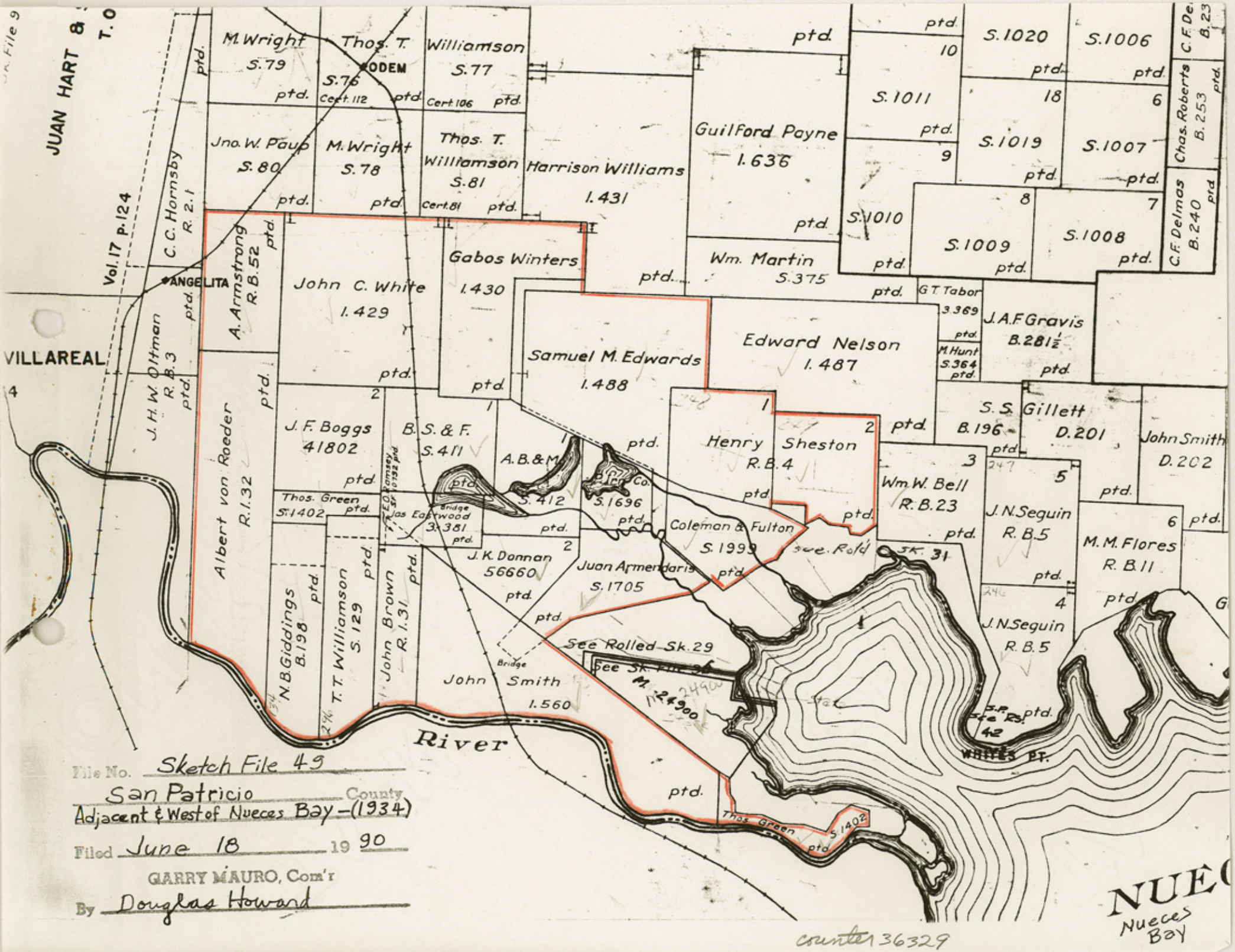


File No. Sketch File 49

San Patricio County

Adjacent & West of Nueces Bay – (1934)

Filed June 18 19 90

GARRY MAURO, Com'r

By Douglas Howard

counter 36329

The State of Texas
Reclamation Department
Austin

# REPORT OF SURVEYS

# IN SAN PATRICIO COUNTY, TEXAS

# ADJACENT TO NUECES RIVER AND BAY

File No. Sketch File 49
San Patricio County
Filed June 18 19 90
GARRY MAURO, Com'r
By Douglas Howard

counter 36330

REPORT OF

J. P. KEARBY, JR., SPECIAL ASST.

TO A. M. VANCE
STATE RECLAMATION ENGINEER

OF AREAS SURVEYED

IN SAN PATRICIO COUNTY, TEXAS

ADJACENT TO NUECES RIVER AND BAY

FOR GENERAL LAND OFFICE

JULY, AUGUST & SEPTEMBER, 1934

# INDEX

## SECTION I.

## PURPOSE OF SURVEYS

The purpose of this survey and report is to determine and locate on the ground the true position of the original lines and corners of the patented surveys adjacent to Nueces Bay, to locate the old bay shore referred to in the patented field notes, to locate the present bay shore, and to locate the line between the marsh area adjacent to the waters of Nueces Bay, and the accretion land, if any, adjacent to the old bay shore, and determine the acreage of said marsh and accretion areas.

## SECTION II.

## AREA SURVEYED

The area surveyed includes all of that area in San Patricio County bounded on the south by the Nueces River, on the west by the east line of the Von Roeder Survey and the west line of the Armstrong Survey, on the north by the north line of the Armstrong, White, Winters, A. B. & M. #1, Presidio Irrigation Company and Coleman & Fulton surveys, and on the east by the waters of the Nueces Bay and includes the two Thomas Greens, two A. B. & M's., two B. S. & F's., John Smith, John Brown, T. T. Williamson, N. B. Giddings, Chas. Eastwood, A. Armstrong, J C. White, G. Winters, Presidio Irrigation Company, Coleman & Fulton, and Juan Armendaris surveys, in addition to the accretion and marsh areas, situated between these surveys and the waters of Nueces Bay.

## SECTION III.

## METHOD OF SURVEYS

To establish the true position of the lines and corners of the original patented surveys, photostatic copies of the patented field notes were secured from the State Land Office. These field notes called for numerous ties to such permanent natural objects as Whites Bluff, bank of Nueces River, an island in the Nueces River, the old shore line of Nueces Bay, the bluff shore line, Hearns Lower Bridge, Means Bridge, Rincon and other bayous, lagoons and ponds. All of these natural objects were found and identified on the ground and used as referred to in the patented field notes in re-establishing the various corners and lines of the various surveys. From these corners and lines so re-established, the other lines and corners were surveyed and established by following the metes and bounds as described in the patented field notes with a transit and chain traverse, having previously determined true north by two observations on polaris with a magnetic declination of 9-40 E.

The lines between the accretion land and the marsh area were also surveyed by a transit and chain traverse.

The lakes, bayous, lagoons, shell reef, bank of Nueces River, bluff shore, and the present shore line of the Nueces Bay, and other topographical features were located and mapped by Messrs. Curtis R. Hale and C. W. Van Wormer under my supervision, using

the plane table method, based upon geodetic control.

All areas were computed by double meridian distance method, except for the marsh area, which was computed by the planimeter method.

## SECTION IV.

## RESULTS OF SURVEYS

The attached map has been prepared of the area surveyed, on a scale of one inch equals 360 varas, or 1000 feet.

This map shows the true position of the natural objects referred to in the original patented field notes as well as the true position of the corners and lines of the patented surveys in relation to the natural objects and adjacent surveys, which in some cases the junior surveys; namely, T. Green L. S. 124, Chas. Eastwood, Juan Armendaris, and Presidio Irrigation Company surveys, overlap the adjacent senior surveys, as indicated by the dashed lines, and in other cases the surveys, namely, Williamson and Giddings, B. S. & F., and White and Winters surveys fail to join.

As noted on the map, the old meander notes of the bank of Nueces River, are almost identical with the present meanders of the river bank, and the meander notes of the old shore as called for in the Juan Armendaris, Coleman & Fulton, and T. Green surveys follow in the general direction and within a reasonable distance of the old shore line as identified on the ground by the shell reef.

As shown on the map, there is an area of 103 1/2 acres between the old survey lines of the Coleman & Fulton Survey and the outer edge of the marsh area and an area of 72 1/2 acres between the old survey lines of the Juan Armendaris Survey and the

outer edge of the marsh area, and an area of 33 acres between the old survey lines of the T. Green Survey and the shell reef or marsh line, and an area of 36 acres between the old survey lines of the John Smith Survey and the outer edge of the marsh area.

We are indicating on the map the area of the marsh lying between the T. Green, John Smith, John Armstrong, Coleman & Fulton surveys and the waters of Nueces Bay, comprising 2327 acres, which we have subdivided into six areas as separated by bayous; namely,

Area #1 on the north of 268 acres
Area #2 north of Rincon Bayou of 397 acres
Area #3 south of Rincon Bayou of 1025 acres
Area #4 on the south of 544 acres
Area #5 on the east of 66 acres
Area #6, East Island of 27 acres.

The John Smith Survey includes within its bounds a portion of marsh area, which is not included in the acreage computations as listed above.

## SECTION V.

## DETAILED REPORT OF MARSH AND ACCRETION AREA AND FIELD NOTES

The areas of stable land situated between the lines of the T. Green, Juan Armendaris and Coleman & Fulton surveys, and the outer edge of the marsh area, as mentioned in previous paragraphs, become a part of the adjacent surveys as their field notes call for the meanders of the bay shore, thereby extending their riparian rights at all times to all accretion or other stable land contiguous to the old bay shore, but not to any marsh area that may lie between the old and new bay shores.

The area of stable land situated adjacent to the northeast line of the John Smith Survey, does not become a part of the John Smith Survey as its field notes did not call for the meanderings of the bay shore, (reading -- "Thence S 55 1/4 E 6623 varas to point on bay" -- which is found to cross the old bay shore twice, and included within its bounds part of the bay and excluded some land between the line and the old bay shore, as noted in U. S. Coast & Geodetic Surveys, and as also indicated today by topographic features) thereby not carrying any riparian rights, and this area is not included within the bounds of any patented surveys on file in the Land Office.

The stable land mentioned above is solid dry land contiguous to the lines of the old patented survey, and separated from the waters of Nueces Bay by lagoons, bayous and marsh.

The stable land areas contiguous to the Coleman & Fulton, Juan Armendaris, and John Smith surveys are described as follows:

Coleman & Fulton Additional Area

Beginning at the southeast corner of the Coleman & Fulton Survey an auto axle in wire grass north of Rincon Bayou, from which Whites Bluff bears S 63-00 E and post bears N 34-24 W 593.4 varas,

Thence S 28-40 E 305 varas to the edge of marsh;

Thence with the edge of said marsh leaving the shell reef and dry lands to the northwest, and lagoons and marsh lands to the southeast with the following calls:

N 53-15 E 555.3 varas, N 52-22 E 484.1 varas,
N 65-20 E 433.8 varas, N 26-40 E 372 varas,
N 68-52 E 185 varas.

Thence N 39-00 W 342 varas to the northeast corner of Coleman & Fulton Survey, an auto axle, in mud flat, from which Whites Bluff bears S 45-00 E and post bears N 49-12 E 103.3 varas;

Thence with the southeast line of the Coleman & Fulton Survey with the following calls:

S 39-30 W 136 varas, S 51 W 475 varas, S 29 W 237 varas, S 66 W 285 varas, S 54 W 817 varas

to place of beginning and containing 103 1/2 acres.

Juan Armendaris Additional Land

Beginning at the intersection of the southeast line of the Armendaris Survey with the northeast line of the John Smith survey, an auto axle, from which auto axle at southeast corner of

Armendaris bears S 52 W 565.2 varas and Hearns Lower Bridge bears S 44-20 W 801 varas and Whites Bluff bears S 79-00 E,

Thence S 55-33 E with Smith's northeast line 50 varas to edge of marsh;

Thence with the edge of said marsh, leaving shell reef and dry lands to the northwest, and lagoons and marsh lands to the southeast with the following calls:

N 56-55 E 630 varas, N 67-24 E 488.35 varas,
N 83 E 1250 varas, N 74-14 E 875.85 varas;

Thence N 28-40 W 305 varas to auto axle at northeast corner of Armendaris Survey in wire grass north of Rincon Bayou from which post bears N 34-24 W 593.4 varas and Whites Bluff bears S 63 E;

Thence with the southeast line of the Armendaris Survey with the following calls:

S 54 W 370 varas, S 76-40 W 1910.3 varas,
S 69 W 321 varas, S 52 W 633.8 varas

to place of beginning and containing 72 1/2 acres.

<u>Unsurveyed Land North of Northeast Line of John Smith Survey</u>

Beginning at the northeast corner of the John Smith Survey, an auto axle, in edge of shell reef, from which Whites Bluff bears N 81-30 E;

Thence N 55-33 W with the northeast line of the John Smith Survey 985 varas to the edge of marsh;

Thence with the edge of said marsh leaving shell reef and

dry land to the south and west, and lagoons and marsh to the north and east, with the following calls:

S 88-45 E 578 varas, S 58-10 E 229 varas,
S 15-00 E 211.5 varas, S 3-50 W 220 varas

to the place of beginning and containing 36 acres

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The marsh area as designated on the map consists of a low silt area adjacent to the water on Nueces Bay and includes numerous lakes, lagoons and bayous and a dense growth of salt grass, reeds, moss weeds and other marsh plants decidedly different from the growth found on low land within the bounds of the adjacent surveys.

We traversed this area in the early part of July, 1934 after a long, excessive drouth period, and found surface water only in the deeper lakes, lagoons and bayous, and it was possible to drive a car over the salt grass area, which area formed a mat sufficient to carry the car; however, on investigation we found that beneath the grass mat there was a bag completely saturated with water and unstable, it being possible to easily push sticks and poles to depths of several feet in the silt with very little resistance.

We again traversed this area after the storm, the latter part of July and found the lakes, bayous and lagoons full of water, and most all other areas were standing in water from a few inches to a foot or more in depth. About the middle of September we again traversed this area and found the same water conditions to exist. We also flew over the area in a plane on September 19, 1934 to

get a birdseye view of it from the air, observing that all of the area consisted of marsh growth, and also a decided change in vegetation above and below the old shore line.

This area is not subject to overflow from normal tides, but it is subject to frequent overflows from wind tides. The elevation of this area ranges only from a few inches to about two feet above mean sea level.

The condition of the entire area is such as to render it unsuitable for cultivation, because of standing water on the surface for long periods after rains, and the soil retaining excessive moisture at all times, even during long periods of drouth, and is unsuitable for grazing purposes due to its dangerous boggy condition and the vegetation being unsuitable for food.

## SECTION VI.
## DETAILED REPORT OF LAND SURVEYS - CORRECTED FIELD NOTES

The John Smith L. S. #17/93, the John Brown L. C. #331, and the T.T. Williamson or Thornberg L. C. #49 surveys were considered and surveyed as one group, independently of other surveys, for the reason that they were originally surveyed by John R. Tally on May 22, 1841. However, the T. T. Williamson and the John Smith were not patented until November 6, 1871, at which time the field notes were written by John Ryan, stating that he had used the surveys as made by Tally in 1841 and had found the natural objects and corners as located by Tally. In 1895, the John Smith patent was corrected and refiled by James O'Gaffney, using the same natural objects and calls as used by John Ryan with the following exceptions:

The field notes of 1871 included the John Brown Survey as a part of the John Smith, and the northern line was S 53-42 E, 7626.72 varas. The field notes of 1895 excluded the John Brown Survey and the north line was S 55-15 E, 6623 varas.

The John Smith Survey described its beginning point as being the southeast corner, a 6-inch hackberry tree on the north bank of Nueces River, 950 varas south of its northeast corner on bay shore, from which Whites Bluff bears N 71 E and Powers chimney bears N 25 E.

The hackberry tree could not be found nor is Powers chimney standing. However, Mr. Rachelle pointed out the location of the old chimney, and we placed a flag on same.

We located the southeast corner on the north bank of Nueces River, 950 varas south of the old bay shore line, as indicated by a shell reef, an auto axle for corner, from which Powers Chimney location bears N 25 1/2 E and Whites Bluff bears N 71 1/2 E, making the same angle as called for in the original notes.

Thence following the meanderings of the north bank of the Nueces River as called for in the patented notes and at 3611.52 varas, the recorded distance, the east end of the old island to bear S 46 W, and at 4692.6 varas, the recorded distance, found the west end of the old island to bear S 13 1/2 W, but did not find the hackberry as called for in the original notes at 5443.92 varas, the recorded distance of 1895, the southwest corner of the John Smith, which is also the southeast corner of the John Brown, on the north bank of Nueces River.

Thence north at 2905 varas the recorded distance, the northwest corner of the John Smith, in a prairie bottom, on south side of Rincon Bayou.

Having previously established the northeast corner on the old bay shore line 950 varas, the recorded distance, north of the southeast corner, for a closure, it would be necessary to run a course of S 55-33 E 6602.45 varas instead of the course of S 55-15 E 6623 varas, as originally called for.

The corrected field notes of 1895 had the following call for its north line- "Thence S 55 1/4 E with the south boundary line of Adam, Beaty & Moulton Survey #2, passing its corner south at 1971 varas, and passing the southeast corner of the Juan Armendaris Survey at 2437 varas."

The notes and the topographical features and natural objects on the ground indicate that Mr. O'Gaffney did not run the north line of the Smith and tie to the south corner of the A. B. & M. #2 or the south corner of the Juan Armendaris survey, but ran only the east south and west lines, and attempted to calculate the course and distance of the north line of the survey, assuming that it would follow the lines of and pass through the south corners of the A. B. & M. and Armendaris surveys, as the platting of these surveys would indicate. The south corners of the A. B. & M. and Armendaris are identified on the ground by natural objects and are located a considerable distance within the bounds of the Smith survey.

The A. B. & M. and Armendaris surveys are junior to the original Smith survey and should have no weight in establishing the lines of the John Smith, except as a last resort, which is not necessary in this instance. We have established the northeast, southeast, southwest and northwest corners, and the east, south and west lines, using the natural objects, courses and distances as called for in the patent, which gives the proper configuration and acreage.

For further study, we projected the field notes of the original John Smith survey, as filed by John Ryah November 6, 1871, using the northeast corner and southeast corner, and passing the old island as described in previous paragraphs, and establishing the southwest corner, which is also the southwest corner of the Brown and the southeast corner of the Williamson, on the north bank of

Nueces River at the recorded distance of 6988.30 varas along the river meanders from the southeast corner.

Thence north at 2999.70 varas, the recorded distance, the northwest corner of the John Brown in Rincon Bayou, at 3688.97 varas, the recorded distance, the northeast corner of T. T. Williamson or Thornburg survey, and at 3754.08 varas, the recorded distance, the northwest corner of the original John Smith survey, on north side of Rincon Bayou.

Having previously established the northeast corner for a closure, it would be necessary to run a course of S 53-45 E, 7681.56 varas instead of the called course of S 53-42 E, 7626.72 varas.

The field notes of 1871 had the following call for its west and north lines: "Thence north 3754.08 varas to a lagoon, connected with said river and Nueces Bay, for the northwest corner;

Thence S 53-42 E 7626.72 varas with said lagoon to a point on said lagoon 950.4 varas north of the beginning."

The notes and the topographical features and natural objects on the ground indicate that Mr. Ryan did not run the west and north lines of the Smith Survey but ran only the east and south lines and attempted to calculate the west and north lines.

The distance north places the northwest corner far beyond the banks of Rincon Bayou, and the course of Rincon Bayou from near this corner to the bay is almost due east, and there is no lagoon along the course called, for the first half of the distance; however, a lagoon and the old bay shore now follow some

distance from and crossing this course for the last half of the distance, including part of the old bay within and leaving some land outside of the bounds of the survey.

Corrected Field Notes of the John Smith Survey:

Beginning at an auto axle on north bank of Nueces River "950 varas south of old bay shore," from which Whites Bluff bears N 71 1/2 E;

Thence northwesterly with the meanderings of the north bank of Nueces River, 6284.52 varas, the recorded distance, to corner on north bank of Nueces River at southeast corner of John Brown survey;

Thence North with Brown east line 2905 varas, the recorded distance, to corner in Prairie Bottom on south side of Rincon Bayou;

Thence S 55-33 E crossing old bay shore twice, 6602.45 varas to an auto axle, on old shore line of Nueces Bay, from which Whites Bluff bears N 81-30 E;

Thence South 950 varas, the recorded distance, to place of beginning.

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Corrected Field Notes of John Brown Survey:

Beginning on north bank of Nueces River at southwest corner of John Smith survey,

Thence north at 2905 varas, the recorded distance, pass northwest corner of John Smith, in all 2999.7 varas, the recorded distance, to corner in south edge of Rincon Bayou;

Thence west 694.43 varas to corner in Rincon Bayou in east line of T. T. Williamson survey;

Thence south 2999.7 varas to corner on north bank of Nueces River at Williamson southeast corner;

Thence easterly with the meanders of the north bank of Nueces River, 703.78 varas to the place of beginning.

I find the north line along 0.43 varas and the west line short 31.3 varas.

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Corrected field notes of the T. T. Williamson survey

Beginning at southwest corner of John Brown survey, on north bank of Nueces River,

Thence north at 2999.7 varas pass northwest corner of Brown Survey, in all 3688.97 varas, the recorded distance, to c orner on north side of Rincon Bayou;

Thence west 947.55 varas, the recorded distance, to corner in Rincon Bayou; Thence south 4210.97 varas to corner on north bank of Nueces river;

Thence northeasterly with the meanders of the north bank of Nueces River 1024.76 varas to place of beginning.

I find the west line along 118.06 varas.

The patent calls to begin at the southeast corner of the Smith Survey, which was patented in the name of the Giddings, but this beginning should not locate the Williamson as the Giddings is junior to the Thornburg and was not identified on the ground at the time of the original survey, nor were the same monuments called for.

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The A. Von Roeder Survey, L. S. #____and the N. B. Giddings Survey L. W. #1779 were considered and surveyed as one group, independent of other surveys for the reason that they were surveyed originally by P. S. Kayy on April 3 and May 5, 1858 respectively.

N. B. Giddings Survey

For the beginning corner, which is the southeast corner of the A. Von Roeder and the southwest corner of this survey, a stake was set on the north bank of Nueces River, from which a cluster of elms bears S 28 E 238 varas. (The original notes called for an elm bears S 28 E 238 varas).

Thence north with the east line of the Von Roeder 3423.75 varas, the recorded distance, to corner;

Thence east 950.4 varas, the recorded distance, to corner on south side of Rincon Bayou 167.80 varas west of the west line of the T. T. Williamson survey;

Thence south 3912.25 varas, the recorded distance, to the southeast corner of this survey, on north bank of Nueces River;

Thence northwesterly with the meanders of the north bank of Nueces River 1146 varas to place of beginning.

The original notes did not call for the west line of the Williamson survey.

## East Line of A. Von Roeder Survey

The beginning corner, which is the southeast corner of this survey and the southwest corner of the Giddings Survey, is on the north bank of the Nueces River, from which a cluster of elms bears S 28-00 E 238 varas. (The original notes called for an elm bears S 28 E 238 varas).

Thence north at 3423.75 varas, the recorded distance, the northwest corner of the Giddings survey, at 6666.50 varas, the recorded distance, the northeast corner of this survey, in the south line of the Armstrong Survey, 1082.11 varas east of its southwest corner and 361.78 varas west of its southeast corner, as located and recognized on the ground.

Andrew Armstrong Survey L. S. #224 by J. R. Tally. May 22, 1841

Beginning at the northeast corner of the Von Roeder survey "6666.50 varas, the recorded distance, north of the north bank of Nueces River, from which a cluster of elms bears S 28 E 238 varas."

Thence west along old fence 1082.11 varas to southwest corner of this survey, 31 varas west and 22 varas south of old fence corner;

Thence north along old fence 2502.15 varas, the recorded distance, to the northwest corner of this survey;

Thence east 1443.89 varas, the recorded distance, to northeast corner of this survey and northeast corner of John C. White Survey;

Thence south at 50 varas cross county road, bearing east and west, at 2502.15 varas, the recorded distance, the southeast corner of this survey, one vara east and 16 varas south of old fence corner, and 384.6 varas north of the southwest corner of the John C. White Survey;

Thence west along old fence 361.78 varas to place of beginning.

No natural objects were called for in the original survey, and none are found today. However, the Von Roeder, Armstrong and White Surveys call for their lines to coincide one with the other, the Von Roeder and White being junior surveys. However, it is necessary to let these junior surveys control the location of

the Armstrong Survey, which is further verified by the long-existing fences and recognized lines that correspond with the metes and bounds description.

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The John C. White and Gabas Winters were considered and surveyed as one group for the reason that they were originally surveyed by Wm B. Reid October 25 and 26, 1855, respectively.

John C. White, Hg. #116

Beginning at the northeast corner of the Armstrong as described in previous paragraphs,

Thence south at 50 varas cross county road, bearing east and west at 2502.15 varas, the recorded distance, the southeast corner of Armstrong, at 2886.75 varas, the recorded distance, the southwest corner of this survey in mud flat, one vara west and 31 varas south of old fence corner;

Thence east along old fence 2886.75 varas, the recorded distance, the southeast corner of this survey on mesquite hillside in west line of G. Winters survey;

Thence North 2886.75 varas, the recorded distance, to northeast corner of this survey and northwest corner of G. Winters survey, one vara west of fence and 50 varas south of county road, bearing west and east;

Thence west at 181 varas cross county road, bearing north and south, at 2886.75 varas, the recorded distance, to the place of beginning.

No original natural objects as called for were found on the ground. However, the Armstrong, White and Winters surveys call for their lines to coincide, one with the other, and they were so located, and are further verified by long-existing fences and recognized lines, that correspond with the metes and bounds. The lines of the Von Roeder survey were called for on the ground by mistake as they were not established at the time, it being a junior survey.

Gabas Winters Sur.No. #94.

Beginning at the northeast corner of the John C. White survey, one vara west of fence and 50 varas south of county road, bearing east and west,

Thence south at 2886.75 varas, the recorded distance, the southeast corner of White survey, at 3026.75 varas, the recorded distance, the southwest corner of this survey, on mesquite hillside;

Thence east 1298.25 varas, the recorded distance, the lower southeast corner of this survey on mesquite hillside;

Thence north 2164.75 varas, the recorded distance, to inner corner of this survey, 100 varas south of fence;

Thence east 917.42 varas, the recorded distance, to the upper southeast corner of this survey 53.5 varas west of fence;

Thence north 862 varas, the recorded distance, to northeast corner of this survey, 53.5 varas west and 49 varas south of fence corner;

Thence west 2215.67 varas, the recorded distance, to place of beginning.

No original natural objects as called for were found on the ground. However, the White and Winters patents call for their lines to coincide one with the other, and they were so located, and are further verified by long-existing fences and recognized lines that correspond with the metes and bounds description.

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The Chas. Eastwood, Beaty, Seale & Forwood #1, Beaty, Seale & Forwood #2, Adam, Beaty and Moulton #1, and Adam, Beaty and Moulton #2 were considered and surveyed as one group, for the reason that they were originally surveyed by James O'Gaffney on December 11, 1874, March 6, 7, 17 and 17, 1875 respectively.

The only natural objects called for and found on the ground are the ties to Rincon Bayou and Mercers Bridge in the Eastwood Survey.

Chas. Eastwood Survey

Beginning at southwest corner of this survey, a stake in Rincon Bayou,

Thence north following old fence across Rincon Bayou, at 765.69 varas cross north line of T. T. Williamson Survey, 157.98 varas west of its northeast corner; at 900.4 varas, the recorded distance, set southeast corner of B. S. & F. #2; at 950.4 varas, the recorded distance, the northwest corner of this survey and southwest corner of Beaty, Seale & Forwood #1 Survey;

Thence east along old fence line at 998 varas, the recorded distance, bank of Rincon Bayou, from which Mercers Bridge bears south 166.33 varas, at 1900.8 varas, the recorded distance, the northeast corner of this survey in Rincon Bayou;

Thence south along old fence through bayou, at 691.4 varas set southwest corner of Adam, Beaty and Moulton #1 in edge of wire grass at 950.4 varas, the recorded distance, the southeast corner of this survey in edge of wire grass;

Thence west along old fence at 772 varas, the recorded distance, pass 635.5 varas south of Mercers Bridge, at 1048.30 varas cross east line of John Brown Survey, 76.42 varas south of its northeast corner, at 1742.75 varas cross east line of T. T. Williamson Survey, 765.69 varas south of its northeast corner, at 1900.8 varas, the recorded distance, place of beginning.

This survey overlaps with the John Brown and T. T. Williamson surveys which are senior to the Eastwood, and include the Ramsey Survey, which is junior to the Eastwood.

Corrected Field Notes of Chas. Eastwood Should Read:

Beginning at a stake on Rincon Bayou from which Mercers Bridge bears south 166.33 varas,

Thence west 998 varas, the recorded distance, to stake in edge of wire grass;

Thence south 184.71 varas tonorth line of T. T. Williamson Survey;

Thence east 158.05 varas to norhheast corner of Williamson Survey;

Thence south 689.27 varas to northwest corner of Brown Survey;

Thence east 694.43 varas to northeast corner of Brown Survey;

Thence south 76.42 varas to corner;

Thence east at 276.32 varas pass 635.5 varas south of Mercers Bridge, in all 1048.32 varas to stake in edge of wire grass for southeast corner;

Thence north 950.4 varas, the recorded distance, to northeast corner in Rincon Bayou;

Thence west 902.8 varas, the recorded distance, to place of beginning and containing 286.915 acres and including the Ramsey Patent of 1912.

The original field notes called for the Eastwood Survey to begin at the west corner of the A. B. & M. Survey, which is junior to the Eastwood and was not established at the time, thence north with the Thornburg Survey, which is senior but was not identified on the ground.

Beaty, Seale & Forwood Survey #1

Beginning at northwest corner of Eastwood Survey, a stake,

Thence east along old fence, at 998 varas bank of Rincon Bayou, 166.33 varas north of Mercers Bridge; at 1900.8 varas, the recorded distance, northeast corner of Eastwood Survey in Rincon Bayou; at 2032 varas, the recorded distance, the southeast corner of this survey in Rincon Bayou;

Thence north at 1710 varas, the recorded distance, set stake in wire grass bottom for northeast corner of this survey and northwest corner of Adam, Beaty & Moulton Survey #1, 531.95 varas south of the south line of Babas Winters Survey;

Thence west at 691.17 varas pass 531.95 varas south of southwest corner of Winters Survey; at 1046 varas, the recorded distance, stake in wire grass;

Thence north 140 varas, the recorded distance, to stake in wire grass, 531.95 varas south of south line of J. C. White survey;

Thence west at 986 varas, the recorded distance, set stake in edge of wire grass for northwest corner of this survey and northeast corner of B. S. & F. Survey #2, 531.95 varas south of south line of J. C. White survey;

Thence south 1850 varas, the recorded distance, to beginning.

Mr. O'Gaffney called for the north line of this survey to coincide with the south line of the Winters and White surveys, but did not call for the same witness trees at the corresponding corners. As located on the ground, the south lines of the White and Winters surveys are located on the mesquite hillside where wire grass does not grow. The distance called north from the Eastwood survey locates the north line of the B. S. & F. Survey #1 in the wire grass bottom as called for in the patent notes.

Beaty, Seale & Forwood Survey #2

Beginning at the northwest corner of B. S. & F. Survey #1, the northeast corner of this survey, a stake in edge of wire grass, 531.95 varas south of the south line of the J. C. White survey;

Thence south at 1850 varas, the recorded distance, the northwest corner of Eastwood survey; at 1900 varas, the recorded distance , the southeast corner of this survey;

Thence west crossing Rincon Bayou 1907.7 varas to corner

Counter 36358

in the east line of the Von Roeder Survey;

Thence north crossing Rincon Bayou at 1900 varas, the recorded distance, a corner of 916.55 varas south of the northeast corner of the Von Roeder survey;

Thence east at 361.78 varas pass 531.95 varas south of southwest corner of J. C. White survey, at 1907.7 varas the place of beginning.

The north line of the B. S. & F. Survey #2 does not coincide with the south line of the J. C. White survey, as called for nor are the same monuments called for at the corners; their recorded distances and natural objects do not bring their lines together.

Adam, Beaty & Mouâton Survey #1

Beginning at the northeast corner of the B. S. & F. Survey #1 a stake in wire grass for the northwest corner of this survey, 531.95 varas south of the south line of the Winters survey,

Thence south 1710 varas, the recorded distance, to the southeast corner of B. S. & F. Survey #1 in Rincon Bayou;

Thence west 131.2 varas to northeast corner of Eastwood Survey in Rincon Bayou;

Thence south along old fence across Rincon Bayou at 691.4 varas, the recorded distance, set stake in edge of wire grass in east line of Eastwood survey for southwest corner of this survey and northwest corner of A. B. & M. Syrvey #2;

Thence east at 1763 varas, the recorded distance, set stake

for southeast corner of this survey and northeast corner of A. B. & M. Survey #2;

Thence north 1830 varas, the recorded distance, to stake in large salt lake for northeast corner of this survey;

Thence N 67-30 W crossing pond, 1493.33 varas to s take in wire grass for corner;

Thence west 252 varas, the recorded distance, to place of beginning.

The north line of this survey does not coincide with the south lines of the Edwards and Winters called for nor are the same monuments called for at the corners.

Adam, Beaty & Moulton Survey #2

Beginning at the southeast corner of A. B. & M. Survey #1, the northeast corner of this survey,

Thence west 1763 varas, the recorded distance, to stake in edge of wire grass in east line of Eastwood survey at southwest corner of A. B. & M. Survey #1;

Thence south 259 varas, the recorded distance, to stake in edge of wire grass at southeast corner of Eastwood survey;

Thence west at 772 varas pass 635.5 varas south of Mercers Bridge, at 1048.32 varas cross east line of John Brown survey, 76.42 varas south of its northeast corner, and 18.28 varas north of the northwest corner of the John Smith survey; at 1742.75 varas cross east line of T. T. Williamson survey, 765.69 varas

south of its northeast corner; at 1900.8 varas, the recorded distance, the west corner of this survey at the southwest corner of the Eastwood Survey in Rincon Bayou;

Thence S 53-45 E crossing the east line of the Williamson and Brown surveys, 2831.35 varas to the south corner of this survey, from which Hearns lower bridge bears S 8-58 W 257.7 varas;

Thence N 41-15 E at 560.37 varas cross the north line of the Smith Survey; at 2094 varas, the recorded distance, stake for corner;

Thence north 359 varas, the recorded distance, to place of beginning.

This survey overlaps the John Smith, T. T. Williamson and John Brown surveys, which are senior to this survey. The lines of the Smith and Brown surveys were called for by mistaken identity on the ground, as they were not identified.

Corrected Field Notes of A.B. & M. Survey #2

Beginning at the northwest corner of the John Smith Survey in the east line of JohnBrown Survey, a stake in prairie bottom on south side of Rincon Bayou;

Thence north 18.28 varas to corner in south line of Eastwood Survey 76.42 varas south of northeast corner of John Brown Survey;

Thence east at 276.32 varas pass 635.5 varas south of Mercers Bridge, in all 1048.32 varas to southeast corner of Eastwood, a stake in edge of wire grass;

Thence north 259 varas, the recorded distance to southwest corner of A B & M. Survey #1, a stake in edge of wire grass in east line of Eastwood Survey;

Thence east 1763 varas, the recorded distance, to southeast corner of A. B. & M. Survey #1;

Thence south 359 varas, the recorded distance, to stake;

Thence S 41-15 W 1533.63 varas to stake in north line of John Smith Survey, from which Hearns lower bridge bears S 31-13 W 790.3 varas;

Thence N 55-33 W with Smith's north line 2182.93 varas to place of beginning, and containing 404.73 acres.

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The Presidio Irrigation Company Survey, the Juan Armendaris Survey and the Coleman & Fulton Survey were considered and surveyed ad one group, for the reason that they were all surveyed by James W. Peeks on April 5, and 27, 1878 and December 20, 1879 respectively.

The only natural objects found on the ground for this group of surveys was Hearns lower bridge, which definitely located the south corner of the Armendaris Survey and served as a control for the other two surveys, which were further identified by Rincon Bayou and old bay shore.

Juan Armendaris Survey

Beginning at the south corner of this survey, an auto axle from which Whites Bluff bears S 81 1/2 E and Hearns Lower Bridge bears S 27-00 W 252 1/4 varas, and the south corner of A. B. & M.

Survey bears N 68-13 W 80.1 varas;

Thence N 53-42 W crossing the east line of A.B. & M. Survey #2, 466 varas, the recorded distance, to stake for corner;

Thence N 41-15 E at 529.33 varas cross north line of Smith Survey; at 2094 varas, the recorded distance, stake for corner;

Thence north at 115 varas cross south line of A. B. & M. Survey #1, 301.22 varas west of its southeast corner; at 520 varas, the recorded distance, set stake for northwest corner of this survey and southwest corner of Presidio Irrigation Company Survey on Rincon Bayou;

Thence east at 301.22 varas cross east line of A. B. & M. Survey #1; at 1288 varas, the recorded distance, set stake for southeast corner of Presidio Irrigation Company Survey on north side of Rincon Bayou in wire grass;

Thence S 52-15 E at 1403 varas, the recorded distance, set northeast corner of this survey and southeast corner of Coleman & Fulton Survey, near old shore line, an auto axle for corner, from which old post bears N 34-24 W 593.4 varas and Whites Bluff bears S 63 E;

Thence S 54-00 W at 320 varas cross Rincon Bayou; at 370 varas, the recorded distance, corner on south side of Rincon Bayou near old shore line;

Thence S 76-40 W 1910.29 varas to stake near old shore line;

Thence S 69-00 W 321 varas, the recorded distance, to stake on old shore line;

Thence S 52-00 W at 633.82 varas auto axle in north line of John Smith Survey; at 1199 varas, the recorded distance, the place

counter 36364

of beginning.

This survey overlaps the John Smith, A. B. & M. Surveys #1 and #2. The lines of the Smith and A. B. & M. surveys were called for by mistaken identity on the ground, as they were not identified.

Corrected Field Notes of Armendaris Survey

Beginning at the south corner of the A. B. & M. Survey #2 innnorth line of John Smith Survey from which Hearns lower bridge bears S 31-13 W 790.3 varas,

Thence N 41-15 E 1533.63 varas;

Thence north at 359 varas, the recorded distance, southeast corner of A.B. & M. Survey #1 and northeast corner of A. B. & M. Survey #2; at 764.0 varas the northwest corner of this survey on Rincon Bayou;

Thence east 986.78 varas to stake in wire grass on north side of Rincon Bayou;

Thence S 52-15 E 1403 varas, the recorded distance, to corner near old bay shore, an auto axle from which old post bears N 34-24 W 593.4 varas and White Bluff bears S 63 E;

Thence S 54-00 W at 320 varas cross Rincon Bayou, at 370 varas, the recorded distance, corner on south side of Rincon Bayou near old bay shore;

Thence S 76-40 W 1910.29 varas;

Thence S 69-00 W 321 varas, the recorded distance;

Thence S 52-00 W 633.82 varas to north line of Smith Survey an auto axle, from which Hearns Lower Bridge bears S 44-20 W 801 varas and Whites Bluff bears S 79 E;

Thence N. 55-33 W 182.18 varas to place of beginning and containing 551.266 acres.

Presidio Irrigation Company Survey

Beginning at the northwest corner of the Armendaris survey on Rincon Bayou,

Thence east at 301.22 varas cross east line of A. B. & M. Survey #1, 405 varas north of its southeast corner; at 1288 varas, the recorded distance, the southeast corner of this survey, at a corner in north line of Armendaris in wire grass north of Rincon Bayou;

Thence north 1136 varas, the recorded distance, to stake at foot of hills, for northeast corner of this survey;

Thence N. 67-31 W 1393.87 varas to stake on north edge of pond, for northwest corner of this survey;

Thence south at 120 varas cross north line of A. B. & M. #1 survey in pond, 326.04 varas N 63-30 W from its northeast corner at 1669 varas, the recorded distance, the place of beginning.

This survey overlaps the A. B. & M. survey #1. The lines of the A. B. & M. and Edwards Surveys were called for by mistaken identity on the ground. The Edwards south line calls for the meanderings of the bluff shore, which is far from the northwest corner, but approaches closely to the northeast corner of this survey.

Corrected Field Notes of the Presidio Irrigation Co. Survey.

Beginning at the northwest cofner of the Armendaris Survey,

Thence S 39-30 W 136 varas the recorded distance, to corner near old shore line;

Thence S 51-00 W 475 varas, the recorded distance, to corner near old shore line;

Thence S 29-00 W 237 varas, the recorded distance, to corner near old shore line;

Thence S 66-00 W 285 varas, the recorded distance, to corner near old shore line;

Thence S 54-00 W 817 varas, the recorded distance, to auto axle at northeast corner of Armendaris survey near old shore line, from which post bears N 34-24 W 593.4 varas and Whites Bluff bears S 63 E;

Thence N. 52-15 W 1403 varas, the recorded distance, to place of beginning.

The south lines of the Edwards and Sheston surveys, being the meanders of the bluff shore line, were called for by mistaken identity on the ground.

Thomas Green Survey, No. 6, 1912
by A. L. Freel

Beginning at the southeast corner of the B. S. & F. survey #2, 50 varas south of northwest corner of Eastwood survey,

Thence west crossing Rincon Bayou 1907.70 varas to east line of A. Von Roeder survey;

Thence south at 426.20 varas pass northwest corner of Giddings survey, at 1325 varas, the recorded distance, to corner.

Thence east at 950.40 varas cross east line of Giddings survey, 898.80 varas south of its northeast corner, at 1118.20 varas the west line of Williamson survey;

Thence north 547 varas, the recorded distance, to corner 643.29 varas south of Williamson northwest corner;

Thence east at 789.5 varas the west line of the Eastwood survey;

Thence north at 643.29 varas north line of Williamson, 778 varas, the recorded distance, to place of beginning.

This survey overlaps the Giddings and Williamson surveys. The surveyor was mistaken in the identity of the north line of these surveys on the ground as they were not identified.

Corrected Field Notes

Beginning at southeast corner of B. S. & F. Survey #2,

Thence west 1907.70 varas to east line of Von Roeder survey; Thence South 426.20 varas to northwest corner of Giddings survey;

Thence east 1118.20 varas to west line of Williamson survey; Thence north 291.49 varas to northwest corner of Williamson survey;

Thence east 789150 varas to west line of Eastwood survey;

Thence north 134.71 varas to place of beginning and containing 103.257 acres.

SECTION VII.
GENERAL REVIEW OF SURVEYS

If all of the surveys had been made on the ground as called to tie to adjacent surveys disregarding natural objects, there would have been only one overlapping condition; namely, the Thomas Green Survey overlapping the north end of the N. B. Giddings and T. T. Williamson surveys.

The Thomas Green, John Smith, John Brown and T. T. Williamson Surveys were properly located on the ground.

The Von Roeder and Giddings surveys werelocated 167.8 varas too far west.

The Armstrong, White and Winters surveys were located the proper distance north of the river, but 193.92 varas too far east.

The Eastwood, Beaty, Seale & Porwood, Adam, Beaty & Moulton and Thomas Green surveys were located 158.19 varas too far west and 531.95 varas too far south, causing an overlap on the south into the John Smith, John Brown, T. T. Williamson and Giddings surveys.

The Armendaris, Presidio Irrigation Company and Coleman & Fulton surveys were located 459.41 varas too far west and 411.95 varas too far south, causing an overlap on the south and west into the John Smith, and A. B. & M. Surveys.

The E. O. Ramsey Survey of 1912 is a part of and overlaps its entire area into the Charles Eastwood survey, which is a senior survey.

The south lines of the John C. White and Gabas Winters surveys are definitely located their proper distance from the Nueces River and in a mosquite and hackberry growth on the hillside, where such

counter 36361

trees were called for as witnesses to their south corners. The south lines of the S. M. Edwards and Sheston surveys are definitely located as being the meanders of the bluff shore line, a very definite natural object.

The north lines of the B. S. & F. and A. B. & M. surveys are definitely located in the wire grass area the proper distance north of Mercers Bridge and Rincon Bayou, as called for in the patented notes, and the north lines of the Presidio Irrigation Company and Coleman & Fulton surveys are definitely located the called distance north of Hearns Bridge and Rincon Bayou .

At the time the B. S. & F., A. B. & M., Eastwood, Armendaris, Presidio Irrigation Company and Colemand & Fulton surveys were made the area that those surveys were supposed to comprise was unsurveyed State land, bounded by the following senior surveys: on the south, the John Smith, John Brown, T. T. Williamson and N. B. Giddings; on the west by the A. Von Roeder survey and on the north by the Armstrong, White, Winters, Edwards and Sheston surveys, the field notes of the junior surveys indicate very clearly that the surveyor had access to the field notes and a plat of the senior surveys, which if properly platted would clearly indicate that the unsurveyed area was sufficient to take care of the areas that were to be surveyed, and had they begun the surveys as they stated, and as they thought they did, the distance they traversed north would have taken them to the south lines of the White, Winters, Edwards and Sheston surveys; therefore, thinking that they began at the right place, at the called distance they assumed they

intersected these lines and called for them, not having found them identified on the ground, when the actual surveys disclose that they began their surveys several hundred varas too far south and did not intersect the south lines of the surveys on the north.

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