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CAYTON & GRESHAM

ATTORNEYS AT LAW

CAYTON BUILDING

211 NORTH HOUSTON

LAMESA, TEXAS 79331

AREA CODE 915

TELEPHONE 872-2103

KARL CAYTON  
WILLIS E. GRESHAM, JR.  
WILLIAM ED. FULBRIGHT

January 27, 1966

RECEIVED

JAN 29 1966

General Land Office

The Honorable Jerry Sadler  
Commissioner  
General Land Office  
Austin, Texas

Re: Borden County vs. Garza County  
No. 13023, Howard County District Court

Dear Mr. Sadler:

Enclosed you will find the original Plat prepared by the Surveyor and a copy of the Final Judgment of the Court establishing the boundary line between Borden County and Garza County, both duly certified to as being true and correct copies by the District Clerk of Howard County. I trust that you will file the enclosures in your office and that they will be sufficient to enable you to change the records of your office to reflect the location of the boundary line as established by said judgment. If you need any further information, however, please advise.

Thanking you, I remain,

Yours very truly,

CAYTON & GRESHAM

By: William E. Fulbright  
William E. Fulbright

WEF/mh  
encl/

cc: Carl Webb  
Connell Ashley  
R. H. Weaver

February 11, 1966

Cayton & Gresham  
Attorneys at Law  
Cayton Bldg.  
211 North Houston  
Lamesa, Texas 79331

Attention: Mr. William E. Fulbright

Re: County boundary line  
Borden County & Garza County  
Cause No. 13,023  
Howard County District Court

Dear Sir:

Receipt is acknowledged of your letter of January 27, 1966 in which you enclosed a copy of the Final Judgement in the captioned matter and the original boundary line plat prepared by surveyors John R. Wilson and John N. Wilson, and being officially approved by the Honorable R. W. Caton, Dist. Judge, 118th Judicial Dist. of Texas.

Pursuant to your request we have examined and filed these instruments in the land office records. The county line boundary and the respective maps are being corrected accordingly and all of the pertinent abstracts for the surveys effected by this boundary line are being duly corrected, also the County Assessors-Collectors will be officially notified of this action.

There is one exception in the afore mentioned corrections and that is for Garza County Abstract 1166, J. J. Koonsman, Sec. 1, SF-7526. This survey very obviously contains considerable excess; however, there are no corrected field notes of record in this office on which the abstracts can be corrected. The survey is patented for 23.75 acres and yet this new county line map shows 27.5 acres in Garza County alone.

We will hold the above file in abeyance and if any assistance is required, please call upon this office.

Sincerely yours,

JERRY SADLER, COMMISSIONER

JS/ves



said ad valorem taxes were not timely paid to Borden County, Garza County and the State of Texas. That penalties and interest have accrued on said failure to timely pay said ad valorem taxes to said taxing agencies but that, under the circumstances, the collection of penalties and interest would be unfair to said taxpayers. It is therefore ORDERED, ADJUDGED AND DECREED by the Court that Borden County, Garza County and the State of Texas be and they are hereby ordered not to collect any penalties or interest from MALCOLM WALKER, GENERAL AMERICAN OIL COMPANY, ALVIN KOONSMAN and CORA GUILLIAMS on those taxes paid into the Registry of the District Clerk as hereinabove set out but the same are hereby in all things ordered waived.

The Court having heretofore entered an order approving report of surveyors dated November 22, 1965 and the Court still having jurisdiction of this matter and being of the opinion that said judgment should be withdrawn and corrected and this judgment substituted therefore, IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the judgment of November 22, 1965 is withdrawn and this judgment substituted therefor.

  
DISTRICT JUDGE

NO. 13,023

BORDEN COUNTY | IN THE DISTRICT COURT  
VS. | OF  
GARZA COUNTY | HOWARD COUNTY, TEXAS

REPORT OF SURVEYORS

TO SAID HONORABLE COURT:

WE, the undersigned Surveyors, respectfully show the Court that, by virtue of the judgment and order of this Court on August 31, 1965, ordering and directing us to survey the County boundary line between Borden County and Garza County as set out in said judgment, we have surveyed said County boundary line according to law and as required in said judgment, with said survey having actually been made by us on the ground and monuments evidencing same established on the ground in the places and as shown by the Field Notes and Plat which are attached hereto and hereby made a part hereof and which fully show the location of said boundary line and the nature and location of said markers, together with the other matters which were required to be shown by the judgment above referred to.

Our work in surveying said boundary line and preparing this report consumed 31 days time, for which we submit to the Court our fee in the amount of \$ 5845.50 .

WHEREFORE, the undersigned surveyors submit this their report of survey to the Court and request that the same be in all things approved.

*John N. Wilson*  
John N. Wilson - Surveyor  
*John R. Wilson*  
John R. Wilson - Surveyor

SUBSCRIBED AND SWORN TO before me by JOHN N. WILSON this 16th day of November, A. D., 1965.

*Jessica Howell* (JESSICA HOWELL)  
Notary Public in and for  
Lubbock County, Texas

SUBSCRIBED AND SWORN TO before me by JOHN R. WILSON this 16th day of November, A. D., 1965.

*Jessica Howell* (JESSICA HOWELL)  
Notary Public in and for  
Lubbock County, Texas

APPROVED AS TO FORM:

R. H. WEAVER  
Attorney at Law  
P. O. Box 324  
Big Spring, Texas

SHAFER, GILLILAND, DAVIS, BUNTON & McCOLLUM  
Attorneys at Law  
P. O. Drawer 1552  
Odessa, Texas

By: Conrad Alley  
ATTORNEYS FOR BORDEN COUNTY, TEXAS

CARL WEBB  
Attorney at Law  
P. O. Box 8  
Post, Texas

CAYTON & GRESHAM  
Attorneys at Law  
Cayton Building  
Lamesa, Texas

By: William E. Fullington  
ATTORNEYS FOR GARZA COUNTY, TEXAS

Field Notes  
on  
Borden- Garza County Line

D-972

The following field notes have been written from a survey made on the ground and in accordance with the instructions by District Judge, R.W. Caton, 118th. Judicial District of Texas, case #13,023, Borden County vs Garza County in District Court of Howard County, Texas.

A print of survey is attached.

Field notes on the Borden- Garza County Line as agreed upon in the 118th. Judicial Court, Howard County, Texas and being more particularly described as follows:

Beginning at a point, the agreed Northeast corner of Borden County, said point being 515.6 varas North  $2^{\circ}12'27''$  East of M<sup>c</sup>Clung Northeast corner of Borden County and 515.6 varas South  $2^{\circ}12'27''$  West of Camps Northeast corner of Borden County; ( Camps corner is a stone mkd. N.W.S. & N.E.B. and M<sup>c</sup>Clung's corner is referenced by a pile of stones 100.0 varas South and 100.0 varas West. )

Mile No. 1

Thence South  $89^{\circ}30'$  West at 302.0 varas pass a concrete monument. at 1015.4 varas pass a concrete monument, said monument being 81.47 varas North of an iron pipe and pile of stones, the Northwest corner of Section 668 Block 97, H.&T.C. R.R. Co. survey continuing at 1219.1 varas pass a concrete monument, continuing for a total distance of 1900.8 varas the end of mile No. 1;

Mile No. 2

Thence South  $89^{\circ}30'$  West 1900.8 varas to the end of mile No. 2;

Mile No. 3

Thence South  $89^{\circ}30'$  West at 253.2 varas pass a concrete monument, at 1041.0 varas pass a concrete monument, at 1305.2 varas pass a concrete monument, continuing for a total distance of 1900.8 varas the end of mile No. 3;

Mile No. 4

Thence South  $89^{\circ}30'$  West 1900.8 varas to the end of mile No. 4;

Mile No. 5

Thence South  $89^{\circ}30'$  West at 332.9 varas pass a concrete monument, at 1073.3 varas pass a concrete monument, at 1756.4 varas pass a concrete monument, continuing for a total distance 1900.8 varas to the end of mile No. 5;

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Carter 61167

Mile No. 6 Thence South  $89^{\circ}30'$  West at 1098.7 varas pass a concrete monument, whence a pile of stones the Northwest corner of Section 673 bears North 157.4 varas, continuing for a total distance of 1900.8 varas to the end of mile No. 6;

Mile No. 7 Thence South  $89^{\circ}30'$  West at 1106.5 varas pass a concrete monument in the West line of Section 674 Block 97, H.&T.C. R.R. Co. survey, at 1116.0 varas pass a North-South fence, continuing for a total distance of 1900.8 varas to the end of mile No. 7;

Mile No. 8 Thence South  $89^{\circ}30'$  West at 315.8 varas pass a concrete monument, continuing for a total distance of 1900.8 varas to the end of mile No. 8;

Mile No. 9 Thence South  $89^{\circ}30'$  West at 386.1 varas pass a concrete monument, at 413.7 varas the West line of Section 64 Block 6, H.&G.N. R.R. Co. survey, continuing for a total distance of 1900.8 varas to the end of mile No. 9;

Mile No. 10 Thence South  $89^{\circ}30'$  West at 1135.8 varas pass a concrete monument in the West line of Section 677 Block 97 H.&T.C. R.R. Co. survey, whence an iron pipe & pile of stones the Northwest corner of Section 677 bears North 322.85 varas, continuing for a total distance of 1900.8 varas to the end of mile No. 10;

Mile No. 11 Thence South  $89^{\circ}30'$  West at 609.2 varas pass a concrete monument in a North-South fence line, continuing for a total distance of 1900.8 varas to the end of mile No. 11;

Mile No. 12 Thence South  $89^{\circ}30'$  West at 1533.3 varas pass a 2 inch galvanized iron pipe on top of a hill, continuing for a total distance of 1900.8 varas to the end of mile No. 12;

Mile No. 13 Thence South  $89^{\circ}30'$  West at 318.1 varas pass a concrete monument on top of a hill, continuing for a total distance of 1900.8 varas to the end of mile No. 13;

Mile No. 14 Thence South  $89^{\circ}30'$  West at 145.7 varas pass a concrete monument, at 1467.0 varas pass a North-South fence, at 1536.2 varas pass a concrete monument in the West line of Section 11 Block 30 T-6-N T.&P.R.R.Co. survey, whence the Northwest corner of Section 11 bears North  $15^{\circ}38'$  West 663.6 varas, continuing for a total distance of 1900.8 varas to the end of mile No. 14;

Mile No. 15 Thence South  $89^{\circ}30'$  West at 250.9 varas pass a concrete monument at the North foot of Cedar Hill, continuing for a total distance of 1900.8 varas, to the end of mile No. 15;



Thence South  $89^{\circ}30'$  West at 1246.2 varas pass a concrete monument in the West R.O.W. line of Farm to Market road 669, Mile No. 16 whence the Southwest corner of Section 3 Block 30 T-6-N B&B. survey bears South  $43^{\circ}37'$  West 493.6 varas, continuing for a total distance of 1900.8 varas to the end of mile No.16;

Mile NO. 17 Thence South  $89^{\circ}30'$  West, at 1527.8 varas pass a concrete monument in a North-South fence line, at 1761.4 varas pass the West line of Section 4 Block 30, T-6-N, Phil Hale survey, whence an iron pipe and stone the Southwest corner of said Section 4 bears South  $15^{\circ}38'$  East 883.66 varas, continuing for a total distance of 1900.8 varas to the end of mile No. 17;

Mile No. 18 Thence South  $89^{\circ}30'$  West at 1469.5 varas pass a concrete monument on top of a hill, at 1546.9 varas pass a concrete monument, continuing for a total distance of 1900.8 varas to the end of mile No. 18;

Mile No. 19 Thence South  $89^{\circ}30'$  West 1900.8 varas to a concrete monument set for the end of mile No. 19;

Mile No. 20 Thence South  $89^{\circ}30'$  West at 1606.9 varas pass a concrete monument, at 1755.8 varas pass a concrete monument, continuing for a total distance of 1900.8 varas to the end of mile No.20;

Mile No. 21 Thence South  $89^{\circ}30'$  West at 201.3 varas pass a concrete monument, whence an old stone at the Northeast corner of Section 302 bears South 38.7 varas, at 1132.5 varas pass a concrete monument, whence an old stone mkd. Southeast 301 and Southwest 308, bears South 26.85 varas, continuing for a total distance of 1900.8 varas to the end of mile No. 21;

Mile No. 22 Thence South  $89^{\circ}30'$  West at 1129.4 varas cross the West line of Section 302, and the East line of Section 13, whence an iron rod the Northeast corner of Section 13, the Southeast corner of Section 12, the Southwest corner of Section 301 and the Northwest corner of Section 302 bears North 3.06 varas, at 1675.1 varas pass a concrete monument, continuing for a total distance of 1900.3 varas to the end of mile No.22;

Thence South  $89^{\circ}30'$  West at 256.6 varas pass a concrete monument, continuing for a total distance of 632.0 varas to a concrete monument set by A.L. Harris in 1934 for the Southwest corner of Garza County and the Southeast corner of Lynn County being the end of said agreed county line.

Sprawls and Wilson Surveying Company

1629 Broadway

Lubbock, Texas



Certified Correct John N. Wilson Date OCT 30, 1965

John N. Wilson

Registered Public Surveyor No. 232

Certified Correct John R. Wilson Date OCT 30, 1965

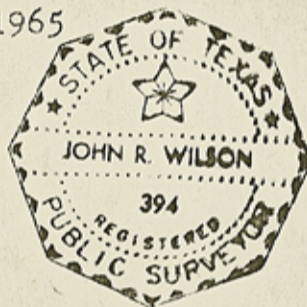
John R. Wilson

Licensed State Land Surveyor

Registered Public Land Surveyor No. 394

Snyder, Texas

Surveyed September and October 1965



CLERK'S CERTIFICATE

THE STATE OF TEXAS            Ø  
COUNTY OF HOWARD            Ø

I, M. FERN COX, CLERK OF THE DISTRICT COURT IN AND FOR HOWARD COUNTY, TEXAS, 118TH JUDICIAL DISTRICT, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE FINAL JUDGMENT OF THE COURT IN CAUSE NUMBER 13,023, STYLED: BORDEN COUNTY VS. GARZA COUNTY

AS THE SAME APPEARS OF RECORD IN THE MINUTES OF OUR SAID COURT, IN VOLUME 34, AT PAGE 41-53 THEREOF.

WITNESS MY HAND AND THE OFFICIAL SEAL OF SAID COURT, AT OFFICE IN THE CITY OF BIG SPRING, TEXAS, THIS THE 24TH DAY OF JANUARY, A.D., 1966.

M. FERN COX  
DISTRICT CLERK  
HOWARD COUNTY, TEXAS

BY: J. Barber DEPUTY

RECEIVED

JAN 29 1966

General Land Office

File No. A. Drawer 1  
Borden-Garza County  
Boundary Line  
Filed Jan. 29 1966  
JERRY SADDLER, Com'r  
By [Signature]



**JERRY SADLER**  
COMMISSIONER  
**GENERAL LAND OFFICE**  
AUSTIN, TEXAS 78701

Borden County  
Boundary File 7

~~N-1-48~~

~~PINE CABINET 2 (originally under stairs)~~

~~File A. Drawer No. (48)~~

Boundary Line

Borden Co.- Garza Co.

Cause No. 13023

Dist. Court of Howard Co. Tex.

118th. Judicial Dist.

Filed Jan. 29, 1966

~~See Map in Drawer 5.~~

See Roll Sketch N-1-47