

Laredo, Texas 11-26-40

Hon. J. Bascom Giles,
Comm'r. Gen. Land Office,
Austin, Texas

Dear Sir:

I have before me a report on a survey in Victoria County, Texas, made by Mr. Hayes Dix, on April 12, 1938, to the Comm'r. of the Gen. Land Office showing reasons for an apparent vacancy existing along the southwest boundary of the V. Garcia Grant.

As this report covers what work was done and also, what survey work I checked on the ground and carefully examined, it fully states what the facts concerning the V. Garcia grant boundary lines as re-established by Surveyor Hayes Dix and also my findings, and as this work was carried through by very competent surveyors of oil companies having leases on the grant, it leaves the status of the supposed vacancy up to the decision of the attorneys in your office.

The Surveys adjacent to the south and west boundary of the V. Garcia grant do not actually call for this grant as a boundary and would if their lines had not been definitely established by the creek crossing of the Casa Blanca creek, move northeast and north to join the southwest and south boundary of the grant, however, these lines are held by the creek crossings on the Casa Blanca creek and also, show some very old trees, marked and known to be their boundary lines, and such lines would either have to be accepted as the lines of the V. Garcia grant or disregarded and the lines to the grant moved N 54-36'E677 vrs to fit its actual survey on the ground as we have assumed it and show it on the maps and report and the field notes to the surveys included within this apparent vacancy.

The assumption that the Garcia grant is as I show it on the map is that the only evidence we have to establish its true lines is the northwest line which is clearly defined on the ground, by marked trees, and also by old fence lines, and by the evidence of the oldest residents that were questioned concerning this line, as well as the old road crossings at the creek as called for in its original field notes.

The east or southeast corner of the grant also has a red oak, marked and recognized as being the boundary along the southeast line which definitely ties this line to the position as we show it, and not having any further evidence to follow except course and distance, which was originally magnetic, and which fits our course very close with the present variation of N 09-40'E) Nov., 1940.

In this manner we set the south corner of the grant with a very slight difference in distance, the southwest line and the north line, and the grant as shown within our survey has its called acreage, and the surplus which we show or excess, we assume it to be vacant land and subject to its disposal by the State, or else it should be incorporated within the grant and a new patent or title issued to safeguard the future owners who would be affected as they have in this instance and I have taken it upon myself that for their safety and although an expensive but prompt solution would be that this land be assumed as vacant land by the State, and it be sold to these people who have tried to safeguard their titles by applying for the land on August 17, 1940 and have had their respective tracts surveyed and are now ready to take them up as State land.

Mr. Dix gives you a very detailed report on how he found the lines and the evidence to prove his facts. We have also taken the same footsteps, except that being forewarned by his knowledge have studied the area a little more thorough in order to see what criticism we could find to change the facts; we found none, and we fully corroborate his report, and trust that with the detailed maps and field notes we are tendering the land office that your capable department will find a prompt solution for this matter.

Respectfully submitted,

By: E. J. Foster
E. J. FOSTER, Licensed land surveyor

CORPUS CHRISTI, TEXAS, APRIL 15, 1938.

'Copy of original'

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HON. WM. H. McDONALD,
COMMISSIONER, GENERAL LAND OFFICE,
AUSTIN, TEXAS.

DEAR SIR:

HEREWITH PLAT AND REPORT OF WORK DONE BY ME IN CONNECTION WITH AN APPLICATION FOR SURVEY TO LEASE UNSURVEYED SCHOOL LAND FILED BY FRANK B. LEFEMRE OF SAN ANTONIO, TEXAS; MARCH 22, 1938, AND RECORDED IN VOLUME 1, PAGE 400 IN SURVEYOR'S OFFICE, VICTORIA COUNTY, TEXAS.

ON FEBRUARY 6, 1833, JOSE M. J. CARVAJAL SURVEYED THE N. VENABIDES $1/4$ LEAGUE AND 4 DAYS LATER BUILT IN THE C. SAM BRANO LEAGUE, SOUTHWEST FROM THE SOUTHWEST LINE OF THE VENABIDES, ON SEPTEMBER 26, 1834, THIS SAME MAN SURVEYED THE FERNANDO DE LEON LEAGUE AND THE VALENTINE GARCIA THREE LEAGUES AND 16 LABORES GRANT. ALL OF THESE GRANTS ARE TIED TOGETHER BY CALLS FOR ADJOINDERS.

BETWEEN AUGUST 1, 1839 AND JANUARY 12, 1840, THE SURVEYOR EDWARD LINN RAN OUT THE JUNIOR SURVEYS TO THE SOUTHWEST OF THE ABOVE GRANTS. LINN LAID OUT THE J. McCONNAUGHTY AND W.W. HARDY SURVEYS FIRST AND FROM THESE HE BUILT IN THE BURNHAM, J. J. LINN, THE A. MAILS AND OTHER SURVEY TO THE SOUTHWEST.

IN HIS FIELD NOTES FOR THESE SURVEYS, LINN CALLS FOR ADJOINDERS INTO "F" DE LEON" WHICH IS AN ERROR AS NONE OF HIS SURVEYS JOIN ANY OF THE DE LEON SURVEYS.

I BEGAN MY SURVEY AT THE RECOGNIZED NORTH CORNER OF THE C. SAMBRANO LEAGUE AND RAN SOUTH $54.30'$ WEST ALONG THE NORTHWEST LINE OF SAME FOLLOWING A FAIRLY OLD MARKED LINE TO THE GARCITAS CREEK.

I THEN RETURNED TO THE NORTH CORNER OF THE SAMBRANO AND RAN SOUTH $35.30'$ EAST TO THE RECOGNIZED NORTHWEST LINE OF THE GARCIA WHICH I INTERSECTED AT 114 VARAS LONG OF THE CALL OF 2500 VARAS FOR THE NORTHEAST LINE OF THE SAMBRANO.

FROM THIS POINT, I RAN SOUTH $54.36'$ WEST ALONG AN OLD MARKED LINE AND RECOGNIZED SOUTHEAST LINE OF THE SAMBRANO, CROSSED GARCITAS CREEK AT 2600 VARAS BEING 200 VARAS LONG OF ITS CALL OF 2400 VARAS; ENTERED PRAIRIE AT 4570 VARAS AND AT 6000 VARAS STOPPED IN THE PRAIRIE.

RETURNING TO EAST CORNER OF THE SAMBRANO, I RAN NORTH $54.36'$ EAST AND INTERSECTED THE WEST MARGIN OF ARENOSA CREEK AT 2670 VARAS WHERE A VERY OLD ROAD CROSSES SAME. I FOLLOWED THIS ROAD SOUTHWESTERLY THE TOP OF THE HIGH BANK OF THE CREEK. THERE I FOUND A CULTIVATED FIELD AND ALL FURTHER SIGNS OF THE ROAD HAVE BEEN OBLITERATED. I FOLLOWED THE ROAD IN THE OPPOSITE DIRECTION FOR QUITE A DISTANCE THOUGH THE TIMBER AND FOUND THAT IT IS STILL PAINTLY TO BE SEEN AND FOLLOWED. I BELIEVE THIS IS THE ROAD REFERRED TO IN THE ORIGINAL FIELD NOTES AND IS MY REASON FOR ADOPTING THE POINT REACHED AS THE EAST CORNER OF THE VENABINES AND NORTH CORNER OF THE GARCIA.

CARVAJAL'S LINES WERE RUN ON MAGNETIC AND BY CORRECTING THE COURSES OF SAME IN ACCORDANCE WITH THE VARIATION OBSERVED AT VICTORIA IN 1830 (THIS DATE FROM GOVERNMENT HANDBOOK), THE COURSE THUS OBTAINED CHECK VERY CLOSELY WITH THE COURSE OF THESE LINES AS I FOUND THEM TO BE ON THE GROUND.

FROM THE NORTH CORNER OF THE GARCIA AS ESTABLISHED ABOVE, I PROCEEDED SOUTHEASTERLY LYING OVER TO THE ARENOSA CREEK AT INTERVALS APPROXIMATELY AS SHOWN BY THE PLAT PREPARED BY CARVAJAL AND FILED IN CONNECTION WITH HIS ORIGINAL NOTES OF THE GARCIA. I CONTINUED SOUTHEASTERLY UNTIL INTERSECTING THE WEST BANK OF THE ARENOSA AT APPROXIMATELY THE DISTANCE AS SCALED FROM SAID PLAT.

FROM THIS POINT I RAN SOUTH $43.29'$ WEST AND APPROXIMATELY 150 VARAS PASSED A 38" LIVE OAK MARKED FOR LINE ON THE NORTHWEST. THE MARKS ON THIS TREE ARE VERY OLD. I CONTINUED ALONG THIS COURSE A TOTAL DISTANCE OF 8850.6 VARAS TO THE NORTH BANK OF MARCADO CREEK WHERE I SET AN IRON PIPE FOR THE SOUTH CORNER OF THE GARCIA WHENCE A SMALL PRICKLY ASK BEARS SOUTH $43.10'$ WEST 3.7 VARAS. THE SOUTHEAST LINE OF THE GARCIA AS THUS ESTABLISHED IS 100 VARAS SHORT OF ITS CALL.

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FROM THE SOUTH CORNER OF THE GARCIA, I RAN NORTH 61. 30' WEST CALL DISTANCE OF 2540 VARAS WHERE I SET AN IRON PIPE FOR THE SOUTHWEST CORNER OF THE GARCIA WHENCE A VERY HIGH TREE AT RANCH HOUSE BEARS NORTH 54. 30' EAST.

FROM THIS POINT I RAN NORTH 35. 30' WEST THOUGH PRAIRIE AND AT 8078.1 VARAS INTERSECTED THE SOUTHEAST LINES OF THE SAMBRANO AS PREVIOUSLY ESTABLISHED IN THIS REPORT. AT THIS POINT I SET AN IRON PIPE IN THE PRAIRIE WHENCE A 13" ARBOR VITAE BEARS SOUTH 33. 15' WEST 123.6 VARAS.

I RETURNED TO THE SOUTH CORNER OF THE GARCIA AND MEANDERED MARCADO CREEK WESTERLY AND FINED THAT BY PACING THE EAST CORNER OF THE McCONNAUGHTY AT THE SOUTH CORNER OF THE GARCIA AS HERETOFORE ESTABLISHED, THE CREEK CALLS IN THE McCONNAUGHTY WILL FIT.

I WENT INTO THE VICINITY OF THE W. W. HARDY SURVEY AND MEANDERED CASA BLANCA CREEK AND AFTER DOING SO WAS ABLE TO PLACE THE HARDY AND THE J. J. LINN FROM THE CREEK CALLS INCLUDED IN THE NOTES FOR THESE SURVEYS.

FROM THE EAST CORNER OF THE J. J. LINN AS LOCATED BY ITS CREEK CALLS, I RAN SOUTHEAST TO THE VICINITY OF THE EAST CORNER OF THE BURNHAM AND THENCE SOUTHEASTERLY TO THE SOUTH CORNER OF THE GARCIA. I THEN RAN OUT THE SOUTH LINE OF THE BURNHAM AND COMPLETELY RAN OUT THE HENDERSHOT THE BOUNDARIES OF THE LATTER BEIN DEFINED BY OLD ROADS AND FENCES.

FROM THE INFORMATION DEVELOPED BY MY FIELD WORK, I SET AN IRON PIPE IN A CULTIVATED FIELD FOR THE NORTH CORNER OF THE McCONNAUGHTY, WHICH PIPE BEARS NORTH 72. WEST 3014.1 VARAS FROM THE SOUTH CORNER OF THE GARCIA.

I THEN RAN THE NORTHEAST LINE OF THE J. J. LINN, THE NORTHEAST LINE OF THE A. MAILS, NORTHWEST TO THE INTERSECTION OF THE SOUTHEAST LINE OF SAMBRANO AT WHICH POINT I SET AN IRON PIPE IN THE PRAIRIE FOR THE NORTH CORNER OF THE MAILS.

VERY TRULY YOURS,

HAYES DIX, LICENSED STATE LAND SURVEYOR
OF THE STATE OF TEXAS.

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NOV 29 1940
GENERAL LAND OFFICE

OF THE STATE OF TEXAS.
HAYES DIX, LICENSED STATE LAND SURVEYOR

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VERY TRULY YOURS,

Sketch File No. 9

Victoria County

Report of a survey
by E.J. Foster

Filed 11-26 1940

Com'r

French

File Clerk

Descriptive: S.W. Bl. of

V. Garcia grant. Sec.

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