

COUNTY ENGINEER
JIM HOGG COUNTY

E. J. FOSTER
CIVIL ENGINEER
VALDEZ BUILDING
P. O. Box 315
W. U. CODE A B C 4TH
LAREDO, TEXAS

MEMBER:
AMERICAN ASSOCIATION OF ENGINEERS
THE SOCIETY OF AMERICAN MILITARY ENGINEERS

Feb., 16, 1926.

Hon. J. T. Robison, Land Commr.,
Austin, Texas,

Dear Sir:-

I am enclosing herein a copy of the corrected field notes of survey and plat recently made of survey No. 120, in Jim Hogg County, Texas, and owing to the the ambiguous calls of this survey and its alternate survey 119, I am not quite certain whether I have constructed it properly on the ground, but as I only had the corners of the pre-emp surveys No. 11, and 14 to tie my survey to, I believe it is as near correct as it could be located.

*119 AB&M
SW part of Co*

This survey according to the abstract that Judge Hamilton had, contained three sets of field notes, one by Von Merrick, one by Hesse, and the last I believe either Monroe or Hesse made.

The last set of field notes, call for this survey to begin at the corner of Cuevitas and S.A. Viejo, and to run N 9-15'E 385 vrs, the other two sets call for it to begin at S.E. Cor., of 119, and Run N 81 W to east line of Pre-emp 11, at a point 19.5 vrs, N 9 E of the N.E. Cor., of survey 14, but these left the east line of survey 120 in a very loose manner, and no correct tie was ever made with these grants, as I am sure they could not have made it then for its common corner, (Cuevitas and S.A. Viejo) was not then in place, as it was later located from its N.W. Cor., (S.A. Viejo); and the field notes of the patent to 119, show this to be 75 vrs, S.W., of the S.W. Cor., of S.A. Viejo, which does not show any connection at its S.W. Cor., (119) except that it allows it to stop the 19.5 vrs N 9 E of the N.E. Cor., of survey 14, by its called distance.

I am sending these field notes unrecorded to Judge Hamilton

Counter 28404

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J.T.R.#2.,

at Austin, that he may take them to your office for examination, so that if their construction is approved by you, they may be returned to me for recording in their proper county.

X
You will also note from the sketch enclosed that I have made an exchange of land with surveys Nos., 123-124, as the owners of 123, were located by Mr. Monroe on survey 124, as he claimed that the N.E. Cor., of survey No. 177, was the S.W. Cor., of survey 123, and the S.E. Cor., of survey No. 124, and this has caused a great confusion, and these parties have settled on other sections than their own.

The way I have arranged the exchange of lands here is that the parties owning survey 124, will deed to the parties of 123, that portion shown enclosed by them in 124, being 300.7 acres for the same amount of land out of the north part of survey No. 123, as indicated hereon.

If I can get the owners of survey 123, to surrender their patent, could it be possible to get them ~~then~~, a new re-location of survey No. 123, taking up a part of 124, being the east part of 124, as enclosed by them, except that strip on its north end, and the south part of 123, and call this area survey No. 123, and procure a new patent for them, and for the owner of 124, to allow her the part of 124 she now has being 3339.3 acres, and the 300.7 acres off of the north part of survey No. 123, and call this a corrected survey or re-survey No. 124; In this manner, as 124 being school land the present owner is paying it out yearly while the owners of 123 own it in fee simple and as the parties interested are poor and have not the money it will cause them some trouble to exchange lands

K¹
counter 28105

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J.T.R.#3.,

as they now are, some unpaid, for the pther patented, I believe that if this arrangement can be approved by your office, I can get these parties settled without any legal actions, as it will sooner or later cause them to.

Mr. M^unroe located survey 124, quite a distance south of survey 122, allowing a vacancy between these two tracts, on which a Mr. I.H. Gomez placed some improvements and applied for said vacancy, now his improvements are almost all being about 39 acres of grubbed land, which cost him around \$12. an acre to grub to be wholly within survey 124, the owner of survey No. 124, with a great deal of explaining from me allowed me to make the exchange of land shown in the sketch with the owners of 123, as I fully stated that these people who had had their ranch on this survey 124 thinking it was their own land 123, for over 40 years, could easily beat her in any litigation, by adverse possession, but the other man I.H. Gomez, I could not prevail on her to make any such exchange with him, as she was determined that the state of Texas had sold her 640 acres in a square and it was her privilege get such land without any strings tied to it, however this will be a later argument to contend with and what I want is that you please endeavor to help me settle 123-124, by resurveying them as I have exchanged the lands on my recent survey, and allowing me to make their field notes to allow them to take in lands outside of their boundaries (orig.), but at the same time let them have the 640 they are entitled to, and save a great deal of litigation later on.

Yours truly,

E. J. Foster

counter 28406

K2

Under Part
Survey

(4) #

James Hogg Co

EJ Fosters Letter in re
to corrected F.N. of No 126
AB&M, in SW. part of Co.
Dated Feb. 16, 1926.

as they now are, some unpaid for the other reported, I believe

J. J. F. #

J. J. Foster

2/16/26.

E. J. FOSTER
CIVIL ENGINEER
LAREDO, TEXAS

MEMBER
THE SOCIETY OF AMERICAN SURVEYING ENGINEERS
AMERICAN ASSOCIATION OF ENGINEERS

YOUR TRULY,

J. J. Foster

Counter 28907

R²