



Job No. 20913

P.O. BOX 6355, 2725 SWANTNER
 CORPUS CHRISTI, TEXAS 78411 PHONE 854-3101

October 5, 1983

Gary Mauro, Commissioner
 General Land Office
 1700 North Congress Avenue, Room 812
 Austin, Texas 78701

Attention: Herman Forbes, Director
 Surveying Department

Report on shoreline survey of 37.05 acres of land out of the E. Kilpatrick Survey, Abstract 93 and the Anselmo Bergara Survey, Abstract 14, Aransas County, Texas:

This tract is bounded on the North by Copano Bay and on the South and a portion of its West side by Puerto Bay and the owner wants approval of the shoreline boundary from the General Land Office.

EXHIBITS

- 1.) Tobin aerial photo, 1141-2-17, 1930. Two photos are included. One is at approximate scale of 1" = 1480' and the other at approximate scale of 1" = 200'.
- 2.) Tobin aerial photo, 5842-7-108, 1958. Two photos are included. One is at approximate scale of 1" = 3130 feet and the other is approximate scale of 1" = 400'.
- 3.) Copy of Bayside, Texas Quadrangle 1979 and Rockport Quadrangle, 1979.
- 4.) Glasson Lammon Aerial Photo 8782-1, dated September 10, 1982
- 5.) Glasson Lammon Aerial Photo 7483-3, dated May 1983. This photo has been cut and retaped on the East edge. I was trying to match with No. 4 to check my survey but could not make the scale or even the curve match. Both photos are somewhat distorted. I determined the scale by control points to be 1" = 190' instead of 1" = 200' but it is not uniform.

On this survey I used elevation 0.64 feet, N.G.V.D. for the shoreline boundary. This was the same elevation used on a survey which you approved by letter dated May 10, 1979 and filed as Nueces County Rolled Sketch No. 19

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and on a survey approved by letter dated September 1, 1983 and filed as Nueces County Rolled Sketch No. 25

The shoreline of Copano Bay and the East shoreline of East Pass are well defined shorelines and the land adjoining this shoreline is at an elevation of 5.0 feet more or less. On the North side of the point and near the West end there has been some dredging and/or erosion to create a boat basin. A part of this dredged material was used to fill in a portion of Copano Bay. For the shoreline boundary of Copano Bay through this area I scaled from the 1930 and 1958 photos (Exhibits 1 and 2) as near as possible. I believe I am within 40 feet of the original line before changes were made.

The area on Puerto Bay at Port R.M. No. 2 varies in elevation from about 3 feet to 1.5 feet. I have enclosed one fairly large area of water which has a bottom elevation of about -0.4 feet. This was a pond in 1930 and although it is now connected to the Bay it was within the original fieldnotes of the A. Bergara Survey so I think it should be included within the survey. The Southerly portion of this area has several narrow channels with a bottom elevation of -0.4 feet. The dashed line on the survey South of this area is the Southerly edge of a strip of grass which is approximately the South boundary of the land in 1930 and 1958 (see Exhibit 1 and 2). I did not include the large area of water North of this line even though it appeared to be unconnected with Puerto Bay in 1930 and 1958.

In the center of the Peninsula I have included a large area of marsh land without attempting to run out the 0.64 foot. This portion, where the land is above water varies from elevation 1.0 foot to elevation 1.4 feet, and the bottom of the water channels is about -0.4 feet. You can see on the 1983 photo (Exhibit No. 5) that a portion of this is water. It would be very difficult to attempt to run out the portions which are water and which are land any my client is willing to compromise. I think that all the land which is above mean high tide (0.64 feet) should belong to the landowner since it was included within the original Anselmo Bergara Survey. I have drawn the boundary of this portion along a line which appears to be the Southeasterly boundary of the upland as shown on the 1930 photo (Exhibit No. 1) except that I cut off one peninsula. This line still appears to this day (see Exhibit No. 5) and this is the line that was run. The dashed line is the approximate 1930 and 1958 shoreline as it appears today.

I have read the original and corrected fieldnotes for the Anselmo Bergara Survey along with the surveyor report and letters in SF 15281. I agree with you, that the fieldnotes included all the Peninsula to East Pass, but the

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Commissioner at the time evidently felt there was some doubt and from the file contents it seems that the ambiguity has not been resolved. My client intends to build an expensive house or houses on this land and I would like to have your position clarified if possible. Is there anyway this can be done?

Clint Sumrall visted this site with me a couple of weeks ago but was unable to stay very long because he had to catch a plane, so mabe you will want to see it again. I'll be gone on vacation until the 25th of October.

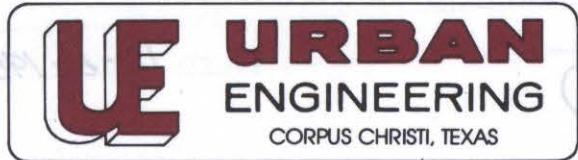
URBAN ENGINEERING

George M. Pyle

George M. Pyle,
R.P.S. L.S.L.S.

GMP/crm
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P.O. BOX 6355, 2725 SWANTNER
CORPUS CHRISTI, TEXAS 78411 PHONE 854-3101

October 6, 1983

Gary Mauro, Commissioner
General Land Office
Room 812
1700 North Congress
Austin, Texas 78701

Attention: Herman Forbes, Director
Surveying Division

Dear Herman:

I am herewith transmitting a shoreline survey with exhibits of a 37.05 acre tract of land out of the E. Kilpatrick Survey, Abstract -93 and the Anselmo Bergara Survey, Abstract-14, Aransas County, Texas for approval of the shoreline boundary.

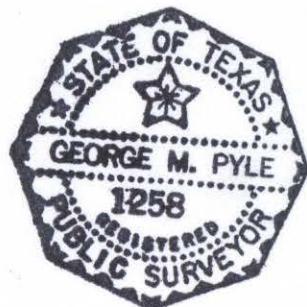
This survey contains some low land which is subject to occasional inundation but is still above mean high tide. There is a portion of artificially filled land adjoining this survey for which the owner would like to trade some of the low land. I think you have told me that this is possible.

Sincerely,

URBAN ENGINEERING

George M. Pyle
R.P.S. L.S.L.S.

GMP/crm
Enclosure



cont'd 76435

Garry Mauro
Commissioner
General Land Office



PS 20913-A
28PI-3-01
(293-76436)

March 12, 1984

Urban Engineering
P. O. Box 6355, 2725 Swantner
Corpus Christi, Texas 78411

Attention: George Pyle

Re: Your Job No. 20913, Aransas County,
Shoreline Survey of Rattlesnake Point
out of the Anselmo Bergara and E.
Kilpatrick Surveys.

Gentlemen:

The Shoreline survey as submitted by your letter dated October 6, 1983, with plat and exhibits, is accepted as the correct line between State owned submerged land and upland privately owned.

The items have been filed in this office as Aransas County Rolled Sketch Number 27.

Sincerely yours,

Herman Forbes
Herman Forbes
Associate Director, Surveying Division

HF/dc