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Shine & Associates

LAND BOUNDARY SURVEYORS
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June 2, 2004

Commissioner Jerry Patterson
Texas General Land Office
1700 N. Congress, 8th Floor
Austin, Texas 78701

Re: George Lamb Survey, Abstract 334
Montgomery County, Texas

Dear Commissioner Patterson:

This report, plat and field notes are submitted in connection with an Application to Purchase Excess Acreage in the George Lamb Survey. We determined by resurvey that this grant contains 418.33 acres, with the original grant calling for 370 1/5 acres, yielding an excess acreage of 48.13 acres.

Because the work of the original surveyors in establishing the boundaries is essential, an historical analysis is the necessary first step in the retracement survey. Following is a summation of the land grants near the George Lamb Survey.

HISTORICAL BACKGROUND

The original surveys in much of our area of interest were performed by Surveyor John Carson dating from July 1838 forward. These include:

John Owens - 1st Class 94 - grant for one league (no survey date -Carson certification 7/16/1838) Patented Sept. 1845

Richard Vince - 1st Class 102 - grant for one-half league, (no survey date - Carson certification 8/15/1838) Patented October 10, 1845

Allen Vince - 1st Class 97 - grant for one labor, 177.14 ac. (no survey date - Carson certification 8/15/1838) Patented July 3, 1847

Matilda Wilburn - 1st Class 101 - grant for one labor, 177.14 ac. (no survey date -Carson certification 8/15/1838) Patented January 11, 1846

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File No. Sketch File 41

Montgomery County

Report - Resurvey of George Lamb - Harris - B-32

Date Filed: June 18, 2004

By Jerry E. Patterson, Commissioner

By Douglas Howard

[Redacted stamp area containing text like "Date Filed", "County", and "Commissioner"]

See Montgomery Co. Rolled Sketch
44 for sketch. Counter #82451

MONTGOMERY CO. SKETCH FILE 41
COUNTER 82447



George Lamb -Bounty 32 – grant for 370 1/5 ac. (no survey date - Carson certification 9/4/1838) Patented September 7, 1842

William B. Jackson – 2nd Class 20 – grant for 640 ac. (surveyed December 25, 1838)
Patented July 24, 1848

Edward Daley – 2nd Class ___ - grant for 640 ac. (no survey date – transcribed copy of field notes found in C-47 Harris County Surveyor's Records) Not Patented

Hugh Morgan – Donation (battle of San Jacinto) – grant for 640 ac. (no survey date – transcribed copy of field notes found in B-5A Harris County Surveyor's Records) Not Patented

Others:

Samuel Ward – 2nd Class 25 – grant for 1/3 league, Green Q. Taylor (surveyed 9/3/1838) Patented October 10, 1845

Edward Hall - Harris Co. Scrip 61 – grant for 640 ac., Green Q. Taylor (certification 12/1838) Patented December 9, 1853

Lewis M. Flatau – Harris Scrip 62 – grant for 640 ac., Green Q. Taylor (certification 12/1838)

Lewis M. Flataw **corrected** survey – HS 62 – Clinton Bybee (certification 2/27/1905) Patented to Michael DeYoung March 6, 1905

Matilda Wilburn – 1st Class 461 – grant for 11,417,326 sq. varas or 2022.42 ac., Joseph M. Brown (surveyed 12/27/1854)

Matthew Dial – 1st Class 519 – grant for 1280 ac. - John M. Wade (surveyed 3/6/1860) – “Includes a tract of 640 acres of land surveyed by virtue of Donation Warrant No. 268 granted to Hugh Morgan. Also a survey made by virtue of certificate No. 948 second class, issued to Edward Daily by the Board of Land Commissioners of Harrisburg County.”
Patented May 15, 1851

All of the above surveys (with the exception of the Richard Vince 1-102, the Flatau S-62, and the Hall S-61) called to adjoin the John Owens League. The field notes to the Hugh Morgan and the Edward Daily Surveys are not found in the General Land Office; however, we did find a working sketch made by Stuart Boyles that reflected these surveys. After further research in the Sam Houston Regional Library, we found enough information to lead us to these field notes in the Harris County Surveyor's Records, which was a part of the old Harrisburg District. These two surveys together are the exact dimensions of the Matthew

Dial Survey which stated it covered the position of the Morgan and the Daily. The Matthew Dial Survey did not recite any creek crossings on its east or west lines; however, the Morgan and Daily do have calls for creek crossings. The combined north-south lengths of the Lamb and Dial (Morgan/Daily) total 4902 varas. These are called to adjoin the entire length of the John Owens from northwest to southwest corners which is a call of 5000 varas. The calls of these surveys on the west are short by 98 varas of the Owens 5000 vara call.

Not many times can distance discrepancies be determined simply by analyzing the field notes. However, in this case the creek call along the west line of the Owens and the east line of the Morgan highlights the discrepancy. The creek call on the west line of the Owens is 1475 varas north of the southwest corner. The creek call on the east line of the Morgan is 277 varas north of the southeast corner. Adding this dimension to Lamb's east line dimension of 1100 is 1377 varas which is exactly 98 varas short of the 1475 varas called for in the Owens field notes. This indicates that the north line of the Lamb is 98 varas north of the field note call of 1100 varas.

RESURVEY CONSTRUCTION

In our retracement survey, we found the branch crossing on the east line of the Matthew Dial (Hugh Morgan) to be 279.78 varas (called 277 varas) from its southeast corner and to be 1500.76 varas (called 1475 varas) from the southwest corner of the John Owens which is a common corner to the southeast George Lamb. We recovered an axle at the southwest Owens which has long been recognized by surveyors and land owners alike as the southwest corner of the John Owens League/southeast corner of the George Lamb. There are old fences running north, east, and west from this corner. This corner also conforms to the original calls along the south line of the John Owens League for crossings of the San Jacinto River.

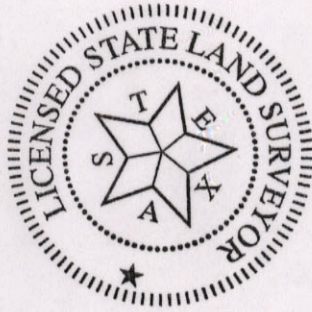
At the northeast corner of the Matthew Dial Survey (Edward Daily)/northwest corner of the John Owens League, we recovered a 1 1/2" pipe marking this corner. This corner also has long-standing recognition and old fence lines running south, west, and east. The north line of the John Owens calls for the San Jacinto River at 620 varas east of the northwest corner, and the river is found today in this location from the pipe marking this corner. The distance from the axle at the southwest corner Owens/southeast corner Lamb to the northwest corner Owens/northeast corner Dial is 5008.93 varas (original call 5000 varas).

At the northwest corner of the George Lamb/southwest corner of the Matthew Dial/northeast corner of the Lewis M. Flatow, we recovered a 3" iron pipe which has again been long recognized by surveyors and land owners alike as marking this corner. There are old fences running east and south from this corner. The creek crossings along the west line of the Dial are in general conformity to

those called in the abandoned Morgan and Daily Surveys, even though there has been channelization and realignment in this area.

While we did not recover any bearing trees as called for in the original field notes, we found the George Lamb to be well marked and fenced with fences showing evidence of being very old and having been rebuilt several times. The corners of this survey as found on the ground conformed very closely to the natural objects (creeks and rivers) as called for by the original, locating surveyors. The George Lamb Survey and the John Owens League as we have found them on the ground leaves the Matthew Dial with its full complement of area and calls as described in the original field notes of the Dial.

Respectfully submitted,



Nedra J. Foster

Nedra J. Foster
Licensed State Land Surveyor