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ENGINEERS AND SURVEYORS

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April 19, 1990

REPORT OF SURVEY MADE IN MAY 1989  
AND APRIL 1990 - UVALDE COUNTY

Earliest work in the area was Survey No. 1244, E. S. Phelps, placed by R. P. Kelly. Southeast corner of this survey is tied to northwest corner of Survey No. 1243, E. J. Phelps, said tie is N 27 1/2° W 5920 varas (16,444.44 feet). Tie does not work out on the ground. Northwest corner of Survey No. 1243 is approximately one mile S 15° E of record point or the southeast corner of Survey No. 1244 is about one mile N 15° W of record point.

On February 15, 1978, Survey Nos. 271 and 272 were placed to the southwest of Survey No. 1244 by J. M. McCormick for G. B. & N. G. R.R. Co. The southwest corner of Survey No. 1244 was about 4850 feet N 08° E of the northeast corner of Survey No. 272.

On February 21, 1879, E. B. Chandler laid out Survey Nos. 313, 314, 315, & 316 for C. C. S. D. & R. G. N. G. R.R. Co. These surveys were built from Survey Nos. 271 and 272. Survey No. 316 as it was originally described encroached onto Survey No. 1244, but was corrected by E. B. Chandler to remove this encroachment and account for a gap between Survey No. 313 and Survey No. 976 on September 6, 1882. The patent for Survey No. 316, filed on April 13, 1926, has still another description, which better fits the survey calls for the adjoining surveys. Survey No. 314 was corrected to fit Survey Nos. 1524 (July 17, 1857) L. Castenon, and 863, (April 29, 1882) Rebecca Tate (called Survey No. 263 in corrected notes), but Survey Nos. 313 and 315 remained the same.

Survey No. 379, H. E. & W. T. R.R. Co. was placed by E. B. Chandler on July 14, 1879, lying south of Survey No. 977 and east of Survey Nos. 315 and 316. It calls for both Survey No. 315 and Survey No. 316. Survey No. 379 was corrected by E. B. Chandler on September 6, 1882, whereby its south line was moved to the south.

E. B. Chandler again laid out a group of surveys on April 29, 1882. The surveys included Survey Nos. 975, 976, and 977, G. C. & S. F. R.R. Co. Survey No. 975 called for Survey No. 863 and Survey Nos. 870, 869, and 876 to the north. It does not call for Survey No. 976. Survey No. 976 calls for Survey Nos. 975, 870, and 1244. Survey No. 977 calls for Survey Nos. 1244, 316, and 379.

Survey No. 1029 was established for Texas Central R.R. Co. by J. W. Bennett on December 5, 1884. This survey begins at the northeast corner of Survey No. 1244 and calls for Survey Nos. 976, 870, 867, 868, and

977. It seems to have been a fill-in survey between existing surveys.

Survey No. 976 was corrected by J. W. Bennett on February 3, 1890, and was divided into two parcels, Survey No. 976 1/2 (N 1/2) and Survey No. 976 3/4 (S 1/2) by E. R. Benson on September 10, 1925. Survey No. 976 1/2 calls for the same surveys as Survey No. 976, but Survey No. 976 3/4 calls only for Survey No. 976, its parent survey.

After obtaining the original and corrected field notes for the surveys in the area and preparing a working sketch, we searched for the corners of the surveys we were wanting to correct. Our search was not very fruitful since much of the area has been chained and stacked in the past destroying the mounds and most of the bearing trees. After finding only two true original corners with bearing trees still in place, we began searching for the corners of adjoining surveys.

I began my reconstruction by beginning at the rock mound found on the north line of Survey No. 975 for the southeast corner of Survey No. 876. I went record course and distance from this point along the north line of Survey No. 975 to its northeast corner, also being the record northwest corner of Survey No. 976. From this corner, I computed the southeast corner of Survey No. 975 and established the west line of Survey Nos. 976 1/2 and 976 3/4 (the east line of Survey No. 975) by performing a bearing-bearing intersection with the easternmost south line of Survey No. 975, using the record course and distance from the northeast corner of Survey No. 863.

We found the west, north, and east corners of Survey No. 863. On each corner, however, we found only one of the original bearing trees. We found a corner on the south line of Survey No. 314, but could not find its southeast corner at the record distance to the east. We did, however, find the reputed southeast and northeast corners of Survey No. 314 called for in a deed for a 145.15 acre tract out of said survey. We could not really use these corners, since they did not match up with the northwest corner of Survey No. 313, which we found later.

We looked for the lower northeast and southeast corners of Survey No. 976 1/2, but found nothing. We looked for the upper northeast corner of Survey No. 1029 without any success. In summary, we looked for all of the possible corners in the area finding only the corners mentioned for Survey No. 863, an exterior offset corner in the north line of Survey No. 975 (the southeast corner of Survey No. 876), the corner mentioned in the south line of Survey No. 314, the northwest and southeast corner of Survey No. 313, and the upper Northwest corner of Survey No. 977. Even the discovery of these corners did little to substantiate the locations of the missing corners, because of the large excesses in the distances between them and the discrepancies in the passing calls along the survey lines for creeks and dry draws. We also searched the deed records for deed calls to survey corners, but found that most of the land in the area had not been surveyed and, for that matter, transferred to an outside buyer, being handed down through the families. When land sales or transfers were made, most were done using the original survey descriptions, rather than having it resurveyed. After this ex-

tensive record and ground search it was time to begin the reconstruction of the surveys.

I then established the southeast, southwest, northeast and northwest corners of Survey No. 1244 using a found fence corner post called to be the northwest corner of Survey No. 977 in a letter to the Honorable J. T. Robinson from E. R. Benson, Licensed State Land Surveyor, dated October 15, 1925. From this corner post the northeast corner of Survey No. 1244 bears N 07° E 145 varas. Our survey found a fence corner post to be N 07-17-49 E 143.50 varas, so we used it as the northeast corner of Survey No. 1244.

The southeast corner of Survey No. 1244 was established by performing a bearing-bearing intersection of the course described between the northeast corner of 1244 and the northwest corner of Survey No. 977 and the record course for the south line of Survey No. 1244 from a corner post found to be the lower northeast corner of the corrected Survey No. 316. The southwest corner of Survey No. 1244 was set using record course and distance from the newly established southeast corner. The northwest corner of Survey No. 1244 was established by performing a bearing-bearing intersection using record courses from the newly established southwest corner to the northeast corner aforementioned.

The northeast corner of Survey No. 976 3/4 was established using the record distance called for in Survey No. 976 1/2 from the newly established northwest corner of Survey No. 1244. The northwest corner of Survey No. 976 3/4 was set by performing a bearing-bearing intersection from the newly established northeast corner using record courses to the northeast corner of Survey No. 975. The southeast corner was established using the record course and distance from the southwest corner of Survey No. 1244 as called for in the corrected patent field notes for Survey No. 316. The southwest corner of Survey No. 976 3/4 was set by performing a bearing-bearing intersection from the newly established southeast corner using record courses to the northeast corner of Survey No. 975.

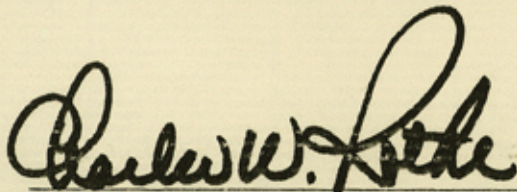
For Survey No. 313, the northwest and southeast corners were found to be original corners. The northeast corner was established by performing a bearing-bearing intersection between the northwest and southeast corner. The southwest corner was established by performing a bearing-bearing intersection using the course between the southeast corner of Survey No. 313 and the corner found on the south line of Survey No. 314 and the record course between Survey No. 313 and 314 to the northwest corner of Survey No. 313.

The southeast corner of Survey No. 316 was set by prorating the distances along the east line of Survey No. 316 and that portion of Survey No. 313 adjoining Survey No. 315. The lower southwest corner of Survey No. 316 was established by performing a bearing-bearing intersection using record courses from the newly established southeast corner to the southeast corner of Survey No. 313. The lower northwest corner of Survey No. 316 was set by performing a bearing-bearing intersection using record courses from the northwest corner of Survey No. 313 to the southeast corner of Survey No. 975. All of the other corners of Survey No. 316 were set

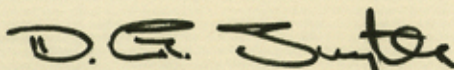
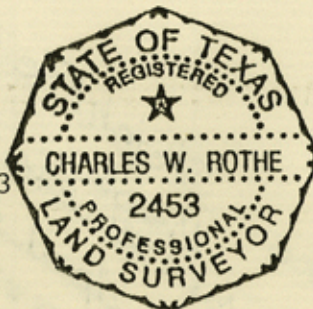
previously as the adjoining survey corners were established.

In this construction, the senior survey (Survey No. 1244) was established by record courses and distances from the evidence found on the ground, even though the courses and distances in the adjoining corrected junior surveys called for its northwest and southwest corners to be some 300 varas west of their record locations, thus putting the greatest majority of the excess acreage in the junior surveys. If actual corners had been found on the ground marking these corrected junior surveys then, possibly the west line of Survey No. 1244 could have been moved to adjoin them, giving the bulk of the excess acreage to the senior survey. The distances on the ground would have matched the corrected junior surveys much closer, but due to the absence of the discovery of any original corners, I was bound to the construction described herein.

I respectfully submit this report as a part of my final survey. This report and survey was made under the direct supervision of D. G. Smyth, Licensed State Land Surveyor, Dilley, Frio County, Texas.



Charles W. Rothe  
Registered Professional Surveyor No. 2453  
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Hondo, Texas 78861  
Ph. (512) 426-3005



D. G. Smyth  
Licensed State Land Surveyor  
Dilley, Frio County, Texas

May 8, 1990

Mr. Roy Molina  
General Land Office  
Capitol Station  
Austin, Texas 78767

Re: L. O. Carter Trust

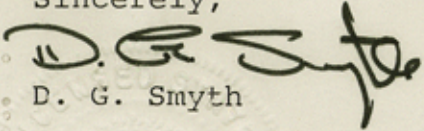
Dear Roy:

I hereby authorize you to make the following changes on the field notes for Survey No. 976 3/4 for the above referenced subject:

Beginning paragraph, first line - change East to West;  
First "thence", first line - change East to West;  
Third "thence", fifth line - change Southeast to Southwest;

If you have any questions or require additional information, please write or call our office.

Sincerely,

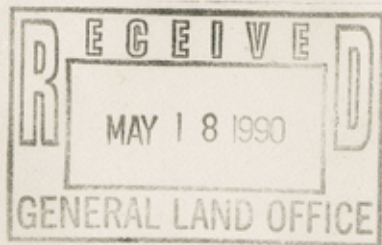
  
D. G. Smyth

File No. Sketch File 30  
Llvalde County  
Sur. Nos. 976<sup>3</sup>/<sub>4</sub>, 1244, 316, 313  
Filed May 18 19 90  
GARRY MAURO, Com'r  
By Douglas Howard

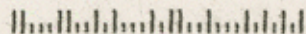
Urvalde St. File 30



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MR. ROY MOLINA  
c/o General Land Office  
Capitol Station  
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