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AND ASSOCIATES

LICENSED STATE & REGISTERED PROFESSIONAL LAND SURVEYORS

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April 7, 1995

28017 ^{See}
_{Pld. Sk. 42}

File No. Sketch File 42

Commissioner, General Land Office
1700 North Congress
Austin, Texas 78701

Kimble County
SF-16538 & SF. 16539

Filed April 12 19 95

Attention: Mr. C. B. Thomson,
Director of Surveying

GARRY MAURO, Com'r
Douglas Howard

RE: Report of Survey made for Good Faith Claimant Rust Ranch
Company pursuant to its applications No. S.F. 16538 and S.F.
16539, Kimble County, Texas.

Dear Mr. Thomson:

I have conducted extensive research and survey on the ground in the area of the above referenced applications to purchase vacant and unsurveyed public school land, and pursuant to the request of the Good Faith Claimant I have prepared this report of survey and the accompanying plat of survey and original field notes for each of said Scrap Files.

All recognized existing corners affecting the existence or non-existence of these vacancies together with the Deed lines and/or fence lines constituting the boundaries between certain of these vacancies are all shown as located on the ground. The requirement that each of the original field notes be tied and referenced to the Texas Coordinate System has also been complied with.

RESEARCH AND HISTORY

My research in this area consisted of obtaining from the General Land Office photo copies of field notes and jackets for about 100 Surveys in this area together with numerous Kimble County Sketch Files and Rolled Sketch Files, and also Sutton County Rolled Sketch 61 and connecting lines ran in 1890 by George M. Williams, State Surveyor, found in Bexar Scrip File 16368. Additionally I reviewed Abstract of Title and numerous Deeds found of record in Kimble County.

The history of this area, in so far as it affects the existence or non-existence of the above referenced vacancies, begins October 27, 1841 when Mr. Ben McCulloch, Deputy Surveyor, Bexar Land District, Surveyed and returned field notes for Harriet McIlvail Survey No. 45. This Survey fronts on the North bank of

the North Llano River.

In 1856, Mr. William Friedrich, Deputy Surveyor, Bexar District, located numerous Surveys on and adjacent to Bear Creek (called Viejo Creek in the original field notes). These were located for different holders of certificates issued by the Commissioner of the Fisher & Miller Colony and included an adjoining series of Surveys numbered 450 thru 454. Those which affect the existence or non-existence of the aforesaid vacancies being Heirs of H. Stein Survey 454, Third Class File 5496, Abstract 483, and Heirs of H. Moser Survey 453, Third Class File 5498, Abstract 401.

On January 5, 1876 T.W.N.G.R.R. Co. Block 4 Surveys were located by field notes returned by Dennis Corwin, Deputy Surveyor, Bexar District. Mr. Corwin called for no identifiable corners and began his Survey 1 in this Block by calling for its S.E. corner to be located 750 varas South from the N.W. corner of previously mentioned McIlvail Survey No. 45.

On January 10, 1876, L.C. Navarro, District Surveyor of Bexar District, located G.H. & S.A.R.R. Co. Block E immediately West of and adjoining said Block 4.

June 23, 1876, M.J. Denman, Kimble County Surveyor, located Surveys 53 and 60 lying between Surveys 50 and 49 in Block 4 and Surveys 25 and 30 in said Block E. Also in June of 1876 Mr. Denman located Henry Buckley Survey 1 immediately North of and adjoining Survey 48 in said Block 4. Said Buckley Survey by its calls began at the N.W. corner of said Survey 48.

From June 30 to September 28, 1876, Mr. L.E. Edwards, Deputy County Surveyor of Kimble County, located the B.S. & F. Block of Surveys lying in part immediately North of Surveys 17, T.W.N.G.R.R. Co. Block 4 and immediately North of and adjoining the North line of said Henry Buckley Survey 1 and an East West projection of its North line.

Mr. Denman also located L. Martin Survey 94, August 11, 1876, Mrs. Z.H. Short Survey 95, August 11, 1876, Mrs. Z.H. Short Survey 96, August 11, 1876, and Mrs. Z.H. Short Survey 97 on August 19, 1876.

C.C.S.D. & R.G.N.G. R.R. Co. Surveys 1 and 2 were located by M.J. Denman, October 15, 1878 and called to adjoin the B.S. & F. Surveys lying to the North and East thereof.

Georgetown Railroad Company Surveys 3 and 4 were located by Frank Vickery in June of 1882. Mrs. Vickery's field notes called to adjoin Survey 30 and 17, T.W.N.G.R.R. Co. Block 4 and B.S. & F. Surveys 41, 42. He made stone mounds and tied witness trees at numerous corners of said Surveys 3 and 4 which he recited as being common corners with said T.W.N.G. & B.S. & F. Surveys.

On September 2, 1886 Surveyor John McNicol located Mrs. O. Warren Survey 137 to fill the area lying between aforesaid Surveys 453 and 454 and said Georgetown Railroad Surveys 3 and 4.

In 1890, Mr. G.M. Williams, State Surveyor, resurveyed G.H. & S.A. R.R. Co. Block E. Mr. Williams was authorized to resurvey said Block E under the Act of 1887 which provided for State Surveyors to be appointed to run out various Railroad Blocks on the ground according to their calls. As a necessary part of this work Mr. Williams ran a connecting line (see connecting line in Bexar Scrip File 16368) in which he began at the Southwest corner of the McIlvail Survey 45 and ran North with its West line the proper distance for the Southeast corner of Survey 1, Block 4, T.W.N.G.R.R. Co., according to the calls in the original field notes of said Survey 1. Mr. Williams then ran Northwest to the Northwest corner of Survey 1 and the Northeast corner of Survey 2 in said Block 4 where he made and witnessed a corner locating said Surveys in Block 4 on the ground. Mr. Williams then ran West setting corners at 1 mile intervals across the entirety of said Block 4 to arrive at its West boundary and the East boundary of said Block E. At the end of his report of connecting line, Mr. Williams recites that he found several corners made by Frank Vickery which were several hundred varas out of position with the correct location for the Surveys in said Block 4. Since Mr. Vickery's work was performed six years prior to the date of the Act authorizing resurveys of numerous Railroad Blocks in Texas by State Surveyors it is therefore a matter of record that Mr. Williams corners were the original locating corners in said Block 4.

SURVEYING ON THE GROUND

Surveying on the ground was accomplished by utilizing Global Positioning System Equipment together with One Second Theodolite and Electronic Distance Measuring Equipment. All of this work was tied to the Texas Coordinate System of 1927 - Central Zone by utilizing N.G.S. (U.S.C. & G.S.) Triangle Stations SPILLER, CLEO, & BLACK.

Five of the 10 corners identified and established by Mr. G.M. Williams across said Block 4 were recovered and are depicted on our accompanying plat of survey. Positions for the intervening corners were prorated between the said found corners.

Four of Mr. Williams corners that have been recovered in said Block E are depicted on said accompanying said plat of Survey.

All six of the original corners called for in the original field notes of said Survey 453 and 454 were recovered and are depicted on said accompanying plat of Survey. Each of the identifiable corners of Georgetown R.R. Co. Survey 4, being the S.E. corner and N.E. corner, were found and all the original corners of Georgetown Railroad Company Survey 3 were found.

Each of these is depicted on the accompanying plat of the Survey. Also found were five of the original corners set by Mr. McNicol for the Mrs. O. Warren Survey 137. These are also depicted on said plat.

CONSTRUCTION OF SURVEYS

The North-South (N.0°27'00"W. and S.0°27'00"E. on Grid) course for all Surveys in T.W.N.G.R.R. Co. Block 4, the Block of B.S. & F. Surveys and G.H. & S.A.R.R. Co. Block E Surveys was determined by prorating the common corner of Surveys 11, 12, 13 and 15 between the found S.E. corner of said Survey 13 and the found S.W. corner of Survey 14 in said Block E and connecting a line from this prorated corner to the found common North corner of Surveys 29 and 30 in said Block E.

Mr. Williams in his Corrected Field Notes for Surveys 13 and 18 in said Block E, calls for adjoiner to the common West corner of Surveys 63 and 64 and the N.W. corner of Survey 64 in T.W.N.G.R.R. Co. Block 4, therefore the distance determined along the East line of said Block E from the Southeast corner of Survey 13 to the Northeast corner of Survey 30 was prorated to establish these two common corners. On the opposing side of Block 4, Surveys 3 and 4 were given this same North-South distance, 1903.41 varas each, from the N.W. corner of Survey 1 as established by Mr. Williams. A line was then drawn from the common West corner of said Survey 63 and 64 to the common East corner of said Surveys 3 and 4 to determine an East-West (N.89°27'32"E. and S.89°27'32"W. on Grid) course with which to locate the Surveys in the Northerly part of said Block 4. The North line of Surveys in Block 4 lying North of said line so drawn was made parallel to aforesaid line (N.89°27'32"E.- Grid). The North line of each Survey in the said B.S. & F. Block was also made parallel to this same course. All the Surveys in said Block 4 lying North of aforesaid line and all Surveys in said B.S. & F. Block were allotted to their field note call of 1900 varas along each of their East boundaries and each of their West boundaries on the aforesaid course of N.0°27'00"W. - Grid.

No Original corners could be found or identified for C.C.S.D & R.G.N.G.R.R. Co. Survey 1, Sam F. Low Survey 2 or H. Buckley Survey 1, therefore these Surveys were located according to their original adjoiner calls for the adjoining B.S. & F. Surveys. The N.W. and S.W. corners of H. Buckley Survey 1 as Patented on Corrected Field Notes were found and are witnessed from said position located as aforesaid. This is depicted on the accompanying survey plat.

The lines of said Surveys 453 and 454 were established by connecting the original corners and making the remaining lines parallel to the opposing line so connected.

The original corners found for the Georgetown Railroad Company Surveys 3 and 4 were also connected and the remaining lines thereof

made parallel to the opposing line of each Survey. Mrs. O. Warren Survey 137 was constructed from corners, adjoiners and calls using parallels and perpendiculars except South line, which when connected is within 0°01'06" of perpendicular to its East line.

As is depicted on said accompanying plat of Survey and recited in the original field notes for the said Scrap Files submitted herewith, the original corners of said Georgetown Railroad Company Surveys 3 and 4 were found considerably out of position with the adjoining and surrounding Surveys. This was also true of the corners found for Mrs. O. Warren Survey 137.

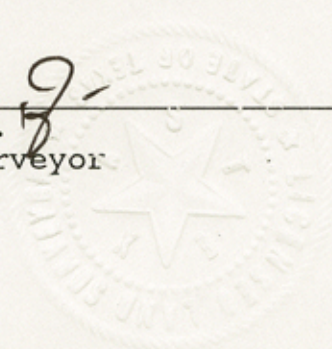
SUMMARY

In conclusion I find that in the area described in the application for S.F. 16538 there is 9.22 acres of land, that in the area described in application for S.F. 16539 there is 34.74 acres of land.

To the best of my knowledge and belief the Good Faith Claimant as recited in each of these applications is in possession of the lands described therein and I found no evidence of others being in possession of said lands.

Respectfully submitted this 7th day of April, 1995.

Wm. C. Wilson, Jr.
Wm. C. Wilson, Jr.
Licensed State Land Surveyor
San Angelo, Texas



FILED FOR RECORD *April 10*
19 *95* at *1:16* o'clock *P* M
Elaine Carpenter
Elaine Carpenter, County Clerk, Kimble County Texas
By *Haydee Torres* Deputy

THE STATE OF TEXAS } I, Elaine Carpenter, County Clerk of
COUNTY OF KIMBLE } said County, do hereby certify the above instrument of writing, with its
certificate of authentication, was filed for record in my office the *10th*
day of *April* 19 *95* at *1:16* o'clock *P* M., and
duly recorded this *10* day of *April* 19 *95* at
1:16 o'clock *P* M., in the *field notes*
records of said County in Volume *6* at page *139*

Witness my hand and the seal of the County Court of said County
office in Junction, Texas the day and year last above written.

ELAINE CARPENTER
COUNTY CLERK, KIMBLE COUNTY, TEXAS
By *Haydee Torres* Deputy

Haydee Torres

