

REPORT OF SURVEY

This is a report of a survey made of the H. & G. N. R. R. Co. Survey NO. 69, San Patricio Scrip No. 438 and the M. M. Lyne Survey No. 70, School File No. 7179, both Surveys being located in Live Oak County, Texas, situated South 45 deg. West about 10 miles from George West, the County Seat of Live Oak County, Texas.

Survey No. 69 was surveyed by R. H. Brown on April 12, 1875 on which field notes the Patent was issued. Survey No. 70 was surveyed by R. H. Brown on April 13, 1875 on which fieldnotes the Patent was issued.

Survey No. 69 called for beginning at the west corner of Survey No. 67. Mr. Brown filed three sets of fieldnotes for Survey No. 67. Two sets stating the survey was made on April 11, 1875 and one dated April 12, 1875. However, the Patent fieldnotes are dated April 11, 1875 but were not filed in the General Land Office until July 18, 1876. The three sets of fieldnotes place Survey 67 in three different places. The date of the Patent fieldnotes is no doubt in error, which point is verified by their recording in the Surveyors Records, Volume 2 at page 330, Live Oak County, Texas. The west corner of Survey No. 67 as referred to as the beginning point of Survey No. 69 was no doubt the survey dated April 12, 1875, recorded in Volume 2 at page 78 of the Surveyors Records, Live Oak County, Texas.

Mr. H. J. Daugherty, in 1948, made a very extensive survey of this area, in which he found and identified from the witness trees the south corner of canceled Survey 67, as recorded in the Surveyor's

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Records, Volume 2 at page 78 and 79, and the east corner of the J. Poitevent Survey No. 73; both surveys having been surveyed for L. C. Latham by R. H. Brown in April, 1875.

I re-constructed Mr. Daugherty's survey and found the south corner of canceled Survey No. 67 as described by Mr. Daugherty on the top of a high hill, although the witness tree has been destroyed. The east corner of Survey No. 73, as replaced from Daugherty's survey fell in the stump of an old rotted Mesquite tree. The east corner of Survey 73 calls for being a Mesquite tree. The witness tree for the east corner of Survey 73 was found dead and lying on the ground on called bearing at 35.6 varas.

Having determined the two controlling corners, I proceeded to replace the lines of Survey No. 69.

Beginning at the west corner of Survey 67, which was placed by projecting a line from the east corner of Survey 73 through the south corner of canceled Survey 67, the Patent call distance from a fence found marking the southeast line of Patent Survey No. 67. The north and beginning corner of Survey 69, as I have so placed it, falls in a fence line, running northwest and southeast, and is the recognized line between Surveys 69 and 67. The witness tree as called for at this corner has been destroyed. The area has been cleared and planted in grasses.

From the north corner of Survey 69, I ran a line at 90 degrees to the projected line through the south corner of canceled Survey 67

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from the east corner of Survey 73. At 1552.27 varas cross the east bank of Spring Creek. This is within 2.27 varas of the original call. I placed the west corner of Survey 69 at the point of intersection of the southwest line of Survey 69, which was placed along an accepted line marked by fence and stated to be the northeast line of Survey No. 134 by Herbert W. Whalen in his survey of 1963. From the west corner of Survey 69 as thus placed, I surveyed the southwest line of Survey No. 69, crossing Spring Creek at 245.52 varas, this being 14.28 varas short of the call; at 540 varas again crossing Spring Creek, this being the Patent call. This last creek crossing call and the call along the northwest line proves out my placement of the west corner of Survey No. 69.

I next returned to the south corner of canceled Survey No. 67. From the south corner of canceled Survey No. 67, I went on the line established, from said south corner of canceled Survey 67 to the east corner of Survey 73 as re-established, 225 varas, the Patent call distance, and established the east corner of Survey No. 69. From the east corner of Survey 69 as thus established, I went on a line 90 degrees to the established line from the south corner of canceled Survey 67 to the east corner of Survey 73, to the southwest line of Survey 69 as hereinabove so placed.

The northeast line of Survey No. 69 was surveyed from its east corner as hereinabove so placed to its north corner as I had so established it.

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I next proceeded to re-establish the M. M. Lyne Survey No. 70. R. H. Brown, who surveyed the M. M. Lyne Survey No. 70 on April 13, 1875, on which fieldnotes the Patent was issued, calls for beginning at the west corner of Survey No. 68 which is not the Patented Survey No. 68 but is a canceled survey which he made on April 12, 1875. The west corner of the D. R. Fant survey which was surveyed by T. I. Gilmore on August 6, 1881 placed the west corner of the D. R. Fant Survey at the west corner of the canceled Survey No. 68, which was identified by its witness tree. To establish the west corner of canceled Survey No. 68 and the west corner of the D. R. Fant Survey, the beginning corner of Survey No. 70, I re-constructed the D. R. Fant Survey from evidence marking old corners. From the west corner of canceled Survey 68 as thus placed, the distance was found to be 3848.58 varas from the south corner of canceled Survey 67, herein above so described, as compared to Brown's call of 3800 varas. From the west corner of canceled Survey 68, as established from a reconstruction of the Fant Survey, I went on a line which was a projection from the north corner of Survey No. 69 as hereinabove described and established, through the west corner of said canceled Survey No. 68, as placed, for the Patent call distance of Survey No. 70, 225 varas. Which north corner of Survey No. 70 as thus placed fell in the line of a very old fence along the southeast side of the original 40 foot road. From the north corner of Survey No. 70 as thus placed, I went on a line along the south side of the existing Farm-to-Market Highway and along a line marked by evidence

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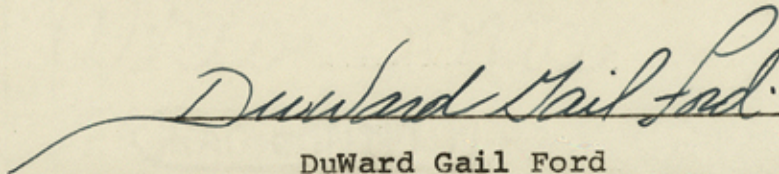
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of a very old fence for the northwest line of Survey 70. The west corner of Survey No. 70 was placed by projection of said northwest line to a point where occupancy line makes an offset to the northwest. The west corner as thus placed falls 50 varas, Patent call, southeast of the northwest line of the Farm-to-Market Highway, the north corner of the M. M. Lyne Survey, south one-half of Survey 216. From the west corner of Survey No. 70 as thus placed, I surveyed the southwest line of Survey No. 70 to the west corner of Survey No. 69 which I had previously placed.

The are of Survey 69 and 70 have been cleared of brush and Mesquite trees for the most part with the exception of the southeast portion of Survey 69, which has been chain cleared thus destroying all original witness trees or hacked lines.

JOHNSTON & FORD ENGINEERING FIRM



DuWard Gail Ford
Licensed State Land Surveyor
May 27, 1969

