

Jimmie Nail & Co.

LAND SURVEYORS

Robert E. Keys, President,



RECEIVED
JUL 5 1989
GENERAL LAND OFFICE

4131 S.W. 45th Ave

Amarillo, Texas 79109

(806) 352-1782

June 22, 1989

The Honorable Gary Mauro
General Land Office Commissioner
General Land Office
1900 North Congress
Stephen F. Austin Building
Austin, TX 78701

S U R V E Y R E P O R T

THIS IS A REPORT OF A SURVEY PREPARED OF THE WEST 320.59 ACRES IN SECTION 22, BLOCK 17, OF THE HOUSTON AND GREAT NORTHERN RAILROAD COMPANY (H. & G.N. RR. CO) SURVEY, IN WHEELER COUNTY, TEXAS SITUATED ABOUT S.53°E., 2.7 MILES FROM SHAMROCK, TEXAS AND S.11.5°E., 17.7 MILES FROM WHEELER, TEXAS; ORDERED BY JIM FLING, ATTORNEY REPRESENTING THE E.T. KEGEL ESTATE, OWNER. THE WORK WAS ORDERED APRIL 7, 1989, AND THE FIELD WORK WAS PERFORMED APRIL 28TH, MAY 3RD, 19TH, 30TH, AND JUNE 16TH, 1989. A WORKING SKETCH PREPARED IN THE GENERAL LAND OFFICE ON MAY 11TH, 1989 BY J. KILPATRICK AND SUPPLEMENTAL FIELD NOTES WERE USED.

THE ORIGINAL SURVEYS OF SAID BLOCK 17, IN THE VICINITY OF SECTION 22 WERE MADE BY SURVEYOR, WILLIAM NELSON IN SEPTEMBER, 1873. CONCLUDING FROM THE FACTS THAT: 1.) THERE WERE NO PASSING CALLS STATED IN SURVEYOR NELSON'S FIELD NOTES 2.) THE TYPES OF MONUMENTS THAT WERE CALLED FOR WERE STAKES OR MOUNDS 3.) ALL SECTIONS OF THIS BLOCK IN THE VICINITY OF SECTION 22 WERE SURVEYED ON THE SAME DATE AND 4.) ALL SECTIONS ARE CALLED TO BE 1900 VARAS SQUARE - NORTH, SOUTH, EAST, WEST; I BELIEVE THAT HE CONSTRUCTED THIS BLOCK IN THE OFFICE FROM ADJOINING BLOCKS.

THE NEXT SURVEYOR OF RECORD IN THIS AREA WAS GEORGE S. STORRS FROM APPROXIMATELY JULY 1889 THRU SEPTEMBER 1891. IT APPEARS THAT MR. STORRS FILED CORRECTED FIELD NOTES ON ALL ODD NUMBERED SECTIONS IN SAID BLOCK 17. WE RECOVERED A 1-1/2 INCH IRON PIPE AT THE SOUTHEAST CORNER OF SECTION 41, OF SAID BLOCK 17, IN AN EAST-WEST SANDY ROAD. MR. STORRS CALLS FOR A 3 FOOT BY 1-1/2 INCH IRON PIPE MARKED "40-41 B 17 50-31 B 13". WE TRIED TO PULL THIS PIPE FROM THE HOLE SO WE COULD MEASURE IT, BUT THE AMOUNT OF RUST AND THE FLAKING OF IRON FROM THE PIPE KEPT US FROM PULLING IT FROM THE HOLE WITHOUT FURTHER DESTROYING IT. I FEEL LIKE THIS PIPE IS MR. STORRS ORIGINAL CORNER.

RECEIVED
JUL 5 1989
GENERAL LAND OFFICE

The Honorable Gary Mauro
June 22, 1989
Page 2

WE RECOVERED A ROCK CORNER AND A 1-1/2 INCH BY 24 INCH IRON PIPE (BENT) AT THE SOUTHEAST CORNER OF SECTION 22. MR. STORRS CALLS FOR A ROCK TO BE MARKED, BUT NO MARKINGS WERE FOUND. I BELIEVE THAT THE TOP PORTION OF THIS ROCK WAS BROKEN OFF AT THE SAME TIME THE WITNESS 1-1/2 INCH BY 24 INCH IRON PIPE WAS HIT AND BENT (SEE EXHIBIT "A").

THE NEXT SURVEYOR OF RECORD IN THIS AREA WAS J.D. MERRIMAN, WHEELER COUNTY SURVEYOR FROM APPROXIMATELY 1915 TO 1930. MR. MERRIMAN SURVEYED SECTION 40 OF SAID BLOCK 17 ON OCTOBER 2, 1915 AND CALLS FOR AN "IRON PIPE SET A LONG TIME AGO" AT THE SOUTHWEST CORNER OF SAID SECTION 40 (SEE EXHIBIT "B") AND ALSO AT THE SOUTHEAST CORNER OF THE WEST ONE HALF OF SAID SECTION 40. WE FOUND THESE IRON PIPES TO BE THE SAME CORNERS DUE TO THE CALLED DISTANCE BETWEEN THE IRON PIPES OF 950.4 VARAS (MEASURED 951.46 VARAS) AND THE CALLED ANGLE AT THE NORTHWEST CORNER OF SECTION 21 OF SAID BLOCK 17 OF 89°45' (MEASURED 89°46'13"). THE CALLED COURSE AND DISTANCE FROM MR. MERRIMAN'S 1-1/2 INCH IRON PIPE, FOUND AT THE NORTHEAST CORNER OF SECTION 22 TO MR. STORRS' 3 FOOT BY 1-1/2 INCH IRON PIPE, FOUND AT THE SOUTHEAST CORNER OF SECTION 41 IS NORTH - 1911.4 VARAS (MEASURED N.00°16'25"E., 1912.01 VARAS - 0.61 VARAS LONG) AND EAST 1900.8 VARAS (MEASURED S.89°49'35"E., 1901.08 VARAS - 0.28 VARAS LONG) (NOTE: THESE DISTANCES WERE CALCULATED BY USING THE CALLED ANGLE OF 90°06' AT THE NORTHWEST CORNER OF SECTION 40.

MR. MERRIMAN ALSO SURVEYED THE SOUTH ONE-HALF OF SECTION 36, OF SAID BLOCK 17 ON NOVEMBER 21, 1916. HE BEGAN HIS SURVEY AT "AN IRON PIPE SET IN 1910, BY JOHN T. WILEY, FOR THE COMMON CORNER OF SECTIONS 25, 26, 35 AND 36, BLOCK 17". WE FOUND THIS IRON PIPE AND MEASURED S.89°51'28"E., 7643.17 VARAS TO MR. MERRIMAN'S IRON PIPE, FOUND AT THE SOUTHWEST CORNER OF SAID SECTION 40. THE CALLED DISTANCES AS SURVEYED BY MR. MERRIMAN ALONG THIS LINE ARE AS FOLLOWS: THE NORTH LINE OF SECTION 22 - 1919.8 VARAS, THE SOUTH LINE OF SECTION 38 - 1910.2 VARAS, THE NORTH LINE OF SECTION 24 - 1900.8 VARAS, AND THE SOUTH LINE OF SECTION 36 - 1910.1 VARAS, ALL IN SAID BLOCK 17, FOR A TOTAL DISTANCE OF 7640.9 VARAS, AN EXCESS OF 2.27 VARAS. I PRORATED THIS DISTANCE TO SET OUR NORTHWEST CORNER OF SAID SECTION 22.

counter 70009

RECEIVED
JUL 5 1989
GENERAL LAND OFFICE

The Honorable Gary Mauro
June 22, 1989
Page 3

DUE TO THE LACK OF ORIGINAL CORNERS, OR PERPETUATIONS THEREOF, TO THE SOUTH AND EAST OF SAID SECTION 22, I SET THE SOUTHWEST CORNER OF SAID SECTION 22, BY HOLDING THE WEST LINE PARALLEL TO THE EAST LINE AND THE SOUTH LINE PERPENDICULAR TO THE EAST LINE AS CALLED FOR BY MR. MERRIMAN IN HIS SURVEY OF SECTION 22 ON NOVEMBER 24, 1919 AND BY HOLDING THE ABOVE STATED PRORATED DISTANCE THE RECONSTRUCTION OF SECTION 22 PRODUCES THE FOLLOWING COURSES AND DISTANCES.

THE SECTION DIMENSIONS ARE AS FOLLOWS:

NORTH LINE - S.89°51'28"E. - 1920.37 VARAS (0.57 VARAS LONG)
EAST LINE - S.00°10'08"W. - 1907.60 VARAS (3.20 VARAS LONG)
SOUTH LINE - N.89°49'52"W. - 1920.37 VARAS (0.57 VARAS LONG)
WEST LINE - N.00°10'08"E. - 1906.71 VARAS (2.31 VARAS LONG)

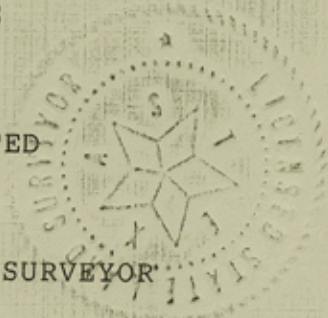
AS STATED, ON NOVEMBER 24, 1919 MR. MERRIMAN SURVEYED SECTION 22. ON JANUARY 31, 1920 A PATENT WAS ISSUED FOR 81.9 ACRES, KNOWN AS THE WEST ONE-HALF OF THE SOUTHEAST ONE-QUARTER OF SECTION 22, AND ON FEBRUARY 26, 1920 A PATENT WAS ISSUED FOR 163.8 ACRES, KNOWN AS THE NORTHEAST ONE-QUARTER OF SECTION 22. MR. MERRIMAN BEGAN HIS SURVEY OF THE WEST ONE-HALF OF THE SOUTHEAST ONE-QUARTER OF SECTION 22 AT A POINT 11.1 VARAS WEST OF THE MID POINT OF THE NORTH LINE OF SECTION 19, BLOCK 17, SAME BEING THE SOUTHEAST CORNER OF THE WEST 320 ACRES OF SAID SECTION 22. THIS CALLED DISTANCE OF 11.1 VARAS WEST OF THE MID POINT OF SECTION 22 WAS HELD FOR RECONSTRUCTING THE EAST LINE OF A TRACT OF LAND KNOWN AS THE WEST ONE-HALF OF SECTION 22. MR. MERRIMAN ALSO BEGAN THE NORTHEAST ONE-QUARTER OF SECTION 22 AT A POINT ON THE EAST LINE OF THE WEST 320 ACRES, SAID POINT BEING 11.1 VARAS WEST OF THE CENTER OF SECTION 22. THE RECONSTRUCTION OF THE TRACT OF LAND KNOWN AS "THE WEST ONE-HALF OF SECTION 22" PRODUCES THE FOLLOWING COURSES AND DISTANCES:

NORTH LINE - S.89°51'28"E. - 949.09 VARAS
EAST LINE - S.00°10'08"W. - 1907.15 VARAS
SOUTH LINE - N.89°49'52"W. - 949.09 VARAS
WEST LINE - N.00°10'08"E. - 1906.71 VARAS

YIELDING 320.59 ACRES.

RESPECTFULLY SUBMITTED

Jimmie Nail
JIMMIE NAIL
LICENSED STATE LAND SURVEYOR



counter 70010

EXHIBIT A

SOUTHEAST CORNER OF SECTION 22, BLOCK 17,
H. & G.N. RR. CO. SURVEY,
WHEELER COUNTY, TEXAS

RECEIVED
JUL 5 1989
GENERAL LAND OFFICE

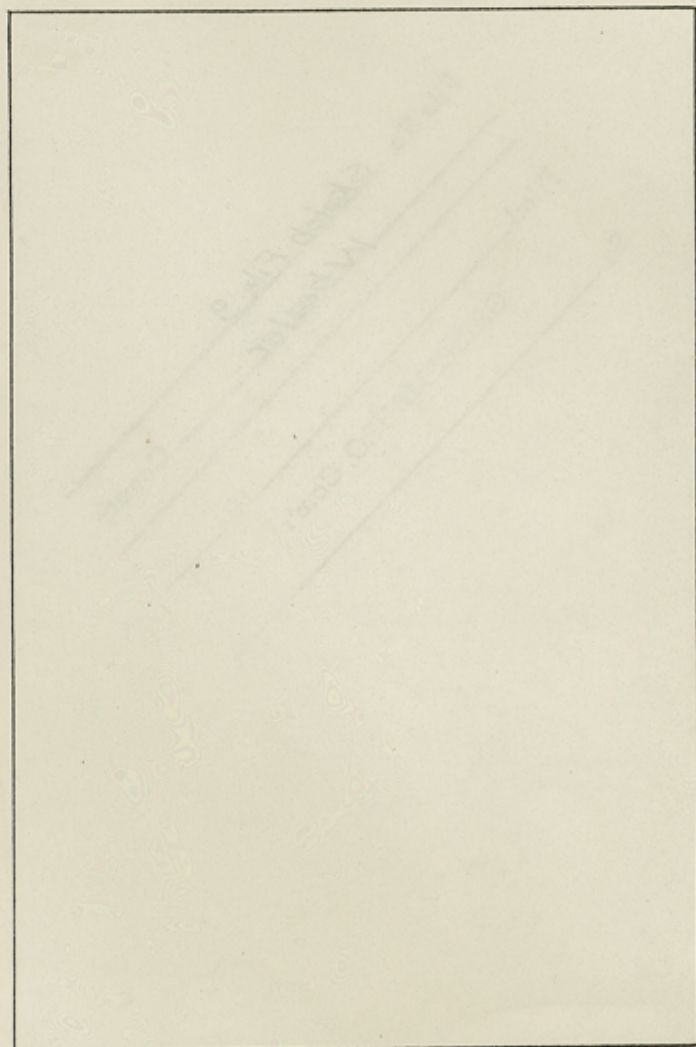
LOOKING EAST (PIPE OUT OF HOLE)



LOOKING EAST (STONE ON NORTH SIDE OF PIPE)



counter 40011



LOOKING NORTHWEST



EXHIBIT B

SOUTHWEST CORNER OF SECTION 40, AND
THE NORTHEAST CORNER OF SECTION 22, BLOCK 17,
H. & G.N. RR. CO. SURVEY,
WHEELER COUNTY, TEXAS

RECEIVED
JUL 5 1989
GENERAL LAND OFFICE

LOOKING EAST



1-1/4" x 29" GALVANIZED IRON PIPE



counter 70012

LOOKING NORTHWEST



LOOKING NORTH



RECEIVED
JUL 2 1983
GENERAL LAND OFFICE

EXHIBIT B

THE NORTHWEST CORNER OF SECTION 22, BLOCK 17,
H & G N. RR. CO. SURVEY,
WHEELER COUNTY, TEXAS

MAY 19 1983
JIMMIE HALL & CO.
ROBERT E. KEYS
4131 W. 45th
AUSTIN, TEXAS 78719

MAY 19 1983
JIMMIE HALL & CO.
ROBERT E. KEYS
4131 W. 45th
AUSTIN, TEXAS 78719

File No. Wheeler Co. Sk. File 9
West 320.59, Sect. 22, Bk. 17, H&GN Co. 9
County
Filed July 5
19 83
By GARRY MAURC.
Douglas Howard

① 1/4" X 24" IP
N.E. corner section 22, Bk. 17,
H+GN RR. Co. Survey,
Wheeler Co., Texas

① 1/4" X 24" IP
N.E. corner section 22, Bk. 17,
H+GN RR. Co. Survey,
Wheeler Co., Texas
Looking East with

MAY 19 1983
JIMMIE HALL & CO.
ROBERT E. KEYS
4131 W. 45th
AUSTIN, TEXAS 78719

MAY 19 1983
JIMMIE HALL & CO.
ROBERT E. KEYS
4131 W. 45th
AUSTIN, TEXAS 78719

① 1/4" X 24" IP
N.E. corner section 22, Bk. 17,
H+GN RR. Co. Survey,
Wheeler Co., Texas
Looking North with Fover Folds

① 1/4" X 24" IP
N.E. corner Sec. 22, Bk. 17,
H+GN RR. Co. Survey,
Wheeler Co., Texas
Looking NW. at Folds