

H. GARZA, JR., PRESIDENT

STARR COUNTY ABSTRACT CO.

DEMETRIO GARCIA, MANAGER
RIO GRANDE CITY, TEXAS

H. AGUILAR, TREASURER

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Supplemental Report
of Survey No. 970, in
Starr County, Texas.

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

Rio Grande City, Texas,
January 10, 1940.

Dear Sir:-

As per your letter of December 8th., 1939, I have gone over the ground again and checked the N. E. corner of Section No. 541 (which corner is shown in Blue Print attached to my original report) and found that said corner was recognized as the lower S. E. corner of Section No. 540 by Mr. E. J. Foster's re-survey of said Section No. 540, in August 1923. That same corner was also recognized by Mr. J. H. May, County Surveyor of Starr County, Texas, on April 18, 1936, in his re-survey of ~~thirty-three~~, (33), sections of land, a map of which is filed in your office, and which shows that said corner (lower S. E. corner of Section 540) is also the N. E. corner of Section No. 541 as recognized by me and to which I tied my survey of survey No. 970, As shown in Blue Print attached to my original report, from this described N. E. corner of section No. 541, I honored the calls of the original field Notes of Sections Nos. 541 and 542 and established the North lines of Survey No. 970, which are the South lines of said Sections 541 and 542.

As to the South lines of said Survey No. 970, I wish to state that I have gone over the ground and checked enough of the work done by the Partition Surveyor in Porciones Nos. 93 and 94 to satisfy myself as to how the North lines of said Porciones were established, viz:

Mr. J. G. Roberts, the partition surveyor appointed by the Court in said Porciones 93 and 94, (whom I regard as a very competent surveyor), states to me that he could not tie any of the Porcion lines to the original corners on the Bank of the Rio Grande River as all objects called for in the original field notes have disappeared and the Bank of the Rio Grande has changed a great deal since Mr. R. C. Trimble's survey of said Porciones in 1853, and he had to depend entirely on the passing call of the "Old Military Road" from Rio Grande City to Brownsville called for in Mr. Trimble's original field notes on the West line of each of said Porciones and has established the N. W. corner of each of said porciones honoring the original field notes call from the "Old Military Road" to the N. W. corner of each of said Porciones. Mr. Trimble's field notes of Porcion 92 places the military road on the East line of Porcion 92, 7500 varas from the S. E. corner of said Porcion 92. He also places said road on the West line of Porcion 93, 5910 varas from the S. W. corner of Porcion 93. By reading both field notes it shows that he describes the S. E. corner of 92 and the S. W. corner of Porcion 93 to be the same corner, and consequently he must have made a mistake in writing his field notes of Porcion 93, as the call of 5910 varas is called for on the West line of Porcion 92. This is shown on the ground as the old road is still detectable on the ground and can be seen, that by allowing the call the 7500 varas from the S. E. corner of Porcion 92 to the road (rather than the 18515 varas from the N. E. corner) it checks with the position of the road on the ground to-day from the West line of Porcion 92 to the East line of Porcion 95. If we were to allow the 5910 varas call on the line between 92 and 93 (which call is called for on the West line of 92) the road would form a sharp

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curve to the south at that particular point, (dividing line of 92 and 93); the road would not check with its position as can be seen to-day on the ground.

Due to the constant changing of the Rio Grande Banks since 1853, it seems to me impossible to tie any Porcion line to the original corners on the Rio Grande and consequently it seems to me that the corners on the North of Porciones 93, 94 and 95, having been established honoring their respective calls in the original field notes from the military road on the west line of each one of them, could be recognized as the true corners, by reason that nothing is found at either the N. W. or N. E. corners of Porcion 94, (except the corners set by the partition surveyor), to check the call of 250 varas from the N.E. corner of Porcion 93 to the N.W. corner of Porcion 94 and the call of 660 varas from the N.E. of 94 to N. W. of Porcion 95, while on the South end of the porciones there is the old Rio Grande City-Brownsville road called for in the original field notes. If the passing calls from the N. E. of Porcion 93 to the N. W. of 94 and from the N. E. of 94 to the N. W. of Porcion 95 were honored, then the calls on the West line of each of said Porciones from the old Military road to their respective N.W. corners would not check. I have recognized the North lines of these Porciones (which are also the south lines of Survey 970, as shown on the blue print) by reason that they have been established honoring the calls in the original field notes from the old road which is the only object visible on the ground.

As to the shifting of the porcion lines to the East I can only see that that may be due to the fact that there is an excess in the width of said porciones, Porcion 93 calls for 1800 varas; Porcion 94 calls for 1050 varas and Porcion 95 calls for 1300 varas making a total of 4150 varas. As surveyed on the ground and partitioned Porcion 93 has an excess of 278.2 varas; Porcion 94 has an excess of 12.2 varas. Porcion 95 has not been partitioned but its west line has been ran from the river and its N. W. corner set by honoring the original call from the military road. From this N. W. corner of Porcion 95, running at right-angles S. 80°43'E. at 1340.1 varas reach the West line of Porcion 96, which has also been ran from the river, showing an excess in width of 40.1 varas in Porcion 95, making a total excess in the three porciones of 330.5 varas. I have checked this line from the river and I found that the only object visible (at the South end) is a big mesquite tree (line tree) marked with three chops facing east, which tree is about 40 varas from the last north high bank of the Rio Grande and which tree is right on this line and can easily be seen that it is an original line tree by reason that the chops on it are very deep showing that it has grown in thickness about twice as much since it was marked. Running this line from this river bank point passing the N. E. corner of Porcion 95 and continuing North it hits the N. E. corner of Section 541 as shown in Blue Print attached to my report which is also the lower S. E. corner of Section 540 as shown in Mr. J. H. May's Map showing re-survey of 33 Sections, dated April 18, 1936, filed in your office. In my opinion there is no question that this line is the proper west line of Porcion 96. As to the West line of Porcion 93 I wish to state that same is the East line of Porcion 92 which last named porcion was partitioned in 1910 by the District Court of Starr County, Texas and the only monument found at the South end of same is a large rock, which is about 90 varas South of the old road from Rio Grande City to Brownsville and which has always been recognized as being on the dividing line between Porciones 92 and 93. I personally have known this rock since 1910 as I was chain-carrier for Mr. A. M. French, the partition surveyor of Porcion 92.

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As to the East and West lines of Porcion 94, I wish to state that the objects found on the ground and recognized by the Partition Surveyor are: On the East line of said Porcion 94, the line passes at the mouth of an old watering place on the high bank of the Rio Grande and leads north following an old road (now a county-highway) leading from "Grulla Ranch" to the old military road. This road has always been recognized by the owners and residents of Porciones 94 and 95 as the dividing line between said porciones, and continuing this line north passing the N. E. corner of Porcion 94, hits the N. W. corner of Porcion 95 as shown in the blue print to my original report.

The west line of Porcion 94, as partitioned, starts at the river and passes over a buried ebony stump which is located in the yard of Celso Villarreal at "Grulla Ranch" and which was shown to me (and also to the partition surveyor of Porcion 94) by old residents and owners of said Porcion 94 and which stump has always been recognized as being on the dividing line between Porciones 93 and 94. Continuing this line north hits the N. W. corner of Porcion 94 and further continuing north hits the N. E. corner of Porcion 93, as shown in blue print attached to my original report.

Although the width of these porciones do not check with the original field notes, and having been surveyed with the best information gathered as to the location of their lines on the ground, and each having an excess in width and their respective owners being satisfied, it seems to me that the north lines of these porciones as shown in the blue print attached to my original report, can be recognized as correct.

In absence of witness trees or original corners around Section 541, it seems to me that the only line to which this Section can be tied is the West line of Porcion 96, called for in its original field notes, and Sections 5423 and 913 being junior sections tied to Section 541. This I have done as shown in the blue print attached to my original report, leaving the area within the South lines of these sections and the North lines of the Porciones to constitute Survey 970.

Trusting that this explanation will meet your requirements and respectfully submitting same for your consideration, I am,

Respectfully yours,

Remetio Garcia
Licensed Land Surveyor.

RECEIVED TO WVB

JAN 13 1940

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JAN 12 1940

REFERRED TO MAP

Richard D. and Surveyor
Respectfully yours,

In submitting same for your consideration, I am, this explanation will meet your requirements

French
File Clerk

BASCOM GILLES, Com'r

File No. 37

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See Sk. Pl. 36

Filed 1/12/, 1940

as shown in the blue print attached to my original report, can be satisfied, it seems to me that the north lines of these porciones and each having an excess in width and their respective owners being having satisfied as to the location of their lines on the ground.

Although the width of these porciones do not check with the original field notes, and having been surveyed with the best information shown in the blue print attached to my original report.

Further continuing north hits the N. E. corner of Porcion 33, as Confirning this line north hits the N. W. corner of Porcion 34 and nized as being on the dividing line between Porciones 33 and 34. and owners of said Porcion 34 and which slumps always been reorg- (and also to the partition surveyor of Porcion 34) by old residents of Celso Villarreal at "Grullis Ranch" and which was shown to me and passes over a buried ebony stump which is located in the yard and passes over a buried ebony stump which is located in the yard

The west line of Porcion 34, as partitioned, starts at the river my original report. hits the N. W. corner of Porcion 33 as shown in the blue print to continuing this line north passing the N. E. corner of Porcion 34, of Porciones 34 and 35 as the dividing line between said porciones, and this road has always been recognized by the owners and residents (highway) leading from "Grullis Ranch" to the old military road. the Rio Grande and leads north following an old road (now a country- passes at the mouth of an old watering place on the high bank of lion Surveyor are: On the East line of said Porcion 34, the line that the objects found on the ground and recognized by the parti-

As to the East and West lines of Porcion 34, I wish to state

Survey 320, Starr County, Texas.
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