

File No. 9149 (Page 1)
Hemphill County
Sketch File
Filed Jan 21 1956
J. EARL BUDDER, Comm'r.

914 Travis St.
305 Western
Amarillo, Texas
September 26, 1955

D-41

J. Earl Budder Commissioner
General Land Office
Austin, 14, Texas

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Dear Sir:

Enclosed are field notes for sections 23 through 28 Block 43 H & T C RR Co. and sections 86, 87, 102, 103, 117 and 118 Block 42 H & T C RR Co. all in Hemphill County.

Since it is the expectation of the owners of the above land to use these notes in an application to purchase excess acreage, I am forwarding them to you to be checked before recording them in the County records.

You will note that these notes do not agree with different spots surveys recorded along the block line. I started out to try to use these surveys but found that I could not make a line out of them. I made a sketch of what I found and wrote to the General Land Office and asked for advice on this survey. The notes submitted represent the advice of the General Land Office and I consider the survey as near the original as can be made based on the sketchy original notes. I checked West of section 28 to the County line. According to Cunningham and Spiller's survey of the County line their corner pipe marked 30M should be 1955 Vrs. North of the NW corner of Section 132 Block 42. My line extended is 1960 Vrs South of the pipe marked 30M and about 2 Vrs. North of a corner pipe at the NW corner of Section 132 Block 42. My line follows fairly close to the old fence line, crossing it several times as it goes east. At the east side of Section 21 Block 43 my line extended agrees closely with what the Highway Dept. Engineers consider the SE corner of Section 21 Block 43 in their location survey for a Farm-to-Market road along the East side of Section 21. There is several conflicting surveys in this vicinity also. I consider the Highway Dept.'s work as accurate as any that has been done.

If you consider these surveys adequate please return them to me and I will have them recorded in the county records and return them to you with application to purchase excess. If corrections need to be made, please indicate them and I will make them.

This service will be greatly appreciated.

Yours truly,

James H. Miller

James H. Miller
Licensed State Land Surveyor.

ltr. 10-21-55
VES:mc
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RECEIVED

SEP 27 1955

GENERAL LAND OFFICE

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December 12, 1955

File No. 9
Hemphill County
Sketch File
Filed Jan 21 1956
J. EARL RUDDER, Com'r.
By J. E. Rudder

Mr. James H. Miller
Licensed State Land Surveyor
914 Travis Street
Amarillo, Texas

Dear Mr. Miller:

I have your letter of December 5, 1955 in regard to your corrected field notes which you submitted to this office for examination covering certain sections in H & T C, Blks. 42 and 43 in Hemphill County. I regret very much the delay in returning these field notes to you, however, as explained in my previous letter, there are several legal problems involved in the construction of these surveys which has caused a rather lengthy examination.

The construction of your map as submitted and the corrected field notes of Sections 23, 25, 26, 27 and 28, H & T C, Blk. 43 and Sections 86, 87, 102, 103 and 117, H & T C, Blk. 42 have been approved. These corrected field notes are being returned to you herewith so that you may have them recorded in the county surveyor's records of Hemphill County and returned to this office for filing.

The field notes for Section 24, H & T C Ry. Co., Blk. 43 and Section 118, H & T C Ry. Co., Blk. 42 have been disapproved for the following reasons:

Section 24 was patented in two tracts, namely the $W\frac{1}{2}$ for 326.2 acres and the $E\frac{1}{2}$ for 326.4. It will be necessary that a separate set of field notes be submitted for each tract as patented. The field notes for the $E\frac{1}{2}$ of Section 24 were made by Mr. A. H. Doucette and you indicate on your sketch that you have found the iron pipe set by Mr. Doucette for the SE and SW corners of this survey, therefore the area lying between these corners as said by Mr. Doucette and the S line of Section 24 as established by your resurvey will lie outside of the patented $E\frac{1}{2}$ of the section and cannot be included in an application for a deed of acquittance. This area may possibly be purchased under the provisions of the latter part of Section 5, Article 5421c, Vernon's Annotated

Mr. James H. Miller
December 12, 1955
Page 2

Civil Statutes.

Section No. 118, H & T C, Blk. 42 is patented in three separate tracts, namely the $E\frac{1}{2}$ for 320.7 acres, the $E\frac{1}{2}$ of the $W\frac{1}{2}$ for 160.3 acres and the $W\frac{1}{4}$ for 160.35 acres. A separate set of field notes will be required for each one of these tracts as patented. Mr. A. H. Doucette filed field notes for the $E\frac{1}{2}$ of this section and you indicate on your map that you have located the NE corner of Mr. Doucette's survey for the $E\frac{1}{2}$, therefore the area lying between the N line of $E\frac{1}{2}$ as patented and the N line of Section 118 as established by your survey cannot be included in the application for a deed of acquittance. This area also may come under the provisions of the latter part of Section 5, Article 5421c, V.A.C.S., as being an unsold portion of a surveyed school section.

Sections 117 and 118, H & T C Ry. Co., Blk. 42 will be in conflict to the extent of the area included in the Doucette Survey for the $E\frac{1}{2}$ of Survey 118. This portion of land should be included in the corrected field notes for 117 and excluded from the patent for the $E\frac{1}{2}$ of Section 118.

I am returning the penciled sketch you submitted together with a Land Office office sketch upon which I have delineated the surveys mentioned above. I would appreciate it very much if you would submit a certified sketch of your resurvey of the area covered by your corrected field notes, on which sketch you may indicate all original corners found and new corners set by this survey giving all necessary bearing calls, creek crossings and other pertinent information. This sketch should be made in ink upon linen tracing cloth so that it may withstand the ravages of time when filed on record in the General Land Office.

Field note forms, which you may find of value, are enclosed and if I can be of further assistance to you, please feel free to write me.

Very truly yours,

EARL RUDDER, COMMISSIONER

By

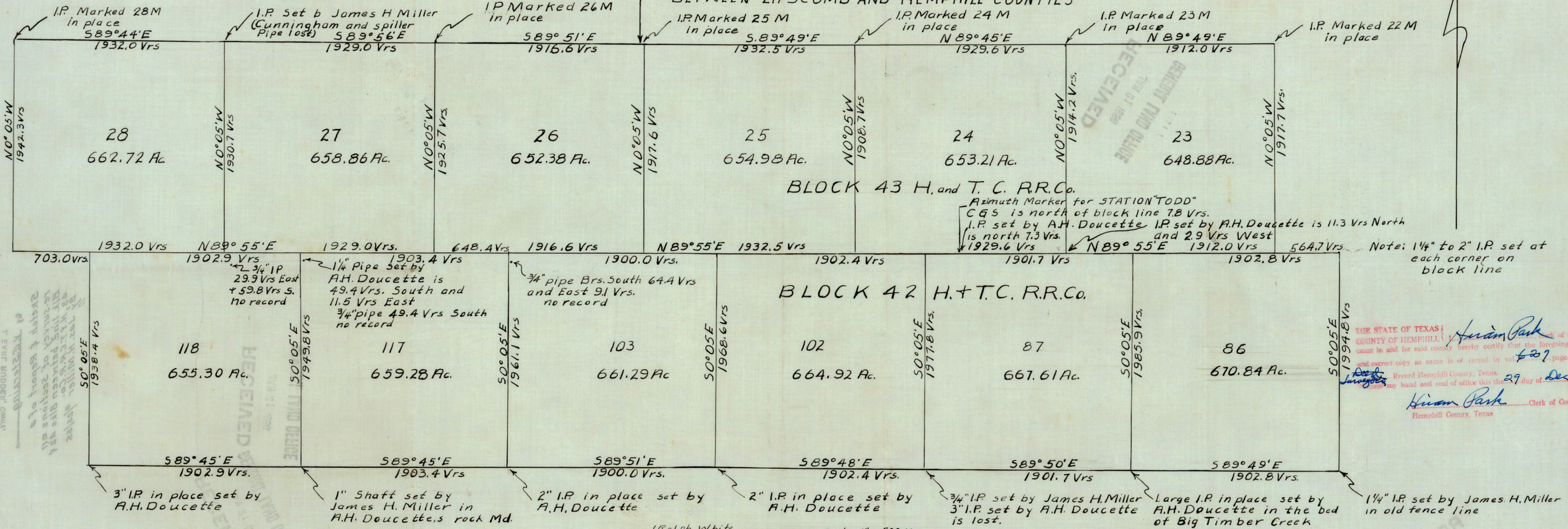
V. E. Sterzing
Engineering Department

VES:pt

Encl.

Files: 103445, 68731, 110067, 73718, 64291,
64288, 47196, 49343, 60062, Bex. S. 5903,
Bex. S. 5838, Bex. S. 5831, Bex. S. 5823,
Bex. S. 5902, Bex. S. 5904.

COUNTY LINE AS STAKED BY CUNNINGHAM AND SPILLER IN 1889
BETWEEN LIPSCOMB AND HEMPHILL COUNTIES



Map No. 2
COUNTY OF HEMPHILL
LIPSCOMB COUNTY
JAMES H. MILLER
A.H. DOUCETTE
Surveyors

RECEIVED
COUNTY CLERK
HEMPHILL COUNTY TEXAS

RECEIVED
COUNTY CLERK
HEMPHILL COUNTY TEXAS

THE STATE OF TEXAS
COUNTY OF HEMPHILL
I, James H. Miller, Surveyor of the county
do hereby certify that the foregoing is a true
and correct copy as same is of record in vol. 627 page 543
Record Hemphill County, Texas
my hand and seal of office this 29 day of Dec., 1955
James Park
Clerk of County Court
Hemphill County, Texas

Ralph White
Chain Carriers
Max Dendy

Scale 1" = 500 Vrs.
I, James H. Miller, L.S.L.S., in and for the State of Texas, do hereby certify that the foregoing survey was actually made by me
on the ground, according to law, on the dates and with the chain carriers aforesaid duly qualified, and that all the corners, lines,
boundaries and marks, of the same whether natural or artificial, are truly and correctly described in the foregoing plat.
Survey Completed Aug. 25, 1955
James H. Miller
Licensed State Land Surveyor