

Hunt County

¶

7248 vs.

¶

Tuesday, March 27, 1913.

Rockwall County.

¶

Now on this day this cause being called, came the plaintiff and the defendant by their attorneys, and announced ready for trial, and no jury being demanded, the matters of fact as well as of law, were submitted to the Court, and the Court, after hearing the evidence and argument of counsel, and having duly considered the same, is of the opinion that the law is for the plaintiff, and the Court finds that the boundary line between the plaintiff, Hunt County, and the defendant, Rockwall County, has never been legally established and marked on the ground, and that from the evidence said boundary line should begin at the S. E. corner of Collin County, as established by M. H. Byrne and H. Y. Kincy in 1886, and run due South to the Northern boundary line of Kaufman County, as established by H. Y. Kincy and H. W. Kyser in 1892, and as marked on the ground by them, and that said line should be the true boundary line between plaintiff and defendant.

The Court further finds that a survey is necessary to locate and mark said line upon the ground.

It is therefore ordered, adjudged and decreed by the Court that the true boundary line between plaintiff and defendant counties is a line to be run as before stated, from the present S. E. corner of Collin County due South to an intersection with the Northern boundary line of Kaufman County, as established by Kincy and Kiser as aforesaid; that H. Y. Kincy is appointed special surveyor for Hunt County, and John S. Mason is appointed special surveyor for Rockwall County, and that they proceed to survey, establish and mark said line by beginning at the S. E. corner of Collin County as hereinbefore directed, and to run a due South line to the Northern boundary line of Kaufman County as hereinbefore directed; that they put up a post of bois d'arc or cedar wood or iron at the end of each mile of said survey; that they also give the location of said line with reference to the boundaries of the surveys intersected by it, with the number of acres of each survey on either side of said line; that they accompany said report with a plat showing said line, which said report shall be made to this court at its next regular term.

It is further ordered that the costs of this suit up to this time be

(2)

paid by the parties, plaintiff and defendant, each paying one-half thereof, and that the expense of surveying and marking said line shall be paid one-half each by said counties, the same to be by the clerk of this court certified to by the respective Commissioners Courts of said counties for payment.

Hunt County,

§

In the District Court of

No. 7248, vs.

¶

Fannin County, Texas.

Rockwall County.

¶

August 20, A. D. 1913.

Now on this day this case being called came on to be heard the report of H. Y. Kincy and J. G. Mason, surveyors appointed at the last term of this court to survey and mark the boundary line between Hunt County and Rockwall County, which said report was filed herein on the 24 day of July, 1913.

And the Court having examined said report and having duly considered the same, is of the opinion that said survey was properly made and that said report should be approved.

It is therefore ordered, adjudged and decreed that said report be and is hereby in all things approved, and that it be recorded in the Minutes of the Court and that the boundary line described therein be and is hereby established as the true boundary line between Hunt County, Texas, and Rockwall County, Texas, and shall hereafter be regarded as the true boundary line between said counties.

It is further ordered that a certified copy of said report, together with a certified copy of this decree, and a certified copy of the original decree herein, be, by the Clerk of this Court, sent to the Commissioner of the General Land Office of the State of Texas for his observance.

It is further ordered that the cost of entering this decree and recording said report, and the cost of said certified copies be paid by the plaintiff and defendant, each county paying one-half, for which let execution issue.

The surveyors report called for in the above decree is as follows:

Hunt County : In the District Court of Fannin County,
 No. 7248. vs. : Texas. Summer Term, 1913.
 Rockwall County. :

TO THE HONORABLE BEN H. DENTON, JUDGE OF SAID COURT:

H. Y. Kinoy and J. S. Mason, surveyors, heretofore appointed in this cause to survey, determine and mark the boundary line between the plaintiff, Hunt County, and the defendant, Rockwall County, beg leave to report herein as follows:

We met on the 26th day of May, 1913, at the Southeast corner of Collin County as established by M. H. Byrne and H. Y. Kinoy in 1886, as indicated by a large Bois d'arc post in the middle of County line road between Rockwall and Collin Counties and on the North line of the R. Mead Survey and ⁵⁸⁸~~622~~ varas East from the N. W. corner of the same. Said Bois d'arc post is marked H. W. E. on East side and S. E. C. on West side and is ⁵⁰⁹~~502~~ vrs. West of the N. E. corner of the R. Mead Survey.

1st Mile.

Thence running South (magnetic variation N. 9° 33' E) at 1344 varas intersect the S. B. line of the R. Mead Survey, ⁶⁰⁵⁻~~622~~ varas East from its S. W. corner, and ^{492.}~~522~~ varas West of its S. E. corner; also 968.4 varas East of the N. W. corner of the J. W. F. Stone Survey, and 649.6 varas West of the N. E. corner of the same; at 1350 varas set intermediate iron post marked H on East side and R on West side on the South margin of public road; at 1900.8 varas set 1st mile post, an iron pipe marked H on East side, R on West side and 1 M on North side, in Frank Myers ~~area~~ ~~and 1 H on North side, in~~ pasture, large square post bears West 48 3/4 ft.

2nd Mile.

Thence continuing South crossing small branch several times at 1351.4 varas set intermediate iron post marked H on East side and R on West side in S. W. corner of Neil Cornelius'

Rockwall Co. Bdry Line 10

field; at 1357.9 varas, the South boundary of the J. W. F. Stone Survey 968.4 varas E. of its S. W. corner, and 649.6 varas West of its S. E. corner; also 968.4 varas East of the N. W. corner of the H. T. Chenoweth Survey and 424 $\frac{3}{10}$ varas West of the Western N. E. corner of the survey same, also 91 $\frac{1}{2}$ varas E. of the N. W. corner of W. H. Adams' tract of land out of said Chenoweth survey; at 1900.8 varas set 2nd mile post an iron pipe marked H on East side, R on West side and 2 M on North side, on East side of branch in W. H. Adams' pasture.

3rd Mile.

Thence continue South at 514.4 varas the S. E. line of said Chenoweth Survey and the N. E. line of the T. W. Woods Survey 598.3 varas West from the N. E. corner of said Woods Survey, same being an inside corner of said Chenoweth Survey, and 968.4 varas East of the S. W. corner of said Chenoweth Sur; at 1484.4 vars. the S. E. line of said Woods Survey 598.3 varas West from its S. E. corner, and the N. E. line of the J. T. Griggs Survey, 324 varas West from its N. E. corner; at 1900.8 varas set 3rd mile post, an iron pipe marked H on East side, R on West side and 3 M on North side in Dr. Williamson's field.

4th Mile.

Thence continue South at 502.9 varas the S. E. line of said Griggs Survey, 324 varas West of its S. E. corner, also the N. E. line of the James G. White Survey 78 varas West of its N. E. corner; at 508.3 varas set intermediate iron post marked H on East side, R. on West side on the South side of public road; at 1097.9 varas the S. E. line of said White Survey, 78 varas West of S. E. corner of the same, also the N. E. line of the Mary Walden Survey, 324 varas West of its Eastern N. E. corner; at 1170.9 varas the S. E. line of said Walden Survey 203 varas West of an inside corner of same, also the N. E. line of the L. H. Ashcroft Survey 203 varas West of its N. E. corner at 1782 varas the S. E. E. line of C. A. Herndon's 101 $\frac{4}{5}$ acre tract of land 458 varas S. W. from the East or S. E. corner of same at 1900.8 varas set 4th mile post, an iron pipe marked H on East side, R

on West side, and 4 M on North side, in J. C. Parson's pasture.

5th Mile.

Thence continue South 91.2 varas the S. E. B. line of the L. H. Ashcroft Survey 287 varas S. W. from the S. E. corner of same, also the N. W. B. line of the Wm. Mason League and Labor Survey 932 varas N. E. from its West corner, at 540 varas middle of lane course N. E. & S. W. at 936 varas a branch, at 1163.2 varas the S. E. B. line of S. W. Nowlain's 80 acre tract of land 99 varas S. W. from its East corner, at 1224 varas Sabine River, at 1409.2 varas the N. E. B. line of Sam'l McFadgin Survey 932 varas S. E. from its North corner and the West corner of the Wm. Mason's Survey; at 1615 $7/10$ varas middle of public road course N. E. & S. W., at 1626 $8/10$ varas set intermediate iron post marked H on East side and R on West side, on S. E. side of public road; at 1900.8 varas set 5th mile post in _____ Martin's field on West side of Sabine Valley

6th Mile.

Thence continue South at 894 $1/4$ varas set intermediate Bois d'arc post on N. E. side of road 34 $2/10$ varas S. E. from its intersection with road to S. W. at 1548 varas point East of Manson and a few feet West of barn at 1809 varas a F & A Elm 7" dia. marked H on E side and R on West side in bed of small branch at 1900.8 varas set the 6th mile post in J. H. Myer's pasture.

7th Mile.

Thence continue South at 79 $9/10$ varas set intermediate Bois d'arc post on N. E. side of road, course S. E. & N. W. at 85 $7/10$ varas middle of said road, at 972 varas pass about 67 varas East of Newton pool, at 1551.6 varas fence on N. W. B. line of Hill's pasture 58 varas N. E. of its N. W. inside corner; at 1900.8 varas set 7th mile post marked H on E side, R on West side and 7 M on North side, in Hill's field.

8th Mile.

Thence continue South at 640 $8/10$ varas a branch, at 1440 branch, at 1639 $1/10$ varas pass 3 $1/10$ feet East of center of an

Elm tree marked R, at 1647 varas the N. W. B. line of the John J. Rial's Survey 932 varas N. E. of the West corner of the same, at 1900 $\frac{8}{10}$ varas set the 8th mile post in Morgan's field.

9th Mile.

Thence continue South at 58 varas A. A. Reese's fence line course N. E. & S. W. at 1067 $\frac{4}{10}$ varas middle of league road 932 varas S. E. from the West corner of the John J. Rial Survey and the North corner of the E. Graves survey, also 91 $\frac{4}{10}$ varas N. W. from the West corner of Mary Cummings 100-acre tract of land out of the said Rial's Survey; at 1079 $\frac{1}{4}$ varas, set intermediate Bois d'arc post on S. W. side of road, at 1900.8^m varas set the 9th mile post, an iron pipe marked H on East side, R on West side and 9 M on North side, in C. Zollners field.

Thence continue South at 336 $\frac{6}{10}$ varas High Point, passing West of C. Zollners house and 2 ft. East of his barn, at 637 $\frac{2}{10}$ varas cross East point at Zollner's pool, at 1189 varas the Southwest corner of Hunt County, from which a galvanized 2-inch iron pipe marked S. W. H. on N. E. side and R on the West side bears North 3 varas; said corner is 313 $\frac{2}{10}$ vars. East of the 13th mile post on S. B. line of Hunt County as run by Kyses and Kincy in 1892, and is also 2038 varas West of the point where said line intersects the N. E. B. line of the E. Graves Survey.

Chain Carriers:

Hal Benbrook.

Fred H. Moulton.

H. Y. Kincy
Surveyor.

Flagmen:

Philip Salter,

J. T. Reeves.

John S. Mason
Surveyor.

THE STATE OF TEXAS, :

Fannin County. :

I, L. L. Peterson, Clerk of the District Court in and for Fannin County, Texas, do hereby certify that the foregoing are true and correct copies of the original decree, the report of the surveyors, the decree confirming report of surveyors, in cause No. 7248, Hunt County vs. Rockwall County, in District Court of Fannin county, Texas, as appears of record in Book O, pages 640 to 641, and in Book P, pages 10 to 14, Minutes of said Court.

Witness my hand and seal of office at Bonham, Texas, this the 2 day of September, A. D., 1913.

L. L. Peterson
Clerk of the District Court Fannin
County, Texas.

L. L. PETERSON, Clerk

BEN H. DENTON, Judge
R. T. LIPSCOMB, Attorney

DISTRICT COURT FANNIN COUNTY

Sixth Judicial District

REGULAR TERMS: } 1st. Monday in February
 } 3rd. Monday in August

2614

BONHAM, TEXAS May the 28th. 1914.

Sir I received your s of 23 Inst

and will say the surveyors report dos not give the amount of acres atall
I will send you the plat of the surveyors so you can see for your self
please send it back when you get through with it yours truly

L. L. Peterson

1123
30

RECEIVED

JUN 1 1914

Referred to Map

12

1 ante 58447

1218

COLLIN COUNTY

N.E. Corner ROCKWALL COUNTY

588 Vrs. 509 Vrs.
RICHARD MEAD, Survey. 1344

ROCKWALL COUNTY

HUNT COUNTY

605 Vrs. Road 492 Vrs.

968.4 Vrs. 649.6 Vrs.
1. M.
J. W. F. STONE, Survey. 1914.7

968.4 Vrs. 649.6 Vrs. Road

968.4 Vrs. 424.3 Vrs.
2. M.
H. T. CHENOWETH, Survey.

950 Vrs. 970
T. W. WOODS, or W. A. BROWN, Survey.

598.3 Vrs. 324 Vrs.
1229 Vrs. 919
J. T. GRIGGS, 3 M. Survey.

529 Vrs. 324 Vrs. 78

864 Vrs. 78
J. G. WHITE, Survey. DAL RYMA PLE, Sur.

MARY WALDEN Survey 324 Vrs.

1280 Vrs. 203. 121 578
L. H. ASHCROFT, Survey. 620 4167 Vrs. 14 M.

932 Vrs. Lane

WILLIAM MASON, League & Labor Survey.

Branch.
S. J. Mountain tract, Sabine River
Martin farm.
Road 5 M.

Reed Road
MUNSON

F. & A. Elm, on Branch. 6 M.

SAMUEL McFADGIN, League & Labor Survey.

NEWTON, POOL.

58 Fence
7 M.

Branch.

8 M. Fence

JOHN J. RIAL, League & Labor Survey.

LEAGUE LINE ROAD
Mary Cummings 100 a. Tract.

2681.4 Vrs.

833.4 Vrs.

1189 Vrs.

ROCKWALL, COUNTY.

HUNT COUNTY.

E. GRAVES, League & Labor Survey.

659 Vrs.

2038 Vrs.

Copy of original furnished this office May 28, 1914 by L. L. Peterson, Clerk, Dist. Court, Fannin Co. See letter attached to Copy of Decree of Court herewith.

KAUFMAN COUNTY.

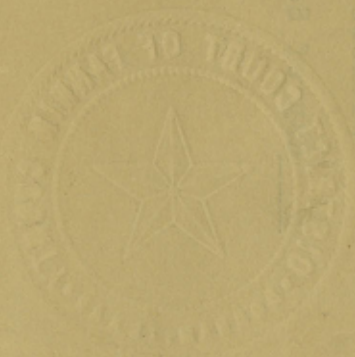
case 58448

Rockwall Co Bdry Line 10

File ~~13~~
HUNT COUNTY

Decree of Court
Establishing Boundary
between HUNT and
ROCKWALL COUNTIES.

Filed Sept. 12, 1913,
J. T. Robinson, Court



Rockwall Co. Bdry. Line #10
6/19/23