

Honorable David Dewhurst
Commissioner
General Land Office
P.O. Box 12873
Austin, Texas 78711-2873

File No. Sketch File 53

CONCHO County

Report of Survey - J.V. Massie Sur. No. 2 Bex. S-32560

Date Filed: Feb. 27, 2003

Jerry Patterson, Commissioner

Re: Surveyor Report of State
Survey known as the J.V.
Massie Survey Number 2
In Concho County, Texas.

By Douglas Howard

HISTORY

The German Emigration Company surveys fronting on the north side of the Concho River and numbered from 598 through 603 were located on July 5, 1856 by Mr. J. S. McDonald - Deputy Surveyor of Bexar District and patents issued on his field notes. Mr. McDonald called for "stake and mound" at his back corners and calls for "stake" at the river corners, calling for witness trees at every other river corner.

The Washington County Railroad Company Surveys 3 and 5 along with their respective companion surveys 4 and 6, each to enclose 640 acres of land, were located next in this vicinity, in July 1874 by Mr. C. W. Holt - Deputy Surveyor of Bexar District. Patents were issued on Mr. Holt's field notes for surveys number 3 and 5. Mr. Holt does not call for any corner marks.

The J. V. Massie, as shown on the certificate and field notes, Survey 1 and its companion State Survey 2 were located on January 20, 1881 for 640 acres of land each, by R. H. Looney - Concho County Surveyor. Both of these surveys were almost entirely in conflict with the adjoining senior surveys. Mr. Looney went around both of the surveys calling for adjoiners. Survey 1 was invalidated by Act of July 14, 1879 because location was less than 640 acres, survey 2 appears to be good by reason of the validating Act of 1883, according to a letter in Bx - S - 32560 dated Dec. 15, 1930 and signed by Commissioner J. H. Walker.

The J. S. Queen Survey 4, companion to the Washington County Railroad Company Survey 3, was resurveyed, by Mr. W. P. Ratchford - Concho County Surveyor, on August 20, 1896 and patent issued on his corrected field notes for 579 acres of land. Mr. Ratchford does not call for any corner marks, but does call for adjoiners.

The Washington County Railroad Company Survey 5 was resurveyed by Mr. J. E. Powell – Licensed State Land Surveyor on June 14, 1903 – June 18, 1941. The intention was to remove this survey from conflict with the senior German Emigration Company surveys, his corrected field notes call for 555 acres of land. Application to cancel the original patent was made to the General Land Office, as well as a request to issue a new patent on Mr. Powell's field notes, which was granted. Mr. Powell does not call for any corner marks but does call for adjoiners.

FACTS

I began my survey by looking for any corner marks at occupation fence lines and fence corners. I knew that there would be no original survey marks to be found since there were not any set. I was able to find deed corners, some of which were set to perpetuate original survey corner positions.

At the southwest corner of German Emigration Company Survey 601 I found a ¼" iron pipe in small stone mound set for reference (N 0° 20' 52" E 200.00 ft.) in fence line by a 24" Pecan tree. Then went to the northwest corner of tract deeded to Mr. Jimmy L. Stokes of record in Volume 178, Pages 649 – 654 of the Concho County Official Public Records (C.C.O.P.R.), where I found another ¼" iron pipe in small stone mound under fence line, from which another ¼" iron pipe in small stone (N 0° 20' 52" E 216.12 ft.) for the northwest corner of said survey 601 was called for and found. From the northwest corner of said deed I followed the fence (S 89° 36' 49" E 1580.16 ft.) to a fence corner where the deed called for another ¼" iron pipe in small stone mound, I did not find the pipe but there stones around the fence corner post. Then I followed the fence northward 217.19 ft. where the deed called to pass a "point" for the northeast corner of said survey 601 I searched for evidence of a corner mark but I found none. I returned to the northwest corner of said deed.

The northwest corner of the above mentioned deed is an ell corner of a tract deeded to Mr. Daniel Lee Wilde and wife Cynthia A. Wilde of record in Volume 132, Page 89 of the Concho County Deed Records (C.C.D.R.) dated September 3, 1982, calling for ¼" iron pipe in small stone mound. Then it goes (N 0° 20' 52" E 216.12 ft) to a ¼" iron pipe in small stone mound at the northwest corner of survey 601 and on the south line of Washington County Railroad Company Survey 3, which I found. Then it calls to go with the south line of said survey 3 (N 89° 39' 08" W at 270.97 ft. passing a ¼" iron pipe on the east Right-of-Way of F.M. 381 in all 346.92 ft. to a point in said road for the Point of Beginning), I found the ¼" pipe in a small rock mound 3.5 ft. west of fence line and appeared to have been hit by mowers. The deed calls the point of beginning to be the southwest corner of said survey 3 and the southeast corner of the J. S. Queen Survey 4. Then it calls to follow the west line of said survey 3 and the west line of said survey 4 (N 0° 12' 14" E 5278.94 ft.) to a ½" iron pipe in the pavement of said F.M. 381 on the south line of G.C. & S.F. RR. Co. Survey 1, for the northwest corner of said survey 3 and the northeast corner of said survey 4, I did not find this mark. Then it calls to go (S 89° 54' 22" E 2802.57 ft.) to a ¼" iron pipe in small stone mound which I found. Then it calls to go (N 0° 01' 28" W 27.78 ft.) to a point in a caliche road. Then it calls to go (N 89° 38' 58" E 823.04 ft.) to a ¼" iron pipe and stone mound, which according to the adjoining land owner was replaced with an iron fence corner post. From this point the deed gives a bearing and distance to a ½" iron pipe for the northeast corner of said survey 3, I did not find this pipe.

Next I returned to the northeast corner of said Queen Survey 4, looking for deed corners of a tract deeded to Mr. Phil Lorring of record in Volume 109, Pages 20 – 23 of the C.C.D.R., dated September 9, 1971.

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Being the same tract of land described in a deed of record in Volume 75, Page 94 of the C.C.D.R., I found a ½" iron rod on the intersection of the west Right-of-Way line of F.M. 381 and the south Right-of-Way line of Concho County Road 1884 near a fence corner post. Then continued west along the south line of said county road to a ¾" iron pipe found by fence corner post in the vicinity of the northwest corner of said deed and the northeast corner of a parcel of 416.5 acres of land called Tract 2 described in a deed of record in Volume 145, Page 652 C.C.D.R., from this pipe ran east 250.81 varas along said south line of county road to another found ¾" iron pipe by down fence corner post. Then I went west along the south line of said county road from said northeast corner of 416.5 acre tract a distance of 1140.18 varas to a fence corner post in the vicinity of its northwest corner and the northwest corner of the J. S. Queen Survey 4.

At the intersection of the north line of said County Road 1884 and the west line of County Road 1889, I found an iron rod with a cap marked "RPLS 2774" and then went along the north line of said county road west 792.44 varas from there where I found another iron rod and cap marked the same.

Then I went to the northeast corner of the German Emigration Company Survey 598 where I found a ¾" iron pipe in a small stone mound, an interior corner of said Queen Survey 4, then I followed the east line of said survey 598 and a west line of said Queen Survey, south 518.72 varas to another found ¾" iron pipe in small stone mound for the northwest corner of German Emigration Survey 599. Then I went east with the north line of said survey 553.19 varas to a found ¾" galvanized iron pipe in small stone mound near its northeast corner. Then I went south with its east line 10.6 varas to another found ¾" galvanized iron pipe in small stone mound by fence corner post for the northwest corner of German Emigration Company Survey 600. Then I went east with its north line 406.94 varas to a 1" iron pipe found 6.3 feet west of the west Right-of-Way fence of F.M. 381.

CONCLUSION

The only monuments not used to compute the position of survey corners are the two iron rods with caps marked "RPLS 2774".

To establish the southwest corner of the Washington County Railroad Company Survey Number 3 and the southeast corner of the J. S. Queen Survey Number 4, I began at the ¾" iron pipe found for the northwest corner of the German Emigration Company Survey 601, holding the bearing of S 0° 44' 41" W between said pipe and another pipe found 200 feet north of the Concho River for reference corner of its southwest corner. I went ninety degrees to the right, N 89° 15' 19" W 124.89 varas, the called distance in the Wilde deed, through the found ¾" iron pipe for reference on the east Right-of-Way of F.M. 381.

To establish the northwest corner of said survey 3 and the northeast corner of said survey 4, I did a distance - distance intersection from the computed position mentioned above and the ¾" iron pipe found on the north line of the said Wilde deed, using the called distances in said deed. This produced a course of N 0° 35' 56" E 1900.42 varas from said southwest corner, and N 89° 31' 23" W 1008.92 varas from said pipe.


To establish the south line of the said Queen Survey, from the computed position of its southeast corner I went ninety degrees to the left from its computed east line bearing of N 0° 35' 56" E, producing a course of N 89° 24' 04" W 906.69 varas to the intersection of the east line of the German Emigration Company Survey 598.

To establish the position of the northeast corner of the German Emigration Company Survey 599, I did a bearing – bearing intersection, from the found pipe at its northwest corner S 89° 04' 18" E and from the iron pipe found at the northwest corner of said German Emigration Company Survey 600 N 0° 44' 41" E.

To establish the position of the northeast corner of said survey 600, I did a bearing – bearing intersection, from the iron pipe found at its northwest corner and through the iron pipe found in its north line S 89° 07' 19" E and from the iron pipe found at the northwest corner of said German Emigration Company Survey 601 S 0° 44' 41" W.

To establish the northwest corner of the J. V. Massie Survey 2, I went from the northwest corner of said survey 600 N 0° 44' 41" E through the northeast corner of said survey 599 to the intersection of the south line of said Queen Survey 4.

This report is accompanied by Corrected Field Notes for Said J. V. Massie Survey 2, Field Notes for 19.79 acres of unappropriated public domain and my Plat of Survey dated December 5, 2002.


Elisandro Leos
ELISANDRO LEOS
LICENSED STATE LAND SURVEYOR

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