

SURVEY REPORT

FOR

FIELD NOTES

H. McCLUSKEY SURVEY NO. 151253

ABSTRACT NO. 1434

LEON COUNTY, TEXAS

PREPARED FOR:

O. L. (TREY) HAGAR III
P.O. BOX 211521
BEDFORD, TEXAS 76095-8521

PREPARED BY:

BILL H. BURTON
LICENSED STATE LAND SURVEYOR
HARRY L. JOHNSON & ASSOCIATES
4801 TROUP HWY. SUITE 201
TYLER, TEXAS 75703-2356

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File No. Sketch File 38
Leon County
H. McCluskey Survey, 151253
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By David Dewhurst, Commissioner
Douglas Howard

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I. Forward

This report is the results of an on the ground survey made by our crews and myself during the year 1998 and 1999.

Special acknowledgement and recognition is hereby given to Ben Thomson and Jimmie Flowers of the Survey Division for their guidance, suggestions and assistance in the matter of records and previous survey work in this area of interest. Also Joan Kilpatrick with her expertise with working sketches, etc.

II. Background

This report is to examine the residue area of the T. C. RR C. SURVEY NO. 4 and shown on county map as H. McCluskey File No. 151253, Abstract No. 1434 so that our client may obtain a patent.

III. OFFICE AND FIELD PROCEDURES AND METHODOLOGY

Survey crews were furnished with working sketches of the patent surveys, USGS quadrangle maps with apparent patent lines drafted on them. Deed Record sketches of tracts adjoining the said McCluskey Survey.

Random traverse lines were run adjacent to occupied lines and all physical objects tied in. Crew made ties to all fences, roads, creeks and any other evidence of property corners or marks made subsequent to the original survey.

Field data was processed and coordinates were assigned to all traverse points and objects that were tied in. The Texas State Plane Coordinate System, Texas Central Zone, was utilized for this procedure. For final mapping, this report and field notes we applied the theta angle, $+02^{\circ}08'23''$ at the concrete monument found at the south corner of said McCluskey and the scale factor of 0.999885368 was not applied to our survey for the attached map, field notes and this report.

All evidence was analyzed, evaluated and reduced to the narrative form presented herein.

Where physical objects were found for corners, they are noted as such on the enclosed map, which is a part of this report. That a calculated corner is noted where no object was found.

IV. SURVEYORS REPORT

On or about February 21, 1963 the Leon County Surveyor, Ben H. Faber, surveyed and set corners for this McCluskey Survey. He duly recorded his survey in Book 7, page 87 of the County Surveyors Records as instructed by the GLO, however these were never returned to the GLO.

We began our survey at a 3" by 3" concrete monument found at the west corner of the senior L. J. Streeter Survey, file number 126189, Abstract No. 1374 and in the northeast line of the Pedro Pereira - Jose de Jesus & Mariano Grande XI Leagues. Said concrete monument also found by said Jimmie Flowers in his survey of File No. 147137 and File No. 127106. This monument also recited in Volume 507 on page 14 of the Land Records of Leon County, Texas.

Surveying N 31°45'17" W (call S 32° E) along the northeast line of the senior Grande League we found the line had been bulldozed. However boundary line stakes and monuments set by previous surveyors were found indicating to me the said previous surveyors had found monuments and other evidence so that after the bulldozer had past they were able to reestablish the boundary. Mr. Faber called this line to be 1435 varas and by our survey we find 1434.93 varas between monuments found and called for by surveyor Faber.

From the concrete monument found at the west corner of said McCluskey we surveyed South 44°01'00" East a distance of 250.25 varas (Faber calls N 44° W - 250 varas) to another concrete monument found. And witnessed by a 28" Water Oak N 20° W - 5.0 varas and called for in Faber's field notes. The senior J. L. Wilson Survey as surveyed by H. H. Brown and dated 3-28-1905 calls N 44° W a distance of 417 varas. By our survey this call will encroach into the said Grande 11 League survey.

We find the north line of said McCluskey survey to be South 83°05'35" East a distance of 1130.48 varas to the south corner of the senior J. M. Currie Survey. Mr. Faber's field notes have N 83° W - 1129 varas and also Mr. Brown's south line of said Wilson survey has N 83° W - 1129 varas.

The said John M. Currie Survey was laid down by James T. Simm by field notes dated 7-12-1871. At the south corner of said Currie survey we found a 1" Iron Pipe. This iron is also noted on the map for the here-to-fore mentioned File No. 147137 and File No. 127106. Said map has a hand written recording "*Leon 24*". Also File No. 7 Leon County Rolled Sketch dated June 12, 1954 is a print of a Humble Oil & Refining Co. Ground Condition Map title "*Map of Tex Cen Ry Co No. 2 & Adjoining Surveys Leon County, Texas*". These two maps were very important in relocating the corners of this McCluskey Survey.

From said iron pipe we surveyed South 69°27'34" East a distance of 943.88 varas (McCluskey call N 70° W - 950 varas, Currie call also N 70° W - 950 varas and Humble N 69°25' W - 943.9 varas). Jimmie Flowers found the line to be N 69°26'06" W - 943.911 varas to a railroad tie at the south corner of said Currie Survey same being an angle corner of the Barlow Roberts Survey, the northwest part of Section 2 of said Railway. We found the railroad tie as described by Mr. Flowers. On Humble's map they found a 2" Black Jack stob with bearing trees and a note "*distance and bearing trees do not agree*". We made a diligent search for the Post Oak and Hickory tree, which Humble shows without any success.

Surveying South 63°20'26" West along the easterly southeast line of said McCluskey at 237.59 varas (call 238 varas) pass a 1" galvanized iron pipe found at the west corner of said Roberts Survey. From which an 8" Post Oak (dead) bears N 84-1/2° E - 1.5 varas (original). Mr. Flowers found same at 237.77 varas.

Continuing an additional 326.20 varas (Flowers call 326.28 varas) for a total of 563.80 varas (Faber call 565 varas) to an 1" galvanized iron pipe found at an Ell corner of said McCluskey and in the northeast line of L. J. Streeter Survey. These galvanized pipes being set by Mr. Flowers in the aforementioned surveying.

Running North 32°17'19" West a distance of 201.39 varas (Faber calls 200 varas, Flowers calls 201.33 varas) to a 5/8" iron rod found marking the north corner of said Streeter Survey and as re-entrant corner of the McCluskey.

Surveying South 58°55'06" West along the northwest line of the Streeter Survey a distance of 949.77 varas, (Faber calls 950 varas, Flowers calls 949.866 varas) to the place of beginning.

V. SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

As hard as it is to believe in Leon County, Texas we have found three of the original concrete monuments set by Ben Faber in his original survey of the McCluskey Survey. The remaining corners being iron rods, iron pipes and railroad tie were also found. These being identified by surveyor Flowers, Humble's ground condition map and deed records filed in the County Clerks office.

We have not, in our opinion, conflicted with any senior survey nor have we left any vacant land adjoining the McCluskey Survey. There is however a very old fence traversing across the western portion that is described in Volume 400 on page 290 of the Deed Records of Leon County, Texas. This fence is also shown on surveyor Faber's map. The current landowner is aware that they may lose this area and I have advised my client to seek advice from his attorney.

We recommend the Commissioner issue a patent from our survey, field notes and report.

Respectfully submitted,

Bill H. Burton

Bill H. Burton
Licensed State Land Surveyor

BHB/bhb
Hagglo.doc

