



NIXON-OTTMERS SURVEYORS, INC.

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Charles Ottmers

Registered Professional Land Surveyor
Licensed State Land Surveyor

February 7, 2007

Mr. Ben Thomson
Texas General Land Office
P.O. Box 12873
Austin, Tx 78711-2873

Dear Ben:

Attached are: Sketch: Report: and a certified copy of Cause No. 875, District Court of Blanco County, Texas relevant to an apparent vacancy shown on the GLO Map near the west line of Blanco County.

Also included is a copy of part of the working sketch showing B.L. Enderle's 1973 corrected survey of Survey No. 31. I was unable to find a way to position the survey to match any distance on the ground except the call of 285 varas east from the fence corner.

Sincerely yours,

Charles Ottmers

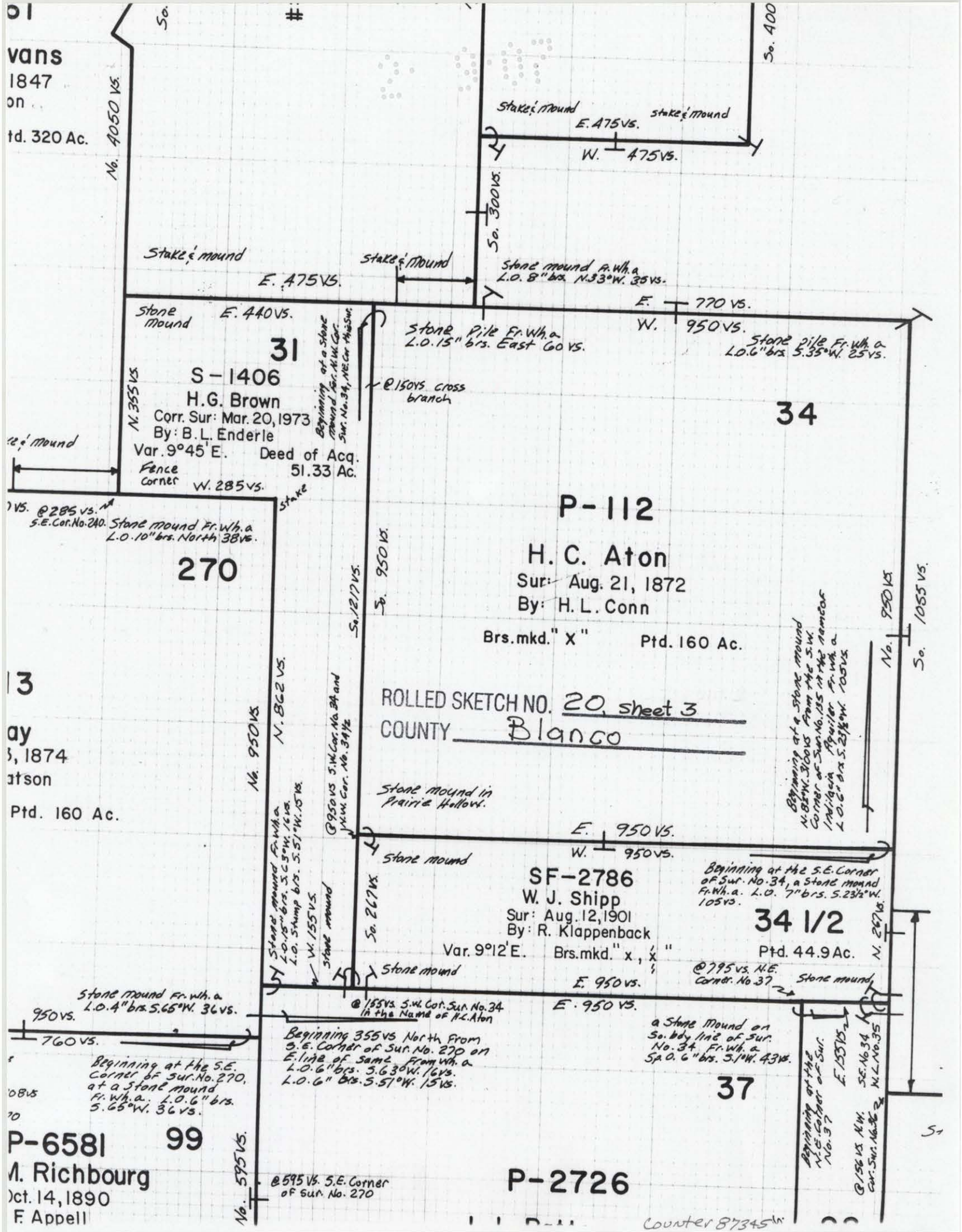
File No. Rolled Sketch? sheet 2

Blanco County
East line of Ponciano Ximenes & Several
Surveys adjacent thereto

Date Filed: Feb. 9, 2007

Jerry Patterson, Commissioner

By Douglas Howard



vans
1847
on
td. 320 Ac.

31
S-1406
H.G. Brown
Corr. Sur: Mar. 20, 1973
By: B.L. Enderle
Var. 9°45' E. Deed of Acq.
51.33 Ac.
Fence corner
W. 285 vs.

270
Stone mound Fr. Wh. a
L.O. 10" brs. North 38 vs.

3
ay
3, 1874
tson
Ptd. 160 Ac.

P-6581
M. Richbourg
Oct. 14, 1890
F. Appell

Stone mound Fr. Wh. a
L.O. 8" brs. N. 33° W. 35 vs.
Stone Pile Fr. Wh. a
L.O. 15" brs. East 60 vs.
Stone pile Fr. Wh. a
L.O. 6" brs. S. 35° W. 25 vs.

P-112
H. C. Aton
Sur: Aug. 21, 1872
By: H. L. Conn
Brs. mkd. " X " Ptd. 160 Ac.

ROLLED SKETCH NO. 20, sheet 3
COUNTY Blanco

SF-2786
W. J. Shipp
Sur: Aug. 12, 1901
By: R. Klappenback
Var. 9°12' E. Brs. mkd. " x , x "
Ptd. 44.9 Ac.
Stone mound in Prairie Hollow.

34 1/2
Ptd. 44.9 Ac.
Stone mound

P-2726

37
a Stone Mound on
So. bdy line of Sur.
No. 34. Fr. Wh. a
Sp. O. 6" brs. S. 14° W. 43 vs.
Beginning at the
N.E. Corner of Sur.
No. 37
E. 155 vs.
S.E. No. 34
N.L. No. 35
@ 156 vs. NW.
Car. Sur. No. 34
N.L. No. 35

Counter 87345

REPORT

To the Texas General Land Office
Jerry Patterson – Commissioner

Re: Location of the east line of the Ponciano Ximenes Survey No. 1, Abstract No. 661 and adjoining Surveys situated in Blanco County, located about 11 miles S. 70 deg. W. from Johnson City

I hereby submit a sketch showing the recovery of several original corners relevant to the apparent vacancy shown on the GLO Map of Blanco County.

Survey No. 1, made October 26, 1840 for Ponciano Ximenes by J.C. Hays, was the first of a series of one third, one half and one league Surveys laid out north and south of the Pedernales River, continuing westerly, up the river approximately 22 miles. The point of beginning was a stake on the south bank, 2760 varas below the Puntos Trail, witnessed by an 8 inch dia. elm and a 6 inch dia. blackjack.

September 23, 1847. J.P. Hudson made 320 acre Survey 240 adjoining the east line of Survey No. 1 for Edward Evans, along with Surveys 241, 242 and 243. For locative purposes, Hudson's Surveys can be laid out on the USGS quad maps of Hye and Rocky Creek along the occupational fences, roads and the river in agreement with his original sketch and calls.

August 3, 1874, J.M. Watson made 160 acre Survey No. 270 for J.W. Ray, beginning 190 varas (called) west of the S.W. corner of Survey No. 240, in the (called) east line of Survey 1. November 26, 1874 Watson made 160 acre Survey No. 271 for J.C. Johnson at a called distance of 620 varas south of the S.W. corner of Survey 270. December 10, 1879 Watson made 21 acre Survey No. 272 for Heinrich Koss, beginning at the S.W. corner of Survey No. 271.

October 14, 1890 P.F. Appell made 80 acre Survey No. 99 for L.M. Richbourg between Surveys 270 and 271. Appell began his survey at the S.E. corner of Survey No. 270 and ran to a stone mound referenced 190 varas east of the S.W. corner of Survey No. 270.

As shown on my attached sketch, I was able to recover the witness L.O. trees at four of Watson's original corners. The consistent courses and distances between the corners support the recoveries. An original stone mound was recovered at the N.W. corner of 160 acre Survey No. 34 made August 21, 1872 for H.C. Aton by H.L. Conn.

Along with obtaining a working sketch of the area from the GLO, dated April (continued on page 2)

ROLLED SKETCH NO. 20, sheet 4
COUNTY Blanco

27, 1984 and copies of the current deeds involved, I found a District Court of Blanco County Decree, dated March 28th, 1918, Cause No. 875 (certified copy attached), which partitioned the east and west parts of Survey No. 1 and addresses the conflict between Watson's Surveys and the east line of Survey No. 1. The east line of the east part of Survey No. 1, as described by the Court, is a property line and is fenced from the south line of the Richbourg Survey No. 99 to a (found) stone mound at the high water mark on the bank of the Pedernales River. The west line of Surveys No. 271 and 272 is also a fenced property line. Original witness trees were found at the S.W. corner of the east part (S.E. corner of the west part).

The measured distance from the fenced south line of Survey No. 1 to the mound found on the bank is 6589 varas (the total distance cited in the court decree is 6574 varas). The course (geodetic) from a point located 190 varas east of the N.W. corner of Survey No. 271 to the stone mound at the river is N. 0 deg. 01 min. W. 4295 varas. The partition survey stopped at a point short of the original corner, although it is apparent, based on Hay's and Hudson's calls that the original survey line extended past (north of) this point.

The S.W. corner of Survey No.1, as fenced, is located along the Blanco-Gillespie County line. I found one of the mounds referenced on the Hye quad map at the fence in an earlier survey. The measured distance from the river along the fenced west line of Survey No. 1 to the fenced S.W. (deed) corner is 5326 varas (ptd. call is 5350 varas). The measured distance along the fenced east line of Survey No. 4 to the fenced S.E. (deed) corner is 7394 varas (ptd. call is 7365 varas.) The measured distance between the fenced east line of Survey No. 1 and the fenced and monumented county line is 1496 varas (ptd. call is 1444 varas). The measured distance between the east line of Survey No. 4 (county line) and the east line of a County Road along the west line of Survey No. 4 is 1804 varas (ptd. call is 1800 varas).

The original sketch and description of the Blanco-Gillespie County line on file in the General Land Office (and found in Volume B, page 220 of the Transcribed Minutes of the Commissioners Court of Blanco County) confirms that the County Line is located on the common line of Surveys No. 1 and 4.

Due to the unique course of the river, if the east line of Survey No. 1 were located along the west line of Watson's Surveys No. 270 and 271, the distance to the south bank of the river could be no longer than about 6400 varas (to the approximate gradient boundary) without crossing the river (ptd. call is 7150 varas). All of Hudson's calls to the river check closely with his Surveys (continued on page 3)

ROLLED SKETCH NO. 20, sheet 5
COUNTY Blanco




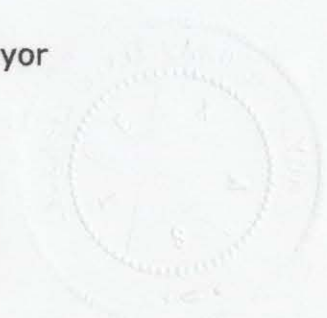
as located on the ground.

On the basis of (1, the location of four found corners of Watson's Surveys 270, 271 and 272; (2, the location of the found and monumented line adjudged by the District Court in 1918; (3, the deeds supporting the location of the fenced Survey lines, which indicate that the east line of Survey No. 1 (north of Survey No. 271) is not disputed; (4, the course of the Pedernales River and it's location with respect to the east line of Survey No. 1 and Hudson's adjoining Surveys; (5, The fact that P.F. Alppell was the County Surveyor of Blanco County and participated in the survey of the County Line in March and April 1889 (which referenced the line to Survey corners found in the area); (6, P.F. Appell's location of the west line of Survey No. 99, referenced 190 varas east of the west corners of Watson's Surveys, indicating that he was aware of Watson's overlaps; (7, the referenced Surveys can be laid out as called on USGS quad maps from evidence found on the ground; and (8, notations found in the General Land Office in Files Bexar 1-139 (Survey No. 1) and Bexar 3-561 (Survey No. 240), stating that there is no vacancy between Surveys No. 1 and No. 240, it is apparent that Watson (for an unknown reason) overlapped Survey No. 1 with his Surveys by 190 varas.

The foregoing evidence and the District Court Decree honoring Appell's call of East 190 varas from the (found) West line of Survey No. 271, confirms that the west line of Survey 99 adjoins the east line of Survey No. 1 and there can be no un-surveyed or vacant land between these Surveys.

In an unrelated matter, when I attempted to locate (on the USGS quad map) Watson's 1874 Survey 9 for Heinrick Koss and his 1874 Survey No. 8 for the Hrs. of Robert Rogers, which adjoin Survey No. 1 on the south, it appeared, based on his distance and passing calls for stream crossing, that he also overlapped Survey No. 4. The original sketch and description of the County Line, on file in the General Land Office, cites actual measurements to the corners of Survey No. 8 and confirms the overlap.


 Charles Ottmers
 Licensed State Land Surveyor



ROLLED SKETCH NO. 20, sheet 6
 COUNTY _____

MARCH TERM, A. D. 1918.

It is further ordered that the said officer so executing said order of sale hereunder, shall place the purchaser or purchasers of said property in possession thereof within thirty days after the day of sale, and said order of sale when issued shall have all the force and effect of a writ of possession.

It is further ordered, adjudged and decreed by the court that the defendant J. R. Christal recover of the plaintiff all cost by him herein incurred by reason of plaintiff's said action against him, for which he may have his execution.

No. 989.

Wm. Bierschwale / IN DISTRICT COURT, Blanco County, Texas.

vs /

March Term, A. D. 1918.

Henry Mayer et al. /

On this the 19th day of March, A. D. 1918, this cause coming on to be heard, the plaintiff appeared by his counsel A. W. Moursund, and asked that same be dismissed from the docket of this court at the cost of plaintiff.

It is therefore ordered, adjudged and decreed by the court that said cause be and hereby is dismissed and that the defendants, Henry Mayer et al go hence with their cost, and that the plaintiff pay all costs in this behalf expended for which let execution issue.

No. 875.

Hamilton Phinzy et al /

vs /

March 28th 1918.

Albert Meier /

This case being regularly called for trial appeared the plaintiffs and defendant all by attorneys and announced ready for trial, whereupon after hearing the pleadings and evidence adduced it appearing to the court that plaintiffs Hamilton Phinzy, Mattie P. Miller, husband W. K. Miller, widow, Fanny P. Gary widow and John Phinzy are the owners of the West one half of survey No. 1 in Sect. 1 in Blanco County, State of Texas, patented to S. H. Luckie and Wm. McCraven assignees of Ponciano Ximenes by Patent No. 618 Vol. 2, dated April 22d 1845 and entitled to partition of same and that defendant Albert Meier is the owner of the East onehalf of said survey;

It was ordered, adjudged and decreed by the court, that plaintiffs Hamilton Phinzy, Mattie P. Miller and husband W. K. Miller, Fanny P. Gary widow and John Phinzy do have and recover of and from defendant Albert Meier all that West part of said survey No. 1 situated West of the East boundary line of the following described tract out of said survey No. 1 viz;

BEGINNING at the N. W. cor. of the original Sur. No. at a stake on South bank of the Pedernales river from which a Pecan 18" in dia. bears S. 19 1/2 W 7.8 vrs. another bears S. 53 W. 87 vrs; Thence S. 1/2 E. with fence 5316 vrs. Thence East with fence 767 vrs. to st. md. for S. E. cor. from which a L. O. 5 in. dia. brs. S. 76 W. 31.5 vrs. another 24" in dia. brs. N. 27 1/2 W. 105 vrs. Thence N. 1/2 W. 3558 vrs. to a stake at South fence of a field from which an Elm F & A brs. S. 1/2 E. 4 vrs; Thence with field fence S. 68 W. 103 vrs. N. 18 W. 26 vrs. N. 60 vrs. N. 4 E. 472.75 vrs. N. 34 E. 100.5 vrs. to a stake. Thence North 1289.75 vrs. to a stake at high water mark on South side of Pedernales river from which a double pecan brs. S. 17 1/2 E. 23.5 vrs. another 36" in dia. brs. S. 67 E. 37-3/4 vrs; Thence up the river with its meanders as follows: S. 55 W. 158.5 vrs. S. 28 1/2 W. 36.75 vrs. S. 66 1/2

ROLLED SKETCH NO. 20, sheet 7
COUNTY Blanco



Counter 87349

MARCH TERM, A. D. 1918.

W. 52.75 vrs. N. 89 W. 120.5 vrs. S. 74 1/2 W. 239 vrs. N. 70 1/2 W. 73.5 vrs. N. 71 W. 176.2 vrs. to the place of beginning, containing 721.13 acres of land.

The decendant Albert Meier be quieted in his title to and possession of that part of the East part of said survey No. 1 which is bounded as follows:

BEGINNING at a stake the N. E. cor. of the West subdivision of the original sur. above described, from which a double Pecan brs. S. 17 1/2 E. 23 1/2 vrs. another 36" in dia. brs. S. 67 E. 37.75 vrs. Thence South 1289 vrs. to a stake at west fence of a field. Thence with meanders of fence as follows: S. 34 W. 100.5 vrs. S. 4. W. 472.75 vrs. S. 60 vrs. S. 18 E. 26 vrs. N. 68 E. 103 vrs. to a stake from which an Elm brs. S. 1/2 E. 4 vrs. Thence S. 1/2 E. 3558 vrs. to a st. md. at South fence of original sur. for S. W. cor. of this and S. E. cor. of West subdivision from which a L. O. 5" dia. brs. S. 76 W. 315 vrs. another 24" in dia. brs. N. 27 1/2 W. 105 vrs. Thence East with fence 506 vrs. to 13 acre tract; Thence N. 1/4 W. at 980.5 vrs. pass S. W. cor. of Koss Sur. at 1324.5 vrs. pass N. W. cor. of Koss sur. and S. W. Cor. of J. C. Johnson Sur. at 1574.5 vrs. pass N. W. cor. of J. C. Johnson conflict in all 2169 vrs. Thence East 190 vrs. to fence cor. Thence N. 1/4 W. with fence 4405 to stone md. at high water mark on South side of Federnales River. Thence up the river with its meanders as follows: S. 28 1/2 W. 36.5 vrs. S. 35 1/2 W. 61.5 vrs. S. 17 W. 151.75 vrs. S. 25 W. 93 vrs. S. 5 1/2 W. 57 vrs. S. 13 1/4 W. 99.5 vrs. S. 2 W. 69 vrs. S. 8 1/2 W. 100 vrs. S. 45 1/2 W. 210 vrs. S. 33 W. 130.5 vrs. S. 29 W. 80.5 vrs. S. 70 W. 77.75 vrs. S. 48 1/2 W. 73.25 vrs. S. 50 W. 84 vrs. S. 63 W. 89.75 vrs. to the place of beginning containing 668.22 acres of land.

It is further ordered that Max H. Lungkwitz be allowed as fee and expenses of making survey herein Ninety four Dollars to be taxed as costs and that plaintiffs pay one half of the costs herein incurred and defendant onehalf for which execution may issue against them respectively.

No. 893.

H. Glass /
vs / March 28, 1918.
M. J. Peery, et al. /

This day this cause was regularly reached on the docket and the same was continued to perfect service.

No. 897.

J. J. Cage /
vs /
Max Krause. / March 28, 1918.

This day this cause was regularly reached on the docket, and the same was ordered dismissed at cost of plaintiff.

No. 898.

THE STATE OF TEXAS, /
vs /
W. P. Stanley. / March 28, 1918.

This day this cause was regularly reached on the docket and the same was continued by the court.

No. 900.

Green Ferguson et ux /
vs /
March 28, 1918.

North American Accident Insurance Co. /



ROLLED SKETCH NO. 20, sheet 8
COUNTY Blanco



Faint, mostly illegible text, possibly a survey description or legal notice, containing various measurements and names.

STATE OF TEXAS
COUNTY OF BLANCO
CERTIFIED TO BE A TRUE AND CORRECT COPY
OF THE ORIGINAL IN MY CUSTODY,
GIVEN UNDER MY HAND AND SEAL OF OFFICE
DATE January 26th AD, 20 07



DEBBY ELSBURY
DISTRICT CLERK OF BLANCO COUNTY
BY Dale Sewell DEPUTY
DALE SEWELL

THIS STAMP IS PRINTED IN RED

ROLLED SKETCH NO. 20, sheet 8
COUNTY Blanco

Counter 87351