Kenneth E. Esmond & Associates 419 W. 5th St., Odessa, Texas January 23, 1962

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General Land Office

D-237

Mr. V.E. Sterzing, General Land Office, Austin, Texas

Dear Sir:

In regard to our recent correspondence concerning a survey and patent of Section 41, Block 73, PSL, Winkler County, Texas, we are submitting a work sketch with this letter for your approval, or for any changes you may recommend, before submitting the final field notes for patenting. We are sending our client, Mr. Charles Hooper of Farmersville, Texas, a copy of this letter, and will furnish him field notes as soon as we hear from your office. We are also enclosing photo-static copies of R.T. Bucy's field notes of adjoining surveys, as suggested by you in our telephone conversation some few weeks ago. We believe that our construction of this area is identical to the intentions of Mr. Bucy, and also conforms with the pattern used by Mr. Estes in the north part of Block 73. We will attempt to explain our construction in more detail below:

Block 73, PSL, was originally described by Dennis Corwin as "Beginning at the northwest corner of Block 11, University Lands, Thence S77°W, 6 miles, Thence S13°E, 8 miles, Thence N77°E, 6 miles, Thence N13°W, 8 miles to place of beginning". There are no other original field notes.

H.P. ESTES Surveys 103 and 104 were granted and patented on the west boundary of the north six sections of Block 73, being 626.2 varas wide at the north end of the block, and 600 varas wide at the south end of the scrap files, or north boundary of Section 42, Block 73.

University Block 11 was later surveyed and monumented by F.F. Friend, who set the west boundary of Block 11 on a northerly extension of the west boundary of Block 45, T & P Ry Survey, but was instructed to move his west boundary easterly 512.5 varas.

In 1929, R.E. Estes surveyed and patented Section 48, Block 73, making his east and south boundaries common with the adjacent T & P Ry sections. In the same year, R.T. Bucy surveyed Sections 31, 32, 33, 34, 39, 40, 42, 43, 44, 45, 46, 47, and others, in Block 73. Bucy called to set, generally, about two corners on each section. He was instructed by the General Land Office on March 27, 1930, to delete all physical calls in his field notes, in order to have patents issued. After complying with these instructions, patents were issued on all of these sections (see enclosed photo-static copies of Bucy's field notes, as recorded in Winkler County, Texas, and note his reference to instructions from the General Land Office on Page 164 of his field notes).

Bucy probably removed the corners he had set on these surveys after receiving the above instructions. There are iron pipes in now near the northwest corner of Section 42, northeast corner of Section 40, and southeast corner of Section 44, but none of these can be identified as his, they fit no pattern with each other, and all are too far south and somewhat too far west to fit his called construction.

Bucy's field notes of the above sections and his patent field notes of the South 2/3 of H.P. ESTES Survey 104, show that his intention was to use D. Boone's (he calls these Twichell's) original iron pipes at the northeast corner of Section 1 and southeast corner of Section 15, Block A-57, PSL, to determine the west boundary of Survey 104, and Sections 42 and 43, Block 73;

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that he intended for the southeast corner of Section 15, Block A-57, to be the southwest corner of Section 43, Block 73; that he intended the southwest corner of Survey 104 to be a common corner with Sections 7 and 8, Block A-57, and the northwest corner of Section 42, Block 73; and that he intended Sections 31, 32, 33, etc., to offset easterly 600 varas from corresponding corners with Sections 42, 41, 40, etc. His angular construction of these sections shows his north boundary of Sections 42, 41, 40, etc., is heading easterly almost exactly toward the southwest corner of Block 11, University Lands, as later set by Friend; and is very close to a westerly projection of the south boundary of Block 11.

In 1947 and 1948, R.E. Estes surveyed and patented Sections 1 thru 18, Block 73. He calls all sections 1900.8 varas long in E-W direction; however, the east boundary of H.P. ESTES Surveys 103 and 104 converge in a southerly direction with the west boundary of Block 11, University Lands; consequently, his surveys appear to be overlapping Survey 103.

Frank Friend called for an original rock mound at the north-west corner of Block 45, T-2-N, T & P Ry Survey, to be S15°19'E, 112.6 varas from the monument he originally set for southwest west corner of Block 45, T-2-N, T & P Ry Survey, to be S15°19'E, 112.6 varas from the monument he originally set for southwest corner of Block 11, University Lands. Estes called for the southwest corner of F.K. CAMPBELL Survey 1022, SF 12935, to be in the north boundary of Block 45, T-2-N, T & P Ry, and to be at the southeast corner of Section 36, Block 73. The west boundary of Survey 1022 is actually about 68 varas east of the west boundary of Block 11; however, Estes, in his patented survey of Section 48, and his survey of Section 37, which was not patented on his survey, was apparently setting the north boundary of Section 37 as a westerly projection of the north boundary of T & P Block 45, or south boundary of Survey 1022. This does not conform with his later patent surveys, made in 1947 and 1948, of the north three rows of sections (Sections 1 to 18, inclusive) of Block 73. He made these surveys 1900.8 varas in each direction, excepting Sections 1, 2, and 3, which absorbed some N-S excess due to a bend in the south boundary of Block A-54. The distance from his patented southeast corner of Section 13 southerly to Friend's southwest corner of Block 11 is 5710.7 varas, being 8.3 varas excess over 3 miles. Thus, if the south boundary of Section 36 is on the north boundary of Block 45, T & P, there would be about 120 varas excess in this 3 miles. On the other hand, placing the southeast corner of Section 1, Block 46, T-1-N, T & P, there would be a vacant strip lying north of Block 46, 73, had not been patented adjoining Section 1, Block 46, T-1-N, T & P, there would be a vacant strip lying north of Block 46, T-1-N. In his survey of Section 16, Block A-57, D. Boone did not call for adjoinder with Block 46, T & P.

We have set up the following construction for Surveying Section 41, Block 73:

(1) Called D. Boone's northeast corner of Section 18, Block A-57, the southwest corner of Block 73.
(2) Set northeast corner of Section 16, Block A-57, and southeast corner of Section 44, Block 73, on D. Boone's call of 2 miles and 90° angle from the northeast corner of Section 18, Block A-57.
(3) Set northwest corner of Section 42, Block 73, as common corner with southwest corner of Survey 104, and common corner with Sections 7 and 8, Block A-57, being ½ the distance between D. Boone's original iron pipes at the northeast corner of Section 18 and northeast corner Section 1. Block A-57. and northeast corner Section 1, Block A-57. (4) Ran from point set for northwest corner Section 42 toward

Friend's southwest corner of Block 11, making north boundary of Sections 42 to 37, inclusive, equal at 1905.5 varas each. (5) Made east boundary of Sections 41 and 44 equal.

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This pattern leaves an area for Sections 19 to 36, inclusive, that is 5709.2 varas on west side, 11,372.3 varas on north, 5710.7 varas on east, and 11,345.6 varas on south. Due to E-W shortage, this area is about 31 acres short of 18 full sections (11,520 acres).

We have found none of Estes' corners on the ground in Sections 37 and 48. His northwest corner of Section 37 was re-located by old windmill tie, and bears S75°ll'W, 1913.6 varas from the northwest corner of Block 45, T & P, as identified by F.F. Friend.

Actually, at the present time, we have Section 41 staked on the ground on a 90° angle off the east boundary of Block A-57, making Sections 42 and 41 1900.8 varas each in E-W direction, and 1904.8 varas in N-S direction, making the north boundary bearing N74°09'E; and giving a bearing of N74°14'E, 7631.5 varas, from the northeast corner Section 41 to the northeast corner of Section 37 as represented by Friend's concrete monument. This creates a 5 minute bend at the northeast corner of Section 41, and leaves all the E-W excess in the east 4 sections. We would, of course, be glad, with your approval, to leave it in this position.

Thank you for your attention to this matter.

Otha D raker Draper

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File No. 16 Winkler St File County Filed 1/26 1962 JERRY SADLER, Com'r By 1. E. Men 199 Surveyor's Report \$ 9 copies of W.T. Bucy's f.n. Jan. 23, 1962 Otha Draper -Kenneth E.Esmond \$ Associates

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Ansi λοπ YOUL' ttention

Actually, at the present time, we have Section the ground on a 90° angle off the east boundary of making Sections 42 and 41 1900.8 varas each in E-W MY4000'E; and giving a bearing of MY4014'E. 7031.5 WY4000'E; and giving a bearing of MY4014'E. 7031.5 the northesst corner Section 41 to the morthreast creates a 5 minute bend at the northesst corner of and leaves all the E-W excess in the east 4 sectio of course, be glad, with your approval, to leave i position.

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SURVEY 44, Block 73, Public School Lands Winkler County, Texas.

COUNTY OF WINKLER

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Field Notes of the survey of 640 acres of land, which is all of Survey 44, Block 73, Public School Lands, Winkler County, Texas, said survey being situated about 16 miles N 51° E from Kermit, Texas, made for the present owner in accordance with an act of the legislature of Texas authorizing the licensing of State Land Surveyors, a proved July the 28th, 1919.

Beginning at a two-inch isom pipe the SW corner of Survey 45, this Block, for the SE corner of this survey from which windmill at the Guy Cowden ranch house on Burvey 45, bears N 21° 40' E, and another windmill at Double Wells bears N 36° 59' W.

Thence S 74° 50' W. 1900.8 varas to a listicate from the SW corner of this survey.

Thence N 15° 10° W. 1900.8 varas to a point the NW corner of this survey. Thence N 74° 50' E, 1900.8 varas to a point the NE corner of this survey. Thence S 15° 10' E, 1900.8 varas to the place of beginning, containing 640 acres of land.

Surveyed November 19, 1929.

Hugh Dorsey | Chain Tom White | Carriers

D-237 164

I, R. T. Bucy, a Licensed Land Surveyor of Texas, here by certify that the foregoing described survey was made by me on the ground, according to law, on the date and with the chain carriers aforesaid, and that all the corners, lines, boundaries, marks, both natural and artificial, are truly and correctly described and set forth in the foregoing field notes.

(Seal)

R. T. Bucy R. T. Bucy Licensed Land Surveyor of Midland Constr., Texas.

Filed and duly recorded in the Surveyors Records of Winkler County, Texas, Volume 2, page 164, this the 25th day of November 1929.

RI Bury

Licensed Land Surveyor of Midland County Texas.

Note: The calle for objects are the ground are stricken from the above and following rolas, by order from the Sen sand office, to me balld Mar. 27- 1930 Surveyor Millard

File No. <u>16</u> <u>Winkler</u> County <u>5k File</u> Filed <u>1/26</u> 1962 JERRY SADLER, Com'r By <u>VERTER</u>

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Survey 43, Block 73, Public School Lands Winkler County, Texas.

COUNTY OF WINKLER

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Field Notes of a survey of 640 acres of land, which is all of survey 43, Block 73, P. S. L. Winkler County, Texas, said survey being situated about 15 miles N. 50 E of Kermit, Texas, made for the present owner in accordance with an act of the Legislature of Texas Authorizing the licensing of State Land Surveyors, approved the 28th day of July, 1019....

Beginning at a 12 inch iron pipe the SW corner of Survey 44, and is the SE corner of this survey.

Thence S 74° 50' W. 1900.8 varas to an iron pipe marked SW B=73, B=57(Twitchell's) for the SW corner of this survey.

Thence N 15° 15' W 1900.8 varas to a vagou thinkle for the NW corner of this survey. Thence N 74° 50' E, 1900.8 varas to a point the NE corner of this survey. Thence S 15° 10' E, 1900.8 varas to the place of beginning containing 640 acres of land.

Surveyed November 19, 1929.

Hugh Dorsey | Chain Tom White | Carriers

I, R. T. Bucy, a Licensed Land Surveyor of Texas, here by certify that the foregoing described survey was made by me on the ground according to law, on the date and with the chain carriers aforesaid, and that all the corners lines, boundaries, marks, both natural and artificial are truly and correctly described and set forth in the foregoing field notes.

(Seal)

R. T. Bucy R. T. Bucy Licensed Land Survey of Midland, Texas.

Filed and duly recorded in the Surveyors Records of Winkler County, Volume 2, page 165, this the 5th day of November 1929.

Licensed Land Surveyor of Midland County, Texas.

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SURVEY 42, BLOCK 73, Winkler County Texas.

COUNTY OF WINKLER

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Fields notes of a survey of 64D acres of land, which is all of survey 42, Dlock 73, Winkler County, Texas, said survey being situated about 16 miles N 50° E, from Kermit, Texas, made for the present owner in accordance with an act of the Legislature of Texas, authorizing the licensing of State Land Surveyors, approved the 36th day of July, 19#9.

Beginning at the wagon thinble set in the Pline of Block 1-57 the NW corner of Survey 43, this Block for the SW corner of this survey.

Thence, N 15° 16' W 1900.8 varas to a the first for the NW corner of this survey.

Thence, S 15° 10' E, 1900.8 varas to a point the SE corner of this survey. Thence, S 74° 50' W, 1900.8 varas to the place of beginning, containing 64D acres of land.

Surveyed November 19, 1929.

Hugh Dorsey | Chain Tom White | Carriers

D-2-37

I, R. T. Bucy, a Licensed Land Surveyor of Texas, hereby certify, that the foregoing described survey was made by me on the ground, according to law, on the date and with the chain carriers aforesaid, and that all the corners, lines, boundaries, marks both n tural and artificial, are truly and correctly described and set forth in the foregoing field notes.

(Seal)

R. T. Bucy

T. Bucy Licensed Land Surveyor
 of Midland Texas.

Filed and duly recorded in the Surveyors Records of Winkler County, Texes, Volume 2, page 166 this the 25th day of November 1929.

RT Brey

Licensed Land Surveyor Midland County Texas.

counter to 500

STATE OF TEXAS. COUNTY OF WINKLER. A SUBDIVISION OF SURVEY 40 ,BLOCK 73, PUBLIC SCHOOL LAND, WINKLER COUNTY, TEXAS.

FIELD NOTES, of the survey of 320 acres of land, which is the West bne half of Survey 40, Block 75, Public School land, Winkler County, Texas, said survey being situated about 17 miles N 52° E from Kermit, Texas, made for the present owner in accordance with an act of the Legislature of Texas authorizing the licensing of State land Surveyors, approved July the 28th 1919.

Beginning at **the NE conner** of Survey 41. for the NW corner of this survey.

Thence S 15° 10° E 1900.8 varas to a point the SW corner of this survey. Thence N 74° 50' E 950.4 varas to the center of the N lineof this survey for the SE corner of this tract.

Thence N 15° 10' W 1900.8 varas to the center of the N linefor the NE corner of t is tract.

Thence S 74° 50' W 950.4 varas to the place of beginning containing 520acres the West one-half of this survey.

Surveyed November21, 1929.

Hugh Dorsey. Tom White.

I. R. T Bucy a Licensed land Surveyor, of Texas, hereby certify that the foregoing described survey was made by me on the ground, accor ing, to law, on the date and with the chain carriers aforesaid, and that all the corners, lines, boundaries, marks, both natural and artificial, are truly and correctly described and set forth in the foregoing field notes.

(seal)

R.T.Bucy R.T.Bucy, Licensed Land Surveyor of Lidland. Texas.

CHAIN CARDIERS.

Field and duly recorded in the Surveyors Records of Winkler County, Sexas, volume - 2 page 174, this the 25th day of November 1929.

Bucy Licensed Land Surveyor of ... Idland

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Count y, Texas.

STATE OF TEXAS. COUNTY OF WINKLER. A SUBDIVISION OF SURVEY 40, BLOCK 73, FUBLIC SCHOOL LAND WINKLER COUNTY, TEXAS.

FILED NOTES of the Survey of 320 acres of land, which is the East one-half of Survey 40, Block 73, Public School lands, winkler County, Texas, said survey being situated about 17 miles N 52° E from Kermit, Texas, made for the present owner in accordnace with an act of the Legislature of Texas authorizing the licensing of State Land Surveyors, approved July the 28th 1919.

Beginning at an iron pipe the NW corner of Survey 39, for the NE corner of this tract.

Thence S 15° 10° E 1900.8 varas to a point the SE corner of this survey. Thence S 74°50' W 950.4 varas to a point the center of the South line of the Surve for the SW corner of t his tract. Thence N 15° 10 ' W 1900.8 varas to a point the center of the N line of this survey for the NW corner of this tract.

Thence N 74° 50 ' E 950.4 varas to the pointof beginning containing 320 acres, the East one half of Survey 40;

Surveyed Nov mber 21, 1929.

173

Hugh Dorsey CHAIN CARRIERS . Thom White.

D-237

I, R. T.Bucy, a Licensed Land Surveyor, of Texas, hereby certify that the foregoing described survey was made by me on the ground, according to law, on the date and with the chain carriers aforesaid, and that all the corners, lines, boundaries, marks, both natural and artificial, are truly and correctly described and set forth in theforegoing field notes.

R.T.Bucy

R. T.Bucy Licensed Land Surveyor of -idland, Texas.

Filed and duly recorded in the urveyors Records of Winkler County, Texas, volume 2, page 173, this the 25th day of November. 1929.

RIS Licensed Lan Surveyor of Midland County, Texas.

STATE OF TEXAS. COUNTY OF WINKLER.

SURVEY 39, BLOCK 73, PUBLIC SCHOOL LANDS, WINKLER COUNTY, TEXAS.

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FIELD NOTES. on the survey of 640 acres of land, which is all of survey 39, Block 73, Public School lands, Winkler County, Texas, said durvey being situated about 18 miles N 52° for Kermit, Texas, made for the present owner in accordance with an act of the Legislature of Texas authorizing the licensing of State Land Surveyors, approved July the 28th , 1919. Beginning at an ison pipe in the SW corner of this survey and the SP corner of Survey 40, this block .

Thence 5 15°10' E 1900.8 varas to a point the SE corner of this survey. Thence . S 74°50' W 1900.8 varas to a point the SW corner of this survey. Thence N 15°10' W 1900.8 varas to theplace of beginning, containing 640 acres of land.

Surveyed November 20, 1929.

Tom white Chain Carriers. I. T. T. Pucy, a Licensed Land Purveyor of Texas, her by certify that the foregoing described survey was hade by me on the ground, according to law on the date and with the chain carriers aforesaid, and that all the corners, lines, boundaries, marks, both natural and artificial, are truly and correctly described and set for the in the foregoing field notes.

(Sod)

R.T. Bucy

Hugh Dorsey)

R. T. Bucy Licensed Land Surveyor of Micland Texas.

(seal)

Filed and duly recorded in the Surveyors Records of Winkler County, Texas, volume 2, age 175 this the # 25th day of November 1929.

K) 1 toret

Licensed Land Surveyor of Midland, County Texas.

COUNTY OF WINKLER

Survey 33, Block 75. Public School Lands, Winkler County, Texas. 0-237 168

Field Notes of the survey of 640 acres of land, which is all of Survey 33, Block 73, P. S. L., Winkler County, Texas, said survey being situated about 17 miles N 50° E from Kermit, Texas, made for the present owner in accordance with an act of the Legislature of Texas, authorizing the licensing of State Land Surveyors, approved the 28th day of July, 1929.

Beginning at a Roint the NW corner of this survey, one Limestone-marked off 28, B-79,

Thence S 15° 10' E 1900.8 waras to an income the of road for the SW corner of this survey and the SE corner of Survey 32, this Block.

Thence N 74° 50' E, at 50 varas conter of road and in all 1900.8 varas across foulle high send hills to a Planut is a the SE corner of this survey and the S SW corner of Survey 34, this Block.

Thence N 15° 10' W. 1900.8 varas to a windstig only for the NE corner of this survey. Thence S 74° 50' W, 1900.8 waras to the place of beginning, containing 640 acres of land Hugh Dorsey 0 Chain Tom White 0 Carriers

Surveyed November 19, 1929.

I, N. T. Bucy, a Licensed Land Surveyor of Texas, hereby certify that the foregoing described survey was made by me on the ground, according to law, on the date and with the chain carriers aforesaid, and that all the corners, lines, boundaries, marks, both natural and artificial, are truly and correctly described and set forth in the foregoing field notes.

(Seal)

R. T. Bucy R. T. Ducy Licensed Land Surveyor of Midland, Texas.

Filed and duly recorded in the Surveyors Recordsof Winkler County, Volume 2 page 168 this the 25th day of November 1929.

Bucy

Livensed Land Surveyor of Midland County, Texas.

counter 40504

SURVEY 32, BLOCK 73 FUBLIC SCHOOL LANDS. STATE OF TEXAS. COUNTY OF WINKLER. WINKLER COUNTY, TEXAS.

FIELD NOTES of/Survey of 640 acres of land, which is allof survey 32, Block 73, P. S.L., Winkler County, Texas, said survey being situated about 17 miles No 50° E of Kermit, Texas, made for the present owner in accordance with an act of the Legislature of Texas, authorizing the licensing of State land Surveyors, approved on the 28th day of July 1919,

Beginning at a char inch line pip the NW corner of this survey and the ME corner of Survey 31, this Block in high sand hills.

Thence S 15° 10' E 1900.8 varas to a point the SW corner of this survey. Thence N 74° 50' E 1900.8 varas to a 12 inch iron pipe on the state -france the SE corner of this survey and is the SW corner of Survey 33. Thence N 15°10' W 25 wards genter af road in all 1900.8 varas to a steel ber and three emelt limestones, gits marked on 28, B -73, for the NE corner

of this survey.

Thence 5 74° 50' W 1900.8 varas to theplace of beginning containing 640

(Sure)

Surveyed November 19, 1929. Hugh Dorsey Tom White . I, R.T. Bucy, a Licensed land Surveyor of Texas, hereby certify that the foregoing described survey was made by me on the ground, a cording to law on the date and with the chain carriers aforesaid , and that all the corners, lines, boundaries, marks, both natural and artificial, are truly and correctly described and set forth in the foregoing field notes.

R.T. Bucy

R. T. Bucy Licensed land Surveyor Of Midland, & Texas.

D-237

Filed and duly recorded in the Surveyors Records of Winkler, Volume-2 page 171, this the 25th day of November 1929.

> Licensed Land Surveyor of Midland County, Texas.

> > counter 40505

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COUNTY OF WINKLER. () SURVEY 31, Block 73, Public School land Winkler, County Texas.

Field Notes of a survey of 64@ acres of land, which is allof survey 31, Block 75, P.S2L Winkler County, Texas casid survey being situated about 17 miles N 49°Efrom Aermit, Texas, made for the present owner, in accordance with an act of the wegislature of Texas Authorizing the licensing of State land surveyors approved the 20th day of July 1919.

Beginning at the SW corner of this Survey whence a two inch iron pl-e at

Thence N 74% 50' E at 1500. A read pass the We corner of Same 48, in all

Thence N 15° 10' W 1900.8 varas - The second of this survey.

Thence S 74° 50' W 1900 varias to survey another MW corner of this survey anothe $\Im_{\mathbf{W}}^{\mathbf{v}}$ corner of Survey 30 this block.

Thence Slar for E 1900 acres to theplace of beginning containing 640 acres of land.

urveyed November 19, 1929.

Hugh Dorsey.

Tom White CHAIN CARRIERS.

D-237 182

I. R.T.Bucy, a ricensed rand Surveyor, of lexas hereby certify that the forecoing described survey was made by mean theground, a coraing to law, on the date and with the chain carriers aforesaid, and that all the corners, lines, boundaries, marks, both natural and artificial, are truly an correctly described and set forth in the forecoing field notes.

R.T. Bucy

(seal)

Midland. -exas.

Field and duly recorded in theSurveyors, records of Winkler County, Texas, Volume 2 page 182 this the 25th day of November 1929.

Licensed Land Curveyor of Lidland

Licensed Land Surveyor of Midland County, Texas.

R.T. Bucy -icensed Land Surveyor of

File No. <u>16</u> <u>Winkler</u> County <u>Sk File</u> Filed <u>126</u> 1962 IERRY SADLER, Com'r By <u>Harris</u> #9 of 9 RECEIVED JAN 26 1962 General Land Office counter 40507