

File No. Sketch File 57

Val Verde County

Surveyor's Report
Resurvey Sect. 4, Blk. 1, Central & Montgomery R.R. Co.

Honorable Jerry Patterson
Commissioner
Texas General Land Office
1700 North Congress Avenue
Austin, Texas 78701-1495

Date Filed: December 30, 2009

Jerry Patterson, Commissioner

By Douglas Howard
See Rolled Sketch 85

REPORT OF RESURVEY

of

Section 4, C.H. Whitehead and C.B. Wardlaw, Original Grantee
Block 1, Central and Montgomery Railroad Company
Bexar Land District
Edwards and Val Verde Counties, Texas

About ²⁹18 miles S 81° W from Rocksprings, Edwards County Seat

This survey was made for the James L. Carter, Jr. Trust and the Trudy Kokernot Trust by virtue of their ownership for the purpose of locating Section 4, Block 1 (File No. 139570) in relation to the west line of Edwards County in order to determine the area of said Section 4 lying in Edwards County. This survey is tied to NGS station "DEVIL ET" 1971 in Val Verde County. Bearings and distances recited herein are grid. At the northeast corner of said Section 4, Block 1 the Combined Factor is 0.99992323 and the Convergence is -00°49'48", as noted on the Field Notes thereof and Edwards County Rolled Sketch No. 37 filed with this report.

HISTORY

On December 31, 1887 Wm. P.W. Holmes, Edwards County Surveyor met with A. Boyle, Val Verde County Surveyor at the 15th mile mound of the east line of Val Verde County to begin their run of the line between said counties being the west line of Edwards County and the east line of Val Verde County. This run was terminated at 58 miles 923 varas on January 14, 1888 until Mr. Holmes could run the north line of Edwards County. A sketch of this line included in the field notes of Mr. Holmes shows the 36th mile mound to lie on said Section 4, Block 1.

Block A, Central and Montgomery Railroad Company was originally located by surveys made on the ground by William Cassin, Deputy Surveyor, Bexar District in January 1880.

Blocks B, D and L, Gulf, Colorado and Santa Fe Railroad Company were originally located by H.C. Barton, Deputy Surveyor, Bexar District in October 1880.

Block 1, Central and Montgomery Railroad Company was originally located by H.C. Barton,

Deputy Surveyor, Bexar District by surveys of Sections 1 through 10 made by him on November 4, 1880, according to his field notes. A patent was issued on Section 4, Block 1 on November 30, 1926 on the original field notes by H.C. Barton for 640 acres.

FACTS

Sometime prior to December 10, 1919 R.S. Dod, State Surveyor was instructed by the General Land Office, at the request of the adjoining land owners, to perpetuate on the ground original positions of several blocks along the west line of Edwards County which included Block 1, Central and Montgomery Railroad Company. By the time Mr. Dod was able to get to this work he had acquired a license as Licensed Land Surveyor and made his report dated April 12, 1920 to the Commissioner under that official title.

This work was an extension of previous retracement work done by R.S. Dod in Blocks B and D, Gulf, Colorado and Santa Fe Railroad Company as State Surveyor under instruction by the General Land Office as reflected in his report to the Commissioner dated December 20, 1919 in which he states that he believed that H.C. Barton had not spent much time, if any, on the ground in these blocks as neither he nor other surveyors from Edwards and Val Verde Counties who had been on the ground could find any of the corners or bearings called to be placed by Mr. Barton through the interior of these blocks. Mr. Dod also states that said Blocks B and D were run course and distance in a chain of connected surveys south from original Cassin corners he found or perpetuated along the south line of said Block A, as called for in Barton's field notes of Block B, and perpetuated the southwest corner of Section 67, Block D (File No. S-32117) accordingly.

In his report of April 12, 1920 R.S. Dod as Licensed Land Surveyor states he ran south three miles from the southwest corner of said Section 67, Block D according to field note calls and west, applying the excess found on the south line of Section 9, Block A (File No. S-31149), 1953 varas and there made a rock mound and took bearings perpetuating the southwest corner of Section 33, Block L (File No. S-32096). As called in Mr. Barton's original field notes this is the beginning point of Section 1, Block 1 (File No. S-32255) and Mr. Dod states he ran out said Block 1 by course and distance in a chain of connected surveys from this corner.

Retracement work on the county line began at the northwest corner of Edwards County in Section 11, Block A-4, Gulf, Colorado and Santa Fe Railroad Company (File No. S-32470). Finding the Cedar on the entire northeast part of this section to have been pushed by a bulldozer in the recent past, the corner obviously along with it, the east and north fences were relied upon to determine a relatively close position of the corner, providing these fences were on or near line, given the fact that said northwest corner was tied to the south and east lines of said Section 11.

From this northwest corner, using GPS navigation, work progressed 23 miles south to Section 4, Block 1 where a search was made for the 36th mile mound. After several days in the area of the 35th, 36th and 37th miles with no mile mounds found we went south to the 25th mile. Not finding it in three attempts we moved on north a mile and found a rock mound on a small rocky plateau

about 40 varas south of the valley, as called, for the original 26th mile mound (EXHIBIT A). No markings of E26 on the east or 26VV on the west were found nor the northeast corner of the Maurice Survey.

We returned to make another search for the 35th, 36th and 37th miles and again found none of them. Navigating north we searched for the 41st and 45th mile mounds and found neither. At 46 miles we found a scattered rock mound on the north brow of a ridge facing the Dry Devils River valley, as called, for the original 46th mile mound (EXHIBIT B). Again no markings of E46 on the east and 46VV on the west were found. We continued on north and made a search for miles 47, 48, 49, 55, 56, 58 and 58 miles + 923 varas finding none of them. I was told by several of the local ranchers that much of the country along the county line had been chained under a government funded program in the 1950's. This action surely would have destroyed any mile mounds in the chained areas.

Returning to Block 1, we went to the northwest corner of Section 1 (File No. S-32255) and found Mr. Dod's perpetuated corner, a rock mound (EXHIBIT C) with a cap rock marked with a chisel "W1 Blk1 Do". The corner of said cap rock having the "N" has been chipped off and I could not see the last "d" in Dod. The chiseled X bearing was not found. Two miles east of this mound we found the chiseled X bearing (EXHIBIT D) but no rock mound for the northeast corner of Section 2, Block 1 (File No. 84058). A half mile south of this X a rock mound (EXHIBIT E) was found with a rock on the ground beside the mound marked with a chisel "NW3 Blk1 Dod" for the perpetuated northwest corner of Section 3, Block 1 (File No. S-32256). Both bearing trees (EXHIBITS F and G) called for by Mr. Dod are still standing. A mile east of this mound we found no corner or bearings and continued on east another mile where we found a rock mound (EXHIBIT H) with a cap rock marked with a chisel "NE4 Blk1" for the northeast corner of Section 4, Block 1 (File No. 139570) as perpetuated by R.S. Dod. The chiseled X bearing (EXHIBIT I) was also found. Two miles south of this mound we found the chiseled X bearing (EXHIBIT J) and the cap rock marked with a chisel "SW5 SE9" of a scattered rock mound found for the southwest corner of Section 5, Block 1 (File No. S-32254). This mound has scattered down a slope to a point where I cannot determine its original location. A mile west and a mile north of this corner we found Mr. Dod's bearing tree. A 10" Pine marked X with a hack above and below, dead and fallen down (EXHIBIT K). No rock mound was found. These found Dod corners, as perpetuations of the originals, are the corners used to reconstruct Section 4, Block 1.

CONCLUSIONS

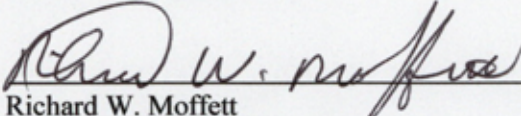
The west line of Edwards County was constructed by running a straight line between the 26th mile mound and the 46th mile mound.

The northeast corner of Section 4, Block 1 is as found. The southwest corner of Section 5, Block 1 was reestablished by reversing the call to the chiseled X bearing and run from said X to a point for the corner. Prorating the distance along a line from this point to the northeast corner of said Section 4 reestablishes the southeast corner of said Section 4. The southwest corner of said Section 4 was reestablished by the same method of reversing the call to the bearing tree and run from the place where the tree once stood to the corner. The northwest corner of said section 4 was

reestablished by prorating the distance along a line between the northeast corner of said Section 4 and the northwest corner of Section 3, Block 1.

Under this construction Section 4, Block 1 contains 646.39 acres of land of which 435.29 acres lie in Val Verde County and 211.10 acres lie in Edwards County. As previously stated, Section 4, Block 1 was patented for 640 acres leaving title to 6.39 acres of excess in the section vested in ~~The Permanent School Fund of Texas.~~

Respectfully submitted:

 1 July 2009
Date

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Licensed State Land Surveyor
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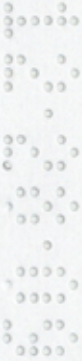




EXHIBIT A



EXHIBIT B



EXHIBIT C



EXHIBIT D



EXHIBIT E



EXHIBIT F



EXHIBIT G

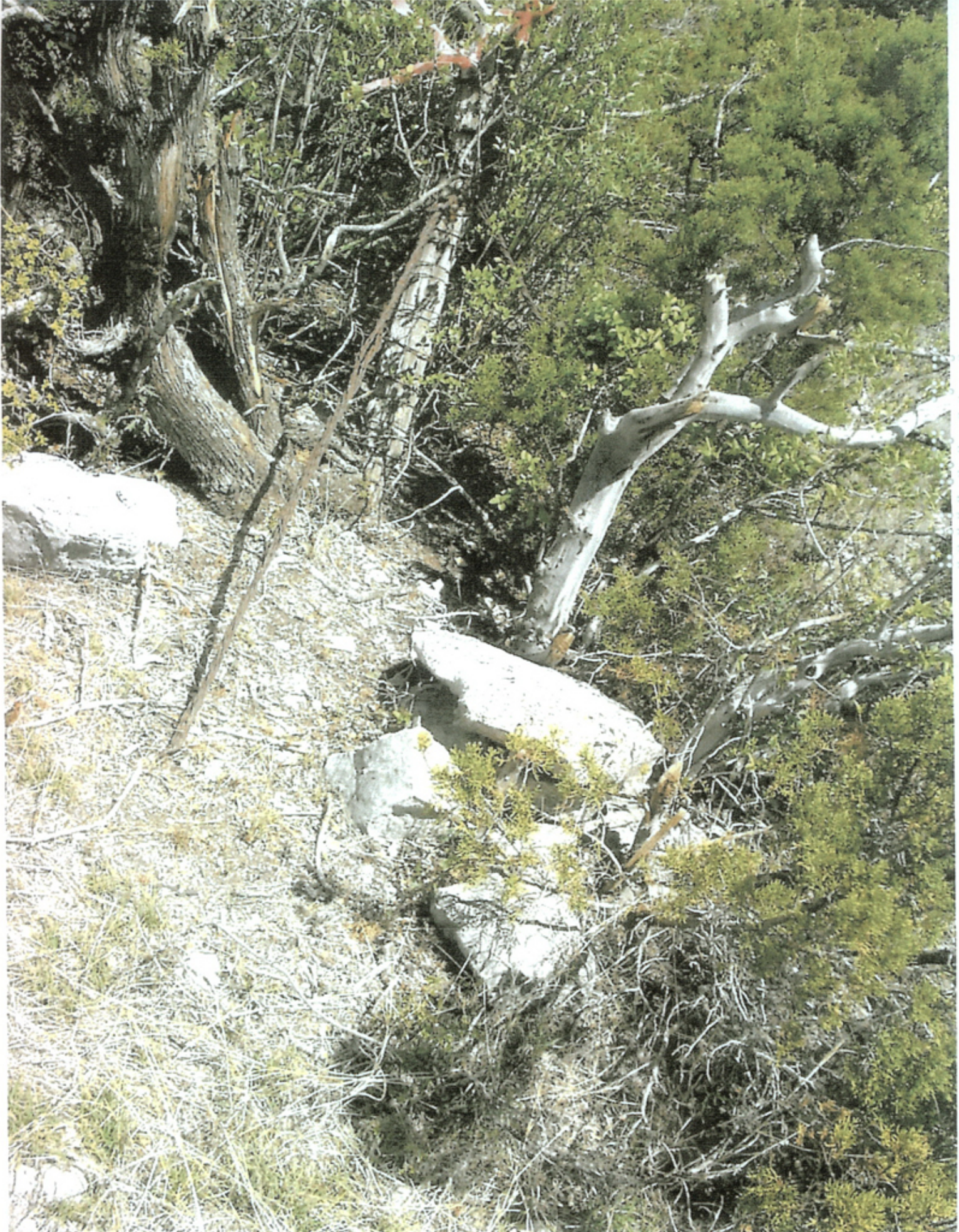


EXHIBIT H



EXHIBIT II



EXHIBIT J