

WALKER LAND SURVEYING
104 EAST AVE. 'B'
ALPINE, TX
79830
915-837-7272

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From:
Steven F. Walker
Licensed State Land Surveyor
Date: September 7, 1998

To:
Honorable Garry Mauro
Commissioner of the Texas General Land Office
Austin, TX

File No Sketch File 120
Pecos County
Surveyor's Report - T & P, Blk. 49, Twn. 10, Sur. 12
Filed October 20 19 98
By GARRY MAURO, Com'r
Douglas Howard

SURVEY REPORT

This report concerns a survey for patent of five tracts of land out of Survey (Section) 12, Certificate number 4632, Block 49, Township 10, T. & P. Ry. Co. Surveys, Pecos County, Texas located N.80deg.W., 16 miles from Fort Stockton, the County seat. Said tracts being the Northeast 1/4, School file no. 131158, the Southeast 1/4, School file no. 133529, the Southwest 1/4, School file 145133, the South 1/2 of the South 1/2 of the Northwest 1/4, School file no. 148719, and the North 1/2 of the Northwest 1/4, School file no. 133529.

This survey was conducted on the Texas State Plane Coordinate System, Central Zone, NAD 1927. U.S.G.S. Triangulation Station "COY2" was tied for this survey.

HISTORY

ORIGINAL SURVEYS OF PECK AND POWELL, 1876

Blocks 48, 49 and 50, Township 10, form part of what is known as the T. & P. Ry. Co. "80 Mile Reserve". These Blocks were originally surveyed and field notes returned by J. L. Peck and W. C. Powell in July of 1876. The field notes of the various Sections in these Blocks call for "earth mound and four pits" for corners, with no identifying marks or bearings to surrounding topographical features.

CORRECTED SURVEY OF HARRIS, 1886

In February of 1886, Murray Harris, Deputy Surveyor of Pecos County, resurveyed and wrote corrected field notes for the perimeter Sections of Block 49, Township 10. The notes of Mr. Harris call for either a "stake", a "stake and earth mound" or a "stake and stone mound" having been set by him for the various corners of these Sections, with passing calls to various roads or drainages and bearing calls to surrounding topographical features.

RETRACEMENT SURVEY OF F. W. ESTILL, 1940

In 1940, under authority of instructions from Bascom Giles, Commissioner of the General Land Office at that time, F. W. Estill, Licensed Land Surveyor from Winkler County, resurveyed Sections 30 and 42, Block 49, as well as other Sections in the area. In letters to Mr. Grady Chandler dated November 19, 1940, Mr. Giles indicates that various land owners believed there to be excess acreage in some of the unpatented Sections, in Block 50, Township 10, Block 3, T. & P. Ry. Co. and Block 183, Various Grantees. Mr. Giles' letters state: "In order to determine the existence of this excess, I am therefore requiring that a resurvey of this area be made and it is so ordered." These letters are on file in the General Land Office in microfilm Reel 176 (originally in Correspondence Book 70).

At the conclusion of his resurvey, Mr. Estill wrote a Survey Report, which is on file in Pecos County Sketch File no. 73, and compiled a plat of his work which is Pecos County Rolled Sketch no. 109 of the General Land Office, also filed in Book 10, Page 200, of the Pecos County Surveyors Records.

Mr. Estill's survey report states that in retracing Murray Harris' work in Block 49 he recovered several of Mr. Harris' stone mounds and so indicated these on his plat. Of interest is Mr. Estill's statement on page 5 that: "By the calls to stone mounds given in Harris' notes.....it could be so construed as to mean the stones were marked as described, but in the notes given in Harris' field book for the same call as given above, it specifically states that the stakes were marked." Mr. Estill also checked the bearings called for by Mr. Harris to peaks from the stone mounds called for and states in his report: "In checking the bearings to peaks called for by Harris, I find that there are some discrepancies in the recorded bearings and the bearings as observed, but this type error is not uncommon, the cause of which can be very easily understood while in the field observing the bearings."

Mr. Estill concludes his discussion of his retracement and construction of Blocks 49 and 50 by stating: "The subdivision of Blocks 49 and 50, Township 10 into Sections since the boundary lines of the blocks have been established is simply a matter of proportioning the distances between original and

proportional corners on the block lines. This method of proportioning, together with courses and distances for all sections in the blocks, is shown on the accompanying map." In studying Mr. Estill's plat, it appears that he constructed Section 43 to conform to the irregularity along its West line, then proportioned the distances between "original and proportional corners on the block lines" to establish the corners of the internal Section corners.

PRESENT RETRACEMENT SURVEY OF THAT PORTION OF BLOCK 49 NECESSARY TO ESTABLISH THE POSITION OF SECTION 12

The plat that accompanies this report indicates the monuments found during our retracement of the part of Block 49 pertinent to the construction of Section 12. The monuments indicated as found are accepted as being the actual monuments called for by Mr. Harris or an acceptable re-establishment of his original position. The compass bearings observed checked reasonably with those recited in the field notes or field books of Mr. Harris.

Note that some of the monuments found during this survey were not recovered by Mr. Estill. It is possible that the monuments in place now were not there at the time of Mr. Estill's resurvey, but were set subsequent to his work. However, I believe that these monuments are in an acceptable position relative to the calls of Mr. Harris and the locations depicted on Mr. Estill's plat.

I believe that Mr. Estill did a very good retracement survey of the perimeter of Block 49. Below is a table of the relationship of the bearings and distances indicated on Mr. Estill's plat to those found in our survey. For this table I have removed the combined scale factor from our platted distances and have reduced our bearings from State Plane bearings to geodetic bearings in order to more meaningfully compare them to those of Mr. Estill.

<u>LINE MEASURED</u>	<u>ESTILL'S CALL BEARING</u>	<u>OUR BEARING</u>	<u>ESTILL'S CALL DISTANCE</u>	<u>OUR DISTANCE</u>
North Block line	N.89deg.24'E.	N.89deg.23'16"E.	11438.1	11439.9
East line of Sections 1 And 12	N.0deg.09'40"E.	N.0deg.06'13"E.	3817.6	3819.7
East line of Sections 13 And 24	N.0deg.09'40"E.	N.0deg.11'11"E.	3817.6	3812.8
East line of Sections 25	N.0deg.07'15"E.	N.0deg.06'18"E.	1908.2	1914.3
East line of Sections 36, 37 and 48	N.0deg.03'15"E.	N.0deg.03'40"E.	5727.8	5727.7
South line of Sections 47 and 48	N.89deg.37'E.	N.89deg.31'E.	3820.6	3818.6
West line of Section 6	S.0deg.02'40"E.	S.0deg.03'14"E.	1909.0	1907.4
West line of Section 7	S.0deg.02'40"E.	S.0deg.03'58"E.	1909.0	1910.6

I believe that the above table indicates a very close association with the calls of Mr. Estill to those established between the accepted monuments found for this survey.

Notice that all of the monuments recovered for this survey are stone or rock mounds similar to the calls of Mr. Estill. The only exception is the Southwest corner of Section 47. Here we find only a fence corner post. Rocks are scattered in the area, but there is no other evidence of any other monument in the vicinity. There is a new road and cattle guard here that could possibly explain the destruction of a stone mound. Also note Mr. Estill's call to the center of Coyanosa draw to a stone mound he found for this corner. His plat and report indicate that he measured a distance of 725 varas from the draw to the corner and states a "call 730 varas". However, the field notes of Mr. Harris filed in the County Records along this line state "725 varas" also. In any case, we measure 728 varas to the center of the draw. The center of Coyanosa draw is rather wide here and a discrepancy of a few varas is quite understandable. I believe that the fence corner is the most solid evidence of the original position of the called for stone mound for this corner.

CONCLUSIONS AND CONSTRUCTION

As stated earlier in this report, apparently Mr. Estill established the internal Section corners by proportioning the distances across the Block from the established corners along the Block lines. However, I believe that present practice dictates that lines connected to the existing or proportioned corners along the Block line would intersect and establish the Northwest and Southwest corner of Section 12, the subject of this survey. The Southeast corner of said Section was found as indicated and the Northeast corner would be established by proportioning from said Southeast corner to the monument found for the Northeast corner of Section 1, also being the Northeast corner of the Block.

Respectfully submitted,

Steven F. Walker
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