

STATE OF TEXAS    ¶

COUNTY OF WARD    ¶

BEFORE ME, the undersigned authority, a Notary Public in and for Ward County, Texas, on this day personally appeared E. R. Hill, known to me to be a credible and reputable resident citizen of this county, and who, after first being duly sworn upon his oath by me, deposes and says:

My name is E. R. Hill and I live in Monahans, Texas. I am 58 years old and have lived in and within 15 miles of Monahans since 1895. I have ranched for 22 years and am familiar with the manner in which surveys are made in this country and the methods of marking such surveys on the ground.

On October 11, 1897, my father, P. B. Hill, made application for a survey and homestead in Winkler County, Texas, said instrument being of record in the General Land Office of Texas. On October 13, 1897, in company with my father, my grandfather and myself, a survey of what is now known as the P. B. Hill Pre-emption survey was made by A. M. Randolph, County Surveyor of Reeves County, Texas. This Pre-emption survey is located about 15 miles North 63° West from Sandhill station on the T & P Railroad.

I was present when the said Randolph set for the Southwest corner of this survey, an iron bar 34 inches long, 3 inches wide and 3/4 inches thick with 3 one inch holes in it, one at one end and two at the other end. This bar was a hand-brake lever for a railroad freight car. At the same time, there were placed beside this bar, a 1/2 inch windmill rod (brace rod) 36 inches long with a square head on the up end and threaded on the down end; and a piece of flat iron 3/8 inches thick, 1 3/8 inches wide and 24 inches long with a one inch hole in each end.

I was also present when Randolph selected a mesquite tree for a witness bearing and witnessed Randolph and my father measuring the distance from the aforesaid southwest corner of the survey to the said mesquite tree.

Our house was only about 400 yards from this corner and from the time my father moved his family into this house in May 1898 up to the time I left there in 1917, I saw the above referred to corner

marker and mesquite tree at frequent intervals. Later, the drifting sands covered the corner marker.

On this day I have identified and do now testify that the marker which has been uncovered is the same corner marker which I saw the said Randolph set for the Southwest corner of the said Pre-emption survey for P. B. Hill on October 13, 1897.

As additional evidence and in substantiation of my recognition of the said corner marker, in June 1909 a survey was made of Sections 18 and 19, Block B-11, PSL, Winkler County, Texas, to exclude from these two sections the acreage in the said Pre-emption survey. This survey was made by John C. Shannon and G. P. Mitchell and I were chain carriers. The survey of these two sections and the calculation of the acreage in each, took into consideration the presence of this Pre-emption survey, tied onto the said southwest corner thereof, which I have hereinabove described, and which was located on the ground by the said Shannon and recognized by him as a controlling corner for the Pre-emption survey.

The mesquite witness tree, as called for by Randolph, is still alive and aided me in locating the said corner marker which Randolph set. The marker for the corner was found after removing 7 feet of sand and was found to be in its original position.

E. R. Hill

SWORN TO AND SUBSCRIBED before me on this 26th day of June  
A. D. 1944.

(SEAL)

Zoe Sewell, Notary Public in  
and for Ward County, Texas

STATE OF TEXAS §  
COUNTY OF WARD § BEFORE ME, the undersigned authority, a Notary Public in and for the said County and State, on this day personally appeared E. R. Hill, known to me to be the person whose name is subscribed to the foregoing instrument, and who acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN under my hand and seal of office on this 26th day of  
June A. D. 1944.

(SEAL)

Zoe Sewell, Notary Public in  
and for Ward County, Texas

THE STATE OF TEXAS    §

COUNTY OF TARRANT    §

BEFORE ME, the undersigned authority, on this day personally appeared T. A. McIVER, known to me to be a credible person, who being by me first duly sworn, on oath deposes and says:

I reside in Fort Worth, Tarrant County, Texas, I am a registered Engineer; my Registry Number being 3862.

I have read the affidavit of E. R. Hill dated June 26, 1944, with reference to the P. B. Hill Preemption Survey in Winkler County, Texas. On said date of June 26, 1944, E. R. Hill pointed out to me the location of the southwest corner of said P. B. Hill Preemption Survey. The country where this land is located is very sandy and the prevailing winds continually shift the sand into dunes. By means of a bulldozer and hand shovels, excavation was made at the point E. R. Hill indicated to be the Southwest corner of said P. B. Hill Preemption Survey, and at that point about seven feet down in the sand the iron bar, the iron windmill rod and the piece of flat iron, described in the fourth paragraph of the affidavit made by E. R. Hill as aforesaid, were uncovered.

E. R. Hill also pointed out the mesquite tree mentioned as a witness tree in the field notes of A. M. Randolph, County Surveyor of Reeves County, Texas, dated October 13, 1897. This mesquite is now a much larger tree than the three inch witness tree mentioned by A. M. Randolph. It has large roots extending from the trunk several feet above the present level of the ground into the earth, showing that the tree has in the past been partially covered up by the drifting sand and that the sand has later shifted away from it. I could find no "X" mark on the trunk of this tree, but said trunk, notwithstanding the fact that the tree is still alive and growing, is partly hollow. By use of the transit and tape, and by following approved methods of surveying, I made accurate measurements and established the location of this mesquite tree with reference to the iron bar, iron rod, and flat iron as uncovered in the aforesaid excavation, and found said tree to be North 38 degrees 30 minutes West 62  $\frac{3}{5}$  varas from said iron bar, iron rod and flat iron just mentioned in A. M. Randolph's field notes.

111<sup>2</sup>

counter 40490

I further determined that the plane coordinates of the southwest corner of the P. B. Hill Pre-emption Survey, as marked by the surveyor Randolph, and found on June 26, 1944, are as follows, these coordinates being based on the Lambert projection for the Central Zone of Texas:

Y	X
275,364.99 varas	420,204.92 varas
764,902.75 feet	1,167,235.89 feet

T. A. McIVER

SUBSCRIBED AND SWORN TO by T. A. McIver before me this 20th day of April A. D. 1945.

(SEAL)

Ada Belle Zartman, Notary Public, Tarrant County, Texas

THE STATE OF TEXAS X  
COUNTY OF TARRANT I

BEFORE ME, the undersigned authority, on this day personally appeared T. A. McIVER, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN under my hand and seal of office, this 20th day of April A. D. 1945.

(SEAL)

Ada Belle Zartman, Notary Public, Tarrant County, Texas.

*Handwritten vertical text on left margin*

*Handwritten vertical text on left margin*

*Handwritten vertical text in center margin*

*Handwritten signatures and notary stamps on right margin*

111  
H

SKETCH FILE

File No. 15

WINKLER County

AFFIDAVITS

Filed Apr. 23<sup>rd</sup>, 1945

BASCOM GILES, Com'r

[Signature]  
File Clerk

AFFIDAVITS OF E. R. HILL  
AND T. A. McIVER AS TO  
ORIGINAL CORNERS P. B. HILL  
SURVEY BOX P-9708 &  
PLAIN COORDINATES OF SAME

SEE ORIGINAL IN BOX P-9708

(SEAL)

April 23, 1945

expressed

W.S.

counter 40792

that he recanted the same for the purpose of being sworn to the foregoing and acknowledged to me

expressed T. A. McIVER, known to me to be the person whose name is

BEFORE ME, the undersigned authority, on this day personally

COUNTY OF TARRANT X

THE STATE OF TEXAS X

(SEAL)

day of April A. D. 1945.

SUBSCRIBED AND SWORN TO by T. A. McIVER before me this 20th

T. A. McIVER

Notary Public, Tarrant County, Texas

My Comm. Expires Dec. 31, 1945

Notary Public, Tarrant County, Texas

My Comm. Expires Dec. 31, 1945

X

Central Zone of Texas:

these coordinates being based on the Lambert projection for the  
entire range of longitude and latitude are as follows:  
west corner of the P. B. Hill pre-emption survey, as marked by the  
I further determined that the plane coordinates of the south-