

D-132

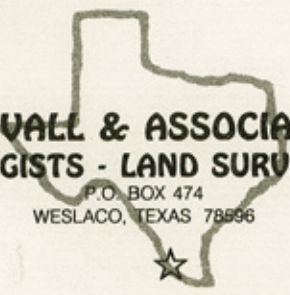
6606

TOM W. STOVALL, R.P.S.
ALLEN E. CHELF, R.P.S.
512-968-2422

615 INTERNATIONAL AVE.
901 S. TEXAS BLVD.
512-968-5060

**STOVALL & ASSOCIATES
GEOLOGISTS - LAND SURVEYORS**

P.O. BOX 474
WESLACO, TEXAS 78596



LEGAL DESCRIPTION OF 56.298 ACRES OF LAND
CAPISALLO DISTRICT SUBDIVISION, LLANO GRANDE GRANT
HIDALGO COUNTY, TEXAS
TRACT "A"

Being 56.298 acres of land situated in Hidalgo County, Texas, and being a part or portion of Lot 13, Block 103; Lot 4, Block 104; Lot 5, Block 104 of the Campacuas Addition to the Capisallo District Subdivision, Llano Grande Grant, and said 56.298 acres of land also being the same lands owned by E. H. Fojt as described in Warranty Deeds recorded in Vol. 297, Page 99; Vol. 512, Pages 29-30; Vol. 512, Pages 30-31; Vol. 516, Page 100; Vol. 1167, Pages 762-765 and Vol. 1420, Pages 767-768 of the Deed Records, Hidalgo County, Texas, and said 56.298 acres of land being more particularly described by metes and bounds as follows:

BEGINNING at a poured in place concrete monument with a 1" square iron rod in the center, found at the northwest corner of Lot 4, Block 104, and the southwest corner of Lot 13, Block 103 of said Campacuas Addition for the most western northwest corner of this tract; said monument also being in the center of Mile 7 North and Mile 2 West roads;

THENCE EAST, 580.00 feet along the north line of said Block 104 and the south line of said Block 103, to a cotton picker spindle set for an inner ell corner; said spindle also being in the center of said Mile 7 North road;

THENCE NORTH, at 20.00 feet pass a #4 rebar, 24" long with a plastic cap stamped "RLS 1651", set for reference on the north Right-of-Way line of said Mile 7 North road, and continuing a total distance of 1320.00 feet to a #4 rebar (same as above) set for the northern most northwest corner of this tract; said iron bar set in the north line of said Lot 13, Block 103 of said subdivision and also bears S 60°33'31" E, 1.19 feet from a ½" iron rebar found;

THENCE EAST, along the north line of said Lot 13, Block 103, at 718.65 feet pass a #4 rebar (same as above) set for reference and continuing a total distance of 740.00 feet to a point in an irrigation channel for the northeast corner of this tract; said point also being the northeast corner of Lot 13, Block 103 of said subdivision;

THENCE SOUTH, along said irrigation channel, at 1320.00 feet pass a cotton picker spindle set on a bridge over said channel at the southeast corner of

Continued on page 2

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Lot 3, Block 103 and the northeast corner of Lot 4, Block 104, (said spindle being on the dividing line of Blocks 103 and 104) and at 2640.00 feet pass a point at the southeast corner of Lot 4, Block 104 and the northeast corner of Lot 5, Block 104 and continuing a total distance of 2795.44 feet to a #4 rebar (same as before) set for the southeast corner of this tract; said rebar also being in the north Right-of-Way line of U.S. Expressway 83 and said rebar bears N 64°43'01" W, 2.54 feet from a 1/2" iron rod found;

THENCE along the Right-of-Way of said Expressway and along a curve to the right (pass a 1/2" iron rod found at the dividing line of Lot 5 and Lot 4, having a sub-chord bearing and distance of N 68°52'46" W, 433.13 feet) having a central angle of 10°27'10", a radius of 3669.83 feet, an arc length of 669.51 feet, a long chord bearing and distance of N 67°03'27" W, 668.58 feet to a 1/2" iron rod found for a point of tangency;

THENCE N 61°49'52" W (Deed Call N 61°48'18" W), along the north Right-of-Way of said Expressway, 98.71 feet (Deed Call 98.56 feet) to a 5/8" iron rod found for an angle point;

THENCE N 48°37'09" W (Deed Call N 48°35'21" W), along the north Right-of-Way of said Expressway, 146.09 feet (Deed Call 146.15 feet) to a 1" pinched top pipe found for an angle point;

THENCE N 35°23'45" W (Deed Call N 35°22'23" W), along the north Right-of-Way of said Expressway, 237.54 feet (Deed Call 237.58 feet) to a 1/2" iron rod found at an intersection with a curve; (the radius point of said curve bears S 54°46'12" W, 359.26 feet);

THENCE along the north Right-of-Way of said Expressway and along a curve to the left having a central angle of 54°38'17", a radius of 359.26 feet, an arc length of 342.60 feet, a long chord bearing and distance of N 62°32'57" W, 329.76 feet to a #4 rebar (same as before) set;

THENCE N 45°55'58" W, 49.37 feet along the north Right-of-Way of said Expressway to a 1" iron pipe found for an angle point;

THENCE S 88°58'28" W, 22.01 feet along the north Right-of-Way of said Expressway to a #4 rebar (same as before) set in the east Right-of-Way of Mile 2 West road; said rebar bears N 83°28'02" W, 4.04 feet from a 5/8" iron rod found;

THENCE WEST, 20.00 feet to a cotton picker spindle set for corner; said spindle being in the center of Mile 2 West road and the west line of Lot 4, Block 104 of said subdivision;

THENCE NORTH, 692.07 feet along the west line of Lot 4, Block 104 and the center

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Page 3, Tract "A"

of Mile 2 West road to the PLACE OF BEGINNING and containing 56.298 acres of land of which, 1.254 acres lie in Public Road Right-of-Way Easements and 4.713 acres lie in Channel Easement and borrow pit areas, leaving a net of 50.331 acres of land.

Surveyed: September, 1983

Bearing Basis: Bearing based on original bearings of the Capihallo District Subdivision, Llano Grande Grant, Hidalgo County, Texas.

I, Allen E. Chelf, Registered Public Surveyor, do hereby certify that this legal description represents the results of a survey made on the ground under my direction and supervision.




09-30-83

3931



TOM W. STOVALL, R.P.S.
ALLEN E. CHELF, R.P.S.
512-968-2422



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GEOLOGISTS - LAND SURVEYORS**

P.O. BOX 474
WESLACO, TEXAS 78596

6606

615 INTERNATIONAL AVE.
901 S. TEXAS BLVD.
512-968-5060

LEGAL DESCRIPTION OF 0.288 ACRE OF LAND
CAPISALLO DISTRICT SUBDIVISION, LLANO GRANDE GRANT
HIDALGO COUNTY, TEXAS
TRACT "B"

Being 0.288 acre of land situated in Hidalgo County, Texas, and being a part or portion of Lot 4, Block 104, Campacuas Addition to the Capisallo District Subdivision, Llano Grande Grant, Hidalgo County, Texas, and said 0.288 acre of land also being the same land owned by E. H. Fojt as described in Vol. 512, Page 30-31, Deed Records of Hidalgo County, Texas, and said 0.288 acre also being more particularly described by metes and bounds as follows:

BEGINNING at a nail and washer set at the southwest corner of Lot 4, Block 104, of said subdivision for the southwest corner of this tract; said nail and washer also being in the center of Mile 2 West road;

THENCE NORTH, 627.93 feet along the west line of Lot 4, Block 104, of said subdivision to a cotton picker spindle found for a corner; said spindle also in the center of Mile 2 West road;

THENCE EAST, 20.00 feet to a #4 rebar 24" long with a plastic cap stamped "RLS 1651" found for corner; said rebar being in the east Right-of-Way of Mile 2 West road;

THENCE SOUTH, 627.92 feet along the east Right-of-Way line of Mile 2 West to a point for corner; said point being on the south line of said Lot 4, Block 104;

THENCE WEST, 20.00 feet along the south line of Lot 4, Block 104 to the

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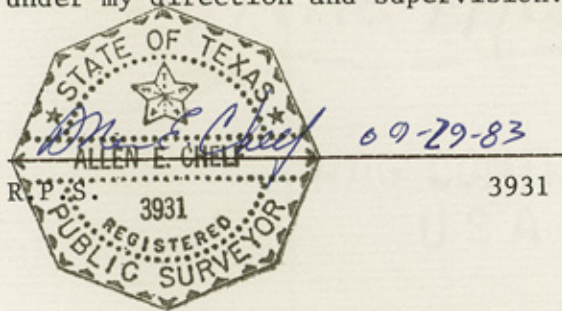
Page 2, Tract "B"

PLACE OF BEGINNING and containing 0.288 acre of land, all of which lies
in Public Road Right-of-Way Easement.

Surveyed: September, 1983

Bearing Basis: Bearing based on original bearings of the Capisallo District
Subdivision, Llano Grande Grant, Hidalgo County, Texas.

I, Allen E. Chelf, Registered Public Surveyor, do hereby certify that this
legal description represents the results of a survey made on the ground
under my direction and supervision.



File No. Sketch File 19

Hidalgo County

56.586 ac. out of Gapisalla Dist. Subd.
Llano Grande Grant

Filed 10-14 19 83

GARRY MAURO, Com'r

By Douglas Howard



Counter 26453

Hidalgo Co. St. File #19

D-138

TOM W. STOVALL, R.P.S.
ALLEN E. CHELF, R.P.S.
512-968-2422

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P.O. BOX 474
WESLACO, TEXAS 78096

SURVEYOR'S REPORT

TITLE

This report covers the survey of E. H. Fojt's lands, a Called 22.445 acre tract in Lot 13, Block 103, all of Lot 4, Block 104 save and except a Called 6.516 acre tract bought by Texas Highway Dept. and a Called 0.774 acre tract in Lot 5, Block 104 of the Campacuas Addition to the Capisallo District Subdivision, Llano Grande Grant, Hidalgo County, Texas.

The survey was authorized by Mr. C. H. Sumrall of the General Land Office, Austin, Texas, by contract dated September 21, 1983.

PURPOSE

The purpose of this survey was to determine the location of all corners, re-establish any missing corners, determine if any conflicts exist, their location, the amount of gross acreage and the amount of usable acreage.

DATA

This survey necessitated the search of various records for information. The General Land Office furnished the Warranty Deeds for said property. We researched the Deed Records in the Hidalgo County Courthouse for the remainder of deeds needed.

SURVEY ACCURACY

This survey was made using a Kern 1" Theodolite with a Hewlett-Packard 3800 Distance Meter. The closure obtained was 33 seconds in angle and one foot in 52,447.36 Ft. measurement.

SURVEY TRAVERSE

I began this survey at a known monument used for previous surveys around this tract. This Monument is poured-in-place concrete with a 1" square bar, set by the American Co. These monuments were set on all block corners (1 mile square). We have uncovered a number of these monuments and they are pretty much all alike. On the original Capisallo District plat, roads are indicated at even and 1/2 miles both North and South (Deed Ref: Vol. P, Page 225-227, Deed Records, Hidalgo County, Texas) (a copy is enclosed for your use). This monument is located at the Northwest corner of Block 104, the Northeast corner of Block 113, the Southeast corner of Block 114 and the Southwest corner of Block 103, and also in the center of Mile 7 North and Mile 2 West.

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Using other monuments found on Mile 7 North, we traversed East 580.00 feet and searched for an iron pipe as described in a deed to E. H. Fojt (Vol. 1195, page 501-504) and did not find anything. We then set a cotton picker spindle in a dirt-gravel road for the southwest corner of a Called 22.445 acre tract. We then continued East another 740.00 feet and searched for another iron pin as called for, but we found nothing. We then set another cotton picker spindle for the southeast corner of said Called 22.445 acre tract. Returning to the southwest corner of this tract, we traversed North from the cotton picker spindle (set at the southwest corner) and on this North bearing we set a #4 rebar 24" long with a plastic cap stamped "RLS 1651" at 20.00 feet north of the spindle in the north right-of-way of a dedicated road, and continued north a total distance of 1320.00 feet where we searched for an iron pin. We found an iron pin that was 1.00 foot west and 0.58 foot north of where the corner should have been. We set a #4 rebar (same as above) at the bearing and distance as called in Deed; said rebar being set in the north line of Lot 13, Block 103. We then traversed East along the north line of Lot 13, Block 103, 718.65 feet and set a #4 rebar (same as above) on line for reference because the called distance fell in a concrete irrigation channel. We then ran a random traverse South 1320.00 feet to a cotton picker spindle previously set for the southeast corner of Lot 13. We then continued south along a random traverse line and found a 1/2" iron bar on the north right-of-way of U.S. 83 Expressway. We then continued in a northwesterly direction along the north right-of-way of said Expressway with a random traverse, locating and tying all iron rods and pipes found, marking said right-of-way and traversing back to the PLACE OF BEGINNING.

We then made a hard copy working sketch of the evidence found on the ground. After careful examination of the evidence found and comparison with Deed Records, and after having been on the ground and consulting with Mr. Tom Stovall, R.P.S., I drew the following conclusions:

1. In Lot 13, Block 103, I disregarded the iron rod found at the northwest corner and set a #4 rebar (same as above) on record bearing and distance. At the northeast corner, we set a #4 rebar 21.35 feet west of said corner due to the fact that the corner fell in a concrete irrigation channel. We set a cotton picker spindle at the southeast corner of Lot 13, Block 103 and the northeast corner of Lot 4, Block 104. Some of the discrepancies found were: the acreage call in Lot 13, Block 103 was said to be 22.445 acres and is actually 22.424 acres (740.00 X 1320.00 = 976800.00 divided by 43560 = 22.424); and in researching an adjoining deed to this tract, there appears to be a 0.68 foot gap along the west line of the said 22.424 acre tract. The adjoining deed calls for a distance of 579.32 feet along the north and south lines of Lot 13, Block 103, East from the southwest corner of Lot 13, Block 103 (Deed Ref: Vol. 1236, page 318). We held to record lot lines of 1320.00 feet.
2. In Lot 4, Block 104, we held the west line of Lot 4 at Deed Calls according to Highway Dept. Deeds. After careful review, we found that the Highway Dept., when buying the right-of-way for U.S. 83 Expressway, left a 20.00 ft. by 627.93 ft. strip of land entirely in the right-of-way easement of Mile 2 West Road as dedicated in original subdivision (Vol. P, page 225-227) and has no useable acres but is still owned by E. H. Fojt. Also in Lot 4, Block 104, it was discovered that the courses and distances between monuments (iron pins and/or pipes)

were within acceptable tolerance but the whole series of monuments were found to to be a consistent 0.40 ft. +/- north and 2.00 to 2.58 ft. east of where record shows them to be. We accepted the monuments that we found as being the north right-of-way of said Expressway. We had to set one iron rod at the intersection of a curve with a S 45°55'58" E bearing and using the record radius we recalculated the curve. The curve is not tangent to the back or forward tangent.

- 3. In Lot 5, Block 104, at the southeast corner where we had located a 1/2" iron rod set by the Highway Dept., we found by producing a line south and parallel to the record west line from the northeast corner of Lot 4, Block 104 through a point at the southeast corner of Lot 4 and the northeast corner of Lot 5, Block 104 and continuing south along the record Called east line to a point of intersection with the north right-of-way line of said Expressway, that the iron rod we located was 2.30 feet too far to the east. I then calculated a point being on the east line of said Lot 5 and the north right-of-way line of said expressway as found staked on the ground, and set a new #4 rebar for Fojt's southeast corner. This point was figured by holding tangent to forward tangent and holding record radius (3669.83) on the east line of Lot 5, Block 104.

I felt that we should set a new corner because we were actually encroaching on someone else's property when we could produce the east line of Lot 13, Block 103 and Lots 4 & 5, Block 104 as Deed Records show (and being parallel to Deed Record west line as found on the ground) and still have the land entitled to Mr. Fojt.

In conclusion, I feel that this survey gave Mr. Fojt all of his land as recorded in Deeds and any shortage of acreage came from the highway right-of-way being too far north and east of where Deed Records show. The monuments found on the ground show that the Highway Dept. was consistent in placing their monuments close to Deed Record calls but they don't appear to be on the same meridian as the original Capisallo District Subdivision.

These are all of the problems that I found on the ground during this survey.

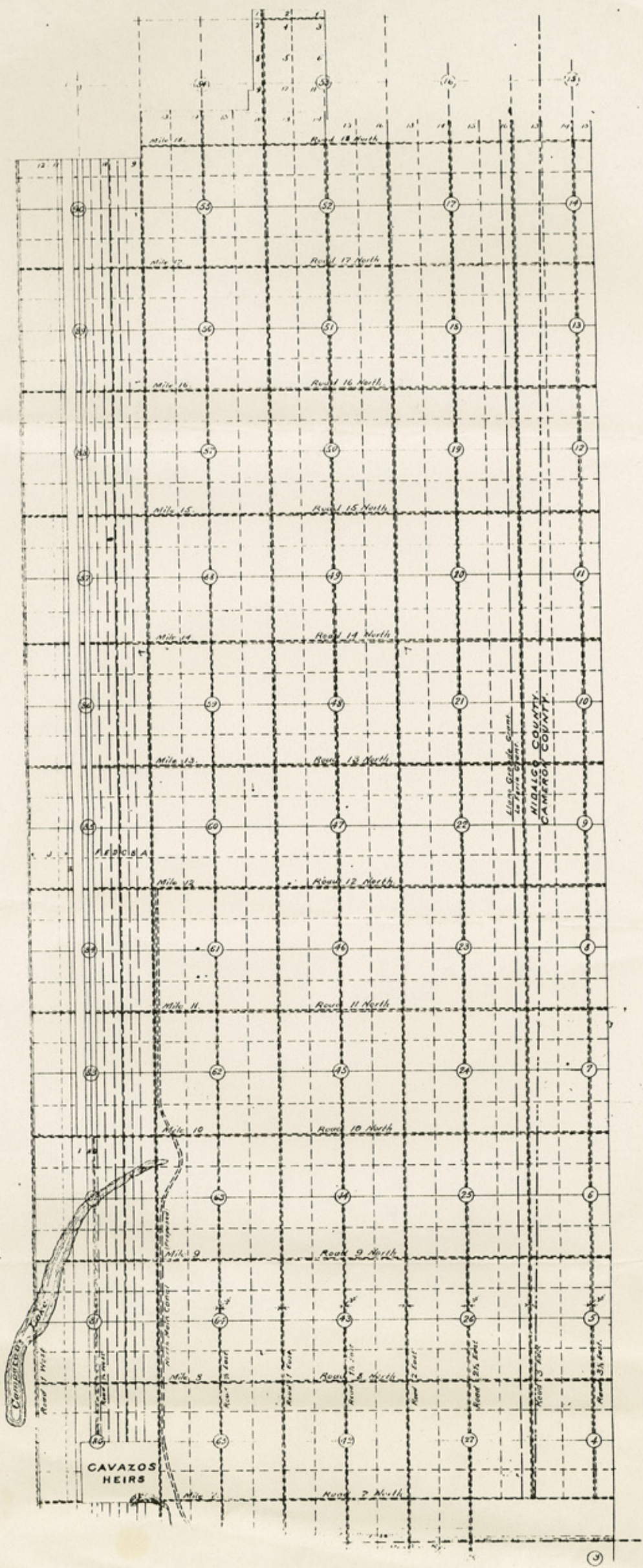
I respectfully submit this Surveyor's Report to be added to our plat and legal description which were mailed previously.



Allen E. Chelf
Oct 7 1983
R.P.S. 3931

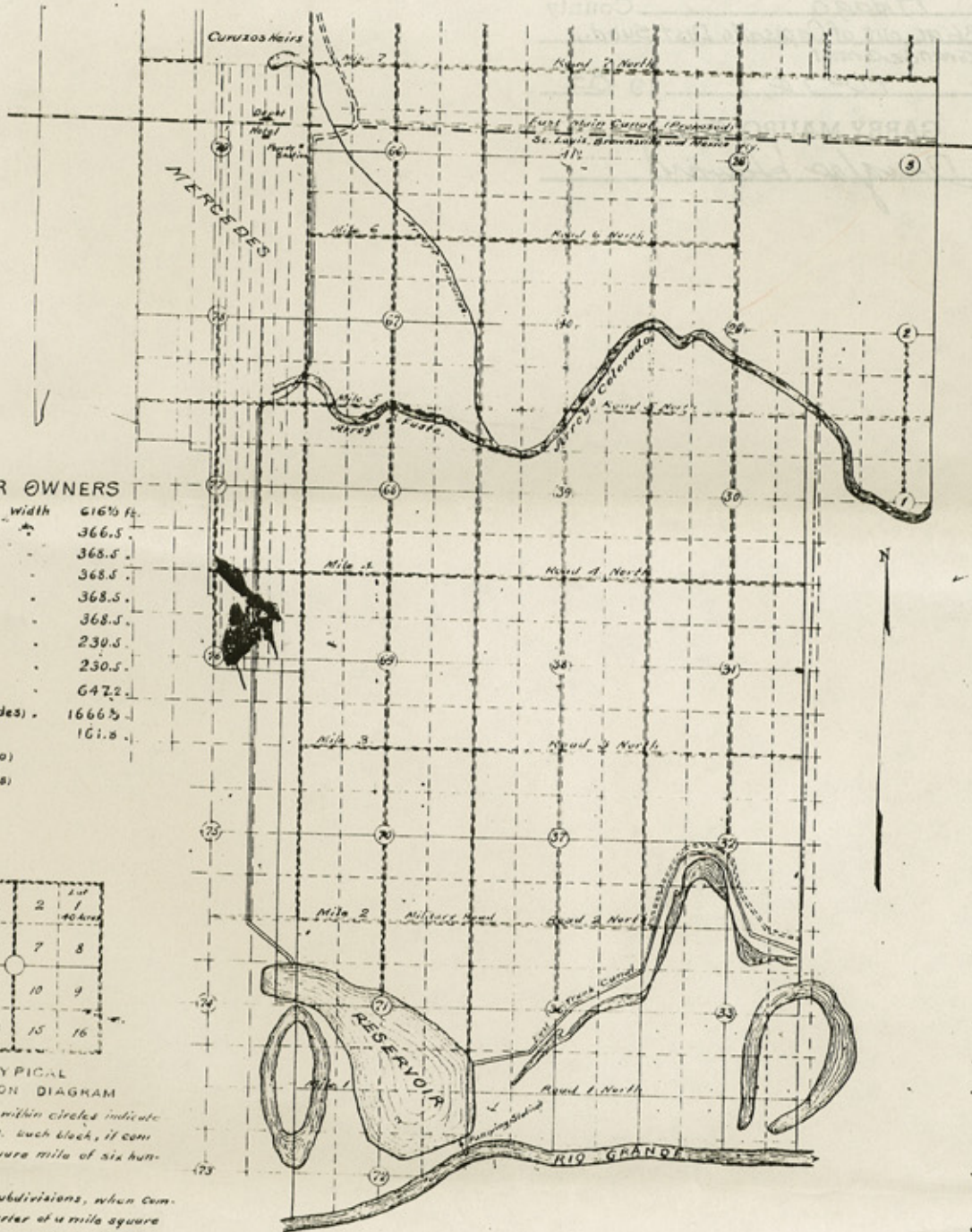
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FORMER OWNERS

J. D. Cavazos	width	616 1/2
J. Hinojoso		366.5
R. Hinojoso		368.5
Gonzales		368.5
Rodriguez		368.5
M. Hinojoso		368.5
B. Rodriguez		230.5
M. Mora & wife		230.5
M. Fernandez		647.2
J. P. Withers (Rhodes)		1666.5
J. B. Wells & wife		161.8
J. P. Withers (Cano)		
J. P. Withers (Solis)		



TYPICAL SUBDIVISION DIAGRAM

- NOTES:
- Figures within circles indicate the number of the blocks. Each block, if complete, contains one square mile of six hundred and forty acres.
 - Block subdivisions, when complete, are each one quarter of a mile square and contains forty acres, and are numbered as shown on diagram. Incomplete blocks are numbered as shown on the map.
 - Double dotted lines, along block boundaries and centers, indicate contemplated roads. The Military road is sixty feet wide.

Note - Any farm lot may be located by learning its distance in miles, East or West from the CapiSallo road and its distance in miles North from the Rio Grande, the North and South roads being at intervals of half-miles and the East and West roads at intervals of one mile. Thus the location of lot 7 in block 27 is Road 2 1/2 E, 7 1/2 N. Similarly the location of lot 11 in block 31 is Road 1/2 W, 3 N.

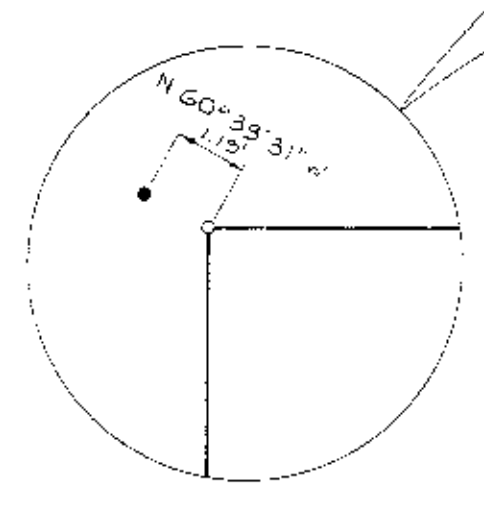
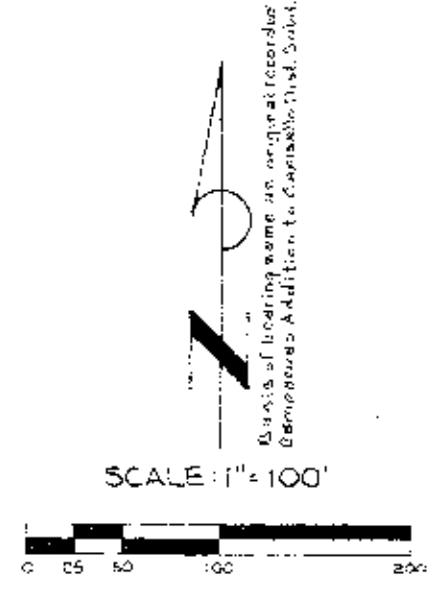
Map of the
CAPISALLO DISTRICT
 of the LANDS of the
AMERICAN RIO-GRANDE LAND AND IRRIGATION COMPANY.
 Situated in Hidalgo and Cameron Counties, Texas.

Scale: 1" = 2000'
 Recorded on Scale of 4000' 12"

State of Texas }
 County of Hidalgo } SS. I, Chester B. Davis, Civil Engineer and Surveyor, do hereby certify that this map of the CapiSallo District of the lands of the American Rio Grande Land and Irrigation Company, in the County of Hidalgo, is a full, true and complete map of the said District as caused to be surveyed by me for the said American Rio Grande Land and Irrigation Company and of the Blocks, Lots and Roads as actually surveyed and platted. Witness my hand this the Twelfth day of February A.D. 1907. *Chester B. Davis*
 Civil Engineer and Surveyor.

Filed for record this the 5th day of March A.D. 1907, at 9 O'clock A.M. J. E. Chaves Ch. Co. Cl. Hidalgo Co. Texas.
 and duly Recorded the 7th day of March A.D. 1907 at 4 O'clock P.M. *A. E. Chang* - County Clerk.

S. J. Rowe Draftsman.



- LEGEND**
- Fnd. 1/2" iron bar
 - Fnd. 3/4" iron bar
 - Fnd. 1" on pipe
 - ▲ Set cotton picker spindle
 - Fnd. conc monument
 - Set 4" rebar 24" long w/zip stamped "R.S.-1651"

I, ALLEN E. CHELF, REGISTERED PUBLIC SURVEYOR DO HEREBY CERTIFY THE FOREGOING PLAT TO BE A TRUE AND CORRECT REPRESENTATION OF A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION



10-11-83

Revised 10-11-83

PLAT OF
56,586 ACRES OF LAND
CONSISTING OF TWO TRACTS 'A' & 'B'
TRACT 'A' 56,258 ACRES BEING A
PART OF LOT 13, BLOCK 103 AND A
PART OF LOTS 4 AND 5, BLOCK 104
TRACT 'B' 0.288 ACRE
ALL IN LOT 4, BLOCK 104 IN THE
CAMPAGUAS ADDITION TO THE
CARISALLO DISTRICT SUBDIVISION
LLANO GRANDE GRANT
HIDALGO COUNTY, TEXAS

File No. Sketch File 19
Hidalgo County
56.586 Acres out of Campagua Dist. Subd. Llano Grande Grant
Filed 10-14 19 83
GARRY MAURO, Com'r
By Garry Mauro

PLAT FOR General Land Office

STOVALL & ASSOCIATES
GEOLOGISTS - LAND SURVEYORS
DALLAS, TEXAS

DATE: 6 SEP 83
DRAWN BY: G.E.