

2907

Marfa, Texas.

June 15, 1927.

Mr. J. T. Robison,
State Land Commissioner,
Austin, Texas.

Dear Sir:

Enclosed please find type copy
of Mr. Rider's report on Survey recently made
by him for me, to take the place of the
photostat copy of the original which he left with
you, and which he was afraid might not be entirely
legible.

Yours truly,

J. M. Wilson

RECEIVED

JUN 17 1927

REFERRED TO MAP.

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Austin, Texas.

June 12, 1927

RECEIVED

JUN 17 1927

REFERRED TO MAP

Mr. J. T. Robison,
State Land Commissioner,
Austin, Texas.

Dear Sir:

Following is a report of investigation made by me in April and May this year for Mr. T. M. Wilson, Marfa, Texas, to determine the correct location of lands owned and controlled by him being part of the "Penitas" Ranch socalled on the waters of Alamito Creek, Presidio County, with a view to their proper adjustment by the Land office, and the sale to him of certain fractional sections that have been withheld from sale because of certain supposed conflicts, and of other tracts that appear to be vacant scrap land, for which latter letters of inquiry will be forthcoming.

The lines which I have attempted to locate are those of Block No. 9, H&TCRYCO., Sections Nos. 7 to 12, inclusive, and surrounding surveys in Presidio County.

The particular fractional surveys which Mr. Wilson desires to purchase are the unsold portions of Section 4, Block WJG-4, GC&SFRYCO; Section 12, Block 9, H&TCRYCO; Section 2, Block 338, T. C. RY. CO. The supposed vacant strips are believed to lie East of Sections 2, 3 and 4 of said Block 4, S. E. of Section 5 of said Block 338 as patented and also N. W. of said Section 5, if my location of said Block 9 is approved. Moreover Mr. Wilson wishes to settle the question of priority of Patents to Mendoza Survey No. 77 Landram Survey 313, Burgess Survey 317, Surveys 1 and 2 of said Block 338, Surveys 9 and 11 of Block 9, H&TCRYCO., all of which appear to be partially covered by Mr. Reavis' resurvey of said Block 9, and the Hanson and Ellison tracts which were awarded as scrap land after said resurvey, the Hanson tract having subsequently been patented.

My investigations to determine the facts in regard to these matters covered a period of nearly two months and are as complete, I believe, as the records on file and the evidences on the ground will permit; and are not based on any single fact or field note call as in the resurvey of Block 9, but represent an effort to approach the problem from every possible angle with conclusions based on the sum total of the information thus obtained.

#2

My first work was to search the records on file at Marfa, for all data that might be of use to me, and from this data, I compiled a preliminary map which I submit with this report.

The records alone convinced me and I think prove without any survey that prior to Mr. Reavis' survey there existed no conflicts of any consequence between any of the surveys involved in this investigation, and that Mr. Reavis' tie between his N. E. corner of Survey 11 Block 9, H&TCRYCO., to the N. E. corner of the Burgess Survey 317, is inconsistent with Mr. Tays' call for a joint corner at the S W corner of the Mendoza 77 (or North corner of the Burgess) and the N E corner of Survey 12, said Block 9, bearing in mind that Mr. Tays surveyed both 77 and 12, within 12 days of each other; and as my preliminary map shows placing them in the position that Mr. Tays calls for does not admit of any overlapping of 12 on 77 as necessitated by the conditions of the Reavis' resurvey.

The records show furthermore that Reavis' locations are opposed to those of Mr. Thompson, who surveyed Blocks 338 and 325, T. C. RY. CO and Block 200 T&SLRYCO., lying easterly of the Reavis Survey; to Mr. Ammerman's resurvey of Block 8, GH&SARYCO., Northerly and Northeasterly; to Mr. Gleim's Survey of Block WJG-4, GC&SFRY on the west and North and Surveys 799 and 800 on the South; and to Mr. Gilberts Survey of Sections 581 and 582, TCRY., on the South. Mr. Marmion, who located the Hanson Survey 1460, in a portion of the strip vacated by M. Reavis, being part of the West side of Block 9 as Mr. Tays located it, also recognized the south and East lines of Block 9 as Mr. Tays located them for the South and East lines of the Hanson Survey in the portion lying South-west of the resurvey of Block 9; and last of all, Mr. Tarver, who located the Ellison Survey accepts Mr. Tays' N. W. and S. W. corner of Block 9, for the N. & S. limits of the Ellison tract.

Mr. Reavis then is not in agreement with any of the surveyors of lands involved in this investigation from Tays to Tarver. The records show that he relied on one point only, his S. E. corner of Survey 7, Block 9, which calls for a hill East of a road, as does Mr. Tays' S. E. corner of Survey 7, Block 9, and claims it to be Mr. Tays' corner, a conclusion based apparently on hearsay evidence obtained by another surveyor, Mr. Shelly, whose location he accepts without further verification. Mr. Reavis' calls on the south line of Survey 7, Block 9, show there was a road further West which could have been the one called for by Mr. Tays.

#3

The records show also, accepting Mr. Tays' location of the joint corner of the Mendoza Survey and Survey 12, Block 9, that if Mr. Tays had referred to the more easterly of these two roads, it would have placed his S. E. corner of Survey 7, Block 9, far South of Mr. Reavis' location of same, and caused his survey of 7, Block 9, to overlap the Davis Survey, which he surveyed himself a few years before he surveyed 7. Furthermore it would have given Block 9 a different direction from North to South from the field notes.

If then the problem were but to prove Mr. Reavis in error, the records do that. But to determine the true location of Mr. Tays' lines is a separate problem, requiring a survey on the ground.

This I made, determining his location first from conditions within his Mendoza survey such as his call for the Cienega and the spring, the ruins of the old Mendoza house still in evidence, old fences still in evidence on the South and East sides of the tract, rock mound corners which I found at all four corners substantially in agreement as to course and distance, these checking other rock corners that I found at three corners of Block 9, and old fences on the West and North lines of same accepting the Tays' field notes for both surveys; Secondly, from verified corners of outlying surveys including the S. W. Corner of Survey 204 Block 8, GH&SARY., where I found a rock mound on an East and West fence marked "SE 204" which checked its bearings and old road as per field notes; the S W corner of Survey 314, same block, where I found a rock mound in a North and South fence marked "SW 314 " ; the N E, N W and S W corners of Survey 6, Block 200, T&SLRY, which were monumented and connected by fence and which checked each other closely by course and distance, and also by the old road as per field notes, the S. W. corner consisting of 5 large rocks marked "A-1" as recorded; the N E corner of Survey 581, T C where I found a rock mound in a North and South fence. All these checked by connecting surveys my location of the Tays survey 77 and Block 9 and checked each other also within close limits. In all the above I found no material change from the records as shown on my preliminary map.

I also found rock mound corners of Block 4, WJG- which verified their natural calls and checked each other closely on course and distance at the N E corner of Section 9, the S. W. N. W. and N. E. corners of Section 7, the S. E. and N E corners of Section 5, and the N E corner of Section 4. These corners of Block 4 verified Mr. Tarver's location of the East line of the block, and of the narrow portion of the Ellison Survey, and indicated a continuation of that strip Northerly along the East lines of Sections 4, 3 and 2, creating the vacant strips mentioned above.

#4

They show that Mr. Gleim did not ascertain the true West lines of Block 9 and the Mendoza, but placed them farther West than I place them.

I also retraced ~~the~~ Hanson Survey by its calls and monuments finding rock mounds at its North corners, remains of fences on the East, West and North lines, and rock mounds along its East line at mile intervals for Reavis' West corners of Block 9 resurvey which check Reavis' S. E. corner of Survey 7, said Block, as I found it on a Hill East of an old road and North 5 deg. West 260 varas from the recognized N E corner of Davis Survey No. 29, and I traced these to Reavis' N. W. corner of resurvey of Survey 12 Block 9, and found every ravine as called for in his West line of 12, and the East line of Gibson Survey 1472, besides the fence which he and the surveyor of 1473 both admit they found on the old North line of Survey 12 as I locate it. In the field notes of 1473 this fence is called the Norman and Morgan fence and so it was, and it is there today marking the ~~North~~ line of Survey 12, Block 9, and the South line of the Mendoza on Tays' lines

My location of the Hanson Survey shows it to be entirely in conflict with Tays' location of Block 9, as ^{is} also that portion of the Ellison Survey lying directly North of it. The Gibson Survey, I find entirely in conflict with Survey 4, Block WJG-4 GC&SFY. Said survey 4, Block 4, is partly in conflict with the North part of Survey 12, Block 9, as located by Mr. Tays. All the above facts are shown on my final map which also accompanies this report.

Respectfully,

W. L. Rider

W. L. Rider
Licensed Land Surveyor

