

at a location at its entrance into Clear Lake

(Distance and bearing from nearest town, landmark, etc.)

2. This will inform you that on 17 July 63 (date),  
I inspected the work done under the permit and it was was/was not found to be in  
accordance with the approved plans.

3. Exceptions, remarks, and recommendations: I was shown subject

permit by Mr. J. H. Frost, Owner.

(See note on opposite side)

4. Date work under permit was started Approximately 23 January 62

5. Date work under permit was completed Approximately 20 April 62

Signature A. M. ROGERS

Title Engineering Technician

SWN FL 136 (C)

27 Mar 59

(Over)

Harris Co. Sk. File 102 Replaces SWDN-C-227 which is obsolete

353 0004

Counter 25941

(The Resident Engineer vouches for the accuracy of the inspection made, and for the competency of the Inspector, and he, the Resident Engineer, is responsible for the inspection work reported).

1st Ind.

U. S. Army Engineer Resident Office, Galveston, Texas, 17 July 63  
(Date)

TO: District Engineer, Attention: Chief, Permit Branch

1. The subject inspection work was done in accordance with instructions in paragraph 4203.08, DOM.

2. It is recommended: (Check one)

a. That the work done be considered as acceptable from the standpoint of navigation, and that the file on the case be considered as complete.

b. That the work done be considered as acceptable from the standpoint of navigation but that the permittee submit revised plans to show the work as actually done.

c. That the work done not be considered as acceptable from the standpoint of navigation and that the Department should require the permittee to take the following action:

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Signature FRANCIS L. BERTLING

Title Resident Engineer

Note:

For structures adjacent to a project channel, show measured distance from near bottom edge of project channel.

For bridges, measured clearances should be given. All elevations should be shown with reference to the Corps of Engineers datum, if possible. Report starting date as soon as possible after construction has been commenced. Submit inspection report immediately upon completion of work.

If no work is to be done, give source of information.

In all cases, any deviation from the approved plans should be noted.

Harris Co. Sk. File 102

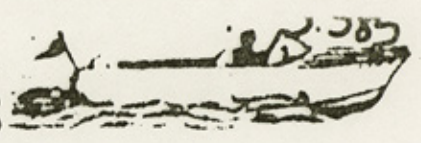
353 0005

Counter 25942



# BOAT TOWN OF TEXAS

"NORTH SHORE OF CLEAR LAKE"



GENERAL OFFICE  
P O BOX 478 • SEABROOK TEXAS  
KEMAH 877 4841 • HOUSTON CA 8 9398

*Taylor  
Bayou*

July 17, 1963

U. S. Army Engineer Dist. Galveston  
Corps of Engineers  
606 Santa Fe Building  
Galveston, Texas

Attn: William G. Neely  
Chief Permit Section

Gentlemen:

With Reference to W-N-243-41 permit 5385, this letter will serve to notify you of the completion of the referred to construction on or about April 20, 1962.

Very truly yours,

BOAT TOWN of TEXAS

J. H. Frost, Jr.  
Owner

JHF, Jr/kb

Copy furnished:  
Resident Engineer  
Fort Point Resident Office  
Galveston, Texas (18 July 1963)

Harris Co. Sk. File 102

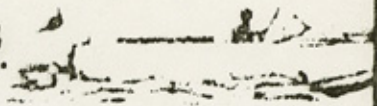
AUSTIN TEXAS  
3820 LAKE AUSTIN ROAD  
GR 8 0051

353 0006

Counter 25943



**BOAT TOWN OF TEXAS,**  
"NORTH SHORE OF CLEAR LAKE"



January 23, 1962

GENERAL OFFICE  
P O BOX 124 • SEABROOK TEXAS  
MEMPHIS 977 4841 • HOUSTON GA 8 8

U. S. Army Engineer Dist. Galveston  
Corps of Engineers  
606 Santa Fe Building  
Galveston, Texas

Attn: William G. Neely  
Chief, Permit Section

Gentlemen:

This is to acknowledge receipt of your permit in regard to our construction on our property in Taylor Bayou.

Thank you for processing this for us as quickly as you did. We all appreciate it.

Construction has started and I anticipate completion in two months.

Sincerely,

Omar Lennen  
General Manager

cc: Resident Engineer  
U. S. Army Engineer Office  
Fort Point  
Galveston, Texas

OL/ss

Harris Co. Sk. File 102

353 0008

Counter 25944

DEPARTMENT OF THE ARMY

Note. It is to be understood that this instrument does not give any property rights either in real estate or material, or any exclusive privileges; and that it does not authorize any injury to private property or invasion of private rights, or any infringement of Federal, State, or local laws or regulations, nor does it obviate the necessity of obtaining State assent to the work authorized. IT MERELY EXPRESSES THE ASSENT OF THE FEDERAL GOVERNMENT SO FAR AS CONCERNS THE PUBLIC RIGHTS OF NAVIGATION. (See *Cummings v. Chicago*, 188 U. S., 410.)

W-N-243-41-PERMIT-5385

PERMIT  
Office of the District Engineer, U. S. Army Engineer  
District, Galveston, Corps of Engineers.  
Galveston, Texas

9 January, 19 62

Boat Town of Texas  
P. O. Box 324  
Seabrook, Texas

Gentlemen:

Referring to written request dated 8 December 1961.

I have to inform you that, upon the recommendation of the Chief of Engineers, and under the provisions of Section 10 of the Act of Congress approved March 3, 1899, entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," you are hereby authorized by the Secretary of the Army,

to maintain an existing boat lift, dredge a basin and construct bulkheads,  
(Here describe the proposed structure or work.)  
boat sheds and wharves, the dredged material to be placed on shore,

In Taylor Bayou, on the right descending side,  
(Here to be named the river, harbor, or waterway concerned.)

At a location near its entrance into Clear Lake, approximately 2 miles west from  
(Here to be named the nearest well known locality, preferably a town or city, and the distance in miles and tenths from some definite point in the same, stating whether above or below or giving direction by points of compass.)  
Seabrook, Texas.

In accordance with the plans shown on the drawing attached hereto in two sheets,  
(Or drawings; give file number or other definite identification marks.)  
entitled, "Proposed Marina in CLEAR LAKE on NORTH SHORE County of HARRIS,  
State TEXAS,"

subject to the following conditions:

Harris Co. Sk. File 102

353 0009

Counter 25945

(a) That the work shall be subject to the supervision and approval of the District Engineer, Corps of Engineers, in charge of the locality, who may temporarily suspend the work at any time, if in his judgment the interests of navigation so require.

(b) That any material dredged in the prosecution of the work herein authorized shall be removed evenly and no large refuse piles, ridges across the bed of the waterway, or deep holes that may have a tendency to cause injury to navigable channels or to the banks of the waterway shall be left. If any pipe, wire, or cable hereby authorized is laid in a trench, the formation of permanent ridges across the bed of the waterway shall be avoided and the back filling shall be so done as not to increase the cost of future dredging for navigation. Any material to be deposited or dumped under this authorization, either in the waterway or on shore above high-water mark, shall be deposited or dumped at the locality shown on the drawing hereto attached, and, if so prescribed thereon, within or behind a good and substantial bulkhead or bulkheads, such as will prevent escape of the material in the waterway. If the material is to be deposited in the harbor of New York, or in its adjacent or tributary waters, or in Long Island Sound, a permit therefor must be previously obtained from the Supervisor of New York Harbor, New York City.

(c) That there shall be no unreasonable interference with navigation by the work herein authorized.

(d) That if inspections or any other operations by the United States are necessary in the interest of navigation, all expenses connected therewith shall be borne by the permittee.

(e) That no attempt shall be made by the permittee or the owner to forbid the full and free use of the public of all navigable waters at or adjacent to the work or structure.

(f) That if future operations by the United States require an alteration in the position of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army, it shall cause unreasonable obstruction to the free navigation of said water, the owner will be required upon due notice from the Secretary of the Army, to remove or alter the structural work or obstructions caused thereby without expense to the United States, so as to render navigation reasonably free, easy, and unobstructed; and if, upon the expiration or revocation of this permit, the structure, fill, excavation, or other modification of the watercourse hereby authorized shall not be completed, the owners shall, without expense to the United States, and to such extent and in such time and manner as the Secretary of the Army may require, remove all or any portion of the uncompleted structure or fill and restore to its former condition the navigable capacity of the watercourse. No claim shall be made against the United States on account of any such removal or alteration.

(g) That the United States shall in no case be liable for any damage or injury to the structure or work herein authorized which may be caused by or result from future operations undertaken by the Government for the conservation or improvement of navigation, or for other purposes, and no claim or right to compensation shall accrue from any such damage.

(h) That if the display of lights and signals or any work hereby authorized is not otherwise provided for by law, such lights and signals as may be prescribed by the U. S. Coast Guard, shall be installed and maintained by and at the expense of the owner.

(i) That the permittee shall notify the said district engineer at what time the work will be commenced, and as far in advance of the time of commencement as the said district engineer may specify, and shall also notify him promptly, in writing, of the commencement of work, suspension of work, if for a period of more than one week, resumption of work, and its completion.

(j) That if the structure or work herein authorized is not completed on or before **the thirty-first day of December**, 19**63**, this permit, if not previously revoked or specifically extended, shall cease and be null and void.

By authority of the Secretary of the Army:

FOR LT. COLONEL JAMES S. MAXWELL, DISTRICT ENGINEER:

2 drawings attached

ENG FORM 1721 (Civil)  
1 SEP 49

HEM 1146-0-000

This form superseded ED Form 66, dated 1 Apr 48, which may be used until exhausted.

U. S. GOVERNMENT PRINTING OFFICE 16-12165-0

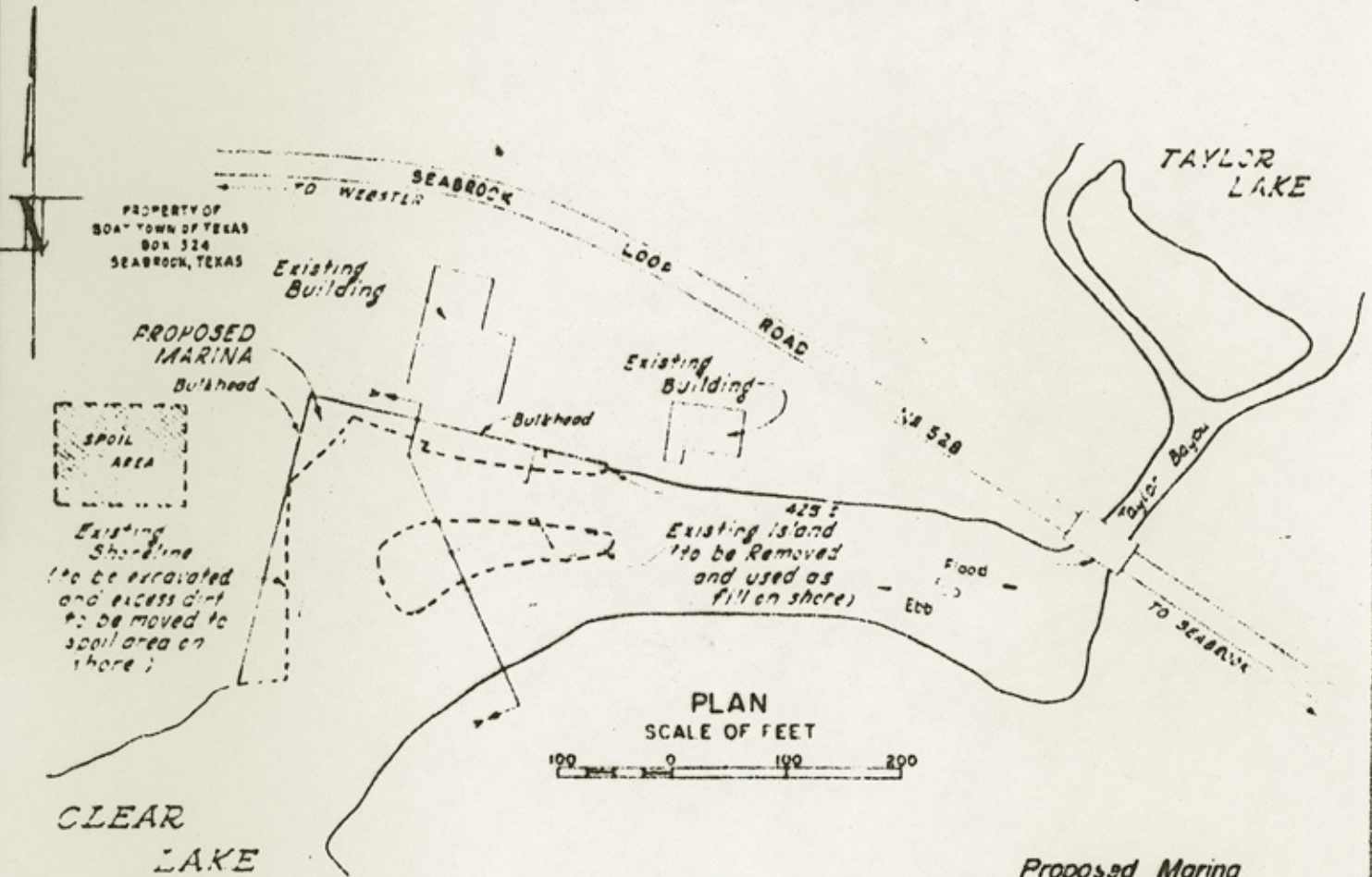
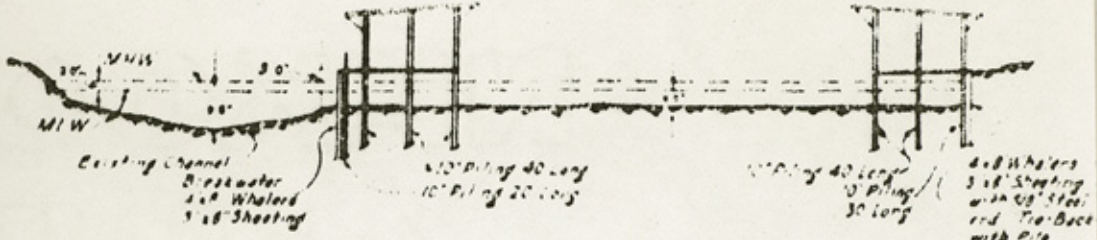
Harris Co. Sk. File 102

*William G. Neely*  
WILLIAM G. NEELY  
Chief, Permit Section

353 0010

Counter 25946

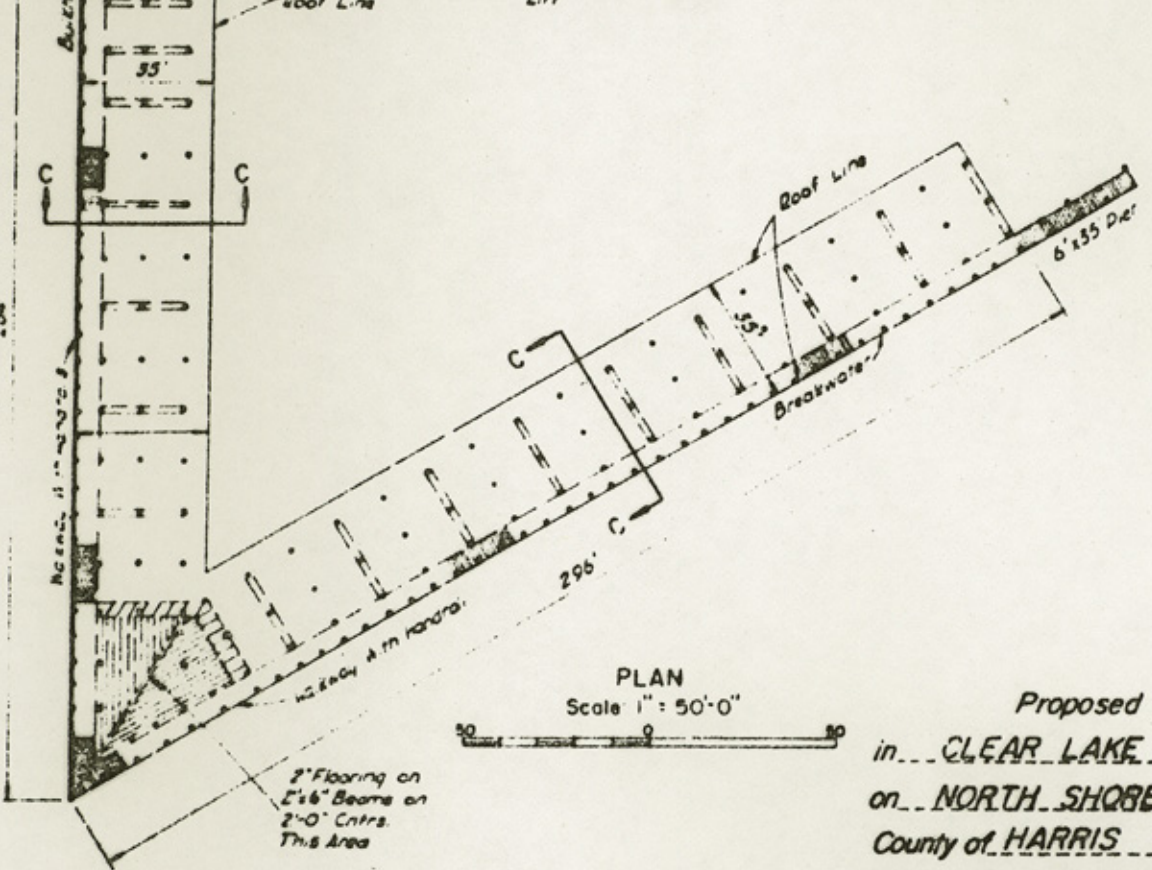
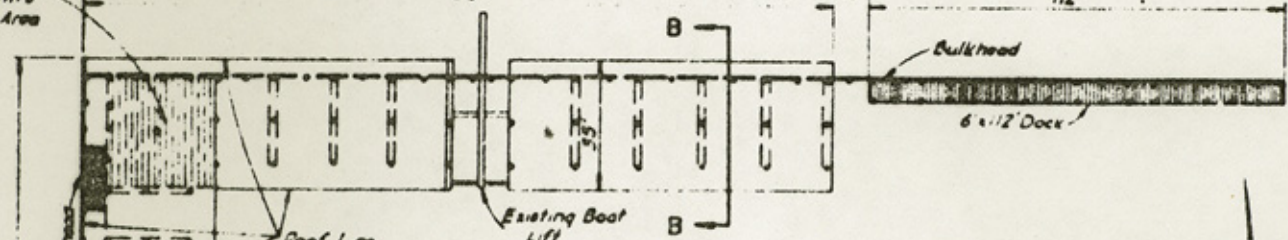
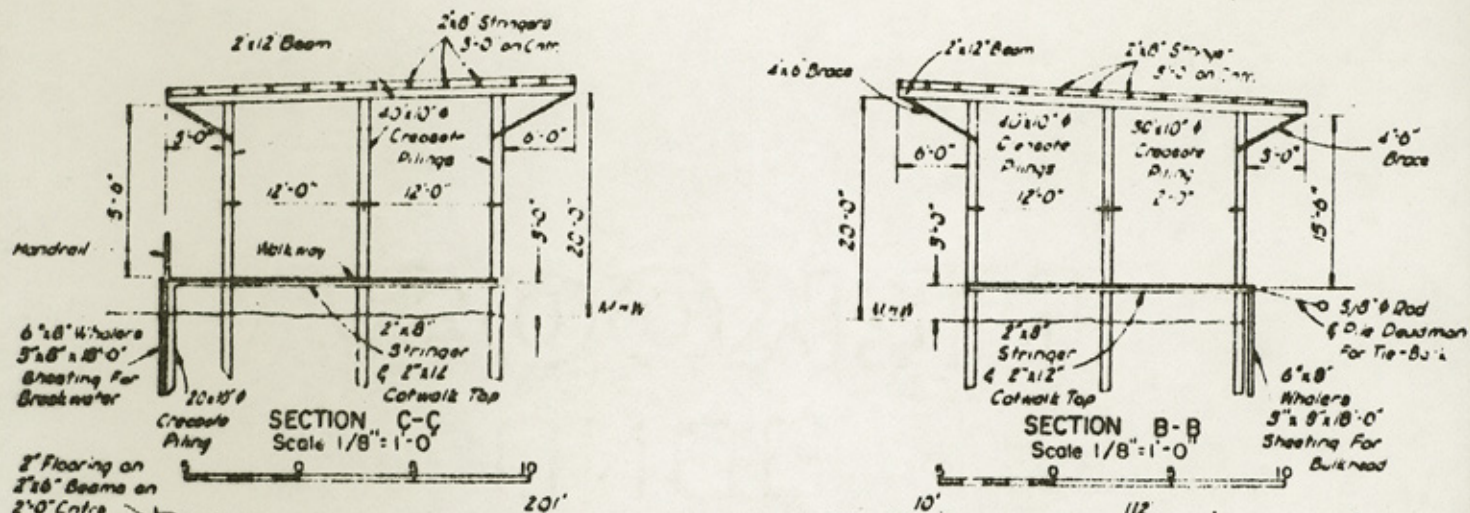




Proposed Marina  
in CLEAR LAKE  
on NORTH SHORE  
County of HARRIS, State TEXAS.  
Application by BOAT TOWN of TEXAS  
12-7-61 Date

Sheet 1 of 2 Harris Co. Sk. File 102

Counter 25947



Proposed Marina  
 in CLEAR LAKE  
 on NORTH SHORE  
 County of HARRIS, State TEXAS  
 Application by BOAT TOWN of TEXAS  
 12-7-61 Date

Sheet 2 of 2 Harris Co. Sk. File 102

U. S. ARMY ENGINEER DISTRICT, GALVESTON

CORPS OF ENGINEERS  
606 SANTA FE BUILDING  
GALVESTON, TEXAS

W-N-243-41-FERMIT-5385

13 December 1961

PUBLIC NOTICE

Interested parties are hereby notified that application has been made to the District Engineer for a Department of the Army permit for structures and work in navigable waters in this Engineer District, as follows:

Name of applicant: Boat Town of Texas, P. O. Box 324,  
Seabrook, Texas.

Location: Taylor Bayou, on the right descending side,  
near its entrance into Clear Lake, central to a point approximately  
2 miles west from Seabrook, Texas.

Character of work: The applicant proposes to maintain an  
existing boat lift, dredge a basin and construct bulkheads, boat  
sheds and wharves at the above location. A bulkhead would extend  
westerly 323 feet generally along the north shore line of a shallow  
cut-off area shoreward from an existing island, then southerly a  
distance of 264 feet and then northeasterly a distance of 331 feet  
to a point opposite the point of beginning. The area inclosed by  
the bulkhead including the existing island would be dredged to a  
depth of 6 feet at mean low tide. The material would be placed  
on shore. Boat sheds would be constructed along portions of the  
perimeter of the bulkhead.

The plans may be seen in Room 715, Santa Fe Building, Galveston, Texas, at  
any time between 7:45 A.M. and 4:45 P.M., Monday through Friday, or at the Corps  
of Engineers Resident Office at Fort Point, Galveston, Texas.

Any protest you have to make against the proposed operations from the stand-  
point of navigation should be received by the District Engineer not later than  
28 December 1961. However, more time will be given when required if the request  
is received by the limiting date. If no comments are received by that date it will  
be considered that there are no objections.

The decision as to whether or not a permit will be issued must rest primarily  
upon the effect of the proposed work on navigation. The Corps of Engineers cannot  
undertake to adjudicate conflicting claims to property rights affected by the pro-  
posed work.

Notice mailed applicant  
PS Trays 1, 2 & 5  
TLB Trays 2, 3 & 5  
Notice mailed Mr. Lester L. Tatum, 5526  
Fieldwood, Houston, Texas

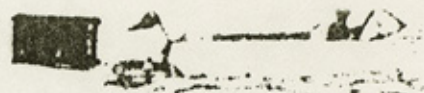
DISTRICT ENGINEER  
GALVESTON DISTRICT  
CORPS OF ENGINEERS

Harris Co. Sk. File 102

353 0014

Counter 25999

**BOAT TOWN OF TEXAS,**  
"NORTH SHORE OF CLEAR LAKE"



GENERAL OFFICE  
P O BOX 324 • SEABROOK  
KEMAH 877 4841 • HOUSTON CA

December 8, 1961

The District Engineer  
U. S. Army Engineer District  
P. O. Box 1229  
Galveston, Texas

Dear Sir:

We request a permit for constructing a Marina on property owned by Mr. J. H. Frost, Jr., dba Boat Town of Texas, located on the North shore of Clear Lake, near Seabrook, Texas.

The soil obtained from digging up his island and trimming the shoreline for Marina bulk-heading will be distributed on his property and where needed for fill.

The property is bounded on one side by State FM Rd. 528, and the adjacent property owner is Mr. Lester L. Tatum, 5526 Fieldwood, Houston, Texas

Very truly yours,

Omar Lennen  
General Manager

OL/ss

Harris Co. Sk. File 102

AUSTIN, TEXAS

CORPUS CHRISTI, TEXAS

353 0019

Counter 25950

3(B)

METES AND BOUNDS DESCRIPTION  
4.2867 ACRES OF LAND OUT OF THE  
RITSON MORRIS SURVEY, ABSTRACT NO. 52  
EL LAGO, HARRIS COUNTY, TEXAS

A tract or parcel of land containing 4.2867 acres of land, more or less, in the Ritson Morris Survey, Abstract No. 52, in Harris County, Texas, being out of a part of that certain 4.538 acre tract conveyed by J.H. Frost, Jr., to Coastal Turbocraft, Inc., by deed dated July 27, 1960, recorded in Volume 4097, Page 394 of the Deed Records of Harris County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a capped 5/8 inch iron rod at the point where the west line of said Coastal Turbocraft, Inc. tract described in a deed recorded in Volume 4097, Page 394 of the Deed Records; intersects the south line of F.M. 528 (Nasa Road 1) based on a width of 100 feet, said corner being the northeasterly corner of a said 6.71 acre tract of land as described in EXHIBIT "A" of a deed dated August 9, 1973 from Trigg-Vaughn Properties to Blue Sea Resort, Inc. and recorded in the real property records of Harris County, Texas, at Clerk's File Number D-944311;

THENCE S 05° 59' 35" W- with the west line of the said 4.538 acre tract and the east line of said 6.71 acre tract a distance of 210.08 feet to a 5/8 inch iron rod set for an angle point;

THENCE S 03° 55' 25" E- continuing with the common property line of said 4.538 acre tract and the 6.71 acre tract, at 250.62 feet passing a concrete bulkhead corner in all a total distance of 318.89 feet to a point for corner, in the margin of Taylor Lake Bayou;

THENCE with the meanders of the old margin of Taylor Lake Bayou in a northeasterly direction as follows: N 64° 25' E- 93.60 feet; N 58° 04' 47" E- 150 feet; N 77° 05' E- 202.8 feet and N 78° 12' 45" E- 256.6 feet to a point for corner in the south right-of-way line of F.M. 528 (Nasa Road 1) based on a 100 foot width;

THENCE N 55° 47' 00" W- with the south right-of-way line of said F.M. 528 (Nasa Road 1) at 22.36 feet passing a concrete bulkhead, in all a total distance of 232.89 feet to a "P.K." nail set at the point of curvature of a curve to the left with a radius of 1,096.28 feet and subtended by an angle of 26° 26' 06";

THENCE continuing along the south line of F.M. 528 (Nasa Road 1) based on a width of 100 feet, in a Westerly direction following the arc of the curve to the left a distance of 505.8 feet to the POINT OF BEGINNING;

SAVE AND EXCEPT that portion found on the date of this survey, dated November 16, 1981 to be submerged by the waters of Clear Lake and Taylor Lake Bayou and is thereby affected by the ebb and flow of the tide:

BEGINNING at the concrete bulkhead corner in the west line of this tract located S 03° 55' 25" E- a distance of 250.62 feet from the 5/8 inch iron rod set for angle point in the west line of said tract;

THENCE S 03° 55' 25" E- a distance of 68.27 feet to the original southwest corner in the margin of Taylor Lake Bayou;

THENCE with the meanders of the old margin of Taylor Lake Bayou in a northeasterly direction as follows: N 64° 25' E- 93.60 feet; N 58° 04' 47" E- 150 feet; N 77° 05' E- 202.8 feet and N 78° 12' 45" E- 256.6 feet to a point for corner in the south line of F.M. 528 (Nasa Road 1) based on a 100 foot width;

THENCE N 55° 47' 00" W- with the south right-of-way line of said F.M. 528 (Nasa Road 1) a distance of 22.36 feet to the intersection with a concrete bulkhead;

Harris Co. Sk. File 102

counter 2595

THENCE N 84° 19' 01" W- with said concrete bulkhead, a distance of 195.28 feet to an angle point in the bulkhead;

THENCE N 77° 06' 18" W- with said concrete bulkhead, a distance of 81.42 feet to an interior corner of the said bulkhead;

THENCE S 12° 40' 18" W- with said concrete bulkhead, a distance of 4.75 feet to a corner of the said bulkhead;

THENCE N 77° 19' 42" W- with said bulkhead, a distance of 279.24 feet to an interior corner of said concrete bulkhead;

THENCE S 07° 23' 48" W- with said Bulkhead, a distance of 264.04 feet to a corner of the bulkhead;

THENCE N 84° 06' 16" W- with said concrete bulkhead, a distance of 66.10 feet to the POINT OF BEGINNING and containing 1.6941 acres of submerged land and leaving a net dry land area of 2.5926 acres of land, more or less.

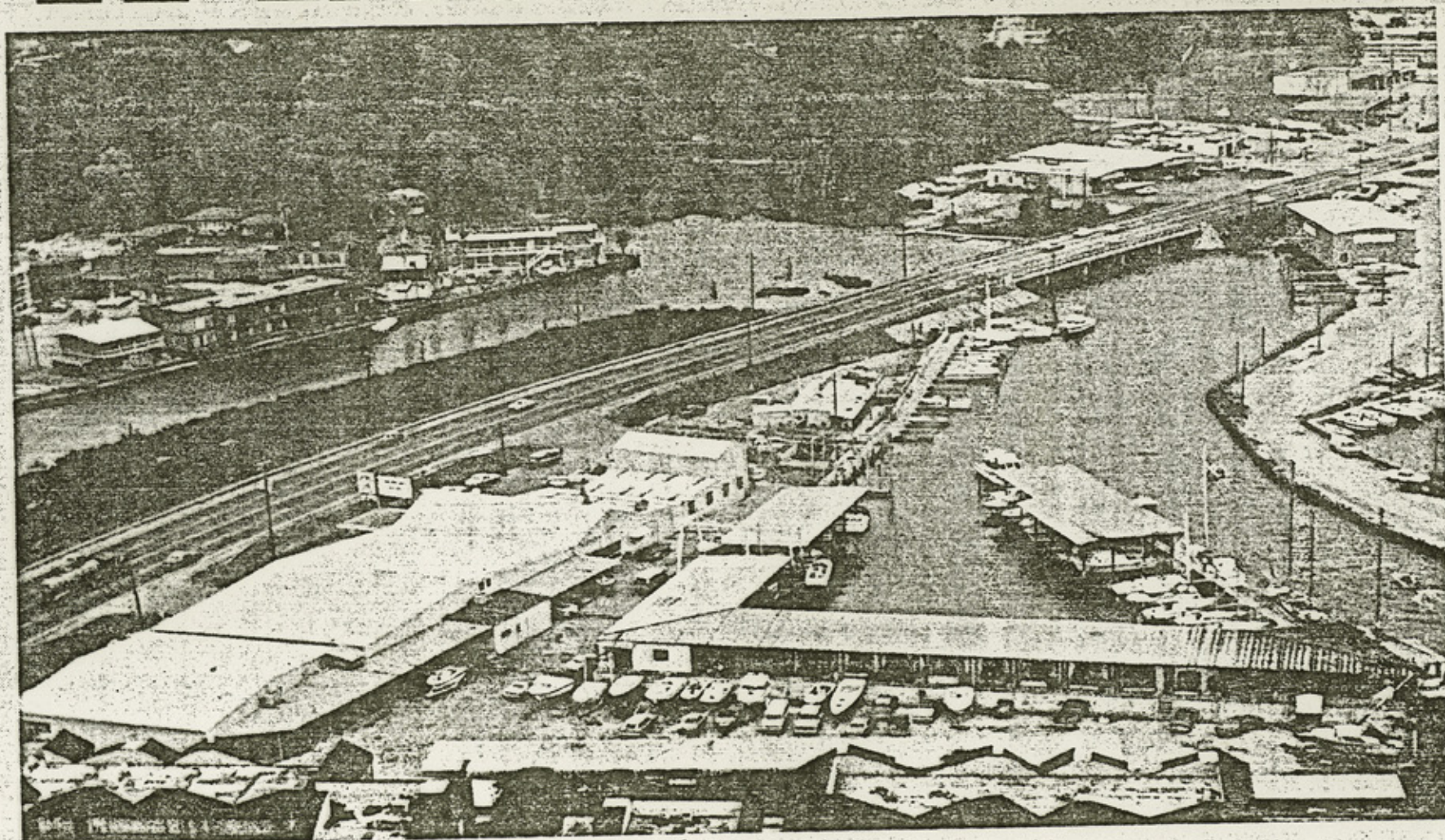
Compiled by:  
Five Star Surveying, Inc.  
November 16, 1981



<sup>S</sup>  
Harris Co. SK. File 102

County 25952

# EL LAGO MARINA



**4321 NASA RD. 1 • SEABROOK, TEXAS**

*Harris Co. Sk. File 102*

*county 259513*









In the event any prepayment(s) shall be made upon the Wrap-around Notes, same shall be applied against the principal thereof; but that any partial prepayment(s) so made shall not serve to vitiate the making of the regular monthly installments thereunder. It is further stipulated that any prepayment(s) on the Wrap-around Note shall be made without penalty therefor.

TO HAVE AND TO HOLD the above described premises, in its "AS IS" "WHERE AS" condition, together with all and singular the rights and appurtenances thereto in any wise belonging unto the said GRANTEES their heirs, successors and assigns forever. And GRANTORS do hereby bind themselves, their heirs, executors, administrators, and assigns, to WARRANT and FOREVER DEFEND, all and singular the said in its "AS IS" "WHERE AS" condition premises unto said GRANTEES, their heirs, and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

Taxes for the current year have been prorated and are assumed by GRANTEES. This conveyance is made subject to all and singular the restrictions, conditions, easements, leasehold interests, and covenants, if any, applicable to and enforceable against the above described property, as reflected by the records of the County Clerk of Harris County, Texas. THIS CONVEYANCE IS MADE AND ACCEPTED SUBJECT TO THE GRANTEE EXCEPTING THE PROPERTY IN ITS "AS IS" "WHERE AS" CONDITION WITHOUT WARRANTIES, EXPRESS OR IMPLIED, (EXCEPT WARRANTIES OF TITLE) OF ANY KIND OR NATURE, INCLUDING BUT NOT LIMITED TO WARRANTIES AS TO HABITABILITY OR FITNESS FOR A PARTICULAR PURPOSE, WHICH WARRANTIES ARE HEREBY EXPRESSLY WAIVED GRANTEE AND GRANTEE ACKNOWLEDGES THAT HE HAS INSPECTED THE SUBJECT PROPERTY TOGETHER WITH THE IMPROVEMENTS SITUATED THEREON AND ACCEPTS THEM IN THEIR "AS IS" "WHERE AS" CONDITION.

But it is expressly agreed and stipulated that the Vendor's lien is retained against the above described premises until the above described Wrap-around Notes and all accrued interest thereon, has been fully and finally paid, according to the face, tenor, effect and reading thereof, when this Deed shall become absolute.

Harris Co. SK. File 102

Counter 25957

EXHIBIT "A"

A tract or parcel of land containing 4.2867 acres of land, more or less, in the Ritson Morris Survey, Abstract No. 52, in Harris County, Texas, being out of a part of that certain 4.538 acre tract conveyed to J. H. Frost, Jr., to Coastal Turbocraft, Inc., by deed dated July 27, 1960, recorded in Volume 4097, Page 394 of the Deed Records of Harris County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod at the point where the west line of said COASTAL TURBOCRAFT, INC., tract described in deed recorded in Volume 4097, Page 394 of the Deed Records, intersects the south line of F.M. Highway 528, based on a width of 100 feet;

THENCE along said West line South 5° 59' 35" West, 210.08 feet to a one inch iron pipe at angle point;

THENCE continuing along said West line South 3° 55' 25" East, 318.89 feet to a point for corner in the North margin of Taylor Bayou;

THENCE in a Northeasterly direction with the meanders of the North bank of Taylor Bayou as follows: North 64° 25' East, 93.60 feet; North 58° 04' 47" East 150 feet; North 77° 05' East 202.8 feet; and North 78° 12' 45" East 256.6 feet to a point for corner in the South right-of-way line of F.M. Highway 528, based on a width of 100 feet;

THENCE along the South right-of-way line of said F.M. Highway 528, North 55° 47' West, 232.89 feet to a brass disc at the P. C. of a curve to the left;

THENCE continuing along the south line of F.M. Highway 528, in a westerly direction following a curve to the left, having a radius of 1096.28 feet for a distance of 505.8 feet to the PLACE OF BEGINNING.

*Walsh, Squires & Tompkins*

*a professional corporation*

*Attorneys at Law*

*900 Marathon Oil Tower*

*5555 San Felipe*

*Houston, Texas 77056*

MILLER H. WALSH  
KENNETH C. SQUIRES  
JEFFREY J. TOMPKINS  
JACQUELINE S. AKINS  
T. FREDERICK JONES III  
JAMES H. LEELAND  
LUANN WAGENER POWERS  
WILLIAM B. HOWARD  
WILEY N. ANDERSON III  
MICHAEL C. AINBINDER  
HELEN FEIN COHN  
F. JOHN WAGNER, JR.  
WALTER B. THURMOND  
SCOTT R. SOMMERS  
WILLIAM C. McDONALD

AREA CODE 713  
961-4103  
ZAP MAIL NO.  
7136225810

May 9, 1986

VIA FEDERAL EXPRESS

Mr. Mike Hightower  
Espey, Houston & Associates  
5350 South Staples Street, Suite 212  
Corpus Christi, Texas 78411

Re: El Lago Marina

Dear Mike:

Since our telephone conversation, I have had an opportunity to speak with Ann Bennett of the General Land Office ("GLO") who indicated that it is the GLO's position that El Lago Marina is located in part on State of Texas coastal lands. Ms. Bennett further indicated that the GLO wants the owner of the Marina, Mr. Gerret van S. Copeland, to apply for a State Easement on Coastal Lands and pay the customary fees in connection therewith. Naturally, the position we would like to take is that Mr. Copeland is the owner of the entirety of the property upon which the Marina is located.

Enclosed for your consideration are copies of the following:

1. U.S. Army Corps of Engineers Dredging Permit and related file correspondence dating back to 1961, the time when Taylor Bayou was dredged in connection with construction of the Marina, then known as Boat Town of Texas (you will note that the Dredging Permit reflects an island that was completely removed at the time of dredging);
2. Aerial Photograph of the Marina;
3. Survey of the Marina prepared by R.W. Patrick & Associates, Inc. in 1975;
4. Survey of the Marina prepared by Five Star Surveying, Inc. in 1981 in connection with the acquisition of the Marina by Mr. Copeland;
5. Legal description of the Marina prepared by Five Star Surveying, Inc. in connection with the acquisition of the Marina by Mr. Copeland which excepts "that portion...to be submerged by the waters of Clear Lake and Taylor Lake Bayou and is thereby affected by the ebb and flow of the tide...;"
6. General Warranty Deed from Peregrine Construction Company to Gerret Copeland, which does not take exception to submerged land affected by the ebb and flow of the tide and which purports to convey to Mr. Copeland indefeasible title to the entire Marina; and
7. Owner's Policy of Title Insurance issued to Mr. Copeland.

Harris Co. Sk. File 102

Counter 25959

Mr. Mike Hightower  
May 9, 1986  
Page 2

Ms. Bennett has informed me that the appropriate manner for Mr. Copeland to contest the GLO's position that the Marina is on State coastal lands is to apply to the GLO for a determination of ownership. Ms. Bennett seemed to feel that if the offshore structures of the Marina were located in waters that had been dredged in order to make them navigable then these would not be State coastal lands. The Army Corps of Engineers File would seem to be favorable in this regard.

Once you have had an opportunity to review the foregoing, please call me with your thoughts as to how we may best proceed. Should you require any additional information, you may call either me or Mr. Cyril Brandt who manages the Marina. Mr. Brandt's telephone number is (713) 326-2408.

Thank you for your generous assistance and cooperation in this matter.

Very truly yours,

WALSH, SQUIRES & TOMPKINS

By: Michael C. Ainbinder  
Michael C. Ainbinder

(MCA/md/LTR4)  
Enclosure

cc: Mr. Cyril A. Brandt  
4321 NASA Road One  
Seabrook, Texas 77586  
(with enclosure)

Harris Co. Sk. File 102

counter 25960



*From the desk of*

7/3/86

ANN BENNETT

Bruce,

As per request.

A.

counter 25961

GLO Contact Report

Date: 4/15/86 Time: 10:30 AM GLO Coordination number Compliance  
Caller: Cyril Brandt Project Name El Lago Marina  
X Telephone Personal Clear Lake  
Person Contacted: Ann Bennett  
Organization: \_\_\_\_\_ Address: 4321 Nasa Rd. I  
Position: \_\_\_\_\_ Seabrook, Texas 77586  
Telephone: 326-2408 (caller)

Purpose: Called in response to my card left with the manager of the marina, con-  
cerning a permit for the marina. Do they have a current easement with the GLO.

Response: Mr. Brandt's son-in-law (Gerret Copeland) owns the marina. Mr. Brandt says  
that it is private and not state-owned land. I told him that if he would submit all  
the necessary information showing the area in question I would forward it to our survey  
department in Austin for a determination. Mr. Brandt said that he would and said it  
would be around the 10th of May before he could get all the necessary information. I  
said fine.

Action Taken: Will forward request to survey as soon as received.

Attn: Walter Manchac, Doreen McGee

GLO-UC-24-(1-82)

*Harris Co. Sk. File 102*

*counter 25962*



GLO Contact Report

Date: 5-30-86 Time: 4:45 PM GLO Coordination number Compliance  
Caller: Mr. Brandt Project Name Gerret Copeland  
X Telephone Personal El Largo Marina - Clear Lake  
Person Contacted: Ann Bennett  
Organization: \_\_\_\_\_ Address: \_\_\_\_\_  
Position: \_\_\_\_\_  
Telephone: \_\_\_\_\_

Purpose: Called to say his attorney is working with another attorney in Austin  
on his case (proving that the submerged area does not belong to the state).  
Mike Aimbinder attorney - 961-4103, local attorney.

Response: I ask him if he would keep me informed. Mr. Brandt will call me next week.  
6/5/86, Mr. Brandt called and said that they will be represented by Espey Huston &  
Assoc. in Austin. They will be sending information to Bruce Smith with a cc to the  
field office. I thanked him for calling.

Action Taken: Add to file.

Attn: Walter Manchac, Blake Pittman

GLO-UC-24-(1-82)

*Harris Co. sk. File 102*

*counter 25963*

GLO Contact Report

Date: 6-30-86 Time: 9:00 AM GLO Coordination number Compliance

Caller: Bruce Smith Project Name Gerret Copeland - Owner  
El Largo Marina - Clear

Telephone  Personal

Person Contacted: Ron Brinkley/Ann Bennett

Organization: \_\_\_\_\_ Address: \_\_\_\_\_

Position: \_\_\_\_\_

Telephone: \_\_\_\_\_

Purpose: Check status of file. Bruce has a meeting with Mike Hightower to discuss  
the project. May be encroachment. Determination has to be made by survey.

Response: I told Bruce that the two contact reports that I have in the field office  
file was sent to Blake, since it was a marina. I told Bruce that I would send him  
a topo map and aerial map of the vicinity. I requested letter that Mike Hightower  
(Espey Huston) sent to Bruce requesting meeting.

Action Taken: Sending the attached information to Bruce Smith.

Sent topo map (marked) + aerial photos (1984 + 1985, marked)

Attn: Walter Manchac, Bruce Smith

GLO-FC-24-(1-82)

*Harris Co. Sk. File 102*

*Counter 25967*

19803008

1: 0700

IX 61.0 CZ CLEAR LAKE

EL LARGO MARINA  
CLEAR LAKE N. SHORE  
HARRIS COUNTY, TX.  
3-26-82

Please evaluate THIS AREA ALSO!

APRIL 1944



Harris Co. Sk. File 102

scale: 1" equals 200ft.

AUGUST 1964



Harris Co. Sk. File 102

Sketch File No. 102  
County Harris (253)

APRIL 1944



Harris Co. sk. File 102

AUGUST 1964



Harris Co. sk. File 102