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SK. & Decree of Court, in re. to ME Farland Island in Red R. in Northern part of Co. -By Joe Overbey in Oct. 1930,

Wichita co.



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CHAS. PRIDGEN, VS. NO.17821-B JOE WARD. County Surveyor IN THE 78TH DISTRICT COURT OF WICHITA COUNTY. TEXAS.

On this the 12th day of August, A. D. 1926, coming on regularly to be heard the above numbered and entitled cause, came complianent and respondent in person and by attorney and announced ready for trial and also came J. A. Fisher, C. W. Gilliland, Lee Prescott, A. C. Horn and L. H. Horn, made defendants herein by the answer of respondent, in person and by their attorneys and announced ready for trial, and a jury being waived, submitted the case as well of fact and of law to the court without a jury; and the pleadings having been presented, the evidence offered and the case argued by counsel, the Court finds that there is no vacancy between the M. Gilbert Survey and the N. Salinas Survey on the South and the Red River on the North in Wichitz County, Texas, that there is no state or public school lands or other unappropriated lands in such area and that the seid defendants and their predecessors in title have held open, adverse and continuous possession of all of such lands within said surveys to the South bank of Red River for a period of more than ten years next preceding this date, using, occupying and cultivating the same, wherefore the law is with the respondent and defendants and they should recover in this behalf, and according ly it is :

lst. Ordered, adjudged and decreed that complainant take nothing as against respondent and defendants, that he be denied and relief sought and that respondent and defendants go hence without a day and recover of complainant their costs for which they may have their execution.

2nd. It is ordered, adjudged and decreed that defendant J. A. Fisher, and C. W. Gilliland be quieted in their title to the lands described in their answer and that the description and field

# notes thereof be fixed as established as follows, to-wit:

s thereof be fixed as established as follows, to-wit: Beginning at a stake 820.9 feet South of the South bank of Red River from which an elm bears South 52 East 26 vrs, an elm bears South 492 East 26 vrs., being the original North-east corner of N. Salinas Survey and the North-west corner of Bryant Brown Survey; thence North 0' - 03" West 820.9 feet to the South bank of Red River, the same being the boundary line between the states of Texas and Oklahoma, a stake for the North-east corner of the N. Salinas Survey, Abst. 260; thence up said river with its meanders following the South bank and the Texas-Oklahoma boundary line as follows: N.52' -02" W. 720 ft., N.61' -42" W.653.4 ft., N.55' -19" W.415.8 ft. N.47' -29" W.330 ft., N55' -56" W. 297 ft., N.46' -02" W.475.2 ft., N.63' -29" W.158.4 ft., N.74' -17" W.627 ft., N.71' 05" W.660 ft., S.80' -40" W.277.2 ft., S.59' -17" W.244.2 ft., S.39' -05" W.138.6 ft., N.64'-57" W.486.6 ft., to a stake on the abnk of Red River for the North-west corner of this tract; thence S.0' -02" E. passing the original Northwest corner of the N. Salinas Survey at 2,511 ft., and continuing on 5,844.3 ft. in all to the Southwest corner of the N. Salinas Survey, a stake; thence N.0' -03" along the East line of said survey to the place of the beginning . In Wichita County, Texas

Beginning at the South-east corner of the Wm.H. Anderson Survey A-1, in Wichita County, Texas, the same being the South-west corner of the N.Salinas Survey, a stake for a corner; thence N.O' -O3" W.along the east line of the Wm.H.Anderson Survey and the West line of the N.Salinas Survey, at 2777.8 ft.pass the N. E. Corner of the Wm. H. Anderson Survey and the S. E. Corner of the N.Gilbert Survey continuing in all 5844.3 ft. to the Texas Oklahoma boundary line as established by the United States Supreme Court; a stake for a corner at the North-west corner of the Fisher-Gilliland tract; thence up said Red River with its meanders N.68' -27" W. along the following the South bank and the Texas-Oklahoma boundary line 1187.6 ft. to the N.W. corner of this tract, a stake; thence S.O' -O3" W.at 3564.4 ft. cross the South line of the M. Gilbert Survey continuing in all 6,342.2 ft. to the South line of the Wm. H. Anderson Survey, a stake for corner, thence South 89'-58" East along the South line of the Wm.H. Anderson Survey 1,086.9 ft. to the place of the beginning.

#### notes thereof be fixed and established as follows. to-wit:

Beginning at a stake on the South Bank of Red River in Wichita County, Texas, being the North-west corner of the Lee Prescott tract established by judgment of this Court; thence up such river with its meanders, following the South bank and the Texas and Oklahoma boundary line to a point where the West line of the M. Gilbert Survey, extended, intersects the South bank of Red River, a stake for the North-west corner of such M. Gilbert Survey; thence South with the West line of such M. Gilbert Survey to the South-west corner thereof, a stake; thence East with the South line of the Lee Presott tract intersects such South line of the M. Gilbert Survey; Thence North with the West line of such Lee Prescott tract to the place of the beginning.

and for such lands such defendants may have their writ of possession.

It is ordered that the officers of this Court may have execution against the respective parties for the costs incurred by such parties.

> W. W. Cook, Judge, Presiding

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O. E. Nelson, Attorney for Complainant,

Smoot & Smoot, Attorneys for defendants, THE STATE OF TEXAS, COUNTY OF WICHITA,

I, Mrs. A. B. Eichelberger, Clerk of the District Court of Wichita County, Texas, do hereby certify that the foregoing is a true and correct copy of the Judgment in the Case of Chas. Pridgen Vs. Joe Ward, County Surveyor No. 17821-B as the same appears of file in my office.

Given under my hand and the seal of said Court, at office in Wichita Falls, Texas, this the 30th day of October. A. D. 1930.

Mrs. A. B. Eichelberger, Clerk,

By, <u>I ora Colele</u> Deputy.

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SKETCH MEFARLAND ISLAND SURVEY Wichita Co. Texas. Surveyed Oct 23-24 1930 By Joe Overbey Wichita Co RIVER scale 1" = 200 Varas. J. JOHNSON SUR BRYANT BROWN (P+d) Sketch File No. 30

County Wichita

### No.17821-B

Chas. Pridgen

# V٤

Joe Ward, County Surveyor,

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Accompaniel R. S. Ragdales appl, Dag.

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