

D 767

JAMES K. AVERA
REGISTERED PUBLIC SURVEYOR
LICENSED STATE LAND SURVEYOR
REGISTERED PROFESSIONAL ENGINEER
MCCURNETT BUILDING
SAN ANGELO, TEXAS

✓
8

September 6, 1961

RECEIVED
SEP 11 1961

Commissioner Jerry Sadler
General Land Office
Austin 14, Texas

General Land Office

Re: Wanda Hanks lands
Upton County, Texas

Dear Commissioner Sadler:

Enclosed are corrected field notes for Surveys No. 6 and 8, in name of grantee M. Samson, Jr. (G. C. & S. F. Ry. Co.), Block 1, in said Upton County, Texas, as surveyed by me at request of Miss Wanda Hanks of San Angelo, Texas. It is my understanding that she wishes patents to be issued on said Surveys, so please send Final Payment Statement and other required papers (in the event that said field notes and acreages are in proper form, and meet with your approval).

The problems of this area are many, as reflected by your records and files; we have filed maps, field notes, reports, etc., on much of this area in years past. Note that patents were issued on basis of our surveying Surveys No. 2 and 4 of this Block 1, as well as Secs. 56, 76 and 96 of Blks. C and D, CCSD&RGNGRRCo. Much depends on location of the T. & P. Ry. Co. Blocks (39 and 40) just north of said Surveys 6 and 8, along with marked corners at NW Sur. 15, Blk. H, and NW corner of Sur. 20, Block Y, etc.

The accompanying corrected field notes of said Survey No. 8, by me, are in agreement with patented position of said Survey No. 56 (we showed N-S distance of 1900.8 varas for said Sur. No. 56, at that time, not having the knowledge and connections to above said marked corners ((Surs. 15 and 20)), but are in general agreement with E-W position of the patented Sec. 56).

Said Survey No. 6 is complicated by fact that east part of the NE part of Survey No. 52, said Blk. C, as patented (on basis of surveying by J. J. Goodfellow), is in conflict with proper location of said Survey No. 6. We found that Mr. Goodfellow "gave" Surveys No. 52 and 54, Blk. C, 1915 varas E-W distances, while marked position of south line of said T. & P. R. R. Co. Block 40, Township 5 South, measures 1901.4 varas per mile (for its 6 miles length). We found that east-west distances of some "T. & P" surveys west of said Blk. 40 were more excessive, and I am reasonably sure that Mr. Goodfellow assumed those Sections south of Blk. 40 would have this excess (we find no record that he surveyed south line of said Blk. 40, and his "1915 varas" are more than the actual 1901.4 varas, causing him to place east corners of said Secs. 52 and 54 too far east).

counter 38914

To:
Commr. Jerry Sadler
Gen. Land Office
Austin, Texas

From:
James K. Avera
Lic. State Land Survyr.
San Angelo, Texas
Sept. 6, 1961

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Re: Wanda Hanks Lands
Upton County, Texas
(continued from pg. 1)

General Land Office

Enclosed corrected field notes for said Survey No. 6, by me, recognize the patented position of said Sec. No. 52. Actually, I have omitted the west part of the south 1/3rd of Sur. No. 6 in my field notes because of this conflict, but it is my understanding that this is a requirement of your office as well as being required by law. If I am in error in this matter, please advise me, because we do not wish to "leave out" any part of Survey No. 6 unless so required (it is my understanding, also, that the land owner would be permitted to apply for patent on entire area of Sur. No. 6, including the strip patented in error along with Sec. 52 patent, if the owner presented you with proper court decision showing that court recognized fact that Sec. 52 is patented in position too far east and in conflict with Sur. No. 6; however, my client does not wish to go to such expense and trouble, even if I am correct that this can be done).

In summation: My corrected field notes for said Surveys 6 and 8, GC&SFRRCo. Blk. 1, are in agreement with previously approved corrected field notes for Surveys No. 2 and 4 of said Blk. 1, and are in agreement with my corrected field notes for said Sec. 56, Blk. "C" (having the extensive connections over a larger area now, I know that we should have allowed 1915.4 varas N-S on Sec. 56, but this does not affect the main problem, which is our finding that Sec. 52 is patented in position too far east; even though I did show Sec. 56 to be "course and distance" of 1900.8 varas, I did not call for a monument, but for "adjoiners" which should "hold" it to its "full" position). There are admitted problems in this area, though not unusual; however, there is less problem for these Surveys (No. 6 and 8) because they are so near the main control, i. e., the T. & P. R. R. Co. Blocks. The other recognized main controls are at a great distance and have little effect on said Surs. No. 6 and 8, especially on their east-west positions. Naturally, I hope and feel that this meets with your approval, because we have spent more time and dollars on surveying this area than usual in order to present an acceptable "picture". If there are questions, please let me know; I have written at great length and in detail, hoping to answer most questions concerning this area.

Accompanying this report is detailed map of area; a map of larger area, including this part, by me, is on file in your office, and reference is here made to last said map.

cc:W. Hanks
jka:x
encl:map(tracing)
2 cor. f/n

Sincerely yours,
James K. Avera
James K. Avera, Licensed State Land Survyr.
San Angelo, Texas

counter 38915

S Col. 1/11
enc: web (closing) (gung)
JFK:x
cc: W. Henke

San Angelo, Texas
James K. Averax
James K. Averax
James K. Averax

office and reference is here made to said report and
attached and including said exhibit and also to
accompanying this report in detail and also to
concerning this area.

length and in detail, nothing to answer most questions con-
are questions, please let me know! I have written at least
name in order to present an accurate picture. If there
have about more time and do not hesitate to ask for
hope and feel that this area with your approval, please do
and, respectively on that area. I have approved, please do
a great distance and have little effect on said area. No.
S. H. Co. Block. The other recognized main concerns are at
because they are so near the main concern, I, T. & E.
however, there is less concern for these areas (No. 2 and 3)
and, therefore, they are not included in this report.
of distance of 1000 ft. or more from the main concern, and
too far away to be included in this report. I, T. & E.
them, which is not included in this report. I, T. & E.
areas, which is not included in this report. I, T. & E.
I believe, you know that we should have a separate
Sec. 20, B.K. "C". (paying the excise tax on the
and are in agreement with my collection with
collected. I believe that the collection with
S. H. Co. Block. I, T. & E. are in agreement with
In summary: My collection: No. 2 and 3.

File No. 40
Upton County
Sketch File

Filed Sept. 11 1961
JERRY SADLER, Com'r
By W. Henke

Surveyor's Report
Re. Rolled Sk 51
By James K. Averax

I am collecting this area can be done.
intent does not wish to go to any expense
too far east and in conflict with the
court recognized that fact that Sec. 22
owner presented you with proper court
the area presented in error along with
to apply for patent on entire area of
understanding, also, that the land
one, and part of survey No. 2
shall be being located by the
understanding that this is a
Q in my filed note because of this
I have omitted the west part of
recognize the patented location of
Enclosed collected filed notes for

(continued from pg. 1)
Upton County, Texas
Re: Mendis Henke lands
Upton, Texas
Gen. Land Office
Comm. Jerry Sadler
To:

SEP 11 1961
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Sept. 9, 1961
San Angelo, Texas
J.K. Averax
James K. Averax
From:

counter 38916