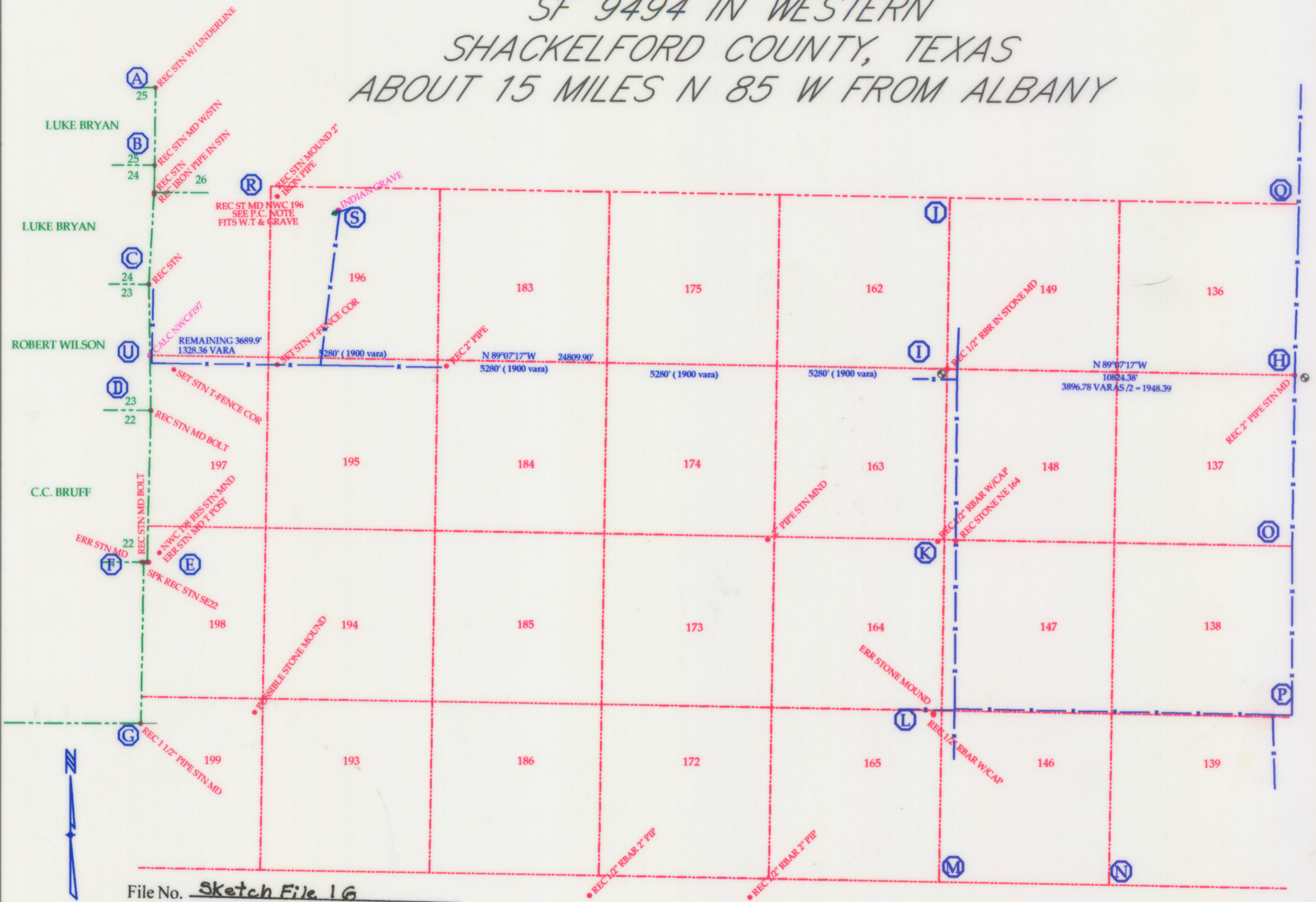


SKETCH ACCOMPANYING LETTER
REGARDING THE ANNIE GENTRY SURVEY
SF 9494 IN WESTERN
SHACKELFORD COUNTY, TEXAS
ABOUT 15 MILES N 85 W FROM ALBANY



File No. Sketch File 16

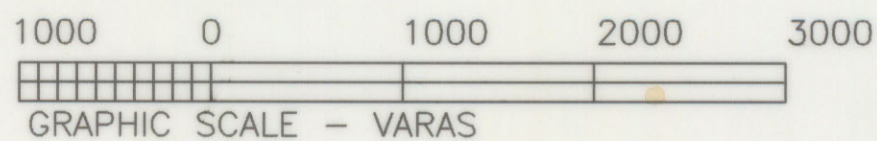
Shackelford County

Sketch accompanying Letter of Findings

Date Filed: March 7, 2005

Jerry Patterson, Commissioner

By Douglas Howard



Varas	Diff. North in Varas	Diff. East in
From R to B	343.23	-1376.21
From R to C	-981.09	-1441.90
From R to U	-1767.12	-1429.53
From R to D	-2385.36	-1419.81
From R to E	-4075.43	-1480.57
From R to F	-4077.05	-1499.02
From R to G	-5867.40	-1527.94
From H to B	2307.07	-12773.51
From H to C	982.74	-12839.20
From H to U	196.71	-12826.83
From H to D	-421.51	-12817.10
From H to E	-2111.59	-12857.87
From H to F	-2113.22	-12896.32
From H to G	-3903.56	-12925.23
From H to R	1963.84	-11397.30
From I to B	2248.40	-8877.19
From I to C	922.98	-8942.88
From I to U	136.96	-8930.51
From I to D	-481.26	-8920.79
From I to E	-2171.35	-8961.55
From I to F	-2172.97	-9000.00
From I to G	-3998.33	-9028.92
From I to R	1904.06	-7500.98

Maxey Sheppard

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COUNTY	SHACKELFORD	QUAD
CLIENT	W. J. WITT	
DATE	02-21-2005	FILE NAME
DATUM		
DRAWN BY	MAXEY SHEPPARD	W.O.j
CHECKED BY		



SHEPPARD SURVEYING CO., INC.

Registered Professional Land Surveyor 3697 - Licensed State Land Surveyor

File No. Sketch File 16

Shackelford

Letter of Findings

BOUNDARY
RETRACEMENT
GPS
CONTROL
ROUTE
OIL LEASE
County

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SF-9494, 155014

Date Filed: March 7, 2005

Jerry Patterson, Commissioner

By Douglas Howard

February 8, 2005

Letter of findings to date regarding location of the Annie Gentry Survey SF 9494, in Shackelford County, Texas

In July of 2002 Mr. W. J. Witt requested that I review the location of the above said survey for purpose of obtaining a patent. He had purchased this tract and wanted to develop it.

The Annie Gentry Survey has been shown to exist by record of survey made by Proctor Clark in January 1910, as lying between the original river surveys as patented to Wm. S. Keaghey, (D-1755), C.C. Bruff (D-837), and Robert Wilson (B-837) and the E. T Railroad Company block of surveys.

The east line of these river surveys (see attached sketch points indicated as A,B,C,D,E,F, & G) seem well monumented and accepted for years. Corners C, D, E, F, & G are shown by Proctor Clark Working Plat of the Annie Gentry Survey GLO Sketch File No. 12, Shackelford County.

At corner "F" we did recover two additional stone mounds called erroneous by Mr. Clark. At corner "G" we also recovered another stone mound called erroneous by Mr. Clark.

The E. T. Railroad Company block of surveys was made by William Armstrong, Deputy Surveyor of Milam District in July of 1868. Upon reviewing Mr. Armstrong's field notes for this block of survey it appears that he did not run every line and occupy every corner. As has been found in the past he would run selected lines, which we find calls for physical monuments such as stone mounds with witness trees and passing call for creeks. On lines not ran and corners not occupied he has no passing calls and calls for a stake and mound to mark the corner with no witness trees. Within the block of sections the last north-south line ran and monumented by Mr. Armstrong was the west line of Sections 143 north through Section 149. Two miles east of this line is another line with calls for monuments with passing or locative calls. The only sections west of these lines to call for actual monuments was at the northwest corner of Section 196 which also contains passing calls on the west and north lines of this section. Also in field notes for Section 197 there is a passing call for a creek along its north line.

As evidenced by correspondence between Proctor Clark and the General Land Office there was a long term running discussion over the location of the western part of the E. T. Railroad Company sections.

January 29, 1908, letter from Land Commissioner Terrell to Proctor Clark stating that no resurvey had been authorized and that the original locating surveyors field notes should be followed in placing these section on the ground unless found to conflict with a senior survey.

January 17, 1910, field notes for the Annie Gentry Survey by Proctor Clark which he calls to begin at the northeast corner of E. T. Railroad Section 206, being four miles north and fifteen miles west from the original southwest corner of E. T. Railroad Section 1.

August 29, 1913, letter from Proctor Clark to Commissioner of General Land Office, in which he states in part;

the E.T.RR. lands, 236 square miles in Shackelford and Throckmorton Counties were located by Wm Armstrong during the time between July 24, 1868, and September 6, 1868.....

The bulk of work was beyond doubt an "office survey", this is borne out by the fact that only three original E. T. RR. Section corners can be found and identified: southwest corner Section 1, southwest corner Section 30 and southeast corner Section 14.

Discusses the error of W. A. Eaheart, County Surveyor 1895 in relocating the E. T. RR. Sections.

Discusses his work to run a line from the southwest corner of Section 1, E. T. RR west to establish the location of Sections 210, 213, 214, and 215. Work was commenced at the original southwest corner of Section 1 near Albany, the county seat. From this point a transit line was run due west, checking the azimuth and correcting for convergence every six miles. Measurements were taken with a steel tape, leveled. Two varas per mile were allowed to compensate for sag. At one mile the original southwest corner of Section 2 E. T. RR. Was passed,..... continues to discuss passing the northwest corner of Section 4, G. H. & H. which Mr. Eaheart mistook for the southeast corner of Section 142. E. T. RR. allowing for discrepancies in Eahearts location of sections in E. T. RR block. At 15 miles the northeast corner of Section 218 E. T. RR., was established

Discussed the application for the Annie Gentry Survey west of the E. T. RR. Block and west of the older survey along the Clear Fork of the Brazos. From the northeast corner of Section 218 E. T. RR. the west line of Sections 202, 201, 200, 199, 198, and 197 E. T. RR. were ran due north with care.....

June 11, 1949, letter from Proctor Clark to Bascom Giles Commissioner of General Land Office in which Mr. Clark discussed the Annie Gentry Survey Work was begun June

6, 1949, at the southeast corner of the Genrty, which is also a corner common to Sections 198, 199, and 206 of E. T. RR. This corner an old stone mound, was found to be in good condition; somewhat flattened out. *This is the mound placed for southeast corner of Annie Gentry by Mr. Clark; see field notes dated January 7, 1910. He then continues to retrace and support his original location of the Gentry as located some 39 years earlier.*

While compiling research information I obtained copies of what is known as "Proctor Clark Field Book" from the local abstract company which is a series of sketches compiled by Proctor Clark showing the lines he ran, corners found and identified, along with comments. These have been found to be very useful in retracing survey within Shackelford County. In these pages Mr. Clark notes corner by other surveyors and their relative positions such as Erheart and Morgan. From these records I find that Mr. Clark calls to have recovered the original Armstrong corners (at corner where Armstrong had called to place corner monuments) at the following corners.

Section 135, northeast and southeast corners

Section 137, northeast (*see sketch with this report point "O"*) and southeast corners

Section 142, northeast and southeast corners

This would be along the aforesaid north-south line being two miles east of the last north-south line marked by Armstrong.

Also at northeast corner of Section 163, which is the northwest corner of Section 148 (*see sketch with this report point "I"*) Note that this corner is found to be 3896.78 varas west of the point "H" recovered for the northeast corner of Section 137 rather than 3800 varas as called for. To this point in time these two corner monuments appear to be perpetuations of Armstrong's original corners based upon Proctor Clarks records. Other monuments were recovered in the area between these monuments and those recovered on the east line of the river surveys, all of which have no record dignity along with lines of occupation which cannot be relied upon for the true location of the E. T. RR. sections.

From either points "H" or "I" on the attached sketch points "A" through "G" are found to be less than the required 13, 300 varas for each of the E. T. RR. Sections to have the called 1900 varas east-west.


At point "R" on the attached sketch we did recover a 2" pipe in a stone mound which may have been the location as established by Mr. Armstrong. This pipe and stone mound is 1963.84 varas north (*call = 1900 varas*) and 11397.30 varas west (*call = 11400 varas*) of point "H". At point "S" we did recover a stone mound, at a location and verified by remains of an old Indian grave and sprouts of two mesquite witness trees as called for by Proctor Clark in his "field Book" for the northwest corner of Section 196 E. T. RR., being on a high bluff south of the river. I am not able to reconcile why Proctor Clark believed this point "S" was Armstrong's northwest corner of Section 196. I am also not able to find any mention by Proctor Clark of the stone mound we recovered at point "R". Note again on the attached sketch points "A" through "G" will not be at a westerly distance from "R" to allow the last tier of E.T. RR. Sections to have their full 1900 varas.

Point "U" on the attached sketch represents the intersection of a line projected west between points "H" to "I" at it's intersection with the west line of the Robert Wilson Survey Number 23.

Upon reporting this to Mr. Witt he asked that we discontinue the survey and no farther field work has been undertaken. To the date of this writing points Q, O, and P were examined for Armstrong corners, but not revisited after calculations were made to narrow the search, and points J, K, L, M and N should be visited to search for Armstrong corners to verify the acceptance of corners H or I.

Having followed Proctor Clark's work for over 30 years in the Shackelford County area it is very difficult to disagree with him. However in this case based upon the work completed to date, I do not believe there is a gap allowing for the placement of the Annie Gentry Survey SF 9494 between E. T. RR. Sections 197 and 198 and the C. C. Burr and Wm S. Keaghey Survey in western Shackelford County.

Respectfully submitted,


Maxey Sheppard
Licensed State Land Surveyor

Note: Italics represents inserted statements of Maxey Sheppard

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