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General Land Office

1514 W. Beauregard Ave.  
San Angelo, Texas  
January 29, 1962SURVEYOR'S REPORTHonorable Jerry Sadler, Commissioner  
General Land Office  
Austin, Texas

Dear Sir:

Attached is a map showing the results of my survey in Taylor County. This report and map are submitted to substantiate the request for issuance of corrected patent on the T. & N. O. Ry. Co. Survey Number 2, Certificate 746, in order to take it out of conflict with senior surveys.

In June of 1873, C. K. Stribling laid down the Henry S. Day Survey and the T. & N. O. Surveys 1 and 2. The Henry S. Day Survey and the T. & N. O. Ry. Co. Survey No. 1 were both patented on Stribling's original field notes for one-third of a league and 640 acres, respectively, despite the fact that a large part of each of them conflicted with Guadalupe County School Land League No. 120. Stribling's original field notes of T. & N. O. Ry. Co. Survey No. 2 were not patented, apparently because of the conflict with League No. 120.

This conflict between Stribling's work and the School Land League No. 120 was recognized as early as 1878, if not earlier, and was indicated on a plat by Murray Harris and Cunningham, filed in the General Land Office November 13, 1878, "Taylor County File 6-A." Surveyor J. A. Thomas in 1888 and 1894 returned two sketches to the General Land Office, both of which show T. & N. O. Surveys 1 and 2 in conflict with League No. 120. (See File P-6141, Content 3, and File P-4481, Content 6.) The same conflict is indicated on the General Land Office map of Taylor County, dated July 1934.

The oldest surveys shown on the attached map are the Goliad County School Land League No. 143 and the Guadalupe County School Land Leagues Nos. 120 and 144. These leagues were laid down by J. G. McDonald in April and May of 1852.

In my survey of this area, an old buried stone mound which was found at the fence corner in the south line of a road was accepted as the original common corner of Leagues 120, 143, and 144. This corner is shown by double circles on the map and is marked "Point A." This corner has been accepted as the original corner by previous ancient surveyors, local landowners, and is further verified by the stream crossing the line 136 varas to the north.

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The east line of League 143 has been placed southward from its original north-east corner, along the general occupation, to an intersection with its fenced south line. Thus located, the line is  $0^{\circ} 35'$  off of its called bearing and 47.8 varas in excess of its called length of 5000 varas.

The south boundary line of League 120 is located by projecting the line eastward from the common corner of the three leagues, along occupation, its called distance of 5000 varas. As thus established the bearing deviates from the original call by  $0^{\circ} 35'$ .

In March of 1874, W. C. Powell laid in the S. P. R.R. Co. Survey Block 2. Powell's field notes call to begin at the southeast corner of League 143 and to adjoin its east line. Only Sections 5 and 6 of Block 2 were surveyed for this report. No original corners of the two sections were found.

The north, west, and south lines of Section 5 have been located along general occupation. The east line has been placed parallel to the west line from the occupied southeast corner of the W. W. Moseley Survey. Although the Moseley Survey is junior to the S. P. R.R. Co. surveys, its occupied corner was used since its field notes call to begin at the northeast corner of Section 5 and it is fenced at this point. As thus located, the east and west lines of Section 5 are 38.2 varas and 46.0 varas excessive, respectively, and the north and south lines are 18 varas in excess of their calls.

The north and south lines of Section 6 are not occupied, therefore, the northwest corner has been located in its proper field note relationship to the original northeast corner of League 143. This position also agrees with J. A. Thomas' tie to the league corner, as shown on his certificate and sketch dated October 29, 1894 (File P-4481). The north line of Section 6 has been relocated between this re-established northwest corner and the occupied northwest corner of Section 5. The east and west lines have been placed along occupation, and the south line has been placed parallel to the north line and through the southwest corner of Section 5. When located in this manner, the southwest corner of Section 6 is 1902 varas from the re-established southeast corner of League 143.

As thus constructed, the east, south, and west lines of Section 6 are approximately 46 varas in excess of called distance, and the north line is 14.7 varas excessive.

The R. J. Seay, J. J. Tye, G. G. Tye, and W. W. Moseley Surveys were made by J. A. Thomas during the period 1884-1886. Although stone mounds were called for at most of the corners, I was unable to recover any of them. However, in 1894 J. A. Thomas found stone mounds at four of the corners. (See sketch in P-4481.)

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I consider these four surveys as a group for the purpose of relocating them on the ground. The Seay and the Moseley have the same calls along their common lines, and the same bearings along their north lines. I have relocated the Seay and the Moseley Surveys by placing their east, south, and west lines along the occupied fence lines. The northwest corner of the Seay has been re-established called distance from its occupied southwest corner and the northeast corner of the Moseley has been placed called distance from its occupied southeast corner. The north lines of the Seay and the Moseley have then been relocated along a line joining the two relocated corners. As thus relocated the Seay Survey closely agrees with its field note calls, while the Moseley Survey north line is 11.8 varas excessive, and the south line is 17.3 varas excessive over the field note calls. Note that the north lines of these surveys call to adjoin the south line of Survey 1, T. & N. O., and the south lines call to adjoin the north line of Section 5, S. P. R.R. Co. Block 2.

As in the Seay and Moseley Surveys, the two Tye Surveys have identical calls along their common line and the same called bearing along their north lines. The two surveys have been relocated by placing the east line of the J. J. Tye along its occupied position and adjacent to the west line of the Seay Survey. The south lines of both the Tye Surveys are placed coincident, as called, with the north line of the S. P. R.R. Co. Section 6 as re-established, and the west line of the G. G. Tye is placed along the relocated east line of League 143. The north lines of the two Tye Surveys have been placed along the straight line joining the northwest corner of the G. G. Tye, located called distance from its southwest corner, and the northeast corner of the J. J. Tye Survey, which was placed called distance from its southeast corner. The common line between the two Tye Surveys has been established by prorating the east-west distance between the east line of the J. J. Tye and the west line of the G. G. Tye. Located in this manner both surveys agree closely with their field note calls, the greatest difference being along the south line of the J. J. Tye Survey, which is 8.7 varas excessive over the call.

As previously mentioned, a large part of the T. & N. O. Survey 2 was originally in conflict with League 120 and its original field notes were not patented. In 1920, R. S. Fuller prepared corrected field notes for that portion of Survey 2 not in conflict with League 120. Fuller's corrected field notes for Survey 2 embracing 186.6 acres were patented. Fuller's field notes call to begin "at the northwest corner of Section 1, T. & N. O. Ry. Co., which is S 75° W, 3285 varas from the southeast corner of the Guadalupe County School Land League 120; thence S 75° W, 2068 varas to the northeast corner of the Goliad County School Land League 143, which is the southwest corner of League 120. . ." On a sketch (see File 4112, Content 5), Fuller showed the east, south, and west lines of League 120 as lying along public roads, and stated on the plat that these roads were the recognized league lines on the east side and the west side of League 120.

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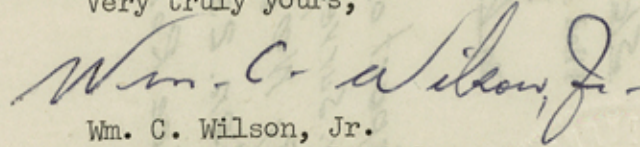
January 29, 1962

I believe that Fuller was mistaken in his location of the west line of League 120 and base my conclusion, in part, on the plat submitted by A. M. Erskine dated September 10-30, 1892. Erskine's plat shows a subdivision of League 120 and shows the southwest corner of League 120 to be located 672 feet east of the west line of the subdivision tracts. He also shows the northwest corner of League 121 to be 787 feet east of the west line of the subdivision tracts projected northward. Further, Erskine shows the creek near the southwest corner of League 120 to be located east of the subdivision west line, but to cross the west line of League 120 just north of its southwest corner as called in its original field notes. Note too, that Fuller's plat shows a dotted line along the west side of the G. G. Tye Survey. This line is 600 varas west of the east line of the G. G. Tye Survey, which we must remember was called to adjoin the east line of League 143, and indicates a possible discrepancy if the G. G. Tye is held to its called east-west dimension.

If T. & N. O. Ry. Co. Survey 2 is located from the road intersection, west of "Point A" on my map, a conflict of 21.86 acres with League 143 results.

Therefore, I request that the current patent on the T. & N. O. Survey 2 be cancelled and that a corrected patent be issued on the field notes submitted with this report. This will eliminate the conflict between T. & N. O. Survey 2 and League 143.

Very truly yours,



Wm. C. Wilson, Jr.  
Licensed State Land Surveyor

WCW:mf  
Attachments

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File No. 21  
TAYLOR County  
Sketch File  
 Filed March 3 1962  
 By JERRY SADLER, Com'r  
V. E. [Signature]

Report of resurvey of T. & N.O.  
 Ry. Survey 2.  
 By Wm C. Wilson, Jr.  
 Jan. 29, 1962  
 See Rolled Sk. 25

Reference  
62-111

with this report. This will eliminate the confusion  
 cancelled and that is corrected because he trained  
 therefore, I request that the current report on  
 of the W. on my map, a conflict of 21.80 acres  
 of L. & N. O. Co. Survey S is located from  
 the called east-west dimension.  
 of range 14, and ranges 5 located discrepancy in the  
 the G. G. The survey, which was made called to  
 side of the G. G. The survey. This line is 600  
 the north. Note too, that Miller's half acre  
 line of range 150 just north of the  
 line 150 to be located east of the  
 located north-south. Miller's shows the  
 range 150 to be 1/2 mile east of the  
 west line of the subdivision. He also shows  
 any show the southeast corner of range  
 dated September 10-30, 1883. Miller's  
 150 and also my conclusion, in fact, on the  
 I believe that Miller's was mistaken in  
 the location of the west line of range

rolled survey station

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