

**RE-SURVEY OF PARTS OF
SECTIONS 152, 164 & 200
BLOCK 42, H. & T. C.
RAILROAD COMPANY SURVEY
ROBERTS COUNTY, TEXAS**

Older's notes: See Inventory Report and Field Notes on Oct 7, Page 103-119

SECTION	COURSE	BEARING	DISTANCE
SECTION 200	L1	N 01°04' 59" W	596.481V
	L2	N 69°28' 56" E	223.524V
	L3	N 79°10' 47" E	293.004V
	L4	N 69°28' 56" E	223.524V
SECTION 164	L5	N 77°51' 44" E	697.189V
	L6	S 77°53' 33" E	255.254V
	L7	N 89°18' 33" E	196.484V
	L8	S 79°48' 56" E	400.660V
SECTION 152	L9	S 01°10' 38" E	400.159V
	L10	S 89°48' 05" E	1802.020V
	L11	N 79°17' 09" W	722.312V
	L12	N 77°48' 05" W	524.475V
SECTION 152	L13	N 89°48' 05" E	1802.020V
	L14	N 01°24' 09" E	1500.587V
	L15	S 89°28' 13" W	225.146V
	L16	S 89°28' 13" W	225.146V
SECTION 152	L17	S 89°28' 13" W	225.146V
	L18	S 89°28' 13" W	225.146V
	L19	S 89°28' 13" W	225.146V
	L20	S 89°28' 13" W	225.146V

FILED
DONALD L. COOPER, Surveyor
COURT REPORTER
118 07 2006
Roberts Co. & Hemphill Co. Surveyors



FILED
DONALD L. COOPER, Surveyor
COURT REPORTER
118 07 2006
Roberts Co. & Hemphill Co. Surveyors

File No. Filed Sketch 4
Re-survey of Parts of Roberts County
Block 42, H. & T. C. R.R. Co.
Date Filed: Mar. 16, 2006
By: Jerry Patterson, Commissioner
David S. Kirkwood

INDICATED BY RB WITH C/P
SEE ATTACHED FIELD NOTES
SEE ATTACHED FIELD NOTES
RECORDED IN THE PUBLIC RECORDS OF THE COUNTY OF ROBERTS, TEXAS
DATE: 07/23/2006
BY: JERRY PATTERSON, COMMISSIONER

VARAS



SHEPPARD
SURVEYING CO., INC.

Registered Professional Land Surveyor - Licensed State Land Surveyor

036291

BOUNDARY
RETRACEMENT
GPS
CONTROL
ROUTE
OIL LEASE

17 Windmill Circle Abilene, Texas 79606 (325) 695-6277 Fax 695-3299 E Mail: rpls@gis-survey.com

Report of survey for the application to Patent parts of Sections 152, 164, and 200 along the Canadian River of Block 42, Houston & Texas Central Railway Company Surveys, in Roberts County Texas and being about 20 miles north of Miami, the county seat of Roberts County. This project was undertaken during the months of July - November 2005, by the request of Abraham Brothers, LLC, a Texas Limited Liability Corporation and owners of the surrounding lands.

The following is a time line of survey events along with comments (*in Italics*) relative to this re-survey made in 2005.

September 1873

Block 42 was originally surveyed by J. H. Dinkins, Deputy Surveyor of Bexar District. *From review of Dinkins field notes of record in the General Land Office, all of the field notes for these sections were abandoned and the sections patented upon later re-surveys. Most of the corner calls were for a mound with very few locative calls for permanent type corner monuments, witness trees, nor passing calls.*

August 1888

Re-survey of Block 42, by Joe L. Long, State Surveyor. *By review of Mr. Long's filed book it appears he made a diligent search for Mr. Dinkins footsteps and eventually completed the re-survey preparing field notes for all sections in this immediate area. These field notes included corners marked with stone mounds as well as post marked with the section numbers. He provided passing calls on creeks, drains and even north and south banks of the Canadian River. (A Navigable Stream by definition of the "Thirty-Foot Statute" part of an Act of December 14, 1837) and bearings to points of bluffs and peaks on both sides of the river. Most of the odd numbered or railroad sections are patented on Mr. Long's field notes as well as several even numbered or State Sections. During the course of this 2005 survey only perpetuations of Mr. Long's corner were found and verified with passing calls.*

File No. ROLLED SKETCH 4
ROBERTS County
Re-survey of parts of Sects. 152, 164 & 200
Block 42, H. & T. C. R.R. Co.

Date Filed: Mar. 16, 2006

Jerry Patterson, Commissioner

By Douglas Howard VOL 7 PAGE 103 sht 1 of 6

See Sketch in oversize Rolled Sketch.

Counter 83621

Field notes for all of **Section 197**, Block 42 made by Joe L. Long (Patented). Begins at post marked NE 197, the southeast corner of Section 196. From which a large rock on natural mound bears N 49 3/4° W and a flat rock on mountain side on south side of river bears S 23 1/4° W. *The large rock on natural mound is very prominent and is just south of County Road known as North River Road. From computed corner recovered male end of sucker rod set by others bears 9.33 varas N 45°27'37" E.* Thence West 1900 varas to post marked SE 201 for northwest corner of this section. Thence South at 1016 varas cross north bank of river, at 1858 varas cross south bank of Canadian River, 1900 varas to post marked SW 197 for southwest corner of this section with bearing calls to a bluff and high peak. *Note: river bed on this west line is some 842 varas wide.* Thence East at 418 varas touch south bank of river bed, continue total of 1900 varas to post marked NW187 for southeast corner with bearing call to bluff and peak. Thence North at 578 varas cross south bank, at 1882 varas cross north bank of Canadian River, continue total of 1900 varas to POB. *Note: river bed on this east line is some 1304 varas wide. 842 varas + 1304 varas / 2 = 1073 varas x 1900 varas = some 360 acres with in river bed.*

Field notes for **Section 164**, Block 42 by Joe L. Long (NOT Patented, due to reports of appraisers that most of section fell in river bed). Beginning at a post marked SW 161 northeast corner Section 163 and southeast corner this section. Thence West 1900 varas to post marked NW 163. Thence North crossing Home Ranch creek at 623 varas and south bank of river at 1490 varas, total 1900 varas to post marked NE 173. Thence East 1900 varas to a cedar post for northeast corner, with bearings to peak and bluff. Thence South crossing the south bank of river at 1750 varas, continue total of 1900 varas to POB. *During this 2005 survey we find that the sand bed has moved southerly crossing the south line of said section 164, while the north sand bed leaves a small triangle off of the northeast corner of section 164 as shown by this survey.*

Field notes for **Section 148**, Block 42, by Joe L. Long, State Land Surveyor, (Patented)

Field notes for **Section 149**, Block 42, by Joe L. Long, State Land Surveyor, (Patented)

March 1902

Field notes by D. B. Stribling, County Surveyor of Roberts County for the north half of **Section 210**. (Patented) Calls to begin at Northeast corner of section 210 with the same bearing calls to bluffs and flat top mountain as Long. He then describes the North half of section 210 with stone monuments at the remaining three corners. The northwest corner has matching calls to bluff and mountain as Long again.

June 1902

Field notes by D. B. Stribling, County Surveyor of Roberts County for the north half of **Section 150**. (Patented). Beginning at a post marked SW 149 for the northwest corner of this section 150. Thence South 950 varas to southwest corner. Thence East 1900 varas to southeast corner. Thence North 950 varas to cedar post marked NW 139. Thence West 1900 varas.

July 1905

Field notes by W. H. Cunningham County surveyor of Hemphill County for the South half of **Section 152**, Block 42 (Patented) Beginning at an iron rod $2\frac{1}{2}' \times \frac{3}{4}''$ set for southeast corner of section 150, southwest corner of Section 139. *Recovered this rod bent over. Fence corner bears $N 53^{\circ}17'53'' E$ at 15.386 varas.* Thence North 950 varas to northeast corner set sand rock, $6'' \times 10'' \times 28''$. Thence West 1900 varas set Sand rock $10'' \times 10'' \times 24''$ for northwest corner. Thence South 950 varas to an iron rod $3' \times \frac{3}{4}''$ set for southwest corner section 150 and southeast corner Section 151. *Did not recover this rod but did find $\frac{1}{2}''$ rebar with cap marked "topographic surveyors" which bears 1.145 varas at $N 75^{\circ}37'26'' E$ from computed corner.* Thence East 1900 varas to POB.

March 1930

Field notes by D. B. Stribling, County Surveyor of Roberts County for the northwest quarter of **Section 162**. (Patented) Beginning at the northwest corner of Section 162 from which a large Cottonwood tree brs. $S 78\frac{3}{4}^{\circ} W$ at 124 varas, said cottonwood marked by Joe L. Long State Surveyor, July 3, 1888. Thence South 950.4 varas to iron pipe for southwest corner this quarter. *Recovered this pipe and small group of stones on the east face of a ravine.* Thence East 950.4 varas set pipe for southeast corner this quarter. *Recovered this pipe about half way down the northeast face of a point.* Thence North 950.4 varas to a point. Thence West 950.4 varas to the POB.

January 31, 1934

Field notes by J. D. Merriman, LSLS for the North Half of **Section 200** (Patented). Begins at point in the bed of the Canadian River at a point 950.4 varas north of common corner of sections 199,200,209,210, Block 42. Thence North crossing north bank of river at 846 varas and total distance of 950.4 varas to a point in bed of dry branch with call for witness trees. *At this point I find an old fence line running east-west which is over half buried by silt with evidence of an even older fence below.* Thence East 1900.8 varas to a sand stone under a fence at south end of car gap, and 12 feet north of fence line bearing west. *Did not recover sand stone, as this is now area of three gates at a four way fence corner. Did find loose sand stone laying under fence some 6 varas south of reconstructed corner. Faint evidence of old road running to the east is visible.*

Reconstructed corner will fall on south side of this faint road, but fence to west is now farther north with no evidence of mentioned fence. Thence South crossing north bank of river at 378 varas, total 950.4 varas to point in bed of river. Said point called to be 950.4 varas north of common corner of sections 197,198,199, and 200. Thence West 1900.8 varas to POB.

By squaring off these calls some 238 acres of land were called to be within the river bed and Patented.

June 1942

Corrected field notes for the south half of **Section 210** by A. H. Doucette, Licensed State Land Surveyor. (Patented) Calls to begin at 1 ¼" pipe set for the southwest corner of section 199. *This pipe was recovered in an open pasture on the southeast slope of a hill.* Thence N 0°53' W for 950.4 varas. Thence S 89°51' W 1907.4 varas. Thence S 0°53' E for 950.4 varas to a 1 ¼" iron pipe for southeast corner section 211 and southwest corner this section 210. Thence N 89°51' E for 197.4 varas to POB.

Corrected field notes for all of **Section 198**, by A. H. Doucette, Licensed State Land Surveyor. (Patented 642.2 Acres) Calls to begin at 1 ¼" pipe set for southwest corner Section 187 and southeast corner this section. *Recovered this pipe which bears 68.958 varas S 8°55'20" W from a fence corner.* Thence N 0°55' W 1900.8 varas to point in bed of Canadian River for northwest corner this section. Thence S 89°51' W for 1907.4 varas to northwest corner this section. Thence S 0°55' E for 1900.8 varas to 1 ¼" iron pipe set for southwest corner of this section. *Recovered this pipe in open pasture. Has been hit by shredder or heavy equipment.* Thence N 89°51' E for 1907.8 varas to POB. *Note that Doucette calls for northeast corner section 198 to fall in river, while Long indicates that northeast corner is south of river and north line running west will touch the south bank at 1482 varas.*

Corrected field notes for all of **Section 163**, by A. H. Doucette, Licensed State Land Surveyor. (Patented 648.8 Acres) Beginning at a 1 ¼" pipe set at corner of four fences the southeast corner of Section 174 in said Block 42 as established by D. B. Stribling April 7, 1928. *Did find pipe at three way fence corner north, east & west tight against large cedar post. Did not hold for corner, as it does not fit the other recovered Doucette monuments. Another fence runs south just to the west of this pipe and a new tee post and wire fence runs north from recovered pipe which at southwest corner of abandoned stock pens.* Thence N 0°24' W at 950.4 varas pass iron pipe under fence set by Stribling for northeast corner of south half of Section 174, at 1900.8 varas point in river bed. *Did not recover called for pipe at 950.4 varas, this is a new tee post and barbed wire fence on a dozed line and falls in a drain running east to west.* Thence N 89°39' E for 1920.9 varas to the northwest corner of the northwest quarter of section 162 as established by Stribling March 3, 1930 for northeast corner of this section. Thence S 0°24' E at 950.4 varas pass a pipe set by Stribling for the southwest corner of the northwest quarter of Section 162, at

1912.4 varas to a point in a wheat field for the southeast corner of this section, from which a 1 ¼" pipe set in an east-west fence bears north at 10.2 varas *Recovered iron pipe set by Stribling for quarter corner on east slope of ravine with small group of stones. Computed southeast corner of section 163 does fall close to proper distance south of east west fence but no witness pipe was recovered.* Thence West for 1921 varas to POB.


Corrected field notes for three quarters of **Section 162**, by A. H. Doucette, Licensed State Land Surveyor. (Patented 481.2 Acres). Beginning at a ¾" pipe established June 29, 1904 by W. H. Cunningham's field notes of survey number 3, E. E. Polly as the southeast corner of Section 162, Block 42. *Recovered 1" iron rod at the corner rather than called for ¾" pipe. Fence corner bears N 44°04' 00" E at 10.001 varas.* Thence West 1889 varas to a point in a wheat field for the southwest corner of this being the southwest corner Section 162 as established by D. B. Stribling on April 7, 1928. From this point a 1 ¼" pipe in east west fence bears north at 10.2 varas. *See notes regarding this same as southeast corner Section 163.* Thence N 0°24' W parallel with the east line of Section 174 as established by Stribling for 962 varas to iron pipe set by Stribling on March 3, 1930 for southwest corner of the Northwest quarter of Section 162. *See notes regarding recovered this corner on east line Section 163.* Thence N 89°53' E for 946.7 varas to a pipe set by Stribling for southeast corner of Northwest quarter of Section 162. *See notes regarding recovered this corner in northwest quarter of section 162 by Stribling March 1930.* Thence N 0° 24' W for 950.4 varas to northeast corner of northwest quarter. Thence N 89°53' E for 942.3 varas to northeast corner of Section 162. Thence S 0°24' E for 1916.4 varas to POB.

Based upon the above recovered corners I have reconstructed the sections within said Block 42. Many of the fences within the area are relatively new, having been rebuilt using tee post within the past years. Some of these can be noted as re-built along older fences due to remains of post recovered on the same lines, while others gave no indication of older fence lines. Some were found to be close to section lines while others were many varas away. At various places we did recover items which may have been set possibly trying to mark section corners, in close proximity to existing fence corners, but most of these had no record dignity and were only tied for reference and not held in the construction of this survey.

The agreed upon boundary as referenced in the accompanying field notes was selected from aerial photography, with the aid of the General Land Office, delineating an old sand bed of the Canadian River. This line was then recovered on the ground and found to generally follow the bottom toe of slope of sand berms on either side of the river. The angle points of this line were monumented by setting 4' x ½" rebar with cap marked "Sheppard 3697" and witnessed by a tee post driven with fins up. At points where this line intersected original survey lines a 7' x 1 ½" Galvanized Iron pipe was set generally with 2' left remaining above ground. These pipes were marked as noted in field notes and plat.

All field ties were made using Trimble 5700 and 5800, GPS receivers using RTK procedures from control points established by means of OPUS solutions. The field crew consisted of Monte Sheppard and Maxey Sheppard, assisted by Salem Abraham, Jimmy Flynn, and Lee Haygood. Several other local residents were helpful in gaining access to and recovery of corners.

Respectfully submitted in support of the accompanying field notes.


Maxey Sheppard, LSLS

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The State of Texas } I, Donna L. Goodman, County
County of Roberts } Clerk, in and for said
County, do hereby certify that the foregoing
instrument with the certificate of authentication
was filed for record in my office the 7 day of
Feb 20 06 at 1:25 o'clock Pm and duly
recorded in the E.N. record of said County
in vol. 7 page 103. Witness my hand and seal
of office of said County at office in Miami,
Texas the day and year last above written.

Donna L. Goodman
Clerk, County Court, Roberts County, Texas
By _____ Deputy

FILED
DONNA L. GOODMAN
County Clerk, Roberts County, Texas
1:25 PM
FEB 07 2006
Donna L. Goodman
Deputy