

Recd - 9-6-22
Clark -

Report of Progress
on a resurvey of certain sections of land
in Blk 224 T. & S.L. Ry. Co. Jeff Davis Co.
Texas

By R.S. Dod,
Licensed Land Sur.

Hon J.T. Robison
Commissioner Gen. Land Office
Austin, Texas

Dear Sir,

I beg leave to offer the following report of progress in a re-survey of certain sections in Blk 224, T. & S.L. Ry. Co. Jeff Davis County, and would ask you to kindly instruct me how the surveys in question should be constructed under the facts found on the survey, there are three sections of State Land involved with a possibility of an excess or bit of un-surveyed land.

Object of the survey.

To locate on the ground the metes and bounds of certain sections in Blk 224 T. & S.L. from their field notes and connections with the marked corners of adjacent surveys which can be identified on the ground.

Authority for the survey.

Request of Mr. A.G. Prude of Fort Davis, owner of certain of the surveys in question.

Data for the resurvey.

Blue Print of the Official County Map of Jeff Davis County.

Field notes of the surveys from the Surveyors Records of Jeff Davis County.

Patents to certain of the surveys, from the Clerks Records.

Deeds to certain fractional parts of surveys.

Method of Survey.

Transit was used for course. Original course of survey lines determined by reading on bearings at corners, or between original corners on same survey.

Stadia measurement was used for distance, front and back rod, each distance read twice and slopes noted.

Note. The surface of the country is broken, many hills and mountains and ravines. The slopes were steep frequently as steep as 20°. In places the lines ran over perpendicular rock bluffs, and there was a dense growth of brushy timber on some lines.

Preliminary examination of field notes.

On looking over the Map of Blk 224 we note a number of sections in pairs lying diagonally across the meridian. These are generally surveys older than the T. & S.L. sections in the Block, and in the case of sur 469 & 470, 411 & 412, 409 & 410 marked corners are called for which if found will definitely locate these surveys.

The T. & S.L. surveys in Blk 224, the junior survey, are shown by the map and their field notes to tie to and to have been adjusted to fit the location, or supposed location, of these older surveys.

Only 4 marked corners are called for in the field notes of the T&SL surveys in the part of the block in question, in addition to the calls for corners of these older surveys, i.e. the N.W. cor 16B in its patent, the S.W. and S.E. corners of 13, a rock mound and two oak bearings called for 68 varas north of S.W. 14 in the corrected field notes by Patterson, (found out of line as recently reported) and a rock mound and two oak bearings called for 132 varas east of N.W. corner 96, all these were found on the survey as noted below.

Sur 657, included in this survey calls for the S.W. corner of sur 309 in the name of B. Flores and calls for a 30" Ctwd bearing. There are now no cottonwoods near this corner on the creek, but there is an old rock wall which is said to be on the west line of 309 and it has been there and recognized as marking the line for over 40 years, I was told.

The basis for the reconstruction of the surveys in question under these conditions would seem to be the original corners of the older surveys and the S.W. & S.E. corners of 13 and the old corner near N.W. 96 made by Mr. Thompson the original surveyor of Blk 224.

Apparently some conflicts or errors were found in Mr. Thompsons construction of surveys in this part of Blk 224, as several of them show on the record to have been corrected by Patterson.

We note that several of the field notes of surveys in Blk 224, as spread on the records here, will not close, and different figures are given for the same distance in the field notes of adjacent surveys.

For example, on the east line of 469 sur 1301 calls to run 1147 varas N 10° E from S.E. 469 to a point west of S.W. 13, but sur 16 calls to run from this point on N 10° E 735 varas to N.E. 469. This should read 753 plus 1147 = 1900.

Also sur 469 calls N 10° E 1318 varas from its S.E. cor to its intersection

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with the east line of sur 412, and 1318 plus 1900 makes the distance from S.W.470 to point of intersection 3218, but the field notes of sur 93 call the distance from S.W.470 to point of intersection with 412, 3044 varas.

Again, sur 469 calls to run S 46°W 636 varas from the N.E.cor 412, which subtracted from 1900 leaves 1264 varas to the S.E.cor 412, or 2164 vrs to S.E.411, but fieldnotes of 93 calls to run from the S.E. cor 411 N 46°E 2966 to this same point of intersection.

The relative position of S.W.469 and S.E.412 is shown on the Co.Map, but can not be determined by the field notes of the three surveys affected, viz 469, 412 & 93 within a margin of some 200 varas on account of this error, but taking the the field notes of 93 we find that the south line is given as 1795 varas but the same line in the corrected field notes of 94 is given as 1962, again an uncertainty of 167 vrs.

Figuring from the field notes of 93 it calls to run S 10°W 1900 varas from S.W.469 to S.W.470, then south 168 vrs, then west 1795 vrs, North 953, then east 171 (in fld notes 92 it reads E.191) to S.E.411, then N 46°E 1900 vrs to S.E.412, placing the S.E.cor 412 558 vrs west and 404 north of S.W.469. On the ground, as noted below, we found them 834 vrs apart in northing and 1056 vrs in westing.

These errors and discrepancies in the field notes would seem to show that they were very carelessly made (or copied) and in the case of 469, the corrected field notes makes a conflict with the ~~xxx~~ east line of 412, whereas on the ground the lines do not touch each other. A line run N 80°W from the original N.E.469 ran, not 1621 varas as called for, but 2215 varas before it reached the east line of 412 at a point 347 varas S 46°30'W from the N.E.cor 412 set 1900 varas N 46°30'E from original S.E.412.

As before reported the corrected field notes of sur 14 call to pass a rock mound with two bearing trees 68 varas north of N.E.13. This mound was found some 50 varas west of a line north from the well defined S.W.13.

These facts, as above noted, would seem to show that the corrected field notes are as seriously in error and as far from the facts on the ground as the originals they were supposed to correct.

When we reached our point for N.E.412 run from original S.E.cor 412, I was shown a rock mound some 40 varas north west which Mr. Thompson had pointed out to Mr. Prude as the N.E.412. From a point 100 varas back on our east line 412 we could plainly see the N.E.cor 469. Also when we were some 400 varas from the corner on the east line of 411, we could see this point on the hill ~~xxx~~ 100 varas ~~xxx~~ from the N.E.412 and a tree within two varas of the old rock mound at S.E.412, showing how easily the true relative position of sur 469 and 412 could be ascertained.

From this it would seem that part of the field notes and their correction could not have been based on actual survey on the ground.

History of the Survey.

Note. The red lines on the sketch show the lines we actually ran, and the original corners found and identified are marked on the map with the usual double circle, and the corners we marked on this survey are marked on the map with an X.

We went to the S.E.cor 469, an old rock mnd with one old bearing plainly marked but standing 86 not 80 varas from the corner mnd. We ran N 10°E and at 1147 varas crossed a line which we ran west from the well defined orig. S.W.13, identified by one old, marked bearing still standing and the stump of the other tree, on N 10°E at 754 vrs we reached the orig. N.E.cor 469 identified by two bearing trees, the third one was gone.

Thence we ran N 80°W and at 848 varas crossed a line we had run from the N.W.cor 16B as described in its patent, on N 80°W 1621 for S.W.16 nothing found. Returned to N.W.16B ran east 1150 vrs to a point in a canyon, thence south at about 200 varas reached top of hill at a point due north of S.W.13 as above described.

We went to S.E.13 identified by the stumps of the two bearing trees and the call for Boulder Pk. Thence ran north, at 1832 vrs marked N.E.13, on north 3800 varas in all marked a point on nbl 3, which was some 100 varas south of a line west from the S.W.cor 11 which I had previously set from the original Thompson corners in Blk 301 from original connecting calls, showing excess to the north.

Returned to our N.E.13 and ran west and at 1900 intersected our east line of 16B, and there set the N.W.cor sur 13. The matter of the S.W.cor 14 has already been reported to your Office.

Returning to orig S.E.469, we ran S 10°W over a high, rough, rocky ridge, across a valley, up a slope and down a very steep rocky slope into the draw of Keesey Creek, and at 1900 varas set a mnd for S.E.470. On S 10°W 83 varas set a mnd for N.E.94 and S.W.1301. Thence ran west 689 varas and set another corner of 94.

We returned to our S.W.1301, and as the better route for our purpose, ran south 480 varas to a point in nbl sur 95, and thence ran east 269 varas and set a mnd for the N.E.cor sur 95. On east 638 varas to a point on a ridge, thence north 480 varas down a steep slope and set the S.E.cor 1301 about 125 varas south of Keesey Creek . 2

To run north from this point would run over a steep, rough mountain, so we returned to the S.E. cor 469 and ran a traverse to an old rock mound at the head of a draw, top rock set on end, from which a double white oak 12" bears N 68° 15' W 7 varas, marked X, a large stump of a double oak bears S 36° 30' W 14.5 varas which fits the calls in field notes of 1301, and original 96, and found it to be 688 vrs east and 750 south of the S.E. cor 469, or 7 varas west and 20 varas north of the relative position given by field notes of 1301.

There is a large Madronya tree in the canyon near this corner, so for convenience we will refer to it as the Madrona corner.

Back west from this Madronya corner 170 varas, on the hill top, was a large, old rock mound, presumably intended for the N.W. cor 96, but the distance is too great by 38 varas it should be 132 west of the old mound.

From the Madronya corner as an original Thompson corner called for in field notes of 1301 we ran east 394 and put in the S.E. cor 1301 and S.W. cor 657, on 1184 varas we set a mnd for N.E. 96 and N.W. 101, finding a rock mound 20 varas west of us. On east 322 varas set mnd for N.E. 101, Thence South 65 vrs set mnd for N.W. 1300.

From this point we ran east 381 varas the distance called for in the field notes of 657, and found a rock mnd 24 east and 9 south of this point. The call for S.E. 657 is for the S.W. cor 309 B. Flores and running on east 120 varas, 501 in all from N.W. 1300, we reached a point some 60 varas south of the creek on a line ~~xx~~ marked by an old rock wall running by the variation we were using, S 5° 30' W & N 5° 30' E from the creek up over the hill, and a wire fence running over the hill to the south. I was told that this old wall had been in place for over 40 years and it and the fence were recognized by owners of adjacent lands as marking the west line of 309.

The original call at S.W. 309 was a Ctwd 30" but there are no cottonwoods in sight along the creek at this point. Sur 309 calls to begin at the S.W. cor 6 the Fort Davis survey, but as Mr. Thompson (now dead) had told me that the location of this corner was uncertain, I did not think it worth while to try to locate 309 from that corner, for our present purpose. We therefore set a mnd at the intersection of our line east and the line of fence and old wall said to be recognized as the west line of 309 and east line of 657.

The enclosed fractional part of 1300 is held by Mr. Prude under a deed which calls for all the land west of a line from the S.W. cor 309 running S 6° W to a point in nbl 691.

The above connections seemed to locate all the marked points called for in surveys 1301, 101, 657, 96, 95, part of 94, and east line 469 & 470, and they were reconstructed on this basis, as shown on plat of this survey.

In order to locate surveys west, we connected S.E. 469 and S.E. 412.

We ran N 80° W 1900 varas from orig S.E. 469 and set cor for S.W. 469, from this point we ran a traverse 834 varas north and 1056 varas west to an old rock mound shown to Mr. Prude by Mr. Thompson, as the S.E. cor 412. It stood some 40 varas from the ~~xxxx~~ right bank of Limpia Crk and some 350 varas N & W of an old rock house. The stump of a large oak tree stood N 73° W 30 varas from the mound at a var 0° 30' less than the east line of 469, the var we were using.

Later we further identified this rock mnd as the N.E. cor 411 by connecting it with orig S.W. cor 411.

From this corner we ran N 46° 30' E and at about 1266 passed some 15 vrs east of a rock mnd said to have been set by Mr. Thompson for the north corner of 93, on at 1900 varas set mnd for N.E. 412 from which a rock mnd under the fence stood N 77° W 45 varas, said to have been recognized or set by Mr. Thompson for the N.E. cor sur 412.

From a point on the hill 100 varas back on our line to N.E. 412 the original corner N.E. 469 is in sight and bears S 74° 25' E, or an angle to the left from our east line 412 of 102° 55' and a triangle with a small 8° 05' angle at apex, gave the distance as 2073 varas.

We now went to our 1621 vara point on nbl 469 and ran N 80° W 279 and set mnd for N.W. 469, on 315 varas set mnd at inter section with east line 412 at a point on east line of 412, 347 varas from its N.E. corner, for S.W. cor 16.

We gave 469 full distance on its north line, although the patent calls to stop at 1621 varas. But the patent is based on corrected field notes, and presumably the orig. cert. & field notes called for 640 acres as 470 is full, and the call to stop at 1621 was based on the false assumption of conflict with 412.

As 16 is State land we let it run over and take all the land north of 469 and east of 412.

Returning to S.E. 412 we ran S 46° 30' W 1900 varas and set a flag at original S.W. 411, across the valley, and found it required 52 varas more to reach the S.E. cor 411, ran on S 46° 30' W 52 vrs, 1952 in all and set mnd for S.E. 411,

Thence we ran west 171 varas and marked a corner for 92 & 93 (the field notes of 92 make this call 191 vrs) and turned south and ran 1553 vrs and made mnd for N.W. 94, as presumably sur 94 would extend west to take up the excess land east of 92.

On south 724 varas, reaching a point which by calculation should be due west of N.E. 95 which we put in from S.E. 470, and on the Block line of Blk 224.

Turning east we checked on a small lone tree on the rocky south slope of a hill which was a mark on our line west from N.E.95, and point 682 East.

We have platted 94 to take in the excess westing.

We platted the east line of 93 following its call for S.W.470 and running N 10° E along the west line of 469 & 470. And on the west following its call for S.E.411 and N 46° 30' E along the line of 411 & 412, 3505 varas to its intersection with ~~xxxx~~ north line 469 produced.

We might stop at 2966 yrs along east line 411 & 412, and run S.E. to point 3044 yrs N 10° E from S.W.470, but these distance calls are uncertain, so we figured the total acreage found between 411 & 412 on the west and 469 & 470 on the east as best illustrating the facts as found.

Mr. Prude wishes to patent his School land and it will be necessary to make corrected field notes for west part of 16, for 94 and 92 and I would ask you to kindly instruct me how these surveys should be run under the facts developed in the above survey.

Also please instruct me as to whether 93 will hold all the excess land as shown in plat of this survey, or whether it should hold to calls on the east or, to those on the west, both seem of equal value, and where to stop 93 going north. If you decide that there is an unsurveyed strip of State land adjacent to 93 Mr. Prude will at once apply for a survey with intention to purchase as it is in his pasture and enclosure.

There is another question not taken up on this survey as to the relative position of the south line of Blk. 224 and the north line of the G.C. & S.F. Ry surveys.

I find from the records here that Mr. Thompson began his survey of Blk 224 on June 17 1881, while W.J. Glenn began, or dates his survey of the G.C. & S.F. Ry lands on Aug 5 1881, nearly two months later, making Blk 224 the older location. But Mr. Thompson seems to have stopped his survey at section 80 and to have continued later as the field notes of 82 and on are dated Ap. 1882.

I did not attempt to run out the G.C. & S.F. lands as I considered that the prior inception of the Blk 224 work would make the whole Blk 224 the older location, the surveyor having gone on the ground at the earlier date, the fact that he was delayed in prosecuting his work would not affect the date of location of the Blk.

Against this is the fact that certain surveys in Blk 224 call for the G.C. & S.F. surveys as though located prior to themselves.

The only marked corners for the G.C. & S.F. which I find of record here are the S.E. & S.W. corners of sur 683, on the T. & P. block line, the rest would be course and distance.

I have not access to the application and files of the surveyors and perhaps the wording of the application or file would settle the question of seniority. Please instruct me as to this question as it may make some difference in the south boundary of 94 and 92 and 93.

If you think that further survey or investigation is necessary to bring out the facts necessary to the reconstruction of the surveys in question, please let me know and indicate what lines or connections you would think it advisable to run.

The above survey was carefully made and checked and seemed to cover all the available data except perhaps, the location of S.W. 309, and the north line of the G.C. & S.F.

All which is respectfully submitted for your consideration with the request that you take the matter under consideration at your earliest convenience as Mr. Prude is anxious to take action in the matter as soon as possible.

Respectfully

R.S. Dod

R.S. Dod
Licensed Land Surveyor

Alpine, Texas, September 5 1922.

97 p. 21/12
filed May 28/12
12:30 P.M.
copy G.C. & S.F.
filed May 28/12
9:30 A.M.
San. 69/765
May 26/12

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Alpine, Texas, September 5 1922.

Licensed Land Surveyor

R. S. Dod

Respectfully
R. S. Dod

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The above survey was carefully made and checked and seemed to cover all advisable to run. please let me know and indicate what lines or connections you would think it

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seniority. Please instruct me as to this question as it may make some difference the working of the application or file would settle the question of course and distance. I have not access to the application and files of the surveyors and per-

the S.R. & S.W. corners of sur. 683, on the T. & P. block line, the rest would be the only marked corners for the G.C. & S.R. survey.

Against this is the fact that certain surveys in Bix 324 call for the location of the Bix. That he was delayed in prosecuting his work would not affect the date of lo-

location, the surveyor having gone on the ground at the earlier date, the fact prior inception of the Bix 324 work would make the whole Bix 324 the older.

I did not attempt to run out the G.C. & S.R. lands as I considered that the to have continued later as the field notes of 82 and on are dated 27. 1882. location. But Mr. Thompson seems to have stopped his survey at section 80 and

R.R. on June 17 1881, while W. J. Glenn passed or gates his survey of the G.C. & S. R. on June 17 1881, while W. J. Glenn passed his survey of the G.C. & S. R. surveys. I find from the records here that Mr. Thompson began his survey of Bix 324

position of the south line of Bix 324 and the north line of the G.C. & S.R. Rv purchase as it is in his pasture and enclosure. There is another question not taken up on this survey as to the relative

adjacent to 92 Mr. Lunde will at once apply for a survey with intention to going north. If you decide that there is an unurveyed strip of state land east or to those on the west, both seem of equal value, and where to stop 92 as shown in plat of this survey, or whether it should hold to cells on the

Also please instruct me as to whether 92 will hold all the excess land evolved in the above survey. Mr. Lunde advised to begin his school land and it will be necessary to

make corrected field notes for west part of 16, for 94 and 92 and I would like you to kindly instruct me for these surveys. I would be glad under the

to begin the facts as found. the line of 411 & 412, 3202 varies to its into the line of 411 & 412. And on the west following its call

N^o 29 ~~27~~

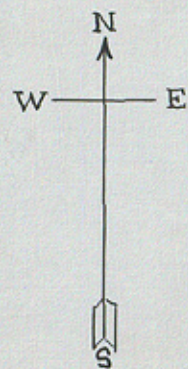
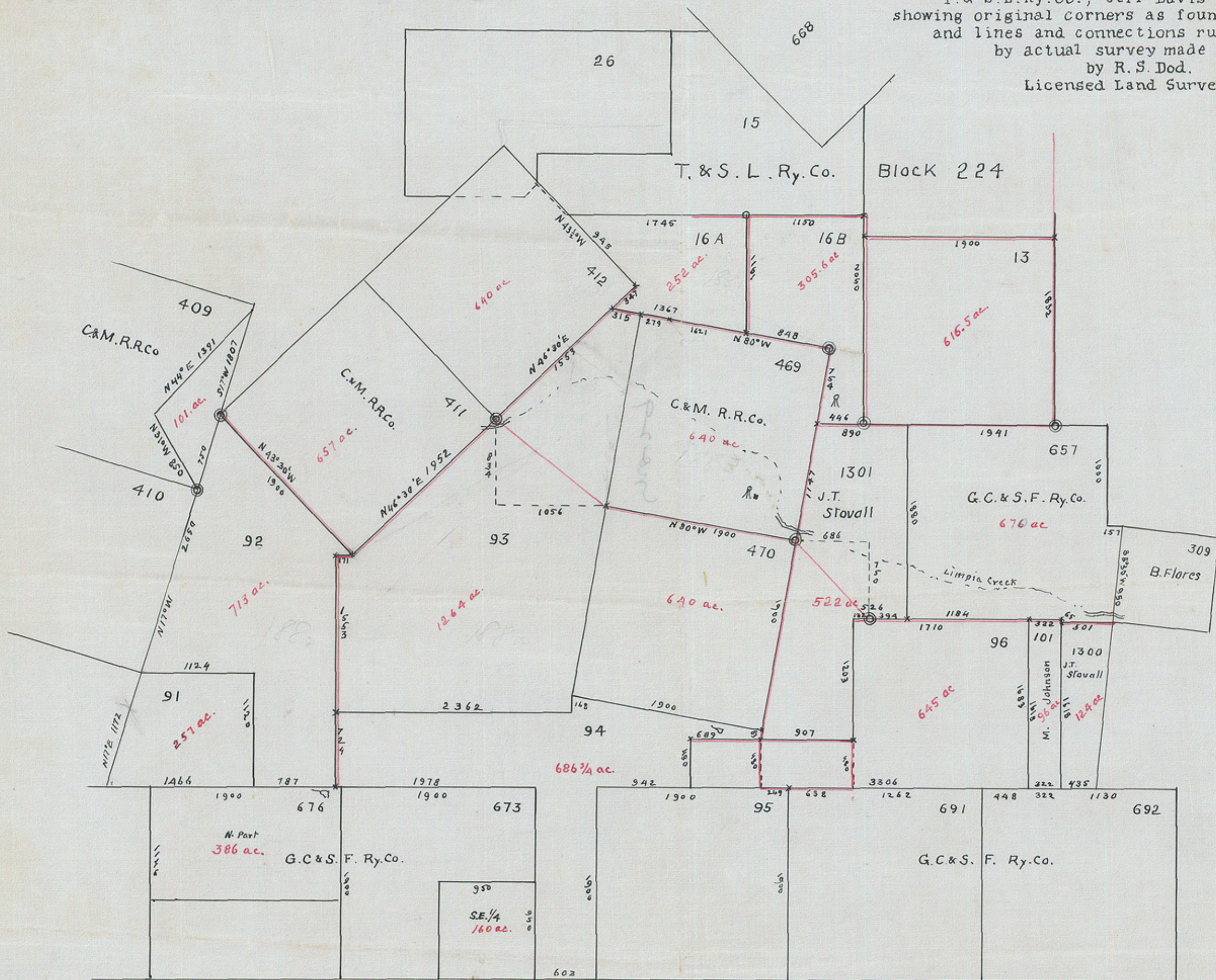
Sketch File
Jeff Davis Co

Filed Sept. 6th 1922
J. T. Robison, Comm.
S. C. Clark, clk.

RS Dods SK & Report.

See letter in Box 40763

PLAT
of certain Sections of land in Block 224
T. & S. L. Ry. Co., Jeff Davis Co. Texas,
showing original corners as found on the ground
and lines and connections run from them
by actual survey made Aug. 1922
by R. S. Dod.
Licensed Land Surveyor.



Var. 12°10' E.

Legend

- ⊙ original corners identified.
- ⊗ corners marked on this survey.
- connections actually run.
- lines run
- 640 acreage
- ~ Creek as found
- - - approximate course
- ▽ Tank.

R. S. Dod, Licensed Land Surveyor, of Texas, do hereby certify that the above Plat is true and correct, and that all lines, corners, courses & distances are therein shown as found by actual survey on the ground made by me in the field in August 1922.

R. S. Dod
Licensed Land Sur.

#29

Scale 1000 Varas to 1 inch

counter 28013