



PRICE DANIEL
ATTORNEY GENERAL

OFFICE OF
THE ATTORNEY GENERAL
AUSTIN, TEXAS

March 18, 1948

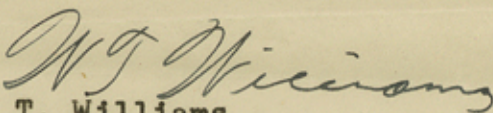
Hon. Bascom Giles, Commissioner,
General Land Office,
Capitol Station,
Austin, Texas

Dear Sir:

We are enclosing herewith a certified copy of the judgment which was entered by the 126th District Court of Travis County, Texas, in Cause No. 74,902, State of Texas v. W. T. Colley, et al, involving the boundary lines of J. P. Colley Survey No. 190, SF 7951 in Travis County.

Yours very truly,

ATTORNEY GENERAL OF TEXAS

By 
W. T. Williams
Assistant

WTW:wb

Encl.

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NO. 74902

THE STATE OF TEXAS, ET AL,

VS.

W. T. COLLEY, ET AL,

IN THE DISTRICT COURT,
TRAVIS COUNTY, TEXAS,
126TH JUDICIAL DISTRICT

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TRAVIS CO. CLERK

NO. 74,902

THE STATE OF TEXAS, ET AL, | IN THE DISTRICT COURT,
VS. | TRAVIS COUNTY, TEXAS
W. T. COLLEY, ET AL | 126TH JUDICIAL DISTRICT.

On this the 15th day of March, 1948, the above numbered and entitled cause came on for trial in its regular order; the plaintiff, State of Texas, appeared by its Attorney General; the plaintiff, W. H. Bonnet, appeared by his attorney of record; the defendants, W. T. Colley and his wife, Mrs. W. T. Colley, appeared in person and by their attorney of record, and, with leave of the Court, withdrew their answer filed herein and in lieu thereof filed their answer in which they disclaim any title or claim to any of the land involved in this suit. Trial by jury was expressly waived and all questions of both law and fact were submitted to the Court. After hearing the pleadings, the evidence and argument of counsel the Court finds that the location of the southwest corner of the J. P. Colley Survey No. 190, SF 7951, and the southeast corner of the John Bilberry Survey is the controlling point in this lawsuit, which corner the Court finds is a common point $S. 59^{\circ} 55' E.$ from the east edge of water in Cross Creek at an iron stake in an old rock mound from which an 11" Live Oak marked x bears $S. 25^{\circ} 05' W. 4.4$ varas, and a 12" Live Oak marked x bears $N. 81^{\circ} 10' W. 8.4$; which point is $S. 59^{\circ} 55' E. 750.4$ varas from an old rock mound at the southwest corner of the John Bilberry Survey from which a 6" Live oak marked x bears $N. 28^{\circ} 45' W. 4.7$ varas and a live oak 8" in diameter marked x bears $N. 80^{\circ} 40' W. 5.2$ varas, and further finds all questions of both law and fact to be with the plaintiff, the State of Texas, and that it should have and recover of and from the defendants, W. T. Colley and his wife, Mrs. W. T. Colley, the

TRAVIS COUNTY CLERK

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title and possession of the land for which plaintiff sues herein, which land is situated in Travis County, Texas, and described as follows, to-wit:

All that certain tract of land situated in said County, known and shown in the records of the General Land Office of the State of Texas as SF-7951, Survey No. 190, in the name of J. P. Colley, described as follows, to-wit:

BEGINNING at a point 50.4 vrs. S. 59 deg. 55' E. from the east edge of water in Cross Creek at an iron stake and an old rock mound from which an 11" Live Oak marked x bears S. 25 deg. 05' W. 4.4 vrs. and a 12" Live Oak marked x bears N. 81 deg. 10' W. 8.4;

THENCE N. 30 deg. 15' E. 775 vrs., an iron stake and old rock mound from which an 8" Live Oak marked x bears S. 46 deg. 10' E. 8.5 vrs., and a 6" Live Oak marked x bears N. 10 deg. 55' W. 5.8 vrs;

THENCE N. 59 deg. 55' W. 145.5 vrs. to an iron stake and rock mound for corner;

THENCE N. 86 deg. 35' E. 95.5 vrs. to an iron stake and old rock mound for corner;

THENCE S. 59 deg. 05' E. 510 vrs. to a rock mound on the West line of a survey in the name of Jose Antonio Ybarbo Survey for corner;

THENCE S. 30 deg. 10' W. 70 vrs. to a rock mound at the S.W. corner of said Ybarbo Survey;

THENCE S. 60 deg. E. 476.6 vrs. to an iron stake and said Ybarbo S. line at the N. W. corner of a Survey in the name of J. T. Todd Survey for corner;

THENCE S. 30 deg. W. 743.7 vrs. to an iron stake and rock mound on the North line of a Survey in the name of J. J. White at the S. W. Corner of said Todd Survey from which a 10" Live Oak marked x bears S. 45 deg. 05' E. 29.8 vrs. and a 9" Live Oak marked x bears N. 75 deg. 35' E. 44.6 vrs.

THENCE S. 88 deg. 45' W. with the line of said White Survey 565.5 vrs. to a rock mound for corner;

THENCE N. 0. deg. 30' E. 328.10 vrs. to iron stake placed in rock mound for corner;

THENCE N. 59 deg. 40' W. 278.6 to the PLACE OF BEGINNING.

It is therefore found, and so ordered, adjudged and decreed by the Court that the Plaintiff, the State of

Texas, do have and recover of and from the defendants, W. T. Colley and his wife, Mrs. W. T. Colley, the title and possession of the land above described, and that such title be divested out of the said W. T. Colley and Mrs. W. T. Colley, and vested in the State of Texas.

It appearing to the Court that the said land has been awarded and sold by the State of Texas to the plaintiff, W. H. Bonnet, but has not been paid for, and that such award and sale is in good standing, the recovery thereof by the State of Texas herein is subject to compliance by said Bonnet in the manner and time in such cases made and provided by law.

The Court finds that no necessity existed for the appointment of a surveyor as was requested by the State in its motion herein, by reason of which the cost of such survey as made by M. O. Metcalfe, County Surveyor of Travis County, under appointment of this Court, is taxed against the plaintiff, the State of Texas. All other costs herein are taxed against the defendants, W. T. Colley and Mrs. W. T. Colley, for which let execution issue.

Entered this the 15th day of March, 1948.

Roy C. Archer
Judge

OK:

W. T. Williams
assistant atty. general
For the State of Texas.
Cecil C. Rotach
For W. H. Bonnet
Horace L. Shelton
For Defendants.

SK. File No. 58

Travis County
126th District Court of Travis
County - Cause # 74902 - State vs.
J. P. Colley

Filed June 18, 1948

BASCOM GILES, Com'r

William Rosenberg
File Clerk

see Travis Rolloed Sk. 32A:
for Surveyors Sketch

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