

VICINITY MAP
(NOT TO SCALE)

BRAZORIA COUNTY

BRAZORIA

GULF OF MEXICO

Stephen F. Austin
1/3 League A-28

Premium Lands
Titled May 31, 1828
Box 5, Folder 55, Page 6

John G. McNeel
A-335

Surveyed August 10, 1838
Patented August 31, 1850
1st Class Headright
No Variation given

"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."

"This survey does not nor is intended to be used to identify, delineate or fix the line of vegetation or the landward boundary of the public beach."

Lines Shown were surveyed on the ground September 03, 2004
Field Personnel: Stephen Blaskey

Tidal Datums at FREEPORT, DOW BARGE CANAL
National Ocean Service Station ID: 8772440 based on:

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

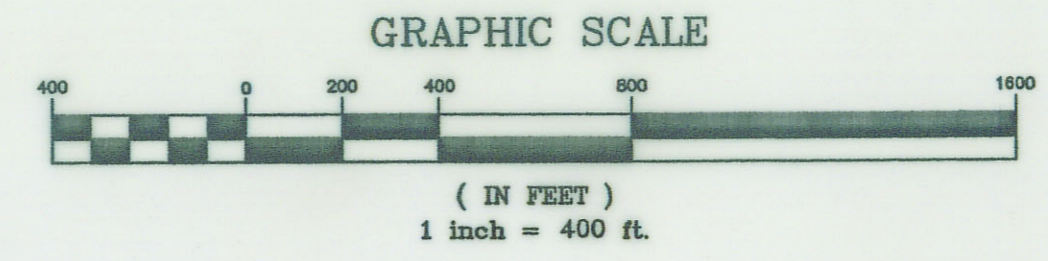
TEXAS GENERAL LAND OFFICE
Art. 33.136, Natural Resources Code
Co. Brazoria - Sketch 6, Sheet 1, Large Format
File Date 11-15-2004 by D.J.H.
For Report See Sheets 2-3, Small Format

LINE 3
Mean High Water line

END LINE 3
N 13533745.98
E 3140733.80

END LINE 2
N 13,534,791.13 ft
E 3,141,923.05 ft

POB LINE 3
N 13,534,255.31 ft
E 3,141,352.11 ft



END LINE 1
N 13,538,691.50 ft
E 3,146,757.73 ft

POB LINE 2
N 13,538,191.38 ft
E 3,146,116.77 ft

POB LINE 1
N 13541032.97
E 3148988.91

LINE 1
Mean Higher High Water line

Line 3
Survey of the Mean High Water line of part of the John G. McNeel Survey, Abstract No. 335 in Brazoria County, Texas, and being more particularly described by metes and bounds as follows;

COMMENCING at NGS Monument "CAPTAIN" with NAD 83 (1993 SPC TXSC Grid Coordinates of 4,127,796.937 N and 960,670.419 E (in Meters) Scale factor 0.99988744 Convergence +1'48'46.0"

THENCE S 51°20'18" W, a distance of 13,379.56 ft (4816.6 Varas) to the West end of Project 2, as surveyed by Sidney Bouse on August, 11, 2003 and on file in the General Land Office in Austin and the POINT OF BEGINNING N=13,534,255.31 ft, E= 3,141,352.11 ft;

THENCE N 40°48'21" W, a distance of 14.46 feet (5.2 Varas) L26 to the Mean High Water Line of the said John G. McNeel grant;

THENCE along the Mean High Water line S 48°59'10" W, a distance of 32.71 feet, (11.8 Varas) L 27;

THENCE along the Mean High Water line S 49°30'59" W, a distance of 766.31 feet, (276.6 Varas) L 28 N=13,533,745.98 ft, E= 3,140,733.60

Line 2
Survey of the Mean Higher High Water line of part of the Steven F. Austin One-third League, Abstract No. 28 and a survey of the Mean High Water line of part of the John G. McNeel Survey, Abstract No. 335 in Brazoria County, Texas, and being more particularly described by metes and bounds as follows;

COMMENCING at NGS Monument "CAPTAIN" with NAD 83 (1993 SPC TXSC Grid Coordinates of 4,127,796.937 N and 960,670.419 E (in Meters) Scale factor 0.99988744 Convergence +1'48'46.0"

THENCE S 52°06'34" W, a distance of 7200.79 feet (2592.3 Varas) to the West end of Project 1, a section of said Stephen F. Austin one-third League, Abstract 28, as surveyed by Sidney Bouse on August, 11, 2003 and on file in the General Land Office in Austin and the POINT OF BEGINNING N= 13,538,191.38 ft, E= 3,146,116.77 ft;

THENCE N 37°59'16" W, a distance of .99 feet (0.4 Varas) L11b to Mean Higher High Water line of the said Gulf of Mexico;

THENCE along the Mean Higher High Water line the following courses and distances:

S 52°0'44" W, a distance of 228.21 feet (82.2 Varas) L12;

S 51°47'25" W, a distance of 496.95 feet (178.9 Varas) L13;

S 50°55' W, a distance of 495.53 feet (178.4 Varas) L14;

S 51°30'18" W, a distance of 498.98 feet (179.6 Varas) L15;

S 51°49'21" W, a distance of 496.68 feet (178.8 Varas) L16;

S 50°22'33" W, a distance of 612.76 feet (220.6 Varas) L17 to the approximate West line of the said Stephen F. Austin grant and the East line of the said John G. McNeel grant (No monumentation found);

THENCE S 45° E, a distance of 4.49 feet (1.6 Varas) L18 to the Mean High Water line of the said John G. McNeel grant;

THENCE along the Mean High Water line the following courses and distances:

S 50°18'35" W, a distance of 385.38 feet (138.7 Varas) L19;

S 50°51'55" W, a distance of 500.88 feet (180.3 Varas) L20;

S 50°10'03" W, a distance of 493.33 feet (177.6 Varas) L21;

S 50°12'56" W, a distance of 498.97 feet (179.6 Varas) L22;

S 50°37'56" W, a distance of 495.22 feet (178.3 Varas) L23;

S 48°58'28" W, a distance of 222.90 feet (80.2 Varas) L24;

S 41°53'33" E, a distance of 15.07 feet (5.4 Varas) L25 to the East end of Project 2 on said survey dated August 11, 2003 by Sidney Bouse on file at the General Land Office in Austin N=13,534,751.13 ft, E=3,141,923.05 ft.

Line 1
Survey of the Mean Higher High Water line of part of the Steven F. Austin one-third League, Abstract No. 28 in Brazoria County, Texas, and being more particularly described by metes and bounds as follows;

COMMENCING at NGS Monument "CAPTAIN" with NAD 83 (1993 SPC TXSC Grid Coordinates of 4,127,796.937 N and 960,670.419 E (in Meters) Scale factor 0.99988744 Convergence +1'48'46.0"

THENCE S 53°41'34" W, a distance of 2472.13 feet (890.0 Varas) to the Mean Higher High Water line of the Gulf of Mexico and the POINT OF BEGINNING N= 13,541,032.97 ft, E= 3,149,898.91 ft;

THENCE continuing along the Mean Higher High Water line the following courses and distances:

S 53°41'34" W, a distance of 202.08 feet (72.7 Varas) L1;

S 56°13'58" W, a distance of 198.27 feet (71.4 Varas) L2;

S 54°09'24" W, a distance of 198.4 feet (71.4 Varas) L3;

S 57°19'30" W, a distance of 203.2 feet (73.2 Varas) L4;

S 57°19'30" W, a distance of 204.4 feet (73.6 Varas) L5;

S 52°50'52" W, a distance of 494.23 feet (177.9 Varas) L6;

S 54°27'20" W, a distance of 493.17 feet (177.5 Varas) L7;

S 51°13'10" E, a distance of 497.85 feet (179.2 Varas) L8;

S 54°05'26" W, a distance of 495.22 feet (178.3 Varas) L9;

S 52°01'51" W, a distance of 493.14 feet (177.5 Varas) L10;

S 51°29'54" W, a distance of 439.73 feet (158.3 Varas) L11;

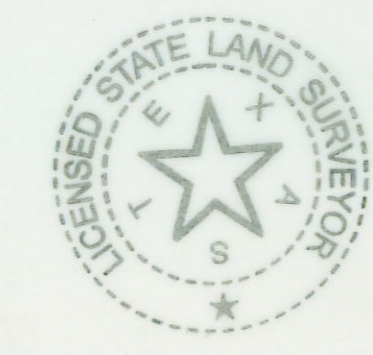
THENCE N 38°30'06" W, a distance of 2.22 feet (0.8 Varas) L11a to the East end of Project 1 N= 13,538,691.50 ft, E=3,146,757.73 ft, a previously surveyed section of said Stephen F. Austin one-third League, Abstract 28, as surveyed by Sidney Bouse on August, 11, 2003 and on file in the General Land Office in Austin.

NOVEMBER 12, 2004

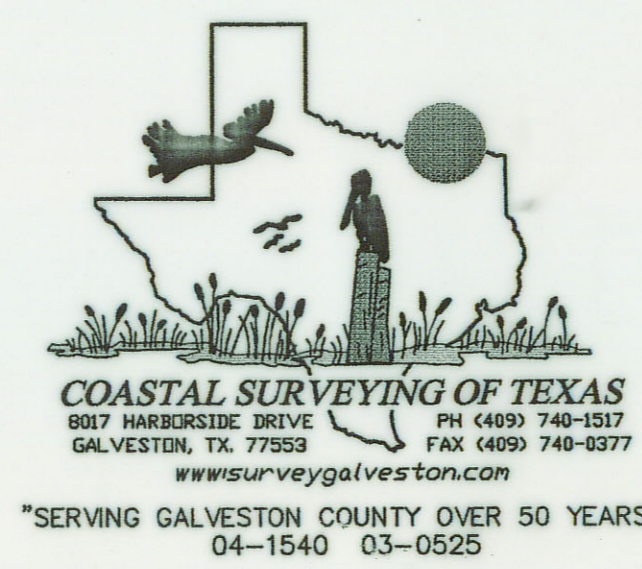
I hereby certify that the above described property was surveyed in the field according to law under my direction on the above referenced date, and that the above map together with dimensions and coordinates is true and correct as of the above date.

COASTAL SURVEYING OF TEXAS

Sidney Bouse
Licensed State Land Surveyor
email: sid@surveygalveston.com



Mean High Water Line of the John G. McNeel Survey, A-335 and the Mean Higher High Water Line of the Stephen F. Austin 1/3 League, A-28, both in Brazoria County, Texas
19.5 Miles South-Southeast of the Brazoria County Courthouse



**SURVEYORS REPORT ON THE
MEAN HIGHER HIGH WATER LINE SURVEY OF PART OF THE
SOUTHERLY SHORELINE OF THE STEPHEN F. AUSTIN SURVEY,
ABSTRACT 28 AND THE MEAN HIGH WATER LINE SURVEY OF PART OF
SOUTHERLY SHORELINE OF THE JOHN G. MCNEEL SURVEY, ABSTRACT
335 BOTH OF BRAZORIA COUNTY, TEXAS**

I surveyed the line of Mean Higher High Water of part of the Southerly shoreline of the Stephen F. Austin Survey, Abstract 28 and the Mean High Water Line of part of the Southerly shoreline of the John G. McNeel Survey, Abstract 335 both of Brazoria County, Texas, as authorized by Stephen Blaskey and Frontier Surveying and in my capacity as Licensed State Land Surveyor for the State of Texas.

HISTORY

The Stephen F. Austin Survey of One Third League of land surveyed by Thomas H. Borden and Titled out of Mexico on May 31, 1828 as found in the GLO Spanish Collection field notes in Volume 2, Page 608 and Translation found in Box 5, Folder 55, Page 6 in the Archives and Records Division of the General Land Office, Austin, Texas.

The John G. McNeel Survey is a First Class Headright Grant from the Republic of Texas of One Half League of land as surveyed by Authur Hemie, District Surveyor on August 10, 1838 as found in the Archives and Records Division of the General Land Office, Austin, Texas.

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. The John G. McNeel Survey was surveyed in 1838, but the patent was not issued until 1850. The case *Rudder v Ponder*, established that lands surveyed under the Civil Law but did not receive their Patent from the Republic or State of Texas until after the adoption of the Common Law were to be surveyed under the current Common law line of the Mean High Water.

TEXAS GENERAL LAND OFFICE
Art. 33.136, Natural Resources Code
Co. Brazoria, ^{Sketch} ~~Report~~ No. 36, ~~small format~~
File Date 11-15-2004 by D.J.H.
See Sketch 6, Large Format

Sheet 2 of 3, small format

The elevation of the Mean Higher High Water line on this project site was established. The FREEPORT, DOW BARGE CANAL, TEXAS (NOS Station Id: 8772440) Tidal Benchmarks 2440-A, 2440-B, 2440-C and 2440-D were tied to NGS monument CAPTAIN (NGS PID AM0078) utilizing Trimble RTK with 2 Meter fixed height poles. The published Mean High Water and the Mean Higher High Water elevations from NOS Tide Gauge FREEPORT (1997-2001 epoch) were then transferred to the shoreline of the Gulf of Mexico and are described and shown on the attached survey.

The Three separate lines were surveyed so as not to cross the lines designated as "Project 1" and "Project 2" on survey by me dated November 11, 2003 and on file in the General Land Office. The division line between the Stephen F. Austin and the John G. Mc Neel was located using occupation points along the Brazos River in Freeport, Texas only. No original monumentation was recovered in the course of this survey, and this survey does not purport to locate the true division line between the two surveys.



Sidney Bouse
Licensed State Land Surveyor

November 12, 2004
LSLS04-1540 03-0525Quintana



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Co. Brazoria, Sketch No. 6, small format
File Date 1/15-2004 by DJ.H
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~~shl 3 of 3 Small format~~