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REPORT OF SURVEY OF SEVERAL BLOCKS AND SURVEYS IN HUDSPETH,
CULBERSON, JEFF DAVIS AND PRESIDIO COUNTIES, TEXAS

At the time of original location of the subject area there were only two counties designated instead of the four present counties. These were El Paso County and Presidio County.

The act of January 3, 1850 (Gammels Laws, 3/462-463) first created the counties of El Paso and Presidio. All of the lands embraced in both counties was combined in the land district of El Paso by the act of 1852 (Gammels Laws, 3/1012) and separated again into the land district of El Paso and land district of Presidio by the act of February 7, 1853 (Gammels Laws 3/1315) and the act of 1852 was repealed.

The act of July 19, 1870 (Gammels Laws 6/206) again described Presidio County but was repealed by act of May 12, 1871. The description of said Counties at the time of the original location of the subject blocks and surveys is found as follows: (1) Act approved May 2, 1871 (Gammels Laws 6/972) amending the act of January 3, 1850 -- "That the boundaries of El Paso County shall hereafter be as follows: Commencing at a point on the East bank of the Rio Grande, established as the boundary line between the State of Texas and the territory of New Mexico; that is the point where the thirty-second parallel of North Latitude crosses the Rio Grande; thence due East along said thirty-second parallel of North Latitude to where it crosses the river Pecos; thence following down the Western bank of the river Pecos to the South bank of Delaware Creek, at its point of junction with the river Pecos; thence in a Southwesterly direction to San Martin Springs in the Apache Mountains; thence in a Southwesterly direction to the East bank of the Rio Grande, where it is crossed by the one hundred and fifth parallel of longitude West of Greenwich; thence following the East bank of said Rio Grande to the place of beginning, and all the territory within said boundary shall be known as the county of El Paso.", (2) Act approved May 12, 1871 (Gammels Laws 6/988) repealing the act of July 19, 1870 and enacting that Presidio County be organized with the following limits: "Commencing at a point on the Rio Grande where it is crossed by the one hundred and fifth parallel of longitude West of Greenwich, thence Northeast to the San Martin Springs in the Apache Mountains, thence Southeast to Varela Springs, thence in a Southeasterly direction to the mouth of the San Francisco River, where it empties into the Rio Grande, thence up said river to the place of beginning and all the territory within the said limits shall constitute the county of Presidio".

T. & P. R.R. Co. Blocks 2, 3 and 5 were first described in field notes returned by L. E. Edwards in 1873. These surveys were run out of the ground by Murray Harris in 1884. Mr. Harris' work was adopted by Sam E. Wade, County Surveyor of El Paso County, who returned corrected field notes for surveys in said Block 3. These field notes were cancelled by corrected field notes by John P. Randolph, County Surveyor of El Paso County indicating the same date of survey. Mr. Randolph also adopted the work of Murray Harris but changed the numbers of the surveys, i.e. Murray Harris No. 1 = J. P. Randolph's No. 10. All of the patented surveys in T. & P. R.R. Co. Block 3, except 1 thru 8 inclusive, were patented on the said Field Notes of J. P. Randolph.

Mr. S. A. Thompson, County Surveyor of Presidio County adopted the work of Murray Harris and returned Field Notes of said Surveys 1 thru 8 inclusive in said Block 3. Surveys 1, 2 and 3 in said Block 3 were patented on S. A. Thompson's Field Notes. Survey 5 in said Block was also patented on S. A. Thompson Field Notes but patent was cancelled by court degree in Cause No. 10357 according to notation of file jacket. Surveys 6 and 8 in said Block 3 have not yet been patented and Surveys 4 and 7 in said Block 3 were erroneously patented on said Sam H. Wade Field Notes which in effect locates Survey 4 in the same position as Survey 13 of said Block 3 and locates Survey 7 in the same position as Survey 16 in Block 3. This being a scrivener's error in the General Land Office the same should be corrected immediately by using the Field Notes of S. A. Thompson to issue corrected patents on said Surveys 4 and 7.

Mr. Thompson also adopted the work of Murray Harris and returned Field Notes for T. & P. R.R. Co. Block 2 and in that block changed the numbers as follows. Murray Harris No. 60 = S. A. Thompson No. 62 etc.

Mr. S. A. Thompson also returned corrected field notes for T. & P. R.R. Co. Block 5.

G. C. & S. F. R.R. Co. Blocks 3 and 2 where surveyed by A. Q. Wingo in 1880. Mr. Wingo was the first to indicate a ground location of the South line of El Paso County and the North line of Presidio County.

T. C. R.R. Co. and G. C. & S. F. R.R. Co. Surveys with the six hundred and seven hundred series numbers where surveyed by Mr. J. Hoban, County Surveyor of Presidio County, in 1881.

In July 1882 John T. Gano, Deputy County Surveyor of Presidio County, returned field notes of T. & St. L. R.R. Co. Block 252. Mr. Gano made no identifiable corners but tied his work to the aforesaid surveys by Mr. J. Hoban.

Both Mr. Hoban and Mr. Gano attempted to locate surveys many miles farther North than where Mr. Wingo indicated the North line of Presidio County and the South line of El Paso County to be. This is indicated on General Land Office Presidio County Rolled Sketch No. 13. Comparison of said Rolled Sketch 13 with other maps of the time and the actual location of surveys in this area will reveal that Mr. Gano was completely lost as to the location of the North line of Presidio County and the location of the one hundred and fifth meridian as well as many other points which he attempts to show on said Rolled Sketch No. 13. In this connection I call your attention to the sketches by Mr. A. Q. Wingo found in Bexar Scrip File 35151 of Hudspeth County.

Just over one month after Mr. Gano's attempted locations, in August 1882, Mr. G. N. Marshall, Deputy Surveyor of El Paso County, surveyed and returned Field Notes for T. M. R.R. Co. Block 1 lying between G. C. & S. F. R.R. Co. Blocks 3 and 2. Mr. Marshall indicated the South line of El Paso County and the North line of Presidio County in the same place as did Mr. Wingo.

Several searches in your office have failed to produce the Field Notes of Surveys 835, 836 and 837, called for by Mr. Gano in his Field Notes on T. & St. L. R.R. Co. Block 252. Said Survey 835, 836 and 837 were apparently in the same location as Presidio County School Land Surveys 1, 2 and 3. Said Surveys 1, 2 and 3 were originally located by Mr. S. A. Thompson in 1883.

The certificate for Presidio County School Land Survey 3 was floated elsewhere and Surveys 1 and 2 were patented on Corrected Field Notes by Mr. H. M. Patterson dated May 31, 1889. Mr. Patterson ran numerous connecting lines (See Jeff Davis County Sketch File No. 13 and Culberson County Rolled Sketch No. 1C) prior to returning said Field Notes for Presidio County School Land Surveys. Some of these connecting lines were from Van Horn Wells to the S.E. corner of T. C. R.R. Co. Survey 617 and from the S.E. corner of said Survey 617 to the lower corner of T. & P. R.R. Co. Survey 4 Block 3 on the Rio Grande.

In September 1882 Mr. Gano located a Block G25, several Surveys of which are in almost complete conflict with T. & P. R.R. Co. Blocks 2 and 5, Presidio County. Only one of these conflicting surveys was patented that being No. 26, Certificate 60, Bexar Scrip File 44146. This survey is patented on the original notes in December 1884 and it may be that the State parted title to all of this survey not previously included in the patents of the odd numbered surveys in said T. & P. R.R. Co. Blocks 2 and 5. In other words the State may have parted Title to the parts of said Survey 26 that conflict with the even numbered or State Surveys in said T. & P. Blocks.

Under Certificates No. 16 and 18 issued to Francis Rooney, Mr. T. R. Owen located Surveys 435, 436, 437 and 438 on July 10, 1886. These surveys were to be located in such a way as to fill in the gap that was suppose to be left between T. & P. R.R. Co. Block 2 and T. & P. R.R. Co. Block 3. Mr. Owen's location was in considerable conflict with Presidio County School Land Surveys 2 and 3 as they then existed and Presidio County School Land Survey 2 as it now exists. Said Survey 2 now contains all of said Survey 2 and part of Presidio County School Land Survey 3 not in conflict with prior surveys i.e., T. & P. R.R. Co. Blocks.

Survey 437 was totally lost to this conflict, Survey 438 was almost entirely lost and Surveys 435 and 436 were considerably reduced in size due to this conflict.

435 = 436

The Land Scrip or Certificates issued to Texas Mexican Railway Company, formerly the Corpus Cristi, San Diego and Rio Grande Narrow Gage Railroad Company, dated December 15, 1881, carry the following instructions "The lands granted to said company are to be located in alternate sections, and surveyed in the following manner: (1) Two sections of land adjoining and connecting with each other must be surveyed, one for the state and the other for the company. (2) The surveys to be made square, unless prevented by previous entries or navigable streams. (3) When the Field Notes have been returned to the General Land Office, the Commissioner will number the surveys and report the result to the surveyor who will fill up the blanks left in his record for that purpose, accordingly. (As a matter of convenience in describing the surveys, when reporting the numbers the surveyor should number the Field Notes temporarily in pencil). (4) In dividing the surveys, a fraction of over 320 acres will be counted as a whole section, and two fractions of less than 320 acres will be regarded as a section. (5) The even numbers will be reserved to the State and the odd numbers to the company." However, even with the explicit instruction above that the sections of land be adjoining and connecting, and numbered so that the even-odd system prevails, somehow, perhaps in the General Land Office, the numbering went astray and Survey 34 Block 1, was placed or numbered next to T. M. R.R. Co. Survey 31, and Survey 32 was placed or numbered next to T. M. R.R. Co. Survey 33, said Block 1.

This then explains the reason why in 1903 Mr. R. J. Owen prepared Corrected Field Notes to locate T. M. R.R. Co. Survey 32 to adjoin T. M. R.R. Co. Survey 31 and in the position where T. M. R.R. Co. Survey 34 had previously been located. It is not totally clear why Mr. Owen felt the need to correct T. M. R.R. Co. Survey 31, Block 1, but nonetheless he did return Corrected Field Notes for same slightly changing the dimensions thereof. Mr. Owen also prepared Corrected Field Notes for Survey 34 T. M. R.R. Co. Block 1, moving said Survey 34 to the position previously occupied by T. M. R.R. Co. Survey 32, adjacent to T. M. R.R. Co. Survey 33, Block 1. In making this correction, for some unknown reason, Mr. Owen chose to leave out a considerable portion of the area occupied by the original T. M. R.R. Co. Survey 32, lying below or South of G. C. & S. F. R.R. Co. Survey 29, Block 2, and therefore being short of area, corrected T. M. R.R. Co. Survey 33 so as to balance the acreage between what would now be T. M. R.R. Co. Surveys 33 and 34 Block 1.

Also for reasons that are not apparent, Mr. Owen corrected T. M. R.R. Co. Survey 28 to occupy the position formerly occupied by T. M. R.R. Co. Survey 29, Block 1, leaving the area immediately East of and adjoining T. M. R.R. Co. Survey 27, Block 1 and immediately South of and adjoining G. C. & S. F. R.R. Co. Survey 30, Block 2, void of any T. M. R.R. Co. locations. This would apparently allow the surveys by Mr. J. Hoban in 1881, although not located by the proper surveyor in the proper county, to be the only locations covering this area apparently abandoned by Mr. Owen's corrections. As aforesaid Mr. Owen moved T. M. R.R. Co. Survey 28 to the position formerly occupied by T. M. R.R. Co. Survey 29, Block 1 and prepared corrected notes for Survey 29 and companion Survey 30 so that together these occupy the position formerly occupied by T. M. R.R. Co. Survey 30, Block 1. This correction cut the content of said Surveys 29 and 30 to one-half the original size or approximately 320 acres each.

In all the aforesaid corrections Mr. Owen appeared to indicate the South line of El Paso County and the North line of Presidio County in the same place as Mr. A. Q. Wingo had described it in his Field Notes of G. C. & S. F. R.R. Co. Block 2.

With the situation being as aforesaid, we then have senior surveys by J. Hoban and senior T. & St. L. Ry. Co. Surveys by John T. Gano underlying T. M. R.R. Co. Block 1 Surveys, but the said "Senior" surveys were illegally made in El Paso County by the Presidio County Surveyors. Your attention is called to the File Jacket for T. & St. L. R.R. Co. Surveys 13 and 14, Block 252, identified as Bexar Scrip 43990, wherein the notation is found "Made by the surveyor of Presidio County in El Paso County--therefore illegal". This note was written in October 1893. Also on the Jacket for G. C. & S. F. R.R. Co. Surveys 717 and 718, Bexar Scrip 35083, bears the notations, among others, "OFF", and "this made by wrong District Surveyor --

Robison 6/26/1901". In addition I call your attention to the File Jacket for T. M. R.R. Co. Surveys 31 and 32, Bexar Scrip 42351, Certificate 818, where we find written the following "See Rld Sk.--Hudspeth Co.--Sec. 31 OK for 202.9 ac.--12-18-1980, Sec. 32 No longer exists--covered by Sec. 14, Blk. 252, T. & St. L. Ry. Co. in File Bexar Script 43990--signed Jack Giberson, Chief Clerk--12/29/80".

Our construction is based on the recognition of the above statement that it was illegal for a surveyor to make locations outside the county of his jurisdiction and that the first and only identification of the South line of El Paso County and North line of Presidio County was made by A. Q. Wingo in 1880. Also that this was public notice having been filed in the General Land Office some two years prior to the attempted locations by John T. Gano in 1882, of lands to the North thereof. This was also considered in light of Presidio County Rolled Sketch 13 which is Mr. Gano's own map showing that he had no idea where the county line was and attempted to locate same many many miles North of its correct location. This is not to say that Mr. Wingo's location of the county line was exactly as called for by the legislative act creating same. However it can be ascertained by my map that he was within approximately 300 feet of the one hundred fifth longitude when he located the original Northwest corner of John Henderson Survey where he thought the one hundred and fifth longitude was. It can likewise be ascertained that when he reached the Rio Grande he was about three quarters of a mile too far East, therefore some distance South of the point where the one hundred and fifth longitude would intersect the Rio Grande, unless the river has changed in this area which is very doubtful. Nonetheless, Mr. Wingo's location was the only location at that time and was, as aforesaid, public record some two years before Mr. Gano's attempted location. It is also noteworthy that the presently recognized county line is located some two miles Southerly from Mr. Wingo's aforementioned location for said county line.

My construction allows the locations properly made in El Paso County (now Hudspeth County) to exist only to the old North line of Presidio County and likewise allows the locations properly made in Presidio County to exist only to the old South line of El Paso County as aforesaid.

The construction of T. & P. R.R. Co. Block 2 is based on original corners recovered or relocated from original witnesses with the lines of same running back from these corners based on true north as determined at the original corner found nearest to the midpoint of said block. In said Block 2 this is at the original corner of Surveys 38 and 39 where $N.50^{\circ}00'00''E.$ (True Course) equals $N.52^{\circ}18'19''E.$ grid course and therefore all lines in said block running back from original corners are $N.52^{\circ}18'19''E.$ grid course. Thus all lines across the back of said surveys are on a course $N.37^{\circ}41'41''W.$ grid. The excess found between original corners was prorated and the excess or shortage found in the offset distances in the back end of said block as created by the calls for each of the side lines of the survey were prorated by the dividing by the intervening number of surveys and applying the sign plus or minus as needed to shift all in the same direction between corners found.

T. & P. R.R. Co. Block 5 is constructed based on its adjoinders to said Block 2 and its field note calls.

T. & P. R.R. Co. Block 3 is constructed by the same method as T. & P. R.R. Co. Block 2 and based on True North at the original corner of Surveys 14 and 15 therein where $N.50^{\circ}00'00''E.$ (True Course) equals $N.52^{\circ}26'10''E.$ (Grid Course). Thus the lines across the back of said surveys are on a course $N.37^{\circ}33'50''W.$ Grid.

There being no other original corner in the T. C. R.R. Co. and G. C. & S. F. R.R. Co. Surveys with six hundred and seven hundred series numbers except the original S.E. corner of T. C. R.R. Co. Survey 617, these surveys were all constructed course and distance from said original S.E. corner of Survey 617. True North from this corner equals $N.2^{\circ}18'09''E.$ grid course and True West equals $N.87^{\circ}41'51''W.$ grid course.

The original Field Notes in T. & St. L. R.R. Co. Block 252 call for no identifiable corners other than adjoinders to the said T. C. R.R. Co. and G. C. & S. F. R.R. Co. Surveys and therefore said Block 252 surveys were constructed

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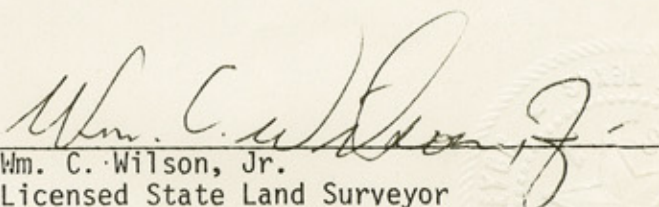
course and distance from these adjoinder calls.

G. C. & S. F. R.R. Co. Block 3 surveys were constructed as per the called courses and distances from only the reliable corners called for, omitting possible corners that were found in gross error and also omitting certain corrected survey corners that have no effect on the overall construction of said Block 3 but only pertain to correction of certain individual surveys therein. In each of the surveys in G. C. & S. F. R.R. Co. Block 3 that had a common line with a Southward projection of the West line of the John Henderson Survey, the original Surveyor Mr. A. Q. Wingo called to run South with the one hundred fifth degree of longitude. My construction honors this call and makes this line South (True Course) equal $S.2^{\circ}24'15''W.$ grid course and all North-South lines in said block are this same $S.2^{\circ}24'15''W.$ or $N.2^{\circ}24'15''E.$ grid course. Therefore the East-West lines in said block are constructed $N.87^{\circ}35'45''W.$ or $S.87^{\circ}35'45''E.$ grid course.

G. C. & S. F. R.R. Co. Block 2 was constructed using the identifiable corners recovered as called for by the original surveyor and thus the North-South lines were determined to be $N.2^{\circ}55'45''E.$ grid course and the East-West lines were determined to be $S.87^{\circ}04'15''E.$ grid course.

T. M. R.R. Co. Block 1 calls to begin at the N.E. corner of G. C. & S. F. R.R. Co. Block 3 and has adjoinder calls to the N.W. corner of G. C. & S. F. R.R. Co. Block 2, therefore the course was inversed between these two relocated points as $S.86^{\circ}44'08''E.$, grid course, with a distance of 5741.73 varas. The called distance was 5753.10 varas. No identifiable original corners could be located in this block therefore its courses and distances and adjoinders for the adjacent G. C. & S. F. R.R. Co. Blocks 2 and 3 were honored. These then required that the East-West distances be prorated and that the North-South distances be the called distances in the original field notes except where specific adjoinders dictated otherwise.

Respectfully submitted this 14th day of April, 1982.


Wm. C. Wilson, Jr.
Licensed State Land Surveyor

File No. 42

Hudspeth County

Surveyor's Report by W.C. Wilson

Filed 4-24-1982

BOB ARMSTRONG, Com'r

By J. E. McCarty

course and distance from these adjacent calls.
G. C. & S. F. R.R. Co. Block 3 surveys were constructed from only the reliable corners called for, omitting courses and distances that were found in gross error and also omitting certain possible corners that have no effect on the overall construction of said Block 3 but only pertain to correction of certain individual surveys therein. In each of the surveys in G. C. & S. F. R.R. Co. Block 3 that had a common line with a southward projection of the west line of the John Henderson Survey, the original surveyor Mr. A. Q. Wingo called to run south with the one hundred fifth degree of longitude. My construction honors this call and makes this line south (true course) equal $S. 2^{\circ}24'15''W.$ grid course and all North-South lines in said block are this same $S. 2^{\circ}24'15''W.$ or $N. 2^{\circ}24'15''E.$ grid course. Therefore the East-West lines in said block are constructed $N. 87^{\circ}35'45''W.$ or $S. 87^{\circ}35'45''E.$ grid course.

G. C. & S. F. R.R. Co. Block 2 was constructed using the identifiable corners recovered as called for by the original surveyor and thus the North-South lines were determined to be $N. 2^{\circ}55'45''E.$ grid course and the East-West lines were determined to be $S. 87^{\circ}04'15''E.$ grid course.

T. M. R.R. Co. Block 1 calls to begin at the N.E. corner of G. C. & S. F. R.R. Co. Block 3 and has adjacent calls to the N.W. corner of G. C. & S. F. R.R. Co. Block 2, therefore the course was inverted between these two relocated points as $S. 88^{\circ}44'08''E.$ grid course, with a distance of 2741.73 yards. The called distance was 2753.10 yards. No identifiable original corners could be located in this block therefore its courses and distances and adjacent calls for the adjacent G. C. & S. F. R.R. Co. Blocks 2 and 3 were honored. These then required that the East-West distances be projected and that the North-South distances be the called distances in the original field notes except where specific adjacent distances otherwise.

Respectfully submitted this 14th day of April, 1982.



W.C. Wilson, Jr.
Licensed State Land Surveyor