

NO. 6565

WALKER COUNTY

VS.

SAN JACINTO COUNTY.

IN THE DISTRICT COURT

OF  
HOUSTON COUNTY, TEXAS.

On this 12<sup>th</sup> day of November, 1929, came on in regular order for trial this cause, when came the plaintiff, Walker County, by its attorneys of record, and announced ready for trial, and when came also the defendant, San Jacinto County, by its attorneys, and by answer filed, and announced ready for trial.

A jury being waived, the matters of fact as well as of law were submitted to the Court, and the Court, having heard the pleadings, evidence and argument of counsel and having duly considered the same, because the Court is of the opinion that this Court has jurisdiction of the subject matter and of the parties to said suit, and that judgment should be made and entered of record establishing the County boundary line between the plaintiff, Walker County, and the defendant, San Jacinto County, as said line has heretofore been ascertained, surveyed, marked and defined by competent civil engineers and practical surveyors, acting for and on behalf of the respective Counties, and because the Court further finds that said County boundary line has not heretofore been correctly and accurately located, defined, marked and established:

IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED AND DECREED by the Court that the boundary line between the plaintiff, Walker County, and the defendant, San Jacinto County, be and the same is hereby established in accordance with the Laws of the State of Texas in such cases made and provided, and in accordance with the several statutes heretofore adopted, creating said Counties, and establishing the boundary line between said Counties, and which said boundary line, as fixed by law and as located, surveyed, marked and defined by the practical surveyors and civil engineers on behalf of said Counties, as aforesaid, shall be and is hereby described as follows, to-wit:

Walker Co. Bary Line

DESCRIPTION of boundary line between the Counties of  
San Jacinto and Walker, State of Texas, as located and marked by  
J.G.Ross, Surveyor for San Jacinto County, and O.C.Wakefield, Surveyor  
for Walker County:

Set concrete post on S. or W. bank of the Trinity River  
(the same being S 4-14' W 250 feet from a point in middle of said  
River, opposite mouth of Big Caroline Creek, and being S 57½ W from  
N.E.corner of J.H.Cummings league);

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THENCE S 4-14' W (magnetic declination 8-36' E) at 1900.8  
vrs set concrete post (the same being S 33½ W 188 vrs from the end  
corner of Samuel McClelland Survey). Continuing same course at  
3210 vrs cross divisional line of J.H.Cummings League and Samuel  
McClelland Survey. At 3801.6 vrs set concrete post two miles from  
beginning corner. Continuing same course at 4529 vrs set concrete post  
on North margin of Riverside and Emberyfield Road on divisional line  
of Samuel McClelland Survey and a vacant tract heretofore filed on by  
Henry Moore. Continuing same course at 4791.6 vrs cross divisional line  
of said Henry Moore tract and F.A.W.Stewart Survey 110 vrs S 82 E from  
N.W.corner of said Stewart Survey and S.W.corner of said Moore tract.  
Continuing same course at 5451.6 vrs cross divisional line of said  
Stewart and Adam Lewis Surveys, 156 vrs S 82 E from Stewart S.W.and  
Lewis N.W.corners at 5702.4 vrs to concrete post three miles from  
beginning corner. Continuing same course at 6412.4 vrs cross  
divisional line of Adam Lewis and L.J.Smith Surveys 199 vrs S 82 E  
from Lewis S.W. and Smith's N.W.corner. At 7582.2 vrs cross divisional  
line of L.J. Smith and John L.Lynch Surveys, 781 vrs N 30 E from  
Smith's South corner at 7603.2 vrs set concrete post four miles from  
beginning corner. Continuing same course at 8628 vrs cross  
divisional line of John L.Lynch and J.D.Richardson Surveys, 198 vrs  
N 60 W from Richardson's East corner and A.Moleberger North corner  
at 9078 vrs cross divisional line of Richardson and Moleberger's Survey.  
410 S 30 W from Richardson's East corner and Moleberger's North corner  
at 9504 vrs set concrete post five miles from beginning corner.  
Continuing same course at 9694 vrs cross divisional line of Moleberger's  
and B.Reisenhover Surveys. 244 vrs S 60 E from Moleberger's S.W.corner

- 6 at 11404.8 vrs set concrete post six miles from beginning corner.
- 7 Continuing same course at 13305.6 vrs set concrete post seven miles from beginning corner. Continuing same course 13755.6 vrs cross S.B.Line of Reisenhover and North corner of J.C.Baldwin Survey 90 vrs N 30 E from South corner of Reisenhover Survey at 15205.6 vrs cross divisional line of Baldwin and J.C.P.Melton Surveys. 650 vrs S 60 E from North corner of Melton and West corner of Baldwin Surveys. At 14723 vrs set concrete post on North margin of State Highway No. 45 at 15206.4 vrs set concrete post eight miles from beginning corner.
- 8 Continuing same course at 17107.2 vrs set concrete post nine miles from beginning corner. 110 vrs N 50 E from West corner of H.Hanks Survey. At 17257.2 vrs cross divisional line of Hanks and Melton Surveys 100 vrs S 40 E from West corner of Hanks Survey. At 17368 vrs cross divisional line of Hanks and Russel Roarks Survey 110 vrs S 50 W from North corner of R.Roark Survey. Continuing same course at 19008 vrs. Set concrete post ten miles from beginning corner. Continuing same course at 20908.3 vrs set concrete post eleven miles from beginning corner. Continuing same course at 20984 vrs cross divisional line of R.Roark and John Reark Surveys. 18 vrs N 40 W from R.Roark South corner, at 22809.6 vrs set concrete post 12 miles from beginning corner. Continuing same course at 24710.4 vrs set concrete post 13 miles from beginning corner. Continuing same course at 26010.4 vrs cross divisional line of John Roarks and Thomas Roberts Surveys. 620 vrs N 40 W from East corner of Roberts Survey. At 26611.2 vrs set concrete post 14 miles from beginning corner. Continuing same course at 27020.4 vrs cross divisional line of Roberts and J.C.P.Melton Surveys.
- 14 At 28512 vrs set concrete post 15 miles from beginning corner. Continuing same course 28592 vrs cross divisional line of Melton and R.Gillon Surveys. 940 vrs S 40 E from Gillon's North corner and Melton West corner, at 30122 vrs cross divisional line of Gillon and H. & T.C.R.R.Survey No.8, 830 vrs N 50 E from Gillon South corner, at 30240 vrs cross divisional line of H. & T.C.R.R.No.8 and R.McGee Surveys, 140 vrs East from N.W.corner of McGee Survey. At 30412.8 vrs set concrete post 16 miles from beginning corner. Continuing same course
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at 31342.8 vrs cross divisional line of R. McGee and J.W. Ellisor  
 Surveys, 40 vrs East of McGee S.W. corner, at 32313.6 vrs, set con-  
 crete post 17 miles from beginning corner. Continuing same course at  
 32488.6 vrs cross divisional line of J.W. Ellisor and D.W. Ellisor  
 Surveys, 110 vrs East from D.W. Ellisor N.W. and J.W. Ellisor S.W.  
 corner, at 33688.6 vrs cross divisional line of D.W. Ellisor and J.J.  
 Mayberry Surveys. At 34135.4 vrs set concrete post on North margin of  
 Pine Valley and Cold Springs Road at 34214.4 vrs set concrete post  
 18 miles from beginning corner. Continuing same course at 34714.4  
 vrs cross divisional line of Mayberry and Vital Flores Surveys, 880 vrs  
 S 26 E from Mayberry West corner, at 36115.2 vrs set concrete post  
 19 miles from beginning corner. Continuing same course at 36465.2 vrs  
 cross divisional line of Flores and J.M. de la Garza Surveys. At 38016  
 vrs cross Ellisor and New Waverly road at 38034 vrs set concrete post  
 on South margin of said road. At 39916.8 vrs set concrete post 21 miles  
 from beginning corner. Continuing same course at 41817.6 vrs set  
 concrete post 22 miles from beginning corner. Continuing same course  
 at 42892.6 vrs set concrete post for corner (the same being 500 vrs  
 East from Dr. Campbell old store building in the Town of Old Waverly  
 and being on the North margin of the graded road passing the J.C.  
 Browder home place, and leading to the Cold Springs and New Waverly Road.

THENCE S 6-14' W at 391.3 vrs set concrete post on North  
 margin of New Waverly and Cold Springs road. At 43718.4 vrs set concrete  
 post 23 miles from beginning corner on Trinity River. Continuing same  
 course 45619.2 vrs set concrete post 24 miles from beginning corner on  
 said River. Continuing same course at 46693.2 vrs set concrete post  
 for corner on the East bank of Peach Creek."

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And the plat or sketch showing the location of said County boundary line, together with the original surveys of land intersected, and showing thereon the course and distance of the survey lines of said original surveys intersected by said County line and showing the number of acres of each of the original surveys of land intersected by said boundary line located in each of said Counties, respectively, is attached to this judgment and decree, marked Exhibit A, and the same shall be made a part and parcel hereof for all purposes.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the said County boundary line between the plaintiff, Walker County, and the defendant, San Jacinto County, as hereinbefore described, shall be and is hereby fixed and established as the true, correct and lawful boundary line between said Counties, and all lands adjacent to said County boundary line, as established herein, located West of said County boundary line, shall henceforth be and remain a part and parcel of Walker County, and the lands adjacent to and East of said County boundary line shall from henceforth be and remain within and a part of the defendant, San Jacinto County.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that one-half of the costs incurred in this cause be adjudged against the plaintiff, Walker County, and the other one-half of said costs be and the same is adjudged against the defendant, San Jacinto County, and the officers of Court shall recover of the plaintiff and the defendant the costs adjudged against them in this behalf, respectively.

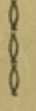
*Ben F. Dent*  
\_\_\_\_\_  
JUDGE, THIRD JUDICIAL DISTRICT OF TEXAS,  
PRESIDING.

Walker County  
County Clerk

Book U, Pages 47, 48, 49, and 50  
I, B. F. Bradley, Clerk of the District Court of Houston County, Texas, do hereby certify that the within and foregoing is a true and correct copy of the original Judgment and Decree of the Court, in cause No. 6565, styled Walker County, vs San Jacinto County, as the same appears of record in my office in Book U, Pages 47, 48, 49, and 50.

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THE STATE OF TEXAS  
COUNTY OF HOUSTON



I, B. F. Bradley Clerk of the District Court of Houston County, Texas, do hereby certify that the within and foregoing is a true and correct copy of the original Judgment and Decree of the Court, in cause No. 6565, styled Walker County, vs San Jacinto County, as the same appears of record in my office in Book U, Pages 47, 48, 49, and 50.

Given under my hand and the seal of said Court, at office in Crockett this 15th day of November A. D. 1929.

B. F. Bradley Clerk.



THE STATE of TEXAS  
COUNTY of WALKER

I, S. W. Robinett, Clerk of the County Court in and for said County, hereby certify that the foregoing instrument, dated the 15 day of Nov., 1929, together with its certificate of authentication, was filed for record in my office the 16 day of Nov., 1929, at 9:30 o'clock A m., and duly recorded the 20 day of Nov., 1929, at 4:50 o'clock, P M., in Vol. 65 page 524 of the Deed Records of Walker County, Texas.

Witness my hand and the seal of said Court, at office in Huntsville, Texas, this 20 day of Nov., 1929.

S. W. Robinett, Clerk,  
County Court, Walker County, Texas.  
By Annice Mae Singletary, Deputy



"Exhibit A"

PLAT SHOWING

BOUNDARY LINE BETWEEN  
WALKER AND SAN JACINTO COUNTIES.

SCALE: 1 INCH = 1000 VARAS.

~ O.C. WAKEFIELD & J.G. ROSS ENGS. ~  
~ SEPT. 1929 ~

IN WALKER COUNTY	SURVEYS.	IN SAN JACINTO COUNTY
4365.9 ACRES	J.H. CUMMINS	62.1 ACRES
6.0	SAMUEL McCLELLAND	94.0
9.8	STATE OF TEXAS	22.7
15.0	F.A.W. STEWART	145.0
33.8	ADAM LEWIS	156.0
75.8	L.J. SMITH	56.0
43.3	J.N.O. LYNCH	1453.2
135.8	J.D. RICHARDSON	7.2
11.1	A. MOLESBERGER	207.9
1757.0	B. REISENHOVER	540.0
68.5	W.C. BALDWIN	91.5
157.0	ISAAC WILSON	159.5
350.6	J.C.P. MELTON	149.4
1.0	H. HANKS	314.0
530.0	R. ROARK	577.0
220.0	J.N.O. ROARK	223.0
554.5	THOS. ROBERTS	229.0
89.0	J.C.P. MELTON	960.7
1.4	R. GILLON	104.2
20.4	H.T.C.R.R. CO.	638.8
32.8	R.M. GEE	156.6
14.4	D.W. ELLISOR	127.2
41.0	J.W. MAYBERRY	145.6
4310.0	VITAL FLORES	279.0
	J.M. De La GARZA	118.0
		14779.0

IN WALKER & MONTGOMERY (Residue)

"NOTE"

LINE IS MARKED WITH CONCRETE-POSTS SET 1 MILE APART ALONG LINE, BEGINNING AT TRINITY RIVER AND ENDING ON PEACH CREEK.

