

IN THE 126TH DISTRICT COURT OF TRAVIS COUNTY, TEXAS

February 23, 1940

62,939 THE STATE OF TEXAS VS. ALEXANDER COBDEN ET AL

FINAL JUDGMENT

On this the 23rd day of February, 1940, came on to be heard the above entitled and numbered cause, and came the State of Texas, plaintiff herein, appearing through its Attorney General and Assistant Attorney General, and came the defendants, Alexander Cobden and Magnolia Petroleum Company, and announced ready for trial, and no jury being demanded, all matters as well of fact as of law were submitted to the court. The court having heard the evidence and argument of counsel and duly considered the same together with the pleadings of the parties:

It is ordered, adjudged and decreed that the State of Texas be awarded and do have and recover of and from the defendant Magnolia Petroleum Company the title to and possession of that part of Venado Creek Bed known as State Tract No. 6A, called 25.55 acres, more or less, being situated in Jackson County, Texas, within the Famon Musquiz Grant, and more particularly described as follows:

Beginning at a point on the north bank of Venado Creek, which point is N 44° 23' W 817.1 feet from Magnolia Petroleum Company's Nannie B. West Well No. 6, being also S 64° 44' E 15,449.3 feet from the most western corner of the Nannie B. West Ranch. From said beginning point a 10" Mesquite marked X bears S 21° 59' W 93.8 feet;

Thence along the north bank of said creek with its meanders as follows: N 27° 38' E 159.8 feet; N 49° 48' E 256.5 feet; N 67° 57' E 162.6

feet; N 85° 14' E 198.4 feet; S 84° 26' E 192 feet;
N 43° 11' E 244.3 feet; S 53° 11' E 116.5 feet;
S 29° 00' E 281.6 feet to a point on the bank of
said creek; Thence S 20° 17' E 157.4 feet; Thence
~~S 23° 25' W 88.4 feet~~ to a point on bank of said
creek; Thence along the bank of said creek as
follows: S 17° 28' E 318.2 feet; S 7° 34' E
250.8 feet; S 68° 35' W 345.3 feet; S 36° 09'
W 300.9 feet; S 56° 26' E 107.7 feet; N 65° 49'
E 148.3 feet; N 51° 32' E 245.7 feet; S 81° 20'
E 120.3 feet; S 2° 59' E 491.0 feet; S 50° 51'
W 55.9 feet; N 51° 45' W 257.6 feet; S 64° 25'
W 83.0 feet; S 4° 37' W 81.8 feet; S 59° 51' E
325.7 feet; N 85° 35' E 226.5 feet; S 84° 50' E
208.5 feet; N 49° 54' E 152.6 feet; N 14° 58' E
211.6 feet; N 56° 07' E 176.0 feet; S 71° 16' E
~~131.6~~ feet to a point on the bank of said creek;

Thence N 58° 10' E 50 feet; S 31° 50' E
330.0 feet; S 58° 10' W 50.0 feet to a point on
the bank of said creek;

Thence along the bank of said creek with its
meanders as follows: S 31° 50' E 214.9 feet;
S 17° 47' E 301.6 feet; S 52° 45' E 112.5 feet;
N 75° 13' E 310.5 feet; N 80° 15' E 168.3 feet;
N 53° 50' E 118.8 feet; N 49° 55' W 312.7 feet;
N 16° 54' W 68.7 feet; N 38° 33' E 114.2 feet;
N 72° 17' E 92.4 feet; S 74° 03' E 216.3 feet;
S 78° 57' E 270.4 feet; S 55° 11' E 576.0 feet;
S ~~69° 27'~~ E 606.1 feet; S. 49° 12' E 251.6 feet;
S 25° 33' E 221.6 feet to a point on the north
bank of said creek, from which a 16" Mesquite
marked "X" bears S 80° 25' E 125.9 feet and a
12" Mesquite marked "X" bears N 36° 38' E 82.6
feet;

Thence crossing said Venado Creek S 69° 57'
W 42.0 feet to a point on the south bank of same;

Thence along the south bank of said creek with its meanders as follows: N 25° 45' W 222.4 feet; N 53° 19' W 227.4 feet; N 69° 04' W 608.6 feet; N 53° 23' W 569.0 feet; N 78° 39' W 263.0 feet; N 72° 50' W 207.3 feet; S 72° 38' W 74.6 feet; S 41° 49' W 87.6 feet; S 12° 18' E 49.9 feet; S 47° 08' E 333.5 feet; S 50° 14' W 153.4 feet; S. 80° 55' W 167.4 feet; S 75° 59' W 325.6 feet; N 54° 53' W 142.6 feet; N 17° 35' W 301.2 feet; N 29° 58' W 534.4 feet; N 72° 23' W 114.3 feet; S 55° 33' W 151.3 feet; S 16° 31' W 209.7 feet; S 50° 52' W 171.2 feet; N 85° 11' W 210.5 feet; S 86° 28' W 231.3 feet; N 59° 27' W 341.4 feet; N 4° 16' E 105.3 feet; N 67° 49' E 108.9 feet; S 50° 48' E 241.8 feet; N 58° 15' E 35.1 feet; N 2° 10' W 465.0 feet; N 79° 47' W 99.3 feet; S 51° 11' W 240.9 feet; S 65° 59' W 163.4 feet; N 52° 57' W 139.6 feet; N 36° 36' E 318.2 feet; N 71° 03' E 326.9 feet; N 9° 13' W 241.1 feet; N 16° 14' W 320.5 feet; N 42° 04' W 142.9 feet; N 31° 29' E 150.2 feet; N 32° 25' W 263.4 feet; N 39° 48' W 107.9 feet; S 39° 08' W 257.4 feet; N 81° 07' W 205.3 feet; S 83° 05' W 188.7 feet; S 68° 54' W 160.2 feet; S 50° 30' W 246.3 feet; S 29° 31' W 152.4 feet to point on south bank of said creek;

Thence crossing said creek N 68° 42' W 12.0 feet to the place of beginning;

subject to an existing valid oil, gas and mineral lease dated February 6, 1940, from the State of Texas, as lessor, to Alexander Cobden, lessee, filed for record and recorded in Vol. 115, page 250, Deed Records of Jackson County, Texas.

It is further ordered, adjudged and decreed that the point in Venado Creek on the north bank of said creek from which a 16" Mesquite marked "X" bears S 80° 25' E 125.9 feet and a 12" Mesquite marked "X" bears N 36° 38' E 82.6 feet, thence crossing said Venado Creek S 69° 57' W 42 feet to a point on the south bank of Venado Creek, described above as the southern extent of Alexander Cobden's lease on Tract No. 6A, shall be the north end of State Tract No. 6 known as Venado Lakes and Marshes, on which under date of August 25, 1937, the State of Texas, as lessor, executed to Magnolia Petroleum Company, as lessee, an oil, gas and mineral lease filed for record and recorded in Vol. 104, pages 150-151, Deed Records of Jackson County, Texas.

It is further ordered, adjudged and decreed that the State of Texas take nothing as to the title and possession of the land sued for described as being a part of the Valentin Garcia and Ramon Musquiz grants in Jackson County, Texas,

Beginning at an iron pipe set for the most western corner of the Nannie B. West Ranch in the south boundary line of the right of way of the St. L. B. & M. RR.;

Thence along the northwest line of said ranch N 54° 11' E 11,206 feet to its intersection with a shell road;

Thence following said road S 9° 56' E 2942.3 feet; S 40° 19' E 1366.4 feet; S 19° 37' E 533.2 feet; S 75° 18' E 327.4 feet; S 40° 01' E 1401.7 feet; S 39° 54' E 2690.3 feet; S 39° 47' E 7648.0 feet to a point in said shell road;

Thence S 0° 31' W 197.1 feet to Magnolia Petroleum Company's Nannie B. West Well No. 3;

Thence S 64° 30' E 4100 feet to Magnolia Petroleum Company's Nannie B. West Well No. 2;

Thence West 3253.4 feet to a point on the north bank of Venado Creek from which a 16" Mesquite marked "X" bears S 80° 25' E 125.9 feet and a 12" Mesquite marked "X" bears N 36° 38' E 82.6 feet;

Thence S 69° 57' W 42 feet to a point on the south bank of said creek;

Thence West 12,392.6 feet to a point in the southwest line of the Nannie B. West Ranch;

Thence following said line N 36° 0' W 11,081.35 feet to the place of beginning, and containing 3617.19 acres;

except Tract No. 6A above described, which said 3617.19 acres of land above described, with the exception of Tract No. 6A, is owned by Nannie B. West subject to an existing valid oil, gas and mineral lease dated December 23, 1933, executed by Nannie B. West, lessor, to Magnolia Petroleum Company, lessee, recorded in Vol. 87, pages 414-417, Deed Records of Jackson County, Texas.

It is further ordered, adjudged and decreed that the State of Texas take nothing against the defendant herein as damages for the use and possession of said land or for drainage therefrom.

It is further ordered, adjudged and decreed that the State of Texas and its lessee, Alexander Cobden, be permitted to drill two and only two wells for oil, gas and minerals on tract No. 6A herein described, one of said wells on said Tract No. 6A to be located 900 feet northeast of Magnolia's Nannie B. West Well No. 6 and the other to be located about 820 feet southeast of Magnolia's Nannie B. West Well No. 5. It is further ordered that although the acreage in Tract No. 6A may be either more or less than 40 acres, yet each of the two wells to be drilled thereon for spacing and proration purposes shall be considered as on a tract of 20 acres, and each of the State's wells shall have a full 20 acre allowable.

File No. 62,939

In the 126th District Court
of Travis County, Texas

THE STATE OF TEXAS

vs.

ALEXANDER COBDEN, ET AL

CERTIFIED COPY OF

JUDGMENT

County 87761

It is further ordered by the Court that this judgment, the pleadings and the proceedings herein shall not be held to prejudice or affect in any manner the claims of either the plaintiff or the defendants to any land or area other than the land and area expressly disposed of by judgment herein.

It is ordered that writ of possession may issue to each of the parties respectively for the land recovered by each. All costs herein are adjudged against the defendant Magnolia Petroleum Company, for which execution may issue.

Roy C. Archer,
JUDGE

(ENDORSED) NO. 62,939. In the 126th District Court of Travis County, Texas. The State of Texas vs. Alexander Cobden, et al. Judgment. Filed in the 126 District Court of Travis County, Texas, Feb. 23, 1940. Geo. H. Templin, District Clerk. By Jas. T. Johnson, Deputy.

THE STATE OF TEXAS

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COUNTY OF TRAVIS

I, GEO. H. TEMPLIN, Clerk of the District Courts,
within and for the State and County aforesaid, do hereby
certify that the within and foregoing is a true and correct
copy of Judgment

in Cause No. 62,939

wherein The State of Texas is

Plaintiff

and Alexander Cobden, et al, are

Defendants,

as the same appears on file and of record in this office, in
Minute Book 74, Page 611.

Given under my hand and seal of office, at Austin,
Texas, this the 16th day of September, A. D.
1941.

GEO. H. TEMPLIN,
Clerk of the District Courts of Travis Co., Texas.

By Geo. W. Bickler, Deputy.

MF-24873
COPY FINAL
JUDGEMENT
W.S.

counter 24764

File No. Sketch File 31
Jackson County
Venado Lakes Judgment
Filed Oct. 25 19 91
By GARRY MAURO, Com'r
Douglas Howard
See MF-24873 for Judgment