

Survey of the Mean High Water line of the Alexander Edgar Survey, A-62, Alexander Edgar Survey, A-61, Frank Passano Survey, A-166, German Emigration Co., A-73, German Emigration Co., A-74, J. Andrews Survey, A-23, George Hodges Survey, A-120, Elias Stone Survey, A-188, W. M. Hudson Survey, A-81, Nicholas Fitzsimmons Survey, A-66 and part of the Martin Dunman Survey, A-53 all in Galveston County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at NGS Monument "HOLT" with NAD 83 (1993 SPC TXSC Grid Coordinates of 13,768,565.709 N and 3,417,518.923 E (in feet) Scale factor 0.99986903 Convergence +2'13"58.7";
 THENCE S 59°55'27"W, a distance of 6810.94 feet (2451.9 Varas) to the Mean High Water line of the Gulf of Mexico 195 Varas westerly of the West line of the said Alexander Edgar Survey, A-62 and the POINT OF BEGINNING;
 THENCE with the Mean High Water line of the Gulf of Mexico the following grid courses and distances:

LINE	LENGTH	BEARING	VARAS	SURVEY LINE	VARAS
L1	584.53	N69°10'26"E	210.4	541.57'	195.0
L2	541.62	N60°56'35"E	195.0		
L3	551.36	N63°10'36"E	198.5		
L4	538.28	N62°37'13"E	193.8		
L5	551.05	N63°08'59"E	198.4	193.72'	69.7
L6	563.30	N64°23'39"E	202.8		
L7	542.34	N63°50'28"E	195.2		
L8	545.81	N64°19'29"E	196.5	403.75'	145.4
L9	546.96	N64°19'22"E	196.9		
L10	559.24	N63°24'18"E	201.3		
L11	537.10	N64°41'33"E	193.4		
L12	557.40	N64°42'17"E	200.7	78.28'	28.2
L13	558.34	N64°03'39"E	201.0		
L14	536.90	N64°03'32"E	193.3		
L15	557.11	N65°32'43"E	200.6		
L16	550.25	N64°21'01"E	198.1	328.62'	118.3
L17	551.97	N64°25'32"E	198.7		
L18	551.36	N64°29'13"E	198.5		
L19	561.35	N65°12'32"E	202.1		
L20	540.88	N64°52'18"E	194.6		
L21	559.07	N62°58'17"E	201.3	33.37'	12.0
L22	541.60	N65°54'17"E	195.0		
L23	555.35	N63°46'18"E	200.0		
L24	549.89	N63°33'21"E	198.0		
L25	562.84	N64°24'41"E	202.7	465.47'	167.6
L26	584.66	N64°46'59"E	210.5		
L27	585.38	N70°11'56"E	210.7		
L28	576.15	N62°07'39"E	207.4		
L29	552.00	N66°18'14"E	198.7	4.37'	1.6
L30	561.33	N64°28'55"E	202.1		
L31	556.17	N62°56'38"E	200.2		
L32	544.49	N63°34'33"E	196.0		
L33	540.24	N63°35'43"E	194.5		
L34	540.80	N64°07'33"E	194.7		
L35	557.96	N64°18'12"E	200.9	431.34'	155.3
L36	555.35	N63°53'40"E	200.0		
L37	551.31	N63°36'39"E	198.5		
L38	537.06	N65°09'16"E	193.3		
L39	535.30	N64°22'21"E	192.7	96.44'	34.7
L40	550.93	N64°19'58"E	198.3		
L41	543.10	N64°40'23"E	195.5		
L42	552.07	N63°37'02"E	198.7		
L43	548.06	N64°58'43"E	197.3		
L44	551.85	N67°55'18"E	198.7	7.17'	2.6
L45	554.40	N63°06'31"E	199.6		
L46	549.41	N64°34'31"E	197.8		

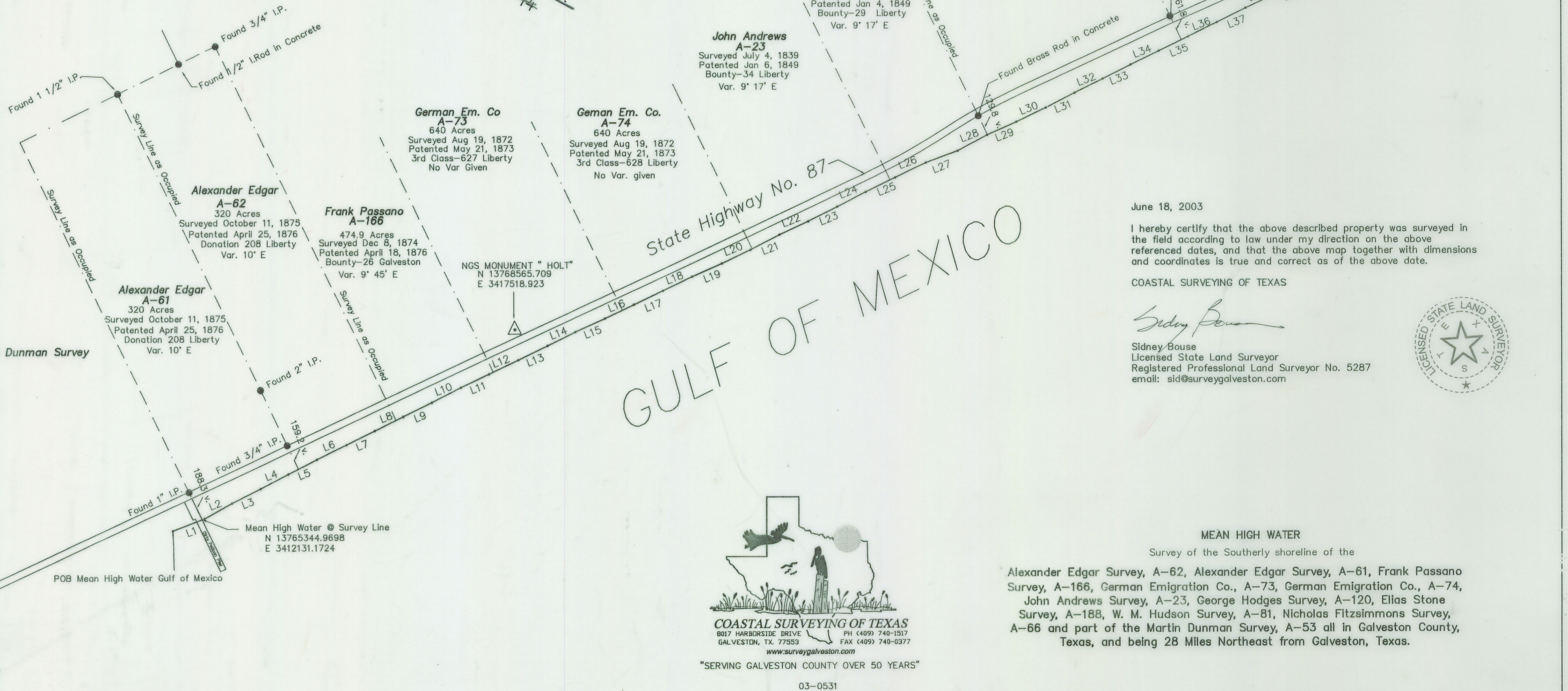
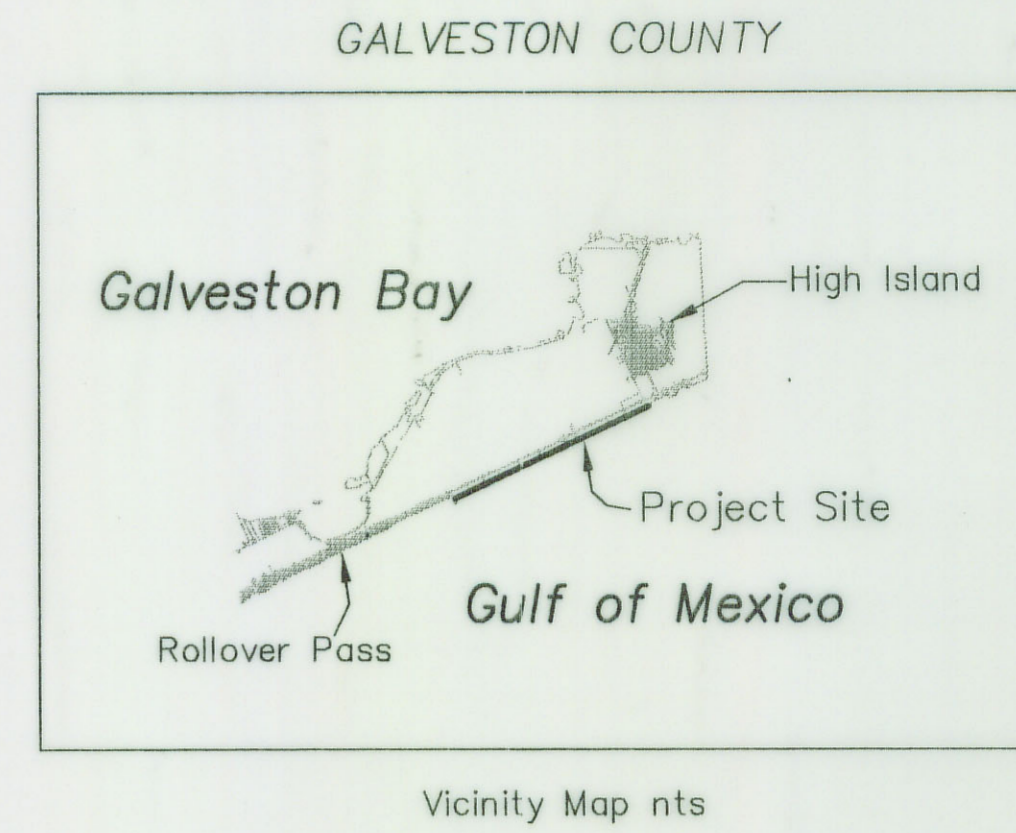
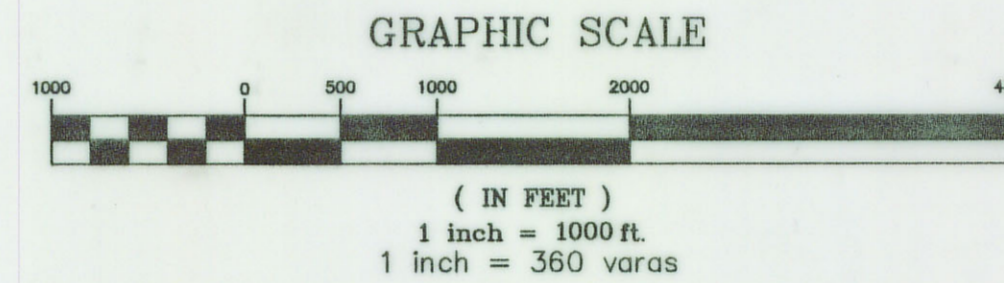
NOTES:

- 1.) ALL COORDINATES REFER TO THE STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, AS DEFINED BY ARTICLE 21.071 OF THE NATURAL RESOURCES CODE OF THE STATE OF TEXAS, 1983 DATUM (1993 ADJUSTMENT).
- 2.) ALL DISTANCES ARE GRID DISTANCES IN FEET AND VARAS.
- 3.) SURVEY LINES AS OCCUPIED AND TIED TO MONUMENTATION AS SHOWN.

Tidal Datum at GALVESTON PLEASURE PIER, GULF OF MEXICO
 National Ocean Service Station ID: 8771510 based on:

LENGTH OF SERIES: 5 YEARS
 TIME PERIOD: January 1997- December 2001
 TIDAL EPOCH: 1983-2001
 CONTROL TIDE STATION: N/A

"NOTICE:
 This survey was performed in accordance with Section 33.136, Natural Resources Code, for the purpose of evidencing the location of the shoreline in the area depicted in this survey as that shoreline existed before commencement of erosion response activity, as required by Chapter 33, Natural Resources Code. The line depicted on this survey fixes the shoreline for the purpose of locating a shoreline boundary, subject to movement landward as provided by Section 33.136, Natural Resources Code."



TEXAS GENERAL LAND OFFICE
 Art. 33.136, Natural Resources Code
 Co. Galveston, State No. 22
 File Date 7/29/2003 by B. O. H.
 See Report 14

Surveyed in the field By Devon Flato, Barden Ambrose and James Hager with Half Associates between April 8th and April 11th 2003. Monument and Tidal ties surveyed by Sidney Bouse and Jim Belschner on June 18, 2003. Tidal information collected by Sidney Bouse at Granny's Bait Camp, Rollover, Texas on April 14-19, 2003.

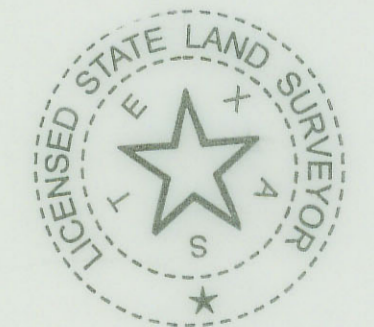
June 18, 2003

I hereby certify that the above described property was surveyed in the field according to law under my direction on the above referenced dates, and that the above map together with dimensions and coordinates is true and correct as of the above date.

COASTAL SURVEYING OF TEXAS

Sidney Bouse

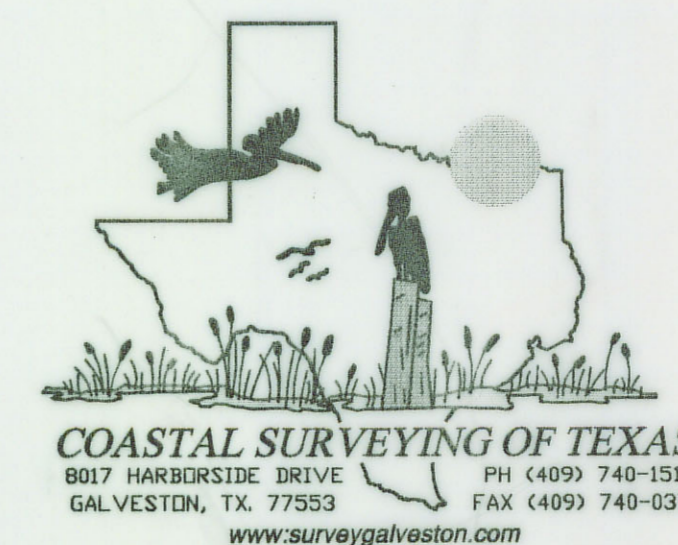
Sidney Bouse
 Licensed State Land Surveyor
 Registered Professional Land Surveyor No. 5287
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MEAN HIGH WATER

Survey of the Southerly shoreline of the

Alexander Edgar Survey, A-62, Alexander Edgar Survey, A-61, Frank Passano Survey, A-166, German Emigration Co., A-73, German Emigration Co., A-74, John Andrews Survey, A-23, George Hodges Survey, A-120, Elias Stone Survey, A-188, W. M. Hudson Survey, A-81, Nicholas Fitzsimmons Survey, A-66 and part of the Martin Dunman Survey, A-53 all in Galveston County, Texas, and being 28 Miles Northeast from Galveston, Texas.



"SERVING GALVESTON COUNTY OVER 50 YEARS"

03-0531

Surveyors Report

On the Mean High Water Survey of the Alexander Edgar Survey, A-62, the Alexander Edgar Survey, A-61, the Frank Passano Survey, A-166, German Emigration Co., A-73, German Emigration Co., A-74, John Andrews Survey, A-23, George Hodges Survey, A-120, Elias Stone Survey, A-188, W. M. Hudson Survey, A-81, Nicholas Fitzsimmons, A-66 and part of the Martin Dunman Survey, A-53 all out of GALVESTON COUNTY, TEXAS

Authority

I surveyed the line of Mean High Water of the above-described Galveston County surveys, as authorized by David S. Morgan, Vice President Environmental Scientist, Halff Associates, Dallas, Texas and in my capacity as Licensed State Land Surveyor for the State of Texas.

History

The Alexander Edgar Surveys A- 61 and A-62 were patented on corrected fieldnotes April 25, 1876. They are both 320-acre Donation Grants out of the Liberty Land District and were surveyed on October 11, 1875 by J. V. Smith. The field notes have a sketch drawn at 4000 varas to the inch and a Variation of 10° East and are called to be recorded in Book A, Page 383 Galveston County Surveyors Office.

The Frank Passano Survey A- 166 was patented on corrected field notes April 18, 1876. This 474.9 acre Bounty Grant was surveyed December 8, 1874. The field notes by J. V. Smith have a sketch drawn at a scale of 1"= 4000 varas and a variation of 9° 45' East and are called to be recorded in Book A, Page 220 Galveston County Surveyors Office.

The German Emigration Company Survey A-73 was patented May 21, 1873. This 640 acre survey is a 3rd Class Headright Grant out of Liberty Land District and was surveyed August 19, 1872 by Chambers District County Surveyor, Nervell Morse. The field notes by Nervell Morse do not have a sketch, but are called to be recorded in Book Volume 2, Page 208 District Surveyors Office, Chambers District.

The German Emigration Company Survey A-74 was patented May 21, 1873. This 640 acre survey is a 3rd Class Headright Grant out of Liberty Land District and was surveyed August 19, 1872 by Chambers District County Surveyor, Nervell Morse. The field notes by Nervell Morse do not have a sketch, but are called to be recorded in Book Volume 2, Page 209 District Surveyors Office, Chambers District.

The John Andrews Survey A- 23 was patented Jan 6, 1849. B. J Chambers surveyed this 640-acre Bounty Grant July 4, 1839. The field notes have a sketch drawn without a scale and a variation of 9° 17' East.

The George Hodges Survey A- 23 was patented Jan 4, 1849. B. J Chambers surveyed this 320-acre Bounty Grant July 4, 1839. The field notes have a sketch drawn without a scale and a variation of 9° 17' East.

TEXAS GENERAL LAND OFFICE
Art. 03.136, Natural Resources Code
Co. Galveston Report No. 14 Sketch 22
File Date 7-29-2003 by P. J. H. Sketch 22

The Elias Stone Survey A- 188 was patented February 11th 1846. Wm. G. Banks, Deputy Surveyor Galveston County, surveyed this 1146-acre Bounty Grant July 9, 1843. The field notes have a sketch drawn without a scale and a variation of 9° 15' East.

The W. M. Hudson Survey A- 81 was patented September 30, 1845. Wm. G. Banks, Deputy Surveyor Galveston County, surveyed this 320-acre 3rd Class Headright Grant July 8, 1843. The field notes have a sketch drawn without a scale and a variation of 9° 15' East.

The Nicholas Fitzsimmons Survey A- 66 was patented September 30, 1845. Wm. G. Banks, Deputy Surveyor Galveston County, surveyed this 320-acre 3rd Class Headright Grant July 8, 1843. The field notes have a sketch drawn without a scale and a variation of 9° 15' East.

The Martin Dunman Survey A- 53 was patented August 5, 1845. M.A. Hardin, Deputy Surveyor Liberty County, surveyed this 15 ½ Labor 1st Class Headright Grant June 26, 1838. The field notes have a sketch drawn without a scale and a variation of 9° 17' East.

Construction

An Act to adapt the Common Law of England was approved on January 20, 1840. The Littoral State boundary of land granted prior to this date must be surveyed according to the Spanish and Mexican Civil Laws and is determined to be along the Mean Higher High Water Line. Lands granted after this date are to be located along the Mean High Water Line as required under current Common Law.

In Rudder v. Ponder, it was settled that the date of a Patent from the State or Republic will determine the Rule of Law that is to be used in determining the boundary of the State in a littoral Survey. All of the included surveys were patented after 1840 and therefore were located along the Common Law boundary of the Mean High water line.

The elevation of the Mean High Water line on this project site was established using a project tide gauge located at Rollover Pass, Texas. The Galveston Pleasure Pier, Gulf of Mexico Tide Gauge (NOS Station Id: 8771510) was used as the controlling Gauge. Tide information was collected April 14th -19th, 2003. This information was correlated to the Pleasure Pier Gauge and transferred to the Project Site. The topographic information collected by Halff Associates on April 8- May 11, 2003 was used to calculate the location of the line on the ground.


Sidney Bouse
LSLS



Galveston Co. NRC Art. 33.136 *Sketch 22* Report 14

counter 78663

S-374-03