

E. S. REST
PROFESSIONAL CIVIL ENGINEER
LICENSED STATE LAND SURVEYOR
202 1/2 WEST ERWIN
TYLER, TEXAS

June 3, 1949

John B. Foreman Survey
Shelby County, Texas,
Report on Deed of Acquittance Application

Surveyor's Report

Hon. Bascom Giles, Commissioner
General Land Office
Austin, Texas

Dear Sir:

Attached hereto is a map showing results of my survey on the John B. Foreman survey and a portion of the Robert Marshall survey in Shelby County, Texas.

Your attention is called to the attached map which shows all original corners circled in red and to the bearings and distances which are shown in vertical and slant lettering. Bearings and distances shown in vertical lettering denote the calls as recited in the original field notes, and the bearings and distances shown in slant lettering denote the positions of the lines as I have relocated them on the ground.

I am also attaching corrected field notes on the John B. Foreman survey recorded in Vol. 1-B, Page 51, Surveyors Records, Shelby County, Texas.

I am making this report on my actual findings on the ground in order that you may rule whether or not the attached corrected field notes properly describe the John B. Foreman survey and that a deed of acquittance be issued covering the excess acreage in this survey.

Before beginning work in this area I had before me a plat of the original field notes under which the following surveys were patented: Robert Marshall (King H. Latham, Assignee); John B. Foreman; H. E. & W. T. Ry. Co. #3; H. E. & W. T. Ry. Co. #4 and SF-14653 patented to Pickering Lumber Corporation. I made a complete study of the field notes and patents as to the date of each survey and by whom the survey was laid down in order to determine what could be expected on the ground. I also had abstracts of these surveys describing various deeds not only as to the present owners but predecessors in title. Deed record plats were made covering the area in question and a complete record study was made before going into the field in order that I would have at hand all record information as to call distances, witness trees, adjoinder calls, passing calls, beginning calls and other information.

The John B. Foreman survey was laid down by Richard Hooper and his field notes are dated May 15, 1845. Hooper's field notes call to begin at the northeast corner of the King H. Latham, (assignee of Robert Marshall), and the Foreman west line calls to adjoin the King H. Latham (Robert Marshall) east or northeast line. The John B. Foreman field notes recite a call for its north line to follow the meanders of Gramies Creek.

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In order to begin my survey I relocated the east or northeast line of the Robert Marshall survey and found that its southeast corner can be re-established from the remains of a large post oak stump. This corner was also re-established by Mr. W. B. Chambers in 1945 as being an original corner of the Robert Marshall survey. I retraced the northeast line of the Robert Marshall and found it to follow a well marked, occupied and recognized line which terminated at Grannies Creek as called in the Marshall field notes. This line as relocated by me agrees within one degree and 11 minutes of call course and is 69.3 varas excessive.

I began my survey of the John B. Foreman survey at the northeast corner of the Robert Marshall in accordance with Richard Hooper's field notes and proceeded in a northeasterly direction following the meanders of Grannies Creek. The northeast corner of the Foreman as relocated by me bears N. 34° E. 897.8 vrs. (on a general course from the beginning corner) which agrees with the field note call in the original field notes within 1 degree of call bearing and 2.2 varas of call distance. The over-all distance along the thread of the stream measured 1513.6 varas.

I relocated the east line of the John B. Foreman by following a well marked line which agrees within 51 minutes of call bearing and placed the southeast corner at call distance of 900 vrs. from the relocated northeast corner on Grannies Creek.

The closing course in the Foreman field notes calls to follow the northeast line of the Robert Marshall survey 1100 varas to the place of beginning, hence I relocated the southwest corner of this survey by measuring 1100 vrs. in a southeasterly direction along the Robert Marshall northeast line from its northeast corner on Grannies Creek. I established the south line of the John B. Foreman survey by running a connecting line between the previously explained southeast and southwest corner. This connecting line does not agree with call bearing by nearly 9 degrees but call distance agrees within 11.9 varas.

It is called to your attention that the field notes on the John B. Foreman survey will not close and that if the south line were run in accordance with field note call of S. 35° W. it would intersect the east line of the Robert Marshall survey at a point considerably less than 1100 varas from its northeast corner. It is evident, therefore, that a mistake was made on this line.

The John B. Foreman survey as relocated by me is in almost exact accordance with the field notes of the original surveyor, the only material difference being in the bearing of the south line which as previously stated was erroneously shown. The lines and corners of this survey are in agreement with the lines and corners of this survey and surrounding surveys as reported by Mr. W. B. Chambers in 1945 regarding SF-14653 covering 16.5 acres which was later patented to the Pickering Lumber Corporation.

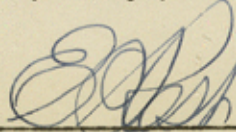
Conclusion

As reflected in this report and as shown on attached map, the relocated position of the John B. Foreman survey is in close agreement with its field note position. Hence, the excess is included within the boundaries of the survey as originally laid down by Richard Hooper in 1845. Since the John B. Foreman survey as I have

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relocated it does not extend beyond its field note position or conflict with any other survey, I therefore recommend that a deed of acquittance be issued on the excess acreage contained in it.

Very truly yours,



E. S. Rest
Licensed State Land Surveyor

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any other survey. I therefore recommend that a deed of redemptance be issued
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Sketch File No. 33

Shelby County
E.S. Rest's Report of his Survey
of the John B. Foreman 3rd Class

Filed June 24, 1949

BASCOM GILES, Com'r

Will von Rosenberg
File Clerk

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Very truly yours,



E. S. Rest

Registered State Land Surveyor



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