

December 30, 1992
Revised February 2, 1993

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

File No. Sketch File 11
Wheeler County
Sect. 27, Blk OS 2
Filed October 19 19 95
GARRY MAURO, Com'r
By Douglas Howard

Surveyor's Report

This report covers the survey of Section 27, Block OS2, Wheeler County, Texas. This section is situated in the "Oklahoma Strip", being the land that lies between the Brown and Jones 100th Meridian on the west and Gannett's 100th Meridian on the east. Gannett's Meridian is the true meridian and legal state boundary line, as decreed by the Supreme Court of the United States by final decree, entered March 17, 1930, in the case of the State of Oklahoma -vs- the State of Texas, the United States of America, Intervenor.

The survey was ordered on September 9, 1992 by Mr. Ron Bassett on behalf of Mr. T. Boone Pickens. A research of the surveyor's records and the patent records was conducted in the County Clerk's Office in the Wheeler County Courthouse. A working sketch was prepared from the notes gathered in research and field work commenced on October 21, 1992. Official copies of the field notes of surveys in the area were ordered from the General Land Office and received on October 27, 1992. These notes were compared to those gathered in the County Clerk's Office, providing verification of survey information. Further field work was conducted, intermittently, ending on November 9, 1992.

This report, accompanied with the recorded field notes and plat (exhibit "A") of Section 27, Block OS2, consists of the following:

- 1.) Report
- 2.) Exhibit "B"; photocopy of the working sketch prepared for this survey
- 3.) Exhibit "C"; photocopy of portions of U.S.G.S. Quadrangles "Allison, Texas" and "Kelton, Texas", showing the area of this survey, patent corners and state line boundary markers found in place
- 4.) Exhibit "D"; photographs of patent corners and Gannett's state line boundary monuments found in place

As indicated in exhibit "C", Gannett's state line boundary monuments on the 100th Meridian were located (see photographs 1 through 6, Exhibit "D"), as well as the north common corner of Sections 41 and 42, Block A3, H. & G. N. RR. Co. Survey, being a 1-1/2 inch by 3 foot iron pipe, stamped "41-42" (markings are called for in field notes of Section 40, said Block A3; at the northwest corner of Section 40, an oak stake, bears 1900 varas south from iron pipe marked "41-42 BA3"; see photographs 7 through 10, Exhibit "D"). Another 1-1/2 inch iron pipe was found at the common corner of Sections 21, 22, 39 and 40 of said Block A3 (see photographs 11 and 12, Exhibit "D"). This pipe was buried and was not removed from the ground for closer inspection due to its condition. The sides of the pipe were pitted and covered with scale and rust, thereby the markings could not be clearly identified.

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Holding to the position of Gannett's state line monuments, calculations were made and traverses run to all corners of Sections 26, 26A, 27, 27A and 28, Block OS2 and the east common corner of Sections 21 and 40 of said Block A3, according to the plat of survey of the "Oklahoma Strip" by A. B. Smith, Licensed State Land Surveyor. Surveyor Smith's plat, containing said Block OS2, is dated March 31, 1941. Field notes, by Surveyor Smith, of Sections 25, 26, 27A, 28 and 29 of said Block OS2, are compiled and shown in the 1941 plat. The east common corner of Sections 40 and 41 of said Block A3 were also calculated and traversed to, as well as the east common corner of said Section 41 and Section 1, Block 2, B. & B. Survey.

Diligent searches were made for the corner monuments called for in the field notes, but to no avail. Several factors could render these monuments as missing or irretrievable. First, the durability of the monument, such as wood stakes or sandstones, not able to withstand the elements of weather. Second, the terrain in which these monuments are called to be placed, such as sandstones in deep sandy areas, or a red sandstone where there are many strewn about in the area. It is also possible that some of the monuments such as the iron pipes called to be set in the 100th Meridian (the east line of Block OS2), were destroyed by agricultural operations, such as cultivation, ranch roads and fencing. Another possibility is that the monuments were never actually placed, and that the individual field notes are office surveys prepared from a survey of the perimeter, or bounds, of the "Oklahoma Strip". The last possibility seems more viable than the previous, due to none of the monuments called to be set by Surveyor Smith were recovered. Only the monuments placed by Gannett marking the 100th Meridian exist at this time.

The advancement of surveying technology from the late 1800's and early 1900's to the time of Surveyor Smith's survey of the "Oklahoma Strip" (dated March 31, 1941) renders his measurements as being more reliable and accurate than those of earlier times, when Sections 40 and 41, Block A3 were surveyed. Also, the terrain in Block OS2 is considerably more level than that found immediately west in Block A3, thereby the chaining error(s) would be less in Block OS2. With this reasoning, Section 27A was reconstructed by holding to its patent calls. After doing so, Section 27 could then be constructed by holding to Smith's calls as shown on the "Oklahoma Strip" plat. The steps involved in setting the corners of Section 27 are as follows:

- 1.) The northeast corner of Section 27A and the southeast corner of Section 27A / northeast corner of Section 27 were set by holding to call (patent) distances south from Gannett's state line monument mile post 65 + 5261, on line between mile posts 65 + 5261 and 64 + 5261 (bearing of S. 00° 00' 08" E.).
- 2.) The southwest corner of Section 27A / northwest corner of Section 27 was set by holding to patent call angle from the line between mile posts 65 + 5261 and 64 + 5261 and patent call distance of 449.85 varas.
- 3.) The northeast corner of Section 26 / southeast corner of Section 26A was set by holding to patent call distance north from mile post 64 + 279, on line between mile posts 64 + 279 and 64 + 5261 (bearing of N. 00° 00' 27" W.).
- 4.) The northwest corner of Section 26 / southwest corner of Section 26A was set by holding to patent call angle from the line between mile posts 64 + 279 and 64 + 5261 and patent call distance of 441.2 varas.
- 5.) The southeast corner of Section 27 / northeast corner of Section 26A was set by holding to the distance of 953.4 varas south from the southeast corner of Section 27A / northeast corner of Section 27, as shown on Surveyor Smith's plat of the "Oklahoma Strip".

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- 6.) The southwest corner of Section 27 / northwest corner of Section 26A was set by holding to Surveyor Smith's call angle at the southeast corner of Section 27 / northeast corner of Section 26A from the line between mile posts 64 + 279 and 64 + 5261, west to intersect the line between the southwest corner of Section 27A / northwest corner of Section 27 and the northwest corner of Section 26 / southwest corner of Section 26A. This line measures 445.50 varas, where as Surveyor Smith shows 445.53 varas.

The west lines of Sections 40 and 41, Block A3, as measured between the 1-1/2 inch iron pipes mentioned previously, are N. 00° 00' 10" W., 3817.56 varas, or 1908.78 varas per section. The east lines of these sections are reestablished with the reconstruction of Block OS2 as explained above. Comparison to original patent calls are as follows:

Section 40

- 1.) The south line of Section 40, by holding to a perpendicular angle, as called, from the west line; * measures S. 89° 59' 50" W., 1982.19 varas
* call west, 1984.6 varas (John T. Wiley, 1911)
* call west, 1969.3 varas (Geo. S. Storrs, 1888)
- 2.) The north line of Section 40, by holding to a perpendicular angle, as called, from the west line; * measures S. 89° 59' 50" W., 1973.43 varas
* call east 1990 varas (Wiley, 1911)
* call east 1965.5 varas (Storrs, 1888)

Note: There is an error in closure of Section 40 and this error is isolated in the north line. To close this section with the other calls by Surveyor Wiley, the north line should be 1976.3 varas.

- 3.) The east line of Section 40; * measures S. 00° 15' 56" E., 1908.8 varas
* call S. 00° 15' E., 1900 varas (Wiley, 1911)
* call S. 00° 07' E., 1900 varas (Storrs, 1888)

Also, along said east line, from the southwest corner of Section 27, Block OS2 to the southeast corner of Section 40; * measures S. 00° 15' 56" E., 1840.05 varas
* call S. 00° 15' 34" E., 1841.62 varas (Smith, August, 1940 in field notes of section 26 and as shown on plat of "Oklahoma Strip", March, 1941)

Section 41

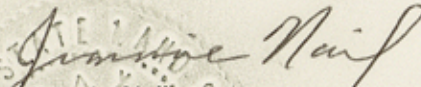
- 1.) The south line of Section 41 (same as north line of Section 40, mentioned above); * measures S. 89° 59' 50" w., 1973.43 varas
* call east, 1900 varas (Wm. Nelson, 1873)
* call East, 1965.5 varas (Geo. S. Storrs, 1888)
- 2.) The north line of Section 41, by holding to a perpendicular angle, as called, from the west line; * measures S. 89° 59' 50" w., 1964.68 varas
* call west, 1900 varas (Nelson, 1873)
* call west, 1961.6 (Storrs, 1888)
- 3.) The east line of Section 41; * measures N. 00° 15' 56" W., 1908.8 varas
* call north, 1900 varas (Nelson, 1873)
* call N. 00° 07' W., 1900 varas (Storrs, 1888)

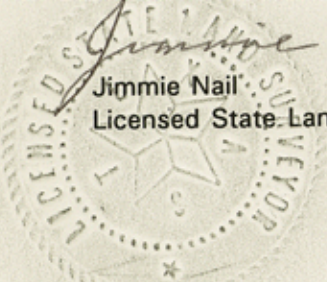
It should be noted that many of the sections in this area of Block A3 are shown to be surveyed by Surveyor Nelson on the same date of October 6, 1873 and are called to be north, south, east and west, 1900 varas square, with stakes for monuments. It is most likely that these are office surveys only, and not actually surveyed upon the ground.

As noted in the comparisons, the east-west measurements of Section 40, Block A3, vary slightly from those of Surveyor Wiley in 1911. The difference is 2.41 varas less than Wiley's call on the south line and 2.87 varas less on the north line, if the distance of 1976.3 varas needed to close Section 40 is held. Consideration should be given to the equipment and methods used in the era of Surveyor Wiley as compared to those which were common at the time of Surveyor Smith and those that are currently in use now. Also, consideration should be given to the accumulative elevation difference in the terrain over which Surveyor Wiley chained his lines, as compared to the flatter terrain and shorter distances found in Block OS2. Due to the absence of any monuments along the east line of Block A3, being the old "Brown and Jones 100th Meridian" and the west line of Block OS2, and the reasoning as mentioned, the best evidence remaining to reconstruct this line is Surveyor Smith's calls to Gannett's state line boundary monuments along the true 100th meridian.

The corners of Section 27, Block OS2 are set with 1 inch iron pipes with stamping for identification as indicated in the recorded field notes and plat "Exhibit A". Section 27 contains 75.60 acres, more or less.

Respectfully Submitted,


Jimmie Nail
Licensed State Land Surveyor



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WORKING SKETCH OF
BLOCK O.S. 2
WHEELER COUNTY, TX

3
B & B
BLOCK 1

9
B & B
BLOCK 3

43
H. & G. N.
BLOCK 38

23
BLOCK 39

18
BLOCK 19

(No. of 1731.4)

SCALE: 1" = 800 ACRES ±

EXHIBIT "B"
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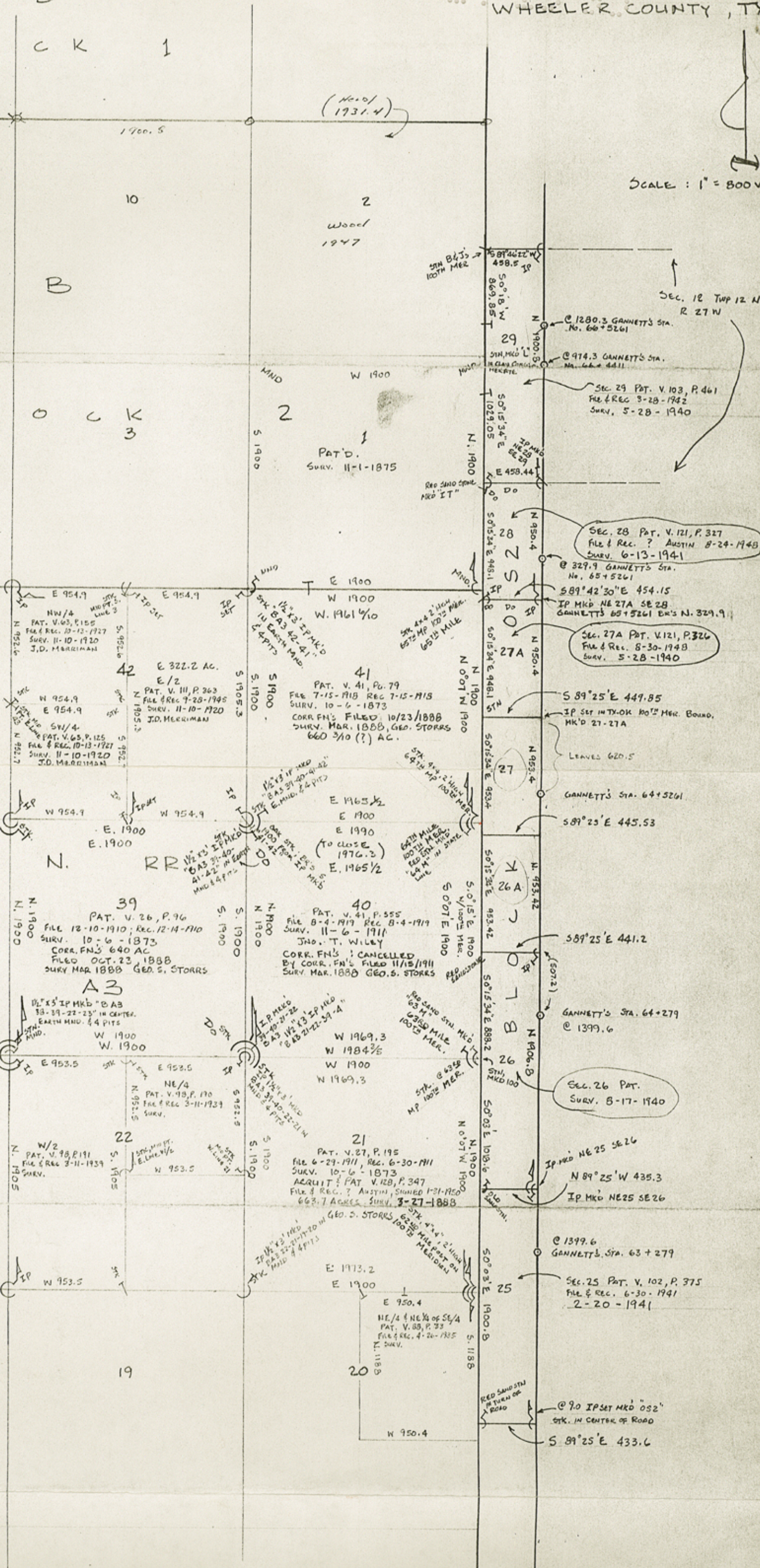
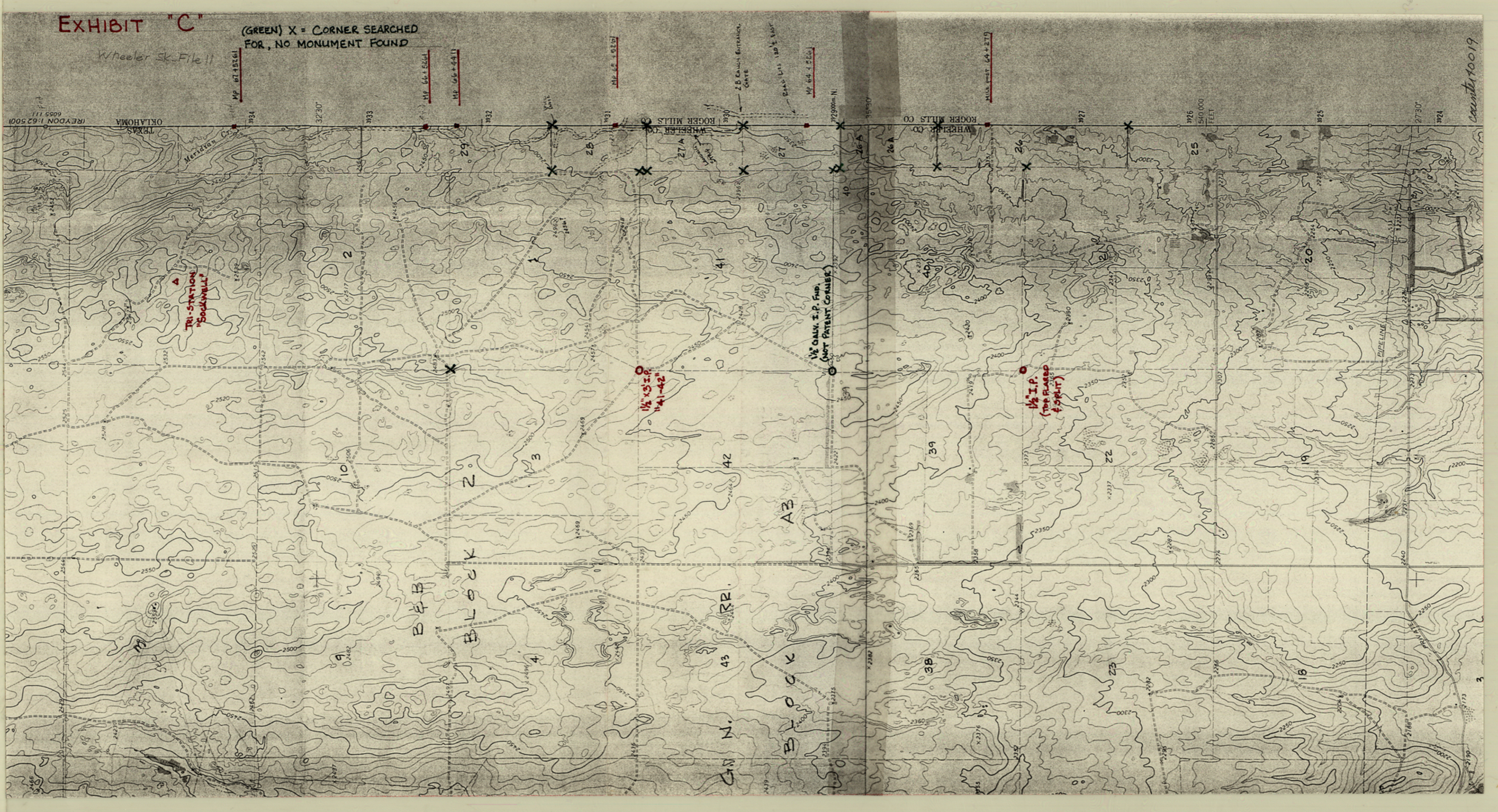


EXHIBIT "C"

(GREEN) X = CORNER SEARCHED FOR, NO MONUMENT FOUND

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County 10019

E X H I B I T " D "

PHOTO # 1



LOOKING NORTH TOWARDS GANNETT'S 100TH MERIDIAN MILE POST 65 + 5261

PHOTO # 2



DETAIL OF MILE POST 65 + 5261

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E X H I B I T " D "

PHOTO # 3



LOOKING WEST TOWARDS GANNETT'S 100TH MERIDIAN MILE POST 64 + 5261

PHOTO # 4



DETAIL OF MILE POST 64 + 5261

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E X H I B I T " D "

PHOTO # 5



LOOKING WEST TOWARDS GANNETT'S 100TH MERIDIAN MILE POST 64 + 279

PHOTO # 6



DETAIL OF MILE POST 64 + 279

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E X H I B I T " D "

PHOTO # 7



LOOKING SOUTH TOWARDS 1-1/2" X 3" IRON PIPE STAMPED "41-42" FOUND AT THE NORTH COMMON CORNER OF SECTIONS 41 AND 42, BLOCK A3, H. & G. N. RR. CO.

PHOTO # 8



LOOKING WEST TOWARDS 1-1/2" X 3' IRON PIPE STAMPED "41-42"

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E X H I B I T " D "

PHOTO # 9



DETAIL OF STAMPING ON 1-1/2" X 3' IRON PIPE STAMPED "41-42"

PHOTO # 10



DETAIL OF STAMPING ON 1-1/2" X 3' IRON PIPE STAMPED "41-42"

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E X H I B I T " D "

PHOTO # 11



LOOKING NORTH TOWARDS 1-1/2" IRON PIPE FOUND AT THE COMMON CORNER
OF SECTIONS 21, 22, 39 AND 40, BLOCK A3, H. & G. N. RR. CO.

PHOTO # 12



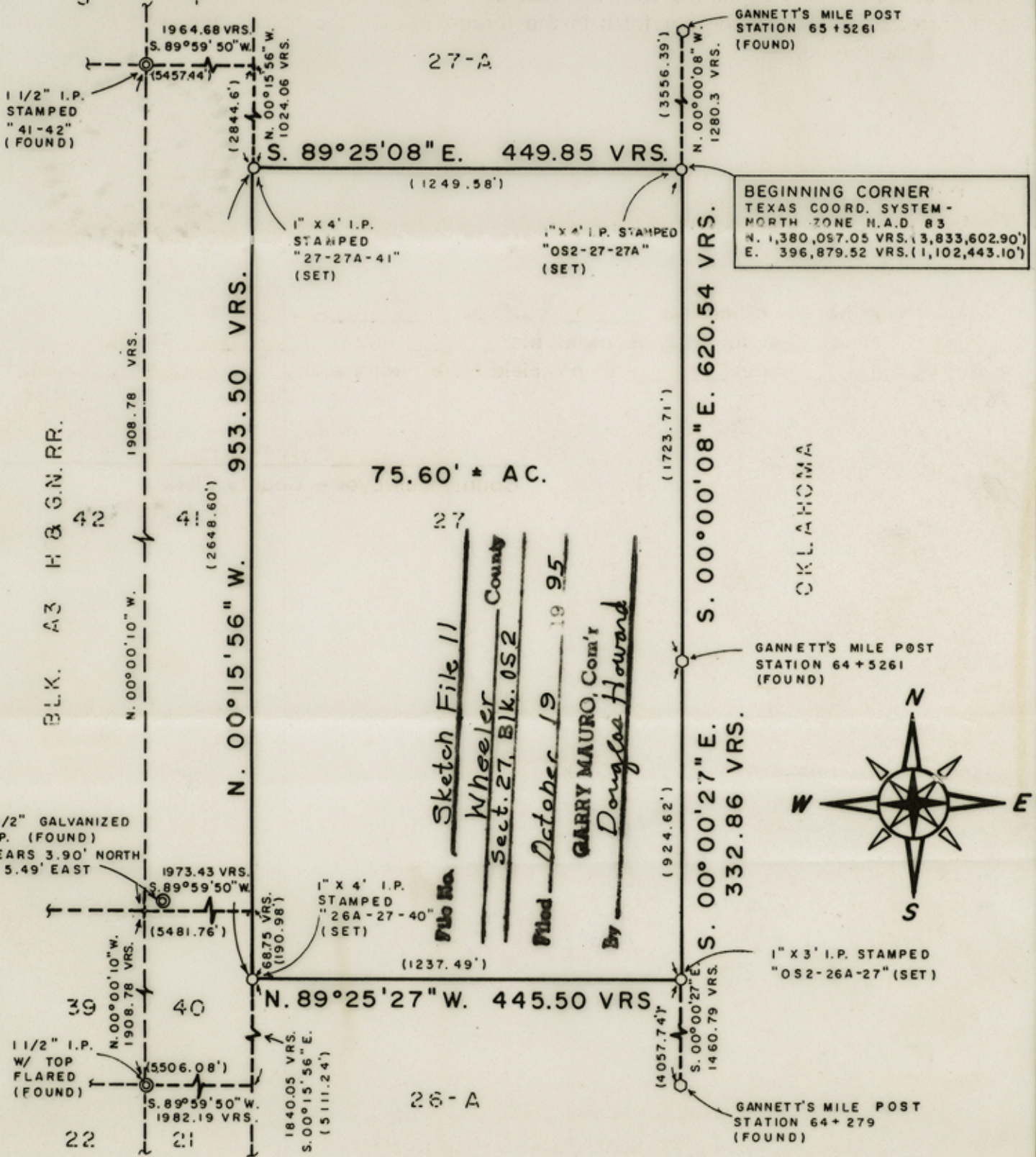
DETAIL OF 1-1/2" IRON PIPE AT COMMON CORNER OF SECTIONS 21, 22, 39 AND 40,
BLOCK A3, H. & G. N. RR. CO.
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WHEELER COUNTY, TEXAS

SECTION 27, BLOCK O.S.2

BLK. 2
B & S
3



NOTE:
 COORDINATES FOR THE ABOVE "BEGINNING CORNER" ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM -NORTH ZONE- NORTH AMERICAN DATUM 1983 USING THE U.S.C. & G.S. TRIANGULATION STATION "SOCKWELL", A MAPPING ANGLE OF 00° 52' 09" AND A COMBINED SCALE FACTOR OF 0.9998794.

SCALE: 1" = 400'
 GRAPHIC SCALE

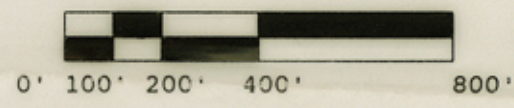
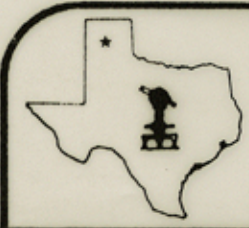


EXHIBIT "A"



Jimmie Nail & Co.
 Land Surveyors
 Robert E. Keys, Pres.
 4131 Sw 45th Avenue Amarillo, Texas 79109
 (806)352-1782 Fax (806)352-1942

11/23/92

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MARGARET DORMAN
COUNTY CLERK
WHEELER COUNTY, TEXAS

BY Maria Ford

The State of Texas, Margaret Dorman, County Clerk, in and for said County, do hereby certify that the foregoing instrument with the certificate of authentication, was filed for record in my office the day of Feb 19 93 at 3:36 O'Clock P M and duly recorded in the Deed Records of said County in Vol. 411 on page 477. Witness my hand and seal of the County Court of said County at office in Wheeler, Texas the day and year last above written.

Margaret Dorman
Clerk, County Court, Wheeler County, Texas
By Maria Ford Deputy

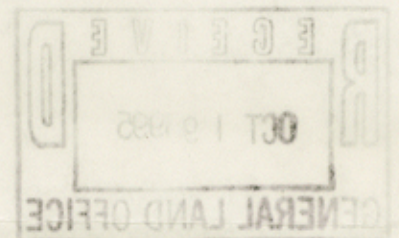
FILED FOR RECORD

93 FEB 11 PM 3:25

Margaret Dorman
MARGARET DORMAN
COUNTY CLERK
WHEELER COUNTY, TEXAS

BY _____

Wheeler Sk. File 11



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