



JERRY SADLER  
COMMISSIONER  
GENERAL LAND OFFICE  
AUSTIN, TEXAS

File No. 16  
Smith County  
Sketch File  
Filed July 20 1966  
JERRY SADLER, Com'r  
By [Signature]

- 1- Surveyor's Report
- 2- Surveyor's Report
- 3- Plat
- 4- U.S.G.S. Map, Mkd.

Re: Jose M. Garcia and  
I.S.S. Lyon Surveys

counter 36781

Office LY 4-7691  
Res. LY 4-5802

**JOHN COWAN & ASSOCIATES**  
*Licensed State Land Surveyors*

*Registered Public Surveyors / Texas · Louisiana · New Mexico · Utah*

A.W. GRUBBS  
R.L. DOUGHERTY  
A.W. OSBORN

May 9, 1966

311 West Erwin  
Tyler, Texas

RECEIVED  
MAY 31 1966  
General Land Office

Honorable Jerry Sadler  
Commissioner  
General Land Office  
Austin, Texas

Re: Carl C. Anderson, Trustee  
Deed of Acquittance Application  
Jose M. Garcia and  
I. S. S. Lyon Surveys,  
Smith County, Texas

Dear Sir:

Prior to the beginning of our ground survey of the Jose M. Garcia Survey, A-368, and the I. S. S. Lyons Survey, A-1139. A study of the Patented Field Notes of the Garcia and Lyons, and adjacent Surveys in Smith County, Texas, was made.

The first Surveyor in this area was J. C. Hill, Deputy Surveyor of Nacogdoches County. During the period from April 27, 1845, through January 9, 1849, he laid down the Isaac Brock, Francis Gilkison, Bardy Jolly, Hansford Splawn, and John Williams Surveys.

The Brock, Jolly and Gilkison Surveys were surveyed first and tied to Surveys to the South. The Splawn was laid down adjacent to the Jolly and is tied to it by adjoinder calls. The Williams was laid down adjacent to the Brock, and is tied to it by adjoinder calls.

The next Surveyor in the area was C. E. Camp, Deputy Surveyor of Smith County. Camp located the Stephen C. Splawn and George Taylor Surveys as a block in October, 1850, and built them from the Northwest corner of the senior Francis Gilkison Survey. Camp ties his block securely to the Gilkison by adjoinder calls and common witness trees.

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Page 2

The third Surveyor in the area was Samuel D. Gibbs, County Surveyor, Smith County, Texas.

In the period from August 1, 1853, until April 22, 1857, Gibbs laid down the John Robinson, Willaim Wooten, Edgar Pollitt, Samuel McAnier and William B. Hardin Surveys. The Robinson was located adjacent to the senior Isaac Brock Survey and was tied to it by adjoinder calls.

The Wooten and Pollitt Surveys were laid down as a block and tied to a Survey lying to the South. The Pollitt and Wooten Surveys are securely tied together by adjoinder calls and common witness trees. The William B. Hardin was laid down adjacent to the senior Splawn Survey, and was tied to it by adjoinder calls and common witness trees. Gibbs then filled the area between the senior Williams and Bardy Jolly Surveys with the Samuel McAnier and securely tied the East line to the West line of the senior John Williams Survey. It is noted, however, that Gibbs did not mention the senior Bardy Jolly Survey lying on the West side of the McAnier.

The next Surveyor in the area was R. E. Curlee, who laid down the James Hope Survey in 1860. It was tied to the senior Gilkison and Splawn Surveys by adjoinder calls and common witness trees.

In September, 1872, B. F. Turner, District Surveyor, Smith County, made his first appearance in the area, by correcting the field notes of the Jose M. Garcia Survey. Turner took great pains to tie his lines of the Garcia Survey securely to the corresponding lines of those Surveys previously laid down by Hill, Camp and Gibbs. The following month, Turner laid down the Thomas A. Bynum Survey. It is evident that, since the Garcia calls to adjoin the Bynum, the Bynum is the senior Survey of the two.

In 1874, John A. Hill, District Surveyor, Smith County, Texas, located the I. S. S. Lyons and S. A. & M. G. R. R. Co. Surveys as a block and securely tied the block to the West side of the senior Garcia Survey.

MAY 31 1966

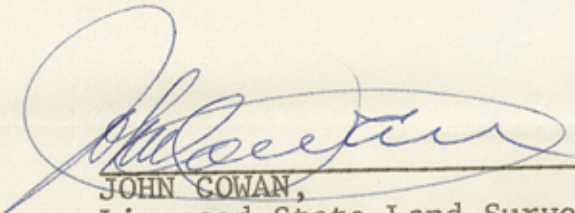
General Land Office

Honorable Jerry Sadler  
 May 9, 1966  
 Page 3

Finally, D. M. Edwards, County Surveyor, Smith County, located the W. B. Mahomes Survey. This Survey was securely tied to the Senior Gilkison and Garcia Surveys, and I believe that I have located the original North corner of the Mahomes Survey, as shown on the attached plat, marked Exhibit "A".

19496  
 The map of the area, covering both the Lyons and Garcia Surveys, attached to and made a part of this report, shows that those Surveys are securely tied together, and are evidenced on the ground by deed record corners, iron rods, marked lines, and trees dating back as far as 1917, and by stream crossings and various other signs of occupation, all of which are recognized by the adjoining land owners. Although some of the actual surveyed distances vary considerably with their calls, it is my opinion that the excess of 146.296 acres in the I. S. S. Lyons Survey, and the excess of ~~278.659~~ acres in the Jose M. Garcia Survey, are within the Surveys as Patented and their original descriptions cover all of the land lying between the South bank of the Sabine River and the boundary lines of the surrounding Surveys. I suggest that the reason for the excess may lie in the fact that the early Surveyors, (particularly the Surveyor of the Lyons Survey), did not actually survey the meanders of the River.

Therefore, I recommend that the excess acreage be awarded the Applicant.

  
 JOHN COWAN,  
 Licensed State Land Surveyor

AWO:  
 JC:ls

Encls.

File No. 16

Smith County

Sketch File

Filed July 20 1966

JERRY SADLER, Com'r

By J. E. [Signature]

### Surveyor's Report

Missouri State Land Surveyor  
JOHN W. [Signature]

Encs.  
20: 1a  
VMO:

awarded the Applicant.  
Therefore, I recommend that the excess

the members of the River.

the Surveyor of the Lyons Survey, and not as  
may be in the fact that the early Surveyors,  
conducting surveys. I suggest that the reason for  
bank of the Spring River and the boundary lines  
sections cover all of the land lying between  
are within the Survey as patented and their  
and the excess of 140.500 acres in the Jose W.  
the excess of 140.500 acres in the I. S. S. I.  
andly coincidentally with their calls. It is my  
owners. Although some of the sections surveyed  
tion, all of which are recognized by the adjoining  
and by stream crossings and various other signs  
logs, marked trees, and trees getting back as  
are evidenced on the ground by deed record corners, iron  
spoons that those surveys are accurately tied together, and  
Garcia Survey, attached to and made a part of this report.  
The map of the area, covering both the Lyons and

Exhibit "A"  
of the Mopona Survey, as shown on the attached plat, mark-  
and I believe that I have located the original North corner  
sectionally tied to the Senior Glickson and Garcia Surveys,  
County, located the M. B. Mopona Survey. This Survey was  
initially, D. W. Edwards, County Surveyor, Smith

Page 3  
May 8 1966  
Honorable Jerry Sadler

MISSOURI STATE LAND SURVEYOR  
JOHN W. [Signature]

D-336

Office LY 4-7691  
Res. LY 4-5802

**JOHN COWAN & ASSOCIATES**

*Licensed State Land Surveyors*

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A.W. GRUBBS  
R.L. DOUGHERTY  
A.W. OSBORN

July 14, 1966

311 West Erwin  
Tyler, Texas

RECEIVED

JUL 16 1966

General Land Office

①

*JCS*

Honorable Jerry Sadler  
Commissioner  
General Land Office  
Austin, Texas

Re: Carl C. Anderson, Trustee  
Deed of Acquittance Application  
Jose M. Garcia Survey  
I. S. S. Lyon Survey  
Smith County, Texas

Dear Sir:

The following will be supplemental to our report dated May 9, 1966 and is respectfully submitted upon the recommendation of Mr. Jack Giberson, Chief Clerk of the General Land Office, in order to set out our findings by actual ground survey of the problems discussed in your letter dated June 8, 1966.

The de lineation of the two possible islands in the Sabine River are explained by the fact that the apparent channels on the South of the actual River Bed are nothing more than high water sloughs and carry water only during periods of heavy rain and excessive run off in the area and do not form permanent islands.

The line in the Garcia Survey called to run North 61 degrees West 1300 varas to the Northeast corner of Survey No. 812, is in fact broken and set up on two courses due to the local recognition of the adjoining land owners, on the North and South of this line, and the original North corner of the W. B. Mahomes Survey which was established in 1917 by Surveyor D. M. Edwards, and honored by all parties concerned since that time. We feel that a conflict would be created if this line is re-established in one course and for that reason we ask that the line be accepted as shown on the plat.

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General Land Office

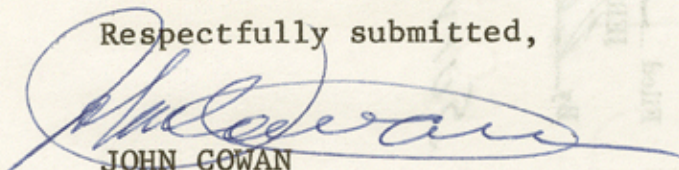
Honorable Jerry Sadler  
July 14, 1966  
Page 2

The location in the Garcia and Lyon Surveys of the Little Saline Creek, Prairie Creek, and Little Creek (now known as Mill Creek) are further shown and set out on the U. S. C. & G. S. Quadrangle map which is attached to and made a part of this supplementary report. As discussed with Mr. Jack Giberson and Mr. Victor Sterzing by A. W. Osborn on his visit to the Land Office on July 10, 1966 regarding these problems, none of these creeks are possible navigable streams within the meaning thereof and do in fact empty into a maze of sloughs and narrow channels of the long abandoned old Sabine River bed which in this area lies a considerable distance South of the present and well defined River Bed.

This system of sloughs and narrow abandoned channels extend substantially across the Garcia and Lyon Surveys and we do not consider any of them to be navigable streams.

Since the writing of our first report, Mr. Victor Sterzing has found the acreage call in the patent covering the Jose M. Garcia Survey is erroneous in its amount of 3866.3 acres and actually calculates to be 3950 acres, thereby reducing the excess found by resurvey to be 194.959 acres instead of 278.659 acres and we therefore ask that these figures be revised on your copy of our report.

Respectfully submitted,



JOHN GOWAN

AWO:  
JC:bb

②

File No. 16

Smith County

Sketch File

Filed July 20 1966

JERRY SADLER, Com'r

By [Signature]

# Surveyor's Report

TC:dp  
WMO:

JOHN COMVIN

report.  
ask that these rights be realized on your cob...  
104.028 acres instead of 318.028 acres and we  
thereby reducing the excess from 14.804 acres to  
380.3 acres and actually certificate to be 30.3  
the loss W. Garcia Shuley is someone in the  
steering has found the acreage call in the  
Since the making of our first report,

and we do not consider any of them to be navigable  
extending substantially across the Garcia and narrow  
This system of drainage and narrow drainage  
defined River Bed.

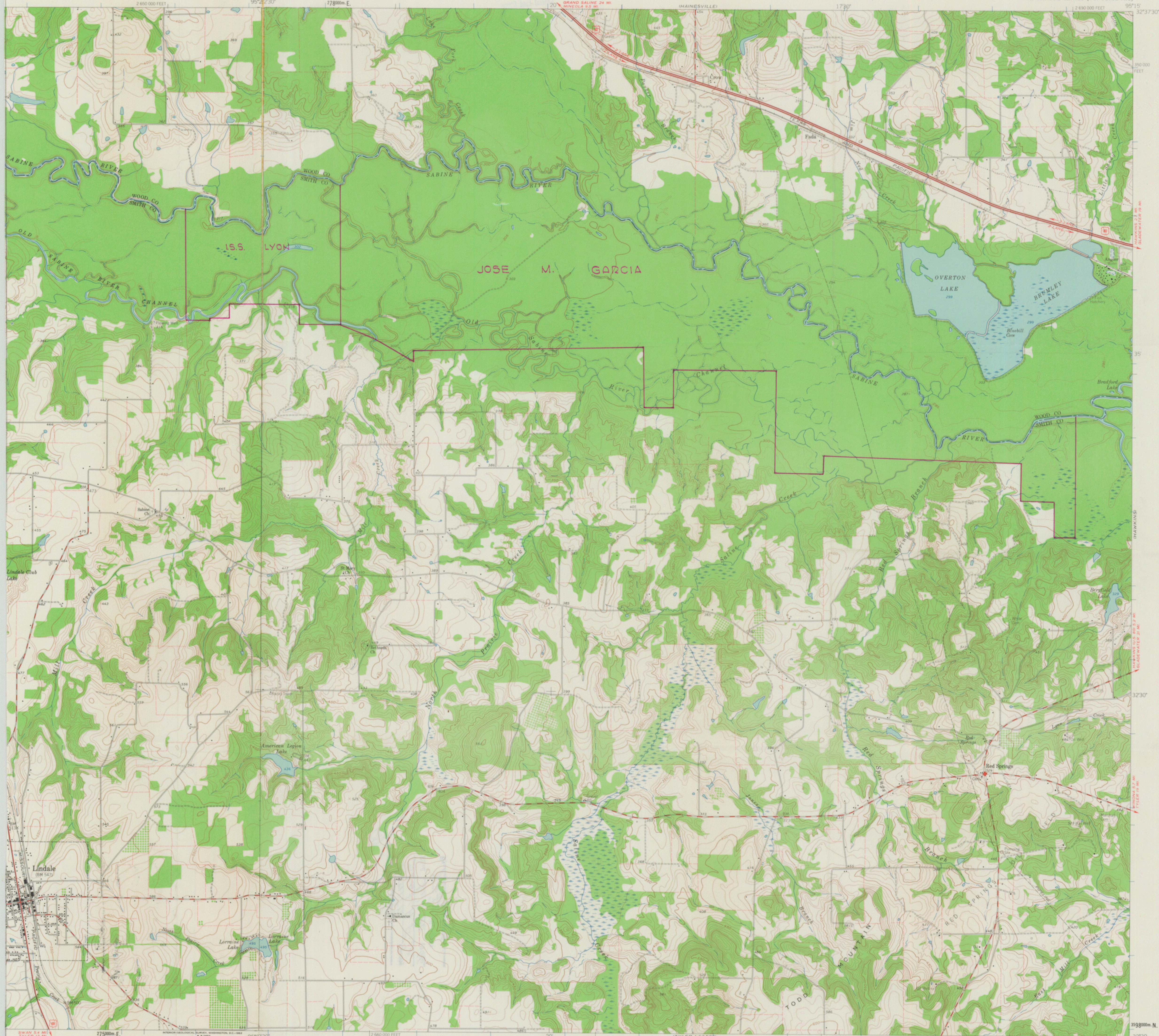
There is considerable distance south of the present and well  
the long abandoned old river bed which is now a  
fact empty into a maze of sloughs and narrow streams of  
the navigable stream within the meaning thereof and do in  
regarding these problems, none of these creeks are boat-  
capable on the left to the Land Office on July 10, 1966  
with Mr. Jack Gipeison and Mr. Arthur Geringer of  
made a belt of the substantial report. As discussed  
A. S. C. & S. One suitable map which is attached to this  
known as Mill Creek) the further shown and set out on the  
Little Buffalo Creek, Little Creek, and Little Creek (now  
The location in the Garcia and Lyon Shuley of the

Page 3  
July 14, 1966  
Honorable Jerry Sadler

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JUL 18 1966



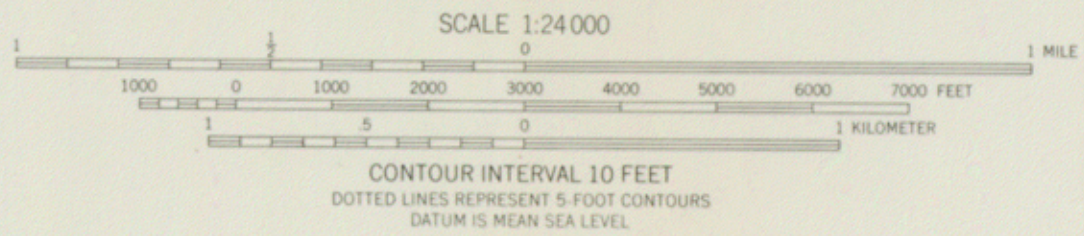
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JUL 31 1960



ROAD CLASSIFICATION  
Heavy-duty ——— Light-duty ———  
Medium-duty ——— Unimproved dirt ———  
U.S. Route

Mapped, edited, and published by the Geological Survey  
Control by USGS and USC&GS  
Topography by photogrammetric methods from aerial  
Photographs taken 1957-1958. Field checked 1960  
Polyconic projection. 1927 North American datum  
10,000-foot grid based on Texas coordinate system,  
north central zone  
1000-meter Universal Transverse Mercator grid ticks,  
zone 15, shown in blue

LINDALE, TEX. Fine red dashed lines indicate selected fence and field lines  
N3230 - W9522.5/77 where generally visible on aerial photographs  
This information is unchecked



CONTOUR INTERVAL 10 FEET  
DOTTED LINES REPRESENT 5 FOOT CONTOURS  
DATUM IS MEAN SEA LEVEL

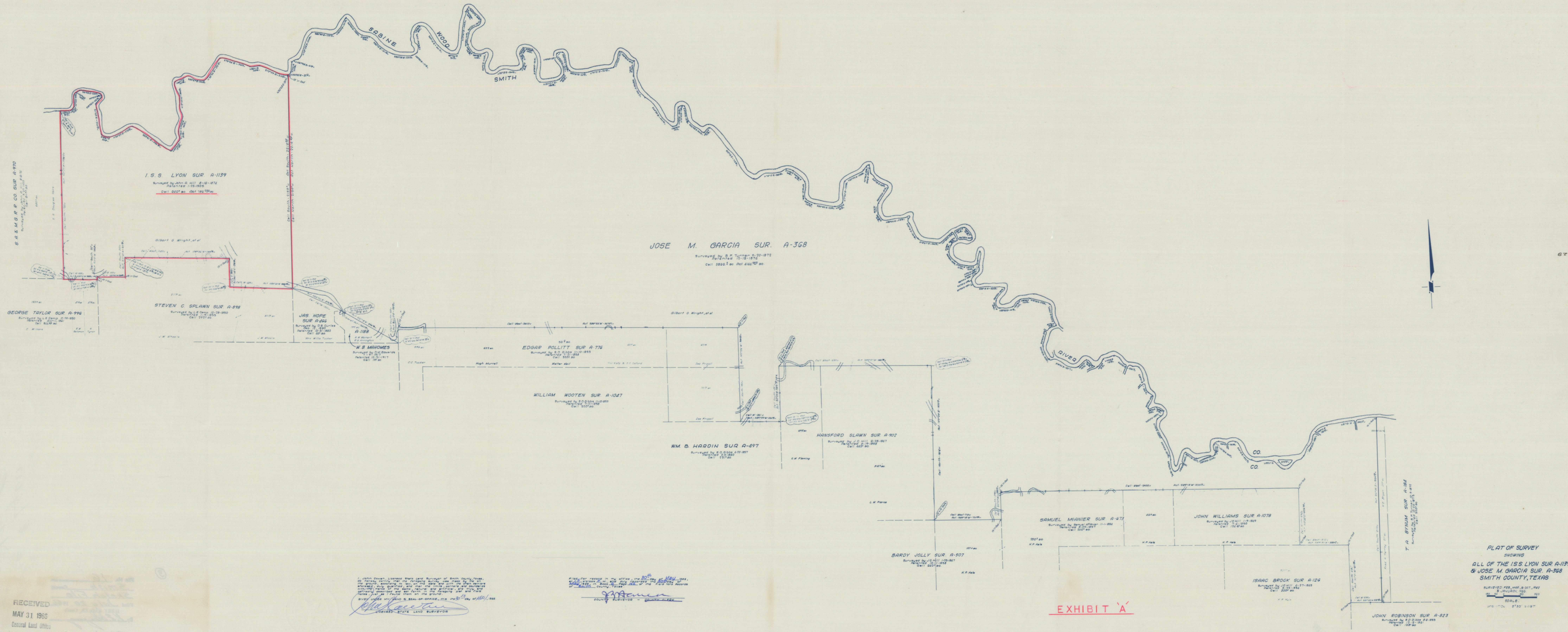
ROAD CLASSIFICATION  
Heavy-duty ——— Light-duty ———  
Medium-duty ——— Unimproved dirt ———  
U.S. Route



Sketch File No. 16  
County Smith  
Texas (10513)

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS  
FOR SALE BY U.S. GEOLOGICAL SURVEY, DENVER 25, COLORADO OR WASHINGTON 25, D.C.  
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

CROW, TEX.  
N3230 - W9515/7.5  
1960



RECEIVED  
MAY 31 1966  
General Land Office

I, JOHN ROBINSON, State and Surveyor of Smith County, Texas, do hereby certify that the foregoing survey, and more fully set forth in the plat hereunto annexed, was made in accordance with the laws of this State, and that the same is a true and correct copy of the original survey as the same appears in the office of the Surveyor of this County, Texas, and that the same is a true and correct copy of the original survey as the same appears in the office of the Surveyor of this County, Texas, and that the same is a true and correct copy of the original survey as the same appears in the office of the Surveyor of this County, Texas.

*John Robinson*  
Surveyor - State Land Surveyor

Filed for record in the office of the Surveyor of Smith County, Texas, on the 30th day of May, 1966, at 10:30 AM.

*W. B. Mahomes*  
County Surveyor - County Clerk

PLAT OF SURVEY  
SHOWING  
ALL OF THE I.S.S. LYON SUR A-1139  
& JOSE M. GARCIA SUR. A-368  
SMITH COUNTY, TEXAS

SURVEYED PER MAP & DED. 1852  
BY J. ROBINSON, 1852  
SCALE:  
1" = 40'

