

September 29, 1993

The Honorable Gary Mauro
General Land Office Commissioner
General Land Office
1900 North Congress
Stephen F. Austin Building
Austin, Texas 78701

File No. Sketch File 8
Sherman County
Filed Dec. 16 19 93
By GARRY MAURO, Com'r
Douglas Howard
For Plats - See Sketch Files 5, 6, 7

SURVEYOR'S REPORT

This report covers the survey of the Northeast and Southeast Quarters of Section 18 and the West part of the Northwest part of Section 19, Block 1, Public Free School Land, Sherman County, Texas. This particular area of Block 1, P.F.S.L. is bounded on the south by Block 1C, G. H. & H. RR. Co. Survey and bounded on the north by a series of scrap file surveys. The scrap file surveys lie south of and abut the Texas - Oklahoma state boundary line. Sections 18 and 19 lie west of and adjacent to the town of Texhoma, Texas and Oklahoma.

The survey was ordered by Mr. Louis Dubuque on behalf of Mr. Dean Thrasher. Abstracts of the property were provided by the client and copies of original field notes in these particular sections and the surrounding area were obtained from The General Land Office. A working sketch was prepared by compiling these notes. Various sketches and notes concerning this area and the Texas - Oklahoma boundary were also obtained from The General Land Office. Additional records were obtained from the County Clerk's office of Sherman County. Comparisons of the data were made and field work commenced on January 22, 1993.

This report, accompanied with the recorded field notes and plats (Exhibit "A") of the Northeast and Southeast Quarters of Section 18, and the West part of the Northwest part of Section 19, Block 1, P.F.S.L., consists of the following:

- 1.) Report,
- 2.) Exhibit "B"; working sketch of the area prepared for this survey,
- 3.) Exhibit "C"; photocopy of portions of U.S.G.S. quadrangles "Texhoma North, Oklahoma" and "Texhoma South, Texas - Oklahoma", showing the area of this survey, patent corners searched for and those found,
- 4.) Exhibit "D"; photographs of patent corners found in place,

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As indicated in Exhibit "C", the following patent corners were found:

- 1.) The north common corner of Sections 17 and 18, Block 1, P.F.S.L.; a 1 inch iron pipe, stamped "17-18", with one side partially rusted away (see Exhibit "D", photos 1, 2, & 3).
- 2.) The North common corner of S.F. Surveys 15481 and 15456; two 1/2 inch iron pipes, found side by side with no markings (see Exhibit "D", photos 4 and 5). A state line boundary marker was also found 17.06 feet west of the two 1/2 inch iron pipes. This is a brass cap, set in concrete and stamped "U.S. General Land Office, 1931" (see Exhibit "D" photos 5 & 6).
- 3.) The northeast corner of S.F. Survey 15454; a 1 inch by 2 foot iron pipe with no discernable markings (see Exhibit "D" photo 7).
- 4.) The north common corner of Sections 19 and 20, Block 1, P.F.S.L.; a 1 inch by 3 foot iron pipe (bent), stamped "N.E. 19" (see Exhibit "D", photos 8, 9, and 10).
- 5.) The north common corner of Sections 76 and 105, Block 1C, G. H. & H. RR.; a 1-1/4 inch by 2 foot galvanized iron pipe, stamped "21-76-105" (see Exhibit "D", photos 11 and 12)
- 6.) The south common corner of Sections 20 and 21, Block 1, P.F.S.L.; a 1-1/4 inch by 2 foot galvanized iron pipe, stamped "20-21-105", (see Exhibit "D", photos 13, 14, and 15).
- 7.) The north common corner of Sections 136 and 165, Block 1C, G. H. & H. RR.; a 1-1/4 inch galvanized iron pipe with the top broken off and remaining stamped "17-165" (see Exhibit "D", photos 16, 17, and 18).
- 8.) The common corner of Sections 106, 107, 134 and 135, Block 1C, G. H. & H. RR.; a 1-1/4 inch by 2 foot galvanized iron pipe, stamped "106-107-134-135" (see Exhibit "D", photos 19 and 20)

Other patent corners were traversed to as indicated in Exhibit "C". Diligent searches were made for these corner monuments called for in their respective field notes, but to no avail. Most of these monuments were probably destroyed by agricultural practices, the others destroyed by roads.

Searches were conducted for the stone monuments at miles 10, 11 and 12 as set by W. D. Twitchell in his survey of "Sherman County's North Boundary Line", signed March 25, 1898 and recorded in Volume 1, Page 29 of the County Court Minutes of Sherman County. Monuments 65 and 66 of Clark's Texas/Oklahoma Boundary Line, 1860, were searched for also. As stated previously, agricultural practices have apparently destroyed these monuments.

Various other corner monuments were found, but were determined to not be patent corners. Most of these monuments were set recently (within the past twenty years). They are of a different type of material and do not have any identifiable markings that relate to record data found in field notes and patents.

A traverse was run to the found corners, with other points as needed. The traverse originated at N.G.S. tri-station "Hardy 2", with a solar observation performed for a bearing basis to true north. After completion of the traverse, the computations, closures and adjustments were made. An analysis of the field data was compared to the record data to calculate the remaining corners of Sections 18 and 19, Block 1, P.F.S.L. The steps involved in setting out the corners of Section 18 and 19 are as follows:

1.) Block 1C, G. H. & H. RR. is senior to Block 1, P.F.S.L., so the first step was to re-establish the north line of Block 1C, G. H. & H. RR., the same being the south line of Block 1, P.F.S.L. H.T. Trigg conducted a re-survey of and filed corrected field notes of Block 1C, G. H. & H. RR. in June and July of 1924. His bearing calls of the north line of Sections 135 and 136 indicate a deflection of $00^{\circ} 30' 05''$ left (heading westerly) at the north common corner of Sections 135 and 136. This point of intersection was re-established by holding to Trigg's call bearing and distance from the pipe found at the north common corner of Sections 136 and 165 (see Exhibit "D", photos 16, 17, and 18). Next, a line was ran to the pipe found at the north common corner of Sections 76 and 105 (see Exhibit "D", photos 11 and 12).

Comparisons are as follows:

The north line of Section 136;

- * Bearing and distance held; S. $89^{\circ} 49' 40''$ E., 1900.8 varas

The north lines of Sections 135, 106, and 105;

- * Measures S. $89^{\circ} 20' 34''$ E., 5818.94 varas
- * Call S. $89^{\circ} 19' 35''$ E., 5822.20 varas (H.T. Trigg, 1925)

The pipe found at the south common corner of Sections 20 and 21, Block 1, P.F.S.L. (see Exhibit "D", photos 13, 14, and 15) lies in the north line of Section 105, with the following comparison:

From the south common corner of Sections 20 and 21 to the north common corner of Sections 76 and 105:

- * Measures (S. $89^{\circ} 20' 34''$ E.) 413.82 varas
- * Call (S. $89^{\circ} 19' 35''$ E.) 413.1 varas (remainder of call distances of Sections 105 and 106, minus distances in Section 20 and southeast part of Section 19, all by H.T. Trigg, 1925).

As mentioned previously, the deflection angle at the north common corner of Sections 135 and 136 by calls is $00^{\circ} 30' 05''$. The measured deflection is $00^{\circ} 29' 06''$. Although the angle is not exactly as called, it is very close ($00^{\circ} 00' 59''$). Further justification is given later in this report (refer to steps 2, 4 and 6 and the conclusion).

2.) The east line of Section 17, Block 1, P.F.S.L., also being the west line of Section 18, was established by running a line from the pipe found at the north common corner of Sections 17 and 18 (see Exhibit "D", photos 1, 2, and 3) on the patent call bearing of S. $00^{\circ} 43' 10''$ E., to intersect the north line of Section 136, Block 1C, G. H. & H. RR. At this intersection point, being the south common corner of Sections 17 and 18, a 1 inch by 42 inch iron pipe, stamped "136 1C-17-18 P.S.L.", was set. Comparisons are as follows:

East line of Section 17/west line of Section 18;

- * Measures (call bearing held) S. $00^{\circ} 43' 10''$ E., 1478.49 varas
- * Call S. $00^{\circ} 43' 10''$ E., 1478.9 varas (H.T. Trigg, 1925).

Trigg made a passing call along the south line of Section 17 to the north common corner of Sections 136 and 165. Comparisons are as follows:

- * Measures N. $89^{\circ} 49' 40''$ W., 778.63 varas
- * Call N. $89^{\circ} 49' 40''$ W., 777 varas

Emphasis was given to the call bearings, giving the call angle, rather than holding to the passing call distance, in establishing the south common corner of Sections 17 and 18.

3.) The north common corner of Sections 18 and 19 was set by re-establishing the point of beginning corner of S. F. Survey 15450 (by W. D. Howren, 1951 and patent April 28, 1953). The bearings on the south line of S. F. Survey 15450 indicate a deflection of $00^{\circ} 03' 54''$ left (heading westerly). An excess of 2.22 varas was measured between the pipe found at the north common corner of Sections 17 and 18 and the pipe found at the north common corner of Section 19 and 20 (see Exhibit "D", photos 1, 2 and 3 and photos 8, 9 and 10). This excess was prorated equally in Sections 18 and 19 and the deflection angle was held to set the north common corner of Sections 18 and 19. Comparisons are as follows:

The north line of Section 18:

- * Measures S. $89^{\circ} 59' 35''$ W., 2182.11 varas
- * Call west, 2181 varas (H. T. Trigg, 1925)
- * Call S. $89^{\circ} 59' 43''$ W., 2181 varas (S. F. Surveys 15450 and 15456, W. D. Howren, 1951)

The north line of Section 19:

- * Measures S. $89^{\circ} 56' 30''$ E., 2181.52 varas
- * Call S. $89^{\circ} 58' 35''$ E., 2188.5 varas (H. T. Trigg, 1925)
- * Call S. $89^{\circ} 56' 23''$ E., 2180.4 varas (S. F. Surveys 15450 and 15454, W. D. Howren, 1951)

In June of 1957, O. R. Noel surveyed the East part of the Northeast part of Section 19. A patent was issued on these corrected field notes. Noel's bearing on the north line of his survey is S. $89^{\circ} 56' 30''$ E., the same as W. D. Howren's call in S. F. 15454.

4.) The east line of Section 18, also being the west line of Section 19, was established by running a line from the north common corner of Sections 18 and 19 south to intersect the north line of Section 135 at the call angle of $89^{\circ} 27' 40''$, as surveyed by H. T. Trigg, February 14, 1925 (field notes of Section 18 are recorded, but no patent was issued). Comparisons are as follows:

East line of section 18/west line of Section 19;

- * measures S. $00^{\circ} 07' 06''$ W., 1493.92 varas
- * call S. $00^{\circ} 08' 05''$ W., 1494.5 varas (H. T. Trigg, 1925)

From the southeast corner of Section 18 to the north common corner of Sections 135 and 136;

- * measures N. $89^{\circ} 20' 34''$ W., 1038.36 varas
- * call N. $89^{\circ} 19' 35''$ W., 1035 varas (H. T. Trigg, 1925)

From the north common corner of Sections 135 and 136 to the southwest corner of Section 18;

- * measures N. $89^{\circ} 49' 40''$ W., 1122.17 varas
- * call N. $89^{\circ} 19' 35''$ W., 1123.4 varas (remainder of Trigg's calls on south line of Section 18. Note that Trigg did not include the deflection as he had surveyed previously, thus the field notes did not close by 9.68 varas. If the deflection is observed then the notes will close by 0.62 varas).

A patent was not issued on Trigg's February 24, 1925 survey and corresponding field notes of Section 18. However on December 19, 1942, Trigg prepared notes on the Northwest Quarter of Section 18 and the North part of the Southwest Quarter of Section 18. Patents were issued on these tracts in March, 1953. It appears that Trigg used the data from his 1925 survey to prepare the notes for the 1942 surveys. He makes no monument calls for the quarter corners, therefore, it is probable that the 1942 surveys were office surveys and not run on the ground. A search was made for corner monuments at Trigg's calls, but nothing was found.

5.) Since Trigg did not set any quarter corners for Section 18, the next step was to calculate and quarter Section 18, using the aliquot rule. Comparisons are as follows:

Northwest quarter, north line;

- * measures N. $89^{\circ} 59' 35''$ E., 1091.06 varas
- * call East, 1093.4 varas (Trigg, 1942)

Northwest quarter, east line;

- * measures S. $00^{\circ} 18' 02''$ E., 743.08 varas
- * call S. $00^{\circ} 17' 30''$ E., 738.4 varas (Trigg, 1942)

Common line, northwest and southwest quarters;

- * measures N. $89^{\circ} 48' 07''$ W., 1085.67 varas
- * call west, 1087.9 varas (Trigg, 1942)

Northwest quarter, west line;

- * Measure N. $00^{\circ} 43' 10''$ W., 739.24 varas
- * Call N. $00^{\circ} 43' 10''$ W., 738.4 varas (Trigg, 1942)

Southwest quarter, east line;

- * Measures S. $00^{\circ} 18' 02''$ E., 738.68 varas
- * Call S. $00^{\circ} 17' 30''$ E., 539.2 varas (Trigg, 1942)
plus south, 205 varas (D.D. Spurlock, 1918)
for a total distance of 744.2 varas.

Southwest quarter, west line;

- * Measures N. $00^{\circ} 43' 10''$ W., 739.24 varas
- * Call N. $00^{\circ} 43' 10''$ W., 538.5 varas (Trigg, 1942)
plus North, 202 varas (D. D. Spurlock, 1918)
for a total distance of 740.5 varas.

D. D. Spurlock surveyed the south 41 acres of the west half of Section 18 of March 21, 1918. A patent was issued on September 7, 1920. Spurlock calls for mounds and pits for corner monuments. His east-west length of the tract is 1142 varas, an overlap of 19.83 varas into the east half of September 18, as re-constructed and explained previously. Discrepancies also arise with Trigg's quarter and the quartering of Section 18 by the aliquot rule, as mentioned previously.

Spurlock's survey is more than likely an office survey, because of his monument calls and his east-west length of 1142 varas without any evidence of determining the actual west half of Section 18, of rather a lack of calls for section corners. Also, Trigg surveyed Section 18 on February 14, 1925, only seven years after Spurlock's survey, yet he makes no mention of Spurlock's monuments.

Further discussion of overlaps and/or discrepancies with Spurlock's 41 acre survey and Trigg's quartering of Section 18 will follow later, in conclusion, of this report.

6.) The southeast part of Section 19, that portion lying south and east of the Rock Island Railroad and containing 183.5 acres, was surveyed by Trigg February 14, 1925 and patented September 12, 1925. In his calls for the south line of this tract, Trigg begins at the southeast corner of Section 19, then goes N. $89^{\circ} 19' 35''$ W., at 1270.4 varas, pass the north common corner of Sections 106 and 135, containing for a total distance of 1674.7 varas to the centerline of the railroad.

The north common corner of Sections 106 and 135 was re-established by running a line from the pipe found at the common corner of Section 106, 107, 134 and 135 (see Exhibit "D", photos 19 & 20) northerly to intersect the north line of Block 1C at the call angle of $89^{\circ} 30' 10''$ to the pipe found at the common corner of Section 76 and 105 (see Exhibit "D", photos 11 and 12). At this intersection point, a 1 inch by 42 inch iron pipe, stamped "106-135 1C - 19 PSL" was set. Comparisons are as follows:

West line of Section 106/east line of Section 135;

- * Measures S. $00^{\circ} 09' 36''$ E., 1903.90 varas
- * Call S. $00^{\circ} 10' 35''$ E., 1900 varas (Trigg, 1924)

South line of Section 19, from the north common corner of Sections 106 and 135, westerly to intersect the railroad centerline;

- * Measures N. $89^{\circ} 20' 34''$ W., 404.31 varas
- * Call N. $89^{\circ} 19' 35''$ W., 404.3 varas (Trigg, 1925)

North line of Section 135;

- * Measures N. $89^{\circ} 20' 34''$ W., 1941.95 varas
- * Call N. $89^{\circ} 19' 35''$ W., 1940.6 varas (Trigg, 1924)

North line of Sections 105 and 106;

- * Measures S. $89^{\circ} 20' 34''$ E., 3876.98 varas
- * Call S. $89^{\circ} 19' 35''$ E., 3881.6 varas (Trigg, 1924)

7.) A 159.03 acre tract, being the East part of the Northwest part of Section 19, was surveyed by O. R. Noel on June 29, 1957 and patented August 27, 1957. The northwest corner of this tract was re-established by holding call distance from the north common corner of Sections 19 and 20 (see Exhibit "D", photos 8, 9 and 10) and along the north line of Section 19, as re-established in step 3. From this point, the northwest corner of the patented 159.03 acre tract, a line was run southerly at the call angle of 90° to intersect the centerline of the Rock Island Railroad for the southwest corner of the said 159.03 acre tract. Comparisons are as follows:

North line of 159.03 acre tract;

- * Measures N. $89^{\circ} 56' 30''$ W., 1235.00 varas
- * Call N. $89^{\circ} 56' 23''$ W., 1235 varas

West line of 159.03 acre tract;

- * Measures S. $00^{\circ} 03' 30''$ W., 1173.52 varas
- * Call S. $00^{\circ} 03' 37''$ W., 1174.5 varas

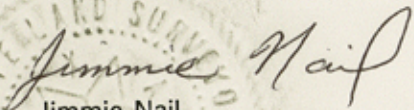
In conclusion, the construction as explained here-in re-establishes the adjoining lines of the senior surveys with priority given to call bearings/angles. The distances as surveyed compare quite well with the call distances, especially considering the time span between the earlier surveys and this survey and the changes in surveying technology.


The deflection at the north common corner of Sections 135 and 136 differs from the call deflection by $00^{\circ} 00' 59''$. The placement, or positioning of this corner is supported by the passing call in the notes of the Southeast part of Section 19, from the north common corner of Sections 106 and 135 to the railroad centerline, being the same as that distance measured on the ground with this survey. Also, the distance along the east line of Section 18 is only 0.58 varas short of call and the west line measures 0.41 varas short of call. If the deflection angle was held, rather than the bearing (refer to step 1), these distances would be even shorter, and the passing call, in Section 19, to the railroad would not correspond to the notes.

The northeast and southeast quarters of Section 18 were defined by the aliquot rule, as mentioned. This causes overlaps with the earlier patents located in the west half, those being the South 41 acres of the West half by D. D. Spurlock, March 1918, and the Northwest Quarter and the North part of the Southwest Quarter by H. T. Trigg, December 19, 1942. The preambles of these patents state that they are in the west half of the section, therefore they are precluded from containing any land outside of the west half. Further enforcement is given by the determination that these patents apparently were prepared from office surveys and were not surveyed nor monumented upon the ground.

The corners of the Northeast and Southeast Quarters of Section 18 and the West part of the Northwest part of Section 19 are monumented with 1 inch iron pipes with stamping for identification as indicated in the recorded field notes and plats of Exhibit "A". The two southeastern corners of the west part of Section 19 are in the centerline of the railroad. Monuments were not set in the railroad, but offsets were set in the northerly right-of-way line, as indicated in the field notes and plat. The West part of the Northwest part of Section 19 contains 238.38 acres, more or less. The Northeast Quarter of Section 18 contains 143.63 acres, more or less, and the Southeast Quarter of Section 18 contains 142.45 acres, more or less.

Respectfully Submitted


Jimmie Nail
Licensed State Land Surveyor



Sherman Co. SK File 8, p. 8

counter 36733

PATENT SURVEYS

for

DEAN THRASHER

**Northeast and Southeast Quarters of
Section 18 and the West part of
the Northwest part of Section 19
Block 1, Public Free School Land**

SHERMAN COUNTY, TEXAS

EXHIBIT "D"

PHOTO "1"



**1" IRON PIPE AT THE NORTH COMMON CORNER OF SECTIONS 17 AND 18;
EAST SIDE OF PIPE STAMPED "18"**

PHOTO "2"



**1" IRON PIPE AT THE NORTH COMMON CORNER OF SECTIONS 17 AND 18;
WEST SIDE OF PIPE STAMPED "17"**

EXHIBIT "D"

PHOTO "3"



**1" IRON PIPE AT THE NORTH COMMON CORNER OF SECTIONS 17 AND 18;
LOOKING SOUTH**

PHOTO "4"



**TWO 1/2" IRON PIPES AT THE NORTH COMMON CORNER OF
S. F. SURVEYS 15481 AND 15456**

EXHIBIT "D"

PHOTO "5"



TWO 1/2" IRON PIPES AT THE NORTH COMMON CORNER OF S. F. SURVEYS 15481 AND 15456; LOOKING WEST (U. S. G.L.O. MONUMENT IN BACKGROUND)

PHOTO "6"



U. S. GENERAL LAND OFFICE MONUMENT

Sherman Co. Sk. File No. 8, p.13

counter 36738

EXHIBIT "D"

PHOTO "7"



1" X 2' GALVANIZED IRON PIPE AT THE NORTHEAST CORNER OF S. F. 15454
(NO DISCERNIBLE MARKINGS)

PHOTO "8"



1" X 3' GALVANIZED IRON PIPE AT THE NORTH COMMON CORNER OF
SECTIONS 19 AND 20; STAMPED "NE 19"

Sherman Co. SR File No. 8, p.14

counter 36739

EXHIBIT "D"

PHOTO "9"



**1" X 3' GALVANIZED IRON PIPE AT THE NORTH COMMON CORNER
OF SECTIONS 19 AND 20**

PHOTO "10"



**1" X 3' GALVANIZED IRON PIPE AT THE NORTH COMMON CORNER OF
SECTIONS 19 AND 20; LOOKING NORTH**

EXHIBIT " D "

PHOTO "11"



1-1/4" GALVANIZED IRON PIPE AT THE NORTH COMMON CORNER OF SECTIONS 76 AND 105; STAMPED "21-76-105"

PHOTO "12"



1-1/4" X 2' GALVANIZED IRON PIPE AT THE NORTH COMMON CORNER OF SECTIONS 76 AND 105

EXHIBIT "D"

PHOTO "13"



**1-1/4" X 2' GALVANIZED IRON PIPE AT THE SOUTH COMMON
CORNER OF SECTIONS 20 AND 21; STAMPED "20-21-105"**

PHOTO "14"



**1-1/4" X 2' GALVANIZED IRON PIPE AT THE SOUTH COMMON
CORNER OF SECTIONS 20 AND 21**

EXHIBIT "D"

PHOTO "15"



1-1/4" X 2' GALVANIZED IRON PIPE AT THE SOUTH COMMON CORNER OF SECTIONS 20 AND 21; LOOKING EAST

PHOTO "16"



1-1/4" GALVANIZED IRON PIPE, TOP BROKEN OFF, AT THE NORTH COMMON CORNER OF SECTIONS 136 AND 165; STAMPED "17 - 165"

EXHIBIT "D"

PHOTO "17"



1-1/4" GALVANIZED IRON PIPE, TOP BROKEN OFF, AT THE NORTH COMMON CORNER OF SECTIONS 136 AND 165; STAMPED "17 - 165"

PHOTO "18"



1-1/4" GALVANIZED IRON PIPE, TOP BROKEN OFF, AT THE NORTH COMMON CORNER OF SECTIONS 136 AND 165; LOOKING EAST

EXHIBIT "D"

PHOTO "19"



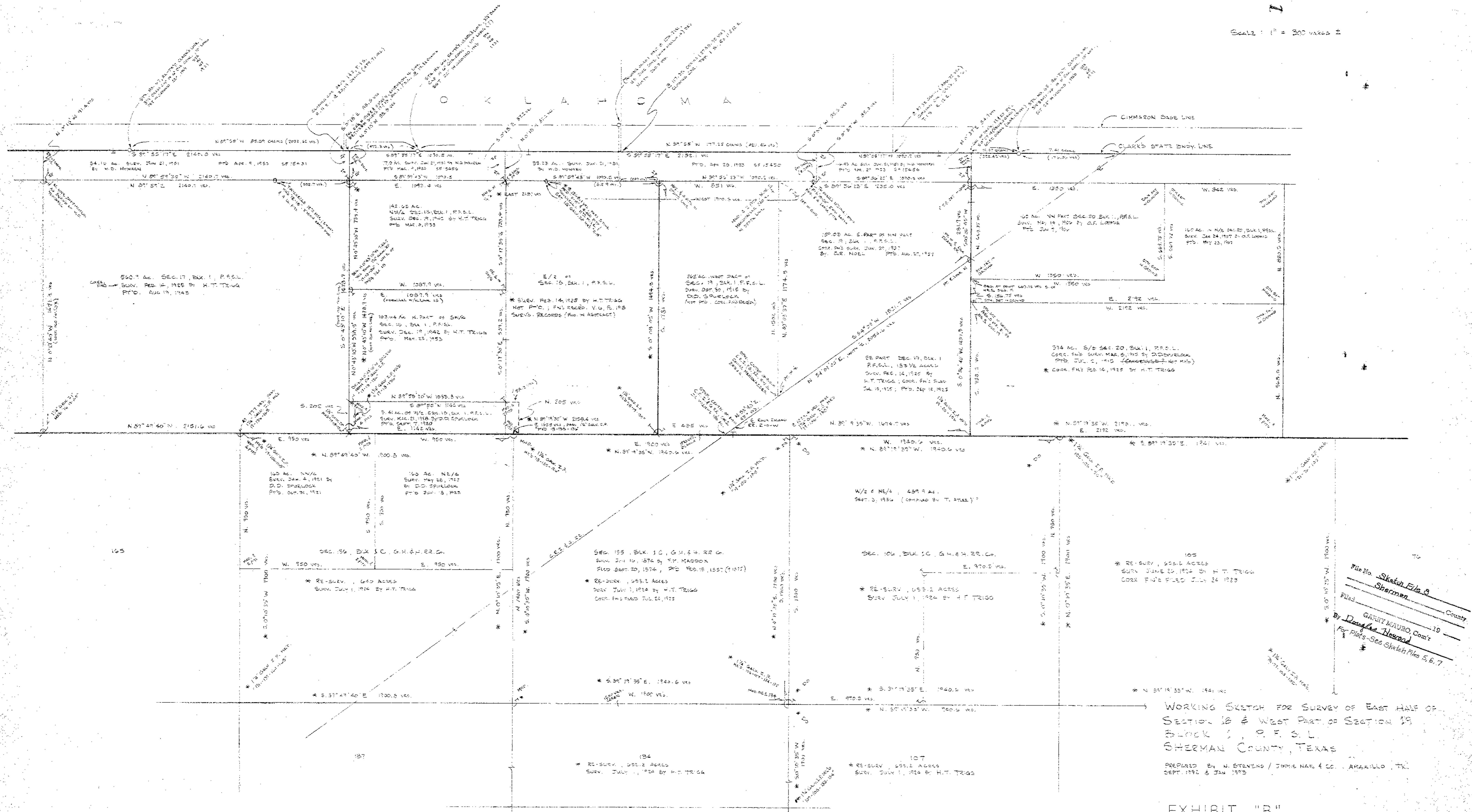
1-1/4" GALVANIZED IRON PIPE AT THE COMMON CORNER OF SECTIONS 106, 107, 134 AND 135; STAMPED "106-107-134-135"

PHOTO "20"



1-1/4" GALVANIZED IRON PIPE AT THE NORTH COMMON CORNER OF SECTIONS 106, 107, 134 AND 135; LOOKING EAST

Scale: 1" = 300' approx ±



File No. Sketch File B
Sherman County
 Filed _____
 By Douglas Howard
 For Plans - See Sketch Files 5, 6, 7

WORKING SKETCH FOR SURVEY OF EAST HALF OF SECTION 16 & WEST PART OF SECTION 19, BLOCK 1, S. F. S. L. SHERMAN COUNTY, TEXAS

PREPARED BY N. STEVENS / JIMMIE NAIL & CO., AMARILLO, TX.
 SEPT. 1940 & JAN. 1945

EXHIBIT "B"