(281)

File S. F. 15678

ABST. No. 830

Hays County

SCHOOL LAND

W. R. McClellan
(Good Faith Claimant)
San Marcos, Texas

14 96/100 Acres

Section No.

Block Tsp. Cert.

Act of June 19, 1939

REG. MK'D. PTD.

CORRECT ON MAP FOR 14 96/100 ACRES
11/1/54 VES

approved as to Sand valued by the Commissioner and the School Land Board at $5.00 per acre. Nov. 3, 1954

Bascom Giles, Com.

Pat. to Orig. with M/R 11/22/1954 RJBrooks

Map Mk'd. Ptd.

Obligation

Vol. 143 Page 364

B-138-1050-4m PATD. ABST. SUP. F

Patented NOV 24 1954

No. 281 Vol. 24-B

Mailed Co. Clk. NOV 26 1954

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11-6-54
Pat fee 5.00 Reg. 17771
Rec. 1.00 17772
W. R. McClellan
San Marcos, Texas

PAID IN FULL FOR 14.96 ACRES
DATE 11 15 54 K

APPLICATION TO PURCHASE

(Good Faith Claimant)

TO THE COMMISSIONER OF THE GENERAL LAND OFFICE, AUSTIN, TEXAS:

1. **I hereby apply to purchase under a preference right without condition of settlement the tract of unsurveyed school land hereinafter described, under the provisions of an Act approved June 19, 1939, and other laws relating to the sale of unsurveyed school land.**

2. **The said tract of land is situated in** Hays **County, Texas, about** 21½ **miles** N 40W **from** San Marcos**, the county seat, and is described as follows, to-wit:**

   bounded on NE by J. H. Klingemann (3-764)

   on NW by Henry C. Roundtree Survey (3-303)

   on SW by J. M. Jennings (P-1582)

   on S by fence being occupation line between my property and land occupied by Mr. Tharp.

3. **I am a good faith claimant under the terms of said Act, as is fully shown by the attached instruments marked Exhibit_____.**

4. **Remarks:***

   Field notes will be furnished in the very near future.

64249

RECEIVED

JUL 29 1954

GENERAL LAND OFFICE

W. McClellan

Good Faith Claimant

Post Office 203 W. Wood St San Marcos Tex.

IMPORTANT NOTICE!

***NOTE:** **(1) The Good Faith Claimant should clearly indicate his position as to the existence of a vacancy.**

(2) If there should be no prior filing by an applicant, the good faith claimant should state whether application is accompanied by field notes or whether same will be filed within 120 days from date of filing of application with Commissioner of General Land Office.

(3) Any other statement pertinent to the application to purchase may be included.

(OVER)

CERTIFICATE

I, A. G. Mullins, Secretary of the School Land Board, do hereby certify that at a regular meeting of said board held in the General Land Office, Austin, Texas, on the 3 day of November, A. D. 1954, the price at which the area of land described in the above application No. S 15678, shall be sold, was fixed by the School Land Board at $ 5 00 Dollars per acre, all of which is shown in Vol. 11, Page ....., of the Minutes of said Board.

Given under my hand this the 3 day of November, A. D. 1954, at Austin, Texas.

A. G. Mullins
Secretary of the School Land Board

S4083

RECEIVED AS STATED
8/11
DATE 7/29/54
Reg. No. 64249
GENERAL LAND OFFICE
bw

1

GENERAL LAND OFFICE
Austin, Texas

S. F. No. 15678

APPLICATION TO PURCHASE
UNSURVEYED SCHOOL LAND
(Good Faith Claimant)

of
W. R. McClellan
San Marcos, Texas.

WITHOUT SETTLEMENT

..... acres
in Hays County, Texas.

Filed July 29, 1954
Marcom Giles
Commissioner

Approved Nov. 3, 1954
Rejected
Commissioner

D-197

From

W. R. McClellan

203 W. Third St.

Dan Macon, Ga

D-197

Amended **APPLICATION TO PURCHASE**

(Good Faith Claimant)

TO THE COMMISSIONER OF THE GENERAL LAND OFFICE, AUSTIN, TEXAS:

1. I hereby apply to purchase under a preference right without condition of settlement the tract of unsurveyed school land hereinafter described, under the provisions of an Act approved June 19, 1939, and other laws relating to the sale of unsurveyed school land.

2. The said tract of land is situated in Hays County, Texas, about 21½ miles N. 40° W. from San Marcos, the county seat, and is described as follows, to-wit: Bounded on the Northeast by the J. H. Klingemann survey (3-764); on the Northwest by the Henry C. Rountree survey No. 416 (3-303); on the Southwest by the J. M. Jennings survey (P-1582); on the South by fence being occupation line between W. R. McClellan property and land occupied by Mr. W. Tharp; and on the Southeast by the Northwest line of the T. J. Jennings survey (53207).

3. I am a good faith claimant under the terms of said Act, as is fully shown by the attached instruments marked Exhibit A.

4. Remarks:* I am the owner by purchase in good faith of the above-described land which is reflected by a deed from Erhardt Gus Schaefer et ux to me dated October 15. 1947, and recorded in the Deed Records of Hays County, Texas, Vol. 139, pages 357 f. Said grantor has held said land since 1946, grazing it and otherwise using it as his own as part of his inclosed ranch in the firm belief that it was his own, he having purchased it in good faith with other land in the same manner as I did from Mrs. Ada Brainard by deed dated December 13, 1946, and recorded in Vol. 136, pages 403 f. of the Deed Records of Hays County, Texas. Not until after recent investigation of the state records did I become aware of the fact that the above-described land, though under fence with other land purchased as aforesaid and held adversely to all others by the undersigned and his grantors since 1916, was vacant.
Field notes and plat accompany this application.

William R. McClellan
Good Faith Claimant

Post Office San Marcos, Texas

IMPORTANT NOTICE!

*NOTE: (1) The Good Faith Claimant should clearly indicate his position as to the existence of a vacancy.
(2) If there should be no prior filing by an applicant, the good faith claimant should state whether application is accompanied by field notes or whether same will be filed within 120 days from date of filing of application with Commissioner of General Land Office.
(3) Any other statement pertinent to the application to purchase may be included.

(OVER)

CERTIFICATE

I, A. G. Mullins, Secretary of the School Land Board, do hereby certify that at a regular meeting of said board held in the General Land Office, Austin, Texas, on the 3 day of Nov., A. D. 1954, the price at which the area of land described in the above application No. S-15678, shall be sold, was fixed by the School Land Board at $5.00 Dollars per acre, all of which is shown in Vol. 11, Page ____ of the Minutes of said Board.

RECEIVED
OCT 29 1954

REFERRED TO MAP

Given under my hand this the 3 day of November, A. D. 1954, at Austin, Texas.

A. G. Mullins
Secretary of the School Land Board

S4083

1-a

GENERAL LAND OFFICE
Austin, Texas

S. F. No. 15678

Amendment to
APPLICATION TO PURCHASE
UNSURVEYED SCHOOL LAND
(Good Faith Claimant)

of
J. K. McClellan

San Marcos, Texas.

WITHOUT SETTLEMENT

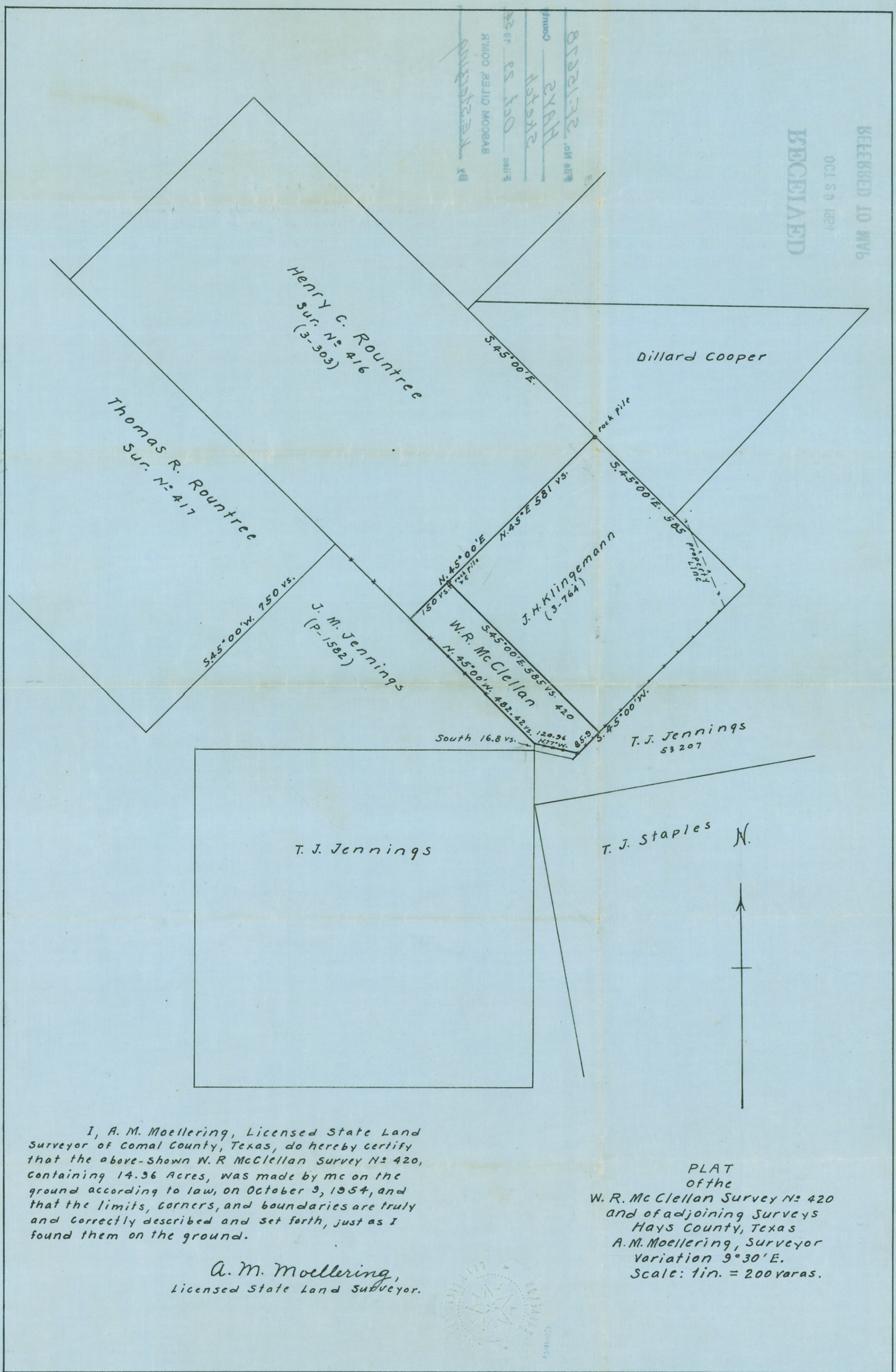
acres

in Hays County, Texas.

Filed October 27, 1954
Barnes Stiles
Commissioner

Approved
Rejected, 19

Commissioner



I, A. M. Moellering, Licensed State Land Surveyor of Comal County, Texas, do hereby certify that the above-shown W. R McClellan Survey № 420, containing 14.96 Acres, was made by me on the ground according to law, on October 9, 1954, and that the limits, corners, and boundaries are truly and correctly described and set forth, just as I found them on the ground.

A. M. Moellering,
Licensed State Land Surveyor.

PLAT
of the
W. R. Mc Clellan Survey № 420
and of adjoining Surveys
Hays County, Texas
A. M. Moellering, Surveyor
Variation 9°30' E.
Scale: 1in. = 200 varas.

3

File No. SF-15678

HAYS County

Sketch

Filed Oct. 29 1954

BASCOM GILES, COM'R

By V.E. Sterzing

I, R. M. McClellan, County Surveyor of Hays County, Texas, do certify that the above and foregoing plat is a true and correct plat of the survey made by me on the ground and that the boundaries and corners are as shown thereon.

R. M. McClellan
Licensed State of Texas Land Surveyor.

B-197

D-197

Surveyor's Report

W. R. McClellan Survey No. 420, Hays County, Texas

We went to a large, well preserved pile of rocks which is understood to be the North corner of the J. H. Klingemann survey and the East corner of the H. C. Rountree survey No. 416. From that point we ran N. 45° 00' W. to verify its location with respect
S 45° 00' E ? Henry C Rountree ?
to points in the Northeast line of the J. H. Klingemann survey. We came upon an old rock fence and farther on to a wire fence marking the present occupational boundary line of this survey.

We came back to the above-mentioned rock pile. From there we ran S. 45° 00' W.; at 581 vs. we found a rock pile on top of which lay a flat rock marked thus: > ∈ We took this rock pile to be the West corner of the J. H. Klingemann survey. At 731 vs. we reached the present occupational boundary of the J. M. Jennings survey. From this point we ran S. 45° 00' E., with property line, a distance of 482.42 vs. to a fence corner on Southeast side of a third class county road. From that corner we followed the property line as marked by wire fence, S. 77° 00' E. 120.96 vs. to a corner post.

Then we went back to the rock pile at the West corner of the J. H. Klingemann survey. From there we ran S. 45° 00' E. 585 vs. to a point in property line which we marked with a stake. We found no evidence of a rock pile. Apparently the surrounding area had once been worked over with a bull dozer. Thence we went S. 45° 00' W. with property line 85.9 vs. to a corner post which we had previously reached, to complete the survey of this tract.

a. m. moellering, (L.L.S.).

Surveyor's Report

W. R. McClellan Survey No. 420, Hays County, Texas

We went to a large, well preserved pile of rocks which is understood to be the North corner of the J. H. Klingemann survey and the East corner of the H. C. Rountree survey No. 416. From that point we ran N. 45° 00' W. to verify its location with respect to points in the Northeast line of the J. H. Klingemann survey. We came upon an old rock fence and farther on to a wire fence marking the present occupational boundary line of this survey.

We came back to the above-mentioned rock pile. From there we ran S. 45° 00' W.; at 581 vs. we found a rock pile on top of which lay a flat rock marked thus: > (We took this rock pile to be the West corner of the J. H. Klingemann survey. At 73[illegible] vs. we reached the present occupational boundary of the J. M. [illegible] survey. From this point we ran S. 45° 00' E., with proper[illegible] a distance of 482.42 vs. to a fence corner on Southeast side of a third class county road. From that corner we followed the property line as marked by wire fence, S. 77° 00' E. 120.96 vs. to a corner post.

Then we went back to the rock pile at the West corner of the J. H. Klingemann survey. From there we ran S. 45° 00' E. 585 vs. to a point in property line which we marked with a stake. We found no evidence of a rock pile. Apparently the surrounding area had once been worked over with a bull dozer. Thence we went [illegible] W. with property line 85.9 vs. to a corner post which we had previously reached, to complete the survey of this tract.

File No. SF-15678
HAYS County
Surveyor's Report
Filed Oct. 29 1954
BASCOM GILES, COM'R
By [illegible]

4

G. McClelland (t.s.)

D-197

THE STATE OF TEXAS)
COUNTY OF Hays) SURVEY NO. ~~420~~

(GOOD FAITH CLAIMANT)

SF15678

FIELD NOTES of a survey of 14.96 acres of land made for W. R. McClellan

by virtue of his application filed with the Commissioner of the General Land Office, Austin, Texas, on the 30 day of July, 1954, (application to be filed with the Commissioner of the General Land Office, Austin, Texas*) under the laws regulating the sale and lease of unsurveyed school land. Said land is situated in Hays County, about 21½ miles N. 40° W. from San Marcos, the County Seat, and is described by metes and bounds as follows, to-wit:

Beginning at a pile of rocks on which lies a flat rock marked thus: > ∈ placed in the Southeast line of the Henry C. Rountree survey No. 416 (3-303) for the West corner of the J. H. Klingemann survey (3-764) and for the North corner of this survey;

Thence, with the Southwest line of the J. H. Klingemann survey, S. 45° 00' E. 585 vs. to a stake in a fence line marking the Northwest line of the T. J. Jennings survey;

Thence, with fence, S. 45° 00' W. 85.9 vs. to a corner post;

Thence, with fence, N.77° 00' W. 120.96 vs. to a post on the Southeast side of a county road and in the N. E. line of the J. M. Jennings survey (P-1582);

Thence, with fence marking N. E. line of J. M. Jennings survey, N. 45° 00' W. 482.42 vs to a stake set for the South corner of the Henry C. Rountree survey;

Thence, with the Southeast line of the Henry C. Rountree survey, N. 45° 00' E. 150 vs. to the place of beginning.

(over)

Variation 9° 30' E. Roy F. Doerr

Surveyed October 9, 1954. George W. Barnett
Chain Carriers

I, A. M. Moellering, Licensed State Land-County-Surveyor of Comal County, Texas, do hereby certify that the foregoing survey was made by me on the ground, according to law, on the date and with the Chain Carriers aforesaid, duly qualified, and that the limits, corners, and boundaries with the marks of the same, natural and artificial, are truly and correctly described and set forth in the foregoing plat and field notes, just as I found them on the ground.

A M Moellering
Licensed State Land Surveyor--
~~County Surveyor~~

Filed for record in my office, the 29th day of Oct., 19 54, at 9 A.M. o'clock A M, and duly recorded the 29th day of Oct. 19 54, in Book 11, Page 243 of the Field Note Records of Hays County, Texas.

J A Breaux
County Surveyor--~~County Clerk~~

IMPORTANT NOTICE

* (1) To be used in Lieu of "application filed with the Commissioner of the General Land Office, Austin, Texas, on the _____ day of _____, 19____" when application is to be accompanied by the field notes.

(2) The written report of the survey which is required to accompany the above field notes must show whether the above described tract of land is situated within five (5) miles (state exact distance) of a well producing oil, gas, or other minerals in paying quantities.

I, A. M. Moellering, do hereby certify that the character and reasonable market value of the land included within the limits of the within field notes are as follows:

Soil (state character) rocky clay Timber Mt. brush Value $ 5.00 per acre (including timber)

A M Moellering
Licensed State Land Surveyor--
County Surveyor

File No. SF-15678 HAYS County

School Land Field Notes

Filed Oct. 29, 19 54

BASCOM GILES, Com'r.

Correct on Map for 14.36 Acres

10/1/54 YES

Patented 11-2 4-54 Rotunda

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OCT 29 1954

REFERRED TO MAP

RECEIVED AS STATED

Date 7/29/54

Reg. No. 64249

CENTRAL LAND OFFICE

5

D 197

SECTION BLOCK CERTIFICATE GRANTEE COUNTY FILE NO.

In addition to the information furnished in application to purchase and field notes, the following is required:
(This information should be forwarded with your application to purchase.)

1. Kind of soil and topography of surface and purpose for which it is adapted---agricultural or grazing. rocky clay soil hilly topography adapted for grazing

2. Type and value of timber, if any. Mountain brush such as oak cedar grape elm etc. of little commercial value

3. Assessed value. (If not rendered for taxation, give last assessed value of adjoining lands.)

   About $ 3.35 per acre

4. Surveyor's estimate of actual value without improvements, per acre.
   $ 5.00

5. Claimant's estimate of actual value without improvements, per acre.

   $ 5.00

6. Distance and direction from nearest oil or gas field, naming the field.
   About 40 miles Northwest of Luling Field near Stairtown.

7. Distance and direction from nearest oil or gas well producing or capable of producing oil or gas in commercial quantities.

   About 40 miles Northwest

8. Distance and direction from nearest drilling oil well.
   Unknown, but none near.

9. Distance and direction from nearest dry hole.
   Unknown

10. Is the land under oil and gas lease? If so, state amount of cash paid, rate of royalty, drilling obligation and to whom leased.
    None

    (If there is oil or gas production on this tract, kindly give the following information.) none

    (a) Number of producing oil wells and depth from which they produce.
    --

    (b) Number of producing gas wells and depth from which they produce.
    --

    (c) Name of field in which the tract is located and how long producing. --

I certify that the above information is true and correct according to the best of my knowledge and belief.

WITNESS my hand this 27 day of October, 19 54.

William R. McClellan

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OCT 29 1954

REFERRED TO MAP

File No. S.F. 15678

Hays County

Questionnaire

Filed October 29, 1954

BASCOM GILES, Com'r

By Eva May Warren File Clerk

6

State of Texas
County of Comal

Before me, the undersigned authority, on this day personally appeared William R. McClellan, who having been duly sworn by me, deposes and says:

I am a good faith claimant of vacant land under the law of the State of Texas. By deed from Erhardt Gus Schaefer et ux to William R. McClellan et ux dated October 15. 1947, and recorded in the Deed Records of Hays County, Texas, Vol. 139 pages 357 f. there was conveyed to the undersigned deponent the same land which the said Erhardt Gus Schaefer et ux, the grantors in the above-described deed, had acquired by deed from Mrs. Ada Brainard dated December, 13,1946 and recorded in the Deed Records of Hays County, Texas, Vol. 136, pages 403 f., said land being a tract of 142 acres, described as being in the Dillard Cooper, J. H. Klingemann, and Henry C. Rountree surveys. Unknown to the deponent and his grantors 14.96 acres of the above-described land was vacant and not included in or a part of the above-mentioned surveys. This fact became apparent only upon deponent having been alerted by a friend, and upon investigation and upon actual survey on the ground.

Both deponent and his grantor purchased said land in good faith as part of above-described tract of land. They believed it to be part of the surveys mentioned. Both had said land under fence together with their other land, grazed it, paid taxes on it, and held it adversely to all others. Title to said land would have vested had it been included in the surveys as represented. Said land is under fence and has been for more than 10 years.

There is no oil, gas, or mineral production in the immediate vicinity of this land, and there is no activity that would evidence the possibility of the land in question becoming productive of oil, gas, or other mineral. The closest producing well, I believe, is about 40 miles distant. There is no oil or gas lease on said land.

William R. McClellan
William R. McClellan

Subscribed and sworn to this 27 day of october A. D. 1954.

A M Moellering
Notary Public, Comal County, Texas.

17

File No. S.F. 15678

Hays County

Affidavit

Filed October 29, 1954

BASCOM GILES, Com'r

Ora May Evans

File Clerk

RECEIVED

OCT 29 1954

REFERRED TO MAP

EXHIBIT A

D-197

STATE OF TEXAS |
COUNTY OF HAYS | KNOW ALL MEN BY THESE PRESENTS:

That we, ERHARDT GUSS SCHAEFER and wife, DORA F. SCHAEFER, of Hays County, Texas, in consideration of the sum of TEN Dollars ($10.00) and other good and valuable considerations paid by the grantees hereinafter named, the receipt of which is hereby acknowledged, and for the further consideration of the sum of $1515.00 to us in hand paid by MOSES CAMPBELL JUDSON and wife, MARTHA CORNELIA JUDSON, which amount is advanced at the special instance and request of the grantees herein and to evidence such the grantees have executed on promissory note of even date herewith for the sum of ONE THOUSAND FIVE HUNDRED FIFTEEN Dollars ($1515.00) payable to the order of MOSES CAMPBELL JUDSON and wife, MARTHA CORNELIA JUDSON, whose post office address is San Antonio, Texas, bearing interest at the rate of 4½ per cent per annum from date until maturity, past due principal and interest to bear 10% interest per annum from maturity until paid, principal and interest to bear 10% interest per annum ---------- from maturity until paid, principal and interest being payable in monthly installments of TWENTY Dollars ($20.00) or more, each, payable on the 15th day of each and every month, beginning November 15, 1947, and continuing until the whole of said sum, with interest, has been duly paid, interest being calculated on the unpaid principal to the date of each installment paid, and the payment made then credited, first to the discharge of the interest accrued, and the balance to the reduction of the principal, said note containing the usual provision for 10% attorney's fees, and being secured by a VENDOR'S LIEN herein and hereby expressly retained in favor of the holder thereof on the property hereinafter described, and also by a DEED OF TRUST thereon of even date herewith to SAMUEL PETERSON, Trustee, and as further security for the payment of said note the superior title is hereby transferred and conveyed to MOSES CAMPBELL JUDSON and MARTHA CORNELIA JUDSON: have GRANTED, SOLD AND CONVEYED, and by these presents do GRANT, SELL AND CONVEY unto WILLIAM R. McCLELLAN and wife, MARTHA P. McCLELLAN, of Bexar County, Texas, all that certain property situated in Hays County, Texas, described as follows, to-wit:

142 acres of land, more or less, situated about 1½ miles northeasterly from Mt. Sharp, being in the D. Cooper, J.H. Klingman and H.C. Roundtree Surveys, described as follows, towit:

STATE OF TEXAS |
COUNTY OF HAYS | KNOW ALL MEN BY THESE PRESENTS:

That we, ERHARDT GUSS SCHAEFER and wife, DORA F. SCHAEFER, of Hays County, Texas, in consideration of the sum of TEN Dollars ($10.00) and other good and valuable considerations paid by the grantees hereinafter named, the receipt of which is hereby acknowledged, and for the further consideration of the sum of $1515.00 to us in hand paid by MOSES CAMPBELL JUDSON and wife, MARTHA CORNELIA JUDSON, which amount is advanced at the special instance and request of the grantees herein and to evidence such the grantees have executed on promissory note of even date herewith for the sum of ONE THOUSAND FIVE HUNDRED FIFTEEN Dollars ($1515.00) payable to the order of MOSES CAMPBELL JUDSON and wife, MARTHA CORNELIA JUDSON, whose post office address is San Antonio, Texas, bearing interest at the rate of 4½ per cent per annum from date until maturity, past due principal and interest to bear 10% interest per annum from maturity until paid, principal and interest to bear 10% interest per annum ----------from maturity until paid, principal and interest being payable in monthly installments of TWENTY Dollars ($20.00) or more, each, payable on the 15th day of each and every month, beginning November 15, 1947, and continuing until the whole of said sum, with interest, has been duly paid, interest being calculated on the unpaid principal to the date of each installment paid, and the payment made then credited, first to the discharge of the interest accrued, and the balance to the reduction of the principal, said note containing the usual provision for 10% attorney's fees, and being secured by a VENDOR'S LIEN herein and hereby expressly retained in favor of the holder thereof on the property hereinafter described, and also by a DEED OF TRUST thereon of even date herewith to SAMUEL PETERSON, Trustee, and as further security for the payment of said note the superior title is hereby transferred and conveyed to MOSES CAMPBELL JUDSON and MARTHA CORNELIA JUDSON: have GRANTED, SOLD AND CONVEYED, and by these presents do GRANT, SELL AND CONVEY unto WILLIAM P. McCLELLAN and wife, MARTHA P. McCLELLAN, of Bexar County, Texas, all that certain property situated in Hays County, Texas, described as follows, to-wit:

RECEIVED
OCT 29 1954
REFERRED TO MAP

142 acres of land, more or less, situated about 1½ miles northeasterly from Mt. Sharp, being in the D. Cooper, J.H. Klingman and H.C. Roundtree Surveys, described as follows, towit:

D-197

BEGINNING at the point where the middle of South Onion Creek crosses the southwest line of the H.C. Roundtree No. 416; from said point a 12" Walnut bears S. 37° E. 60 feet and a Walnut stump bears N. 36° W. 26 feet; Thence S. 45° E. along the Southwest line of the H.C. Roundtree Survey #416, passing the South corner of said survey and continuing in all 2093 feet to fence corner on southeast side of a third class county road; Thence S. 77° E. 336 feet to a fence corner; Thence N. 45° E. 1625 feet to a fence corner; Thence N. 25° W. 794 feet to a fence corner; Thence N. 62° 30' E. 96 feet to a fence corner; Thence N. 13° E. 94 feet to fence corner in the southeast line of the Dillard Cooper Survey; Thence N. 45° E. along the southeast line of the Dillard Cooper Survey 1865 feet to the most eastern corner of the tract herein described; Thence west, at 832 feet the middle of a cattle guard in the middle of a third class county road, and in all 1358 feet to a corner post on top of high bluff on east side of South Onion Creek, from which post an 8" spanish oak bears N. 21° E. 12 feet; Thence S. 7° 30' E. 110 feet top to a 6" Elm on top of bluff; Thence S. 34° 30' W. 55 feet to a 12" Elm; Thence N. 88° 30' W. 80 feet to a 10" Walnut on the west side of South Onion Creek; Thence W. along fence 618 feet to an 18" Live Oak; Thence N. 89° W. 327 feet to a 24" Live Oak; Thence N. 79° W. 207 feet to an 8" Cedar; Thence N. 64° 45' W. 476 feet to a fence corner; Thence S. 33° 30' W. 42 feet to fence corner in the northeast line of H.C. Roundtree Survey #416; Thence S. 42° E. along Northeast line of said survey, 670 feet to the middle of South Onion Creek; Thence up the middle of South Onion Creek with its meanders as follows: S. 32° 30' W. 230 feet; S. 19° W. 375 feet; S. 200 feet; S. 11° E. 320 feet; S. 14° W. 300 feet; S. 78° 30' W. 480 feet; S. 88° W. 150 feet; N. 77° W. 120 feet; N. 71° 30' W. 150 feet; S. 82° W. 125 feet; and S. 33° W. 135 feet, to the place of beginning, and containing 142 acres of land, more or less.

The above and foregoing field notes are according to a survey made on the ground on July 13, 1946, by R.S. Jahn, State Licensed Land Surveyor, of New Braunfels, Texas.

The above and foregoing is that same identical real property which was acquired by Mrs. Ada Brainard (who was than Mrs. Ada Simon) by deed dated January 5, 1916, recorded in Vol. 68, pages 515-517, Hays County Deed Records; and the said deed, together with its said record, is here referred to and made a part

BEGINNING at the point where the middle of South Union Creek crosses the southwest line of the H.C. Roundtree No. 416; from said point a 12" Walnut bears S. 37° E. 60 feet and a Walnut stump bears N. 36° W. 26 feet; Thence S. 45° E. along the South-west line of the H.C. Roundtree Survey #416, passing the South corner of said survey and continuing in all 2093 feet to fence corner on southeast side of a third class county road; Thence S. 77° E. 336 feet to a fence corner; Thence N. 45° E. 1625 feet to a fence corner; Thence N. 25° W. 794 feet to a fence corner; Thence N. 62° 30' E. 96 feet to a fence corner; Thence N. 13° E. 94 feet to fence corner in the southeast line of the Dillard Cooper Survey; Thence N. 45° E. along the southeast line of the Dillard Cooper Survey 1865 feet to the most eastern corner of the tract herein described; Thence west, at 832 feet the middle of a cattle guard in the middle of a third class county road, and in all 1358 feet to a corner post on top of high bluff on east side of South Union Creek, from which post an 8" spanish oak bears N. 21° E. 12 feet; Thence S. 7° 30' E. 110 feet top to a 6" Elm on top of bluff; Thence S. 34° 30' W. 55 feet to a 12" Elm; Thence N. 88° 30' W. 80 feet to a 10" Walnut on the west side of South Union Creek; Thence W. along fence 618 feet to an 18" live Oak; Thence N. 89° W. 327 feet to a 24" live Oak; Thence N. 79° W. 207 feet to an 8" Cedar; Thence N. 64° 45' W. 476 feet to a fence corner; Thence S. 33° 30' W. 42 feet to fence corner in the northeast line of H.C. Roundtree Survey #416; Thence S. 42° E. along Northeast line of said survey, 670 feet to the middle of South Union Creek with its meanders as follows: S. 32° 30' W. 230 feet; S. 19° W. 375 feet; S. 200 feet; S. 11° E. 320 feet; S. 14° W. 300 feet; S. 78° 30' W. 480 feet; S. 88° W. 150 feet; N. 77° W. 120 feet; N. 71° 30' W. 150 feet; S. 82° W. 125 feet; and S. 33° W. 135 feet, to the place of beginning, and containing 142 acres of land, more or less.

The above and foregoing field notes are according to a survey made on the ground on July 13, 1946, by R.S. Jahn, State Licensed Land Surveyor, of New Braunfels, Texas.

The above and foregoing is that same identical real property which was acquired by Mrs. Ada Brainard (who was then Mrs. Ada Simon) by deed dated January 5, [illegible] recorded in Vol. 88, pages 515-517, Hays County Deed Records; and the said deed, together with its said record, is here referred to and made a part

D-197

hereof for all legal and pertinent purposes.

TO HAVE AND TO HOLD the said premises, together with all rights hereditaments and appurtenances thereto belonging, unto the said grantees above named, their heirs and assigns forever. And we do hereby bind ourselves, our heirs, executors and administrators, to WARRANT AND FOREVER DEFEND the title to said property unto the said grantees above named, their heirs and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

Grantees assume all taxes for the current year on the property conveyed by this deed.

EXECUTED this 15th day of October, 1947.

$8.80 U.S. Fed. Doc. Stamps

/signed/
Erhardt Guss Schaefer

Dora F. Schaefer

STATE OF TEXAS |
COUNTY OF BEXAR |

BEFORE ME, the undersigned authority, on this day personally appeared ERHARDT GUSS SCHAEFER and DORA F. SCHAEFER, wife of the said ERHARDT GUSS SCHAEFER, personally known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed. And the said DORA F. SCHAEFER, having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said DORA F. SCHAEFER, acknowledged such instrument to be her act and deed, and declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

Given under my hand and seal of office, this 15th day of October, 1947.

/signed/ Herbert Williams

(SEAL)

Notary Public, Bexar County, Texas

Filed for record October 17, A.D. 1947 at 9 o'clock A.M.

Recorded October 22, A.D. 1947 at 3 o'clock P.M.

/signed/ Sarah Reed
SARAH REED, COUNTY CLERK, HAYS COUNTY, TEXAS

RECEIVED TO WAP
OCT 30 1947
RECEIVED

-----ooOoo-----

B-147

hereof for all legal and pertinent purposes.

TO HAVE AND TO HOLD the said premises, together with all rights hereditaments and appurtenances thereto belonging, unto the said grantees above named, their heirs and assigns forever. And we do hereby bind ourselves, our heirs, executors and administrators, to WARRANT AND FOREVER DEFEND the title to said property unto the said grantees above named, their heirs and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

Grantees assume all taxes for the current year on the property conveyed by this deed.

EXECUTED this 15th day of October, 1947.

$8.80 U.S. Fed. Doc. Stamps

/signed/
Ernest Guss Schaefer

Dora F. Schaefer

STATE OF TEXAS |
|
COUNTY OF BEXAR |

BEFORE ME, the undersigned authority, on this day personally appeared ERNEST GUSS SCHAEFER and DORA F. SCHAEFER, wife of the said ERNEST GUSS SCHAEFER, personally known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed. And the said DORA F. SCHAEFER, having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said DORA F. SCHAEFER, acknowledged such instrument to be her act and deed, and declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

Given under my hand and seal of office, this 15th day of October, 1947.

(SEAL)

/signed/Herbert Williams

Notary Public, Bexar County, Texas

Filed for record October 17, A.D. 1947 at 9 o'clock A.M.

Recorded October 22, A.D. 1947 at 3 o'clock P.M.

/signed/ Sarah Reed

SARAH REED, COUNTY CLERK, BEXAR COUNTY, TEXAS

RECEIVED
OCT 29 1954

REFERRED TO MAP

File No. 87-15678 Bexar County
Filed October 29 1954
BASCOM GILES County Clerk
File Clerk

-----ooOoo-----

RECEIVED
NOV 6 1954
GENERAL LAND OFFICE

ACCEPTANCE OF TERMS OF SALE OF UNSURVEYED SCHOOL LAND

(Applicant or Good Faith Claimant)

San Marcos, Texas, November 5 17771 19 54

TO THE COMMISSIONER OF THE GENERAL LAND OFFICE, AUSTIN, TEXAS: 17772

I hereby accept the terms of sale of the tract of unsurveyed school land hereinafter described as stated in your letter dated November 4, 1954 and apply to complete my application to purchase under the terms of House Bill No. 9, passed at the Regular Session of the Forty-sixth Legislature and approved June 19, 1939, and other laws relating to the sale of unsurveyed school land without settlement.

The land is situated in Hays County, Texas, about 21 miles (give course) San Marcos from the county seat, and is briefly described as follows:

Survey No.	S. F. No.	Acres	Classification
	15678	14.96	

I agree to pay for said land the price of $5.00 Dollars per acre, and I hereby enclose the sum of $74.80 Dollars as the full (Insert whether "full" or "one-fortieth") cash payment therefor.

I further agree that the sale to me is made upon the express conditions, to-wit:

The reservation of minerals therein to the State will be a free royalty of one-sixteenth of the oil and gas and one-eighth of the sulphur and other minerals.

I do solemnly swear (affirm) that I am over twenty-one (21) years of age.

W. R. McClellan
Applicant or Good Faith Claimant

Post Office San Marcos, Texas

Sworn to and subscribed before me, this the 5th day of November, 19 54.

Peggy Caldwell
PEGGY CALDWELL, Notary Public in and for Hays County, Texas
My Commission Expires June 1, 1955
Hays County, Texas

OBLIGATION

$ School Lands.

For value received, I, the undersigned, do promise to pay to the State of Texas the sum of Dollars, with interest thereon as hereinafter specified, the same being for the remainder of purchase money for the following described tract of land purchased by me, of the State of Texas, in accordance with the provisions of laws relating to the sale of unsurveyed public free school lands; to-wit: All of Survey No. , S. F. No. , Grantee , situated in County, Texas.

The annual interest of five per cent, upon all unpaid principal, together with one-fortieth of the original principal, I am to pay or cause to be paid to the General Land Office, at Austin, Travis County, Texas, on or before the first day of each November thereafter until the whole purchase money is paid. And it is expressly understood that I am to comply strictly with all the conditions, limitations and requirements, and am subject to and accept all the benefits and penalties contained and prescribed in the laws above referred to.

Witness my hand this day of , 19 .

Applicant or Good Faith Claimant

Post Office

84083-839-5m

(9)

GENERAL LAND OFFICE
Austin, Texas

S. F. No. 15678

ACCEPTANCE OF TERMS OF SALE
OF UNSURVEYED SCHOOL LAND
(Applicant or Good Faith Claimant)

of

W. R. McClellan

Post Office San Marcos, Tex

WITHOUT SETTLEMENT

14.96 acres in

Hays County, Texas.

Filed November 6, 1954

Bascom Giles
Commissioner

Awarded Nov. 6, 1954

~~Rejected~~ _____, 19____

Bascom Giles
Commissioner

Class _____

Appr'm't _____

Obligation _____

On Market _____

DIRECTIONS: In sending payment both receipts must be filled out just alike and sent to the Land Office without being separated from each other. Insert Ledger and Page Numbers shown in former receipts. Do not put more than one tract of land on one receipt, though one money order or draft may include several receipts.

J-661-1141-50m.

17771

BASCOM GILES, Commissioner.
ALVIS VANDYGRIFF, Chief Clerk.

DUPLICATE RECEIPT

(To be Kept by Land Office)

LEDGER 143

PAGE 364

FILE No. BJ 15678

Post Office San Marcos, 19 54

To THE COMMISSIONER General Land Office, Austin, Texas.

I enclose CC *for* $ 7980,
(Say whether Money Order or Draft on a Bank in Austin, or Cash.)

of which $ 7480 *are for principal*
$ *are for interest*
$ 500 *are for* *fees*

payment on the following land purchased from the State, to-wit:

Section	Block	Township	Certificate	SURVEY	Acres	County
				Joel F Clark	496	Hays

N R McClellan
(Name of Sender.)

Received remittance as stated above. 11-6-54

(Address)

Commissioner General Land Office.

DIRECTIONS: In sending payment both receipts must be filled out just alike and sent to the Land Office without being separated from each other. Insert Ledger and Page Numbers shown in former receipts. Do not put more than one tract of land on one receipt, though one money order or draft may include several receipts.

J-651-1141-50m.

BASCOM GILES, Commissioner.
ALVIS VANDYGRIFF, Chief Clerk.

DUPLICATE RECEIPT

(To be Kept by Land Office)

LEDGER _____

PAGE _____

FILE No. _____ Post Office _____, 19__

To THE COMMISSIONER General Land Office, Austin, Texas.

I enclose _____ for $ _____

(Say whether Money Order or Draft on a Bank in Austin, or Cash.)

payment on the following land purchased from the State, to-wit:

of which $ _____ are for principal
$ _____ are for interest
$ _____ are for fees

Section	Block	Township	Certificate	SURVEY	Acres	County

_____ Received remittance as stated above.

(Name of Sender.)

_____ _____

(Address) Commissioner General Land Office.

1771

Blum Improved 35 ac

Blum Improved 35 ac

1980

1980

1980

600

Blum Block 7 Blum

Blum

1-0-37

SF-1567P

10

Ledger 143

LAND AWARDS AND RECEIPT

File No. S.F. 15678

Page 364

Date of Award November 6, 1954, 194

GENERAL LAND OFFICE,
AUSTIN, TEXAS

WHEREAS, W. R. McClellan

of San Marcos, Texas, has, in the manner and form prescribed by law, filed in this office an application and obligation to purchase the following land, to-wit:

SECTION	BLOCK	TOWNSHIP	CERTIICIATE	GRANTEE	ACRES	PRICE	COUNTY
			S. F. 15678	W.R. McClellan	14.96	$ 5.00	Hays

Date of Sale

Amount of Note $

Rate of Interest Per Cent

Due November 1st Annually
SCHOOL LAND

The School land Board having fixed the price, and the State having received $ 74.80 as the full payment thereon, I do hereby award to said applicant the survey of land described above with a reservation of a free royalty of one-sixteenth on oil and gas and one-eighth on sulphur and all other minerals to the State.

Bascom Giles
Commissioner General Land Office

(11)

SS 15678

Sup. Award &
Receipt 11-6-54

November 4, 1954

Mr. W. R. McClellan
203 W Wood Street
San Marcos, Texas

Dear Mr. McClellan:

The School Land Board of the State of Texas at a meeting held in my office November 3, 1954, fixed the price at which you may pay for the unsurveyed school land in S.F. 15678, 14.96 acres, Hays County, which you applied for at $5.00 per acre.

Since this area is more than five miles from production, the reservation of minerals therein to the State will be a free royalty of one-sixteenth of the oil and gas and one-eighth of the sulphur and other minerals.

Since this area contains less than 80 acres, it will have to be paid for in cash. You should, therefore, forward a check in the amount of $74.80, which, according to my calculation, is the amount necessary to pay for such unsurveyed school land. In addition to the above, the patent fee on this tract will amount to $5.00. You may include these two sums in one check which should be made payable to the State Treasurer. It will also be necessary for you to forward to this office a separate check in the sum of $1.04 to defray the expense of recording the patent in Hays County. This latter check must be made payable to the Commissioner of the General Land Office.

I am enclosing a form of acceptance, which I request that you fill out and return to this office with the remittances.

Sincerely yours,

BASCOM GILES, COMMISSIONER
OF THE GENERAL LAND OFFICE

ej
enc
SF 15678

(12)

84 15678

Letter of
evaluation
11-4-54 EJ

General Land Office

BASCOM GILES, COMMISSIONER

DENNIS WALLACE, CHIEF CLERK

Austin, Texas, November 26, 1954

County Clerk Hays County

San Marcos, Texas

Dear Sir:

The enclosed Receiver's check for $ 1.00 is for recording the enclosed patent in Hays County, issued to the Patentee shown therein.

The other check or checks, enclosed, if any, is the fee for the other county clerk, or clerks, as shown.

When recorded by you, kindly forward patent, and this letter, with balance of fees, if any, to other proper county clerk, and when record is fully completed deliver to the owner or his agents, in person or by registered mail, as required by Chapter 47, Acts April 2, 1918.

Please deliver to W.R.McClellan,203 W. Wood St. San Marcos, Texas paid the fees as agent or owner.

Sincerely,

Patent No. 281

Vol. No. 24-B

File No. SF 15678

Commissioner.

Form 5425b—

General Land Office

BASCOM GILES, COMMISSIONER
DENNIS WALLACE, CHIEF CLERK

Austin, Texas, November 26, 1954

County Clerk Hays County

San Marcos, Texas

Dear Sir:

The enclosed Receiver's check for $ 1.00 is for recording the enclosed patent in Hays County, issued to the Patentee shown therein.

The other check or checks, enclosed, if any, is the fee for the other county clerk, or clerks, as shown.

When recorded by you, kindly forward patent, and this letter, with balance of fees, if any, to other proper county clerk, and when record is fully completed deliver to the owner or his agents, in person or by registered mail, as required by Chapter 17, Acts April 2, 1918.

Please deliver to W.R.McClallan,203 W. Wood St.
San Marcos, Texas paid the fees as agent or owner.

Sincerely,

Patent No. 281

Vol. No. 24-B

File No. SP 15678

Commissioner.

Form 5135b—

(13) S.F.-15678

NOVEMBER 29, 1954

MR. T. A. ALLEN, TAX ASSESSOR
AND COLLECTOR HAYS COUNTY
SAN MARCOS, TEXAS

DEAR MR. ALLEN:

THE FOLLOWING INFORMATION SHOULD BE NOTED ON YOUR RECORD:

A TRACT OF LAND, CONTAINING 14.96 ACRES, SITUATED ABOUT 21½ MILES N. 40 DEGREES W. FROM SAN MARCOS, HAS BEEN AWARDED TO W. R. MCCLELLAN, UNDER THE PROVISIONS OF AN ACT APPROVED JUNE 19, 1939, AND OTHER LAWS RELATING TO THE SALE OF UNSURVEYED SCHOOL LAND.

THIS INFORMATION WILL BE CARRIED IN ABSTRACT SUPPLEMENT F, UNDER ABSTRACT NO. 830, S. F. 15678.

SINCERELY YOURS,

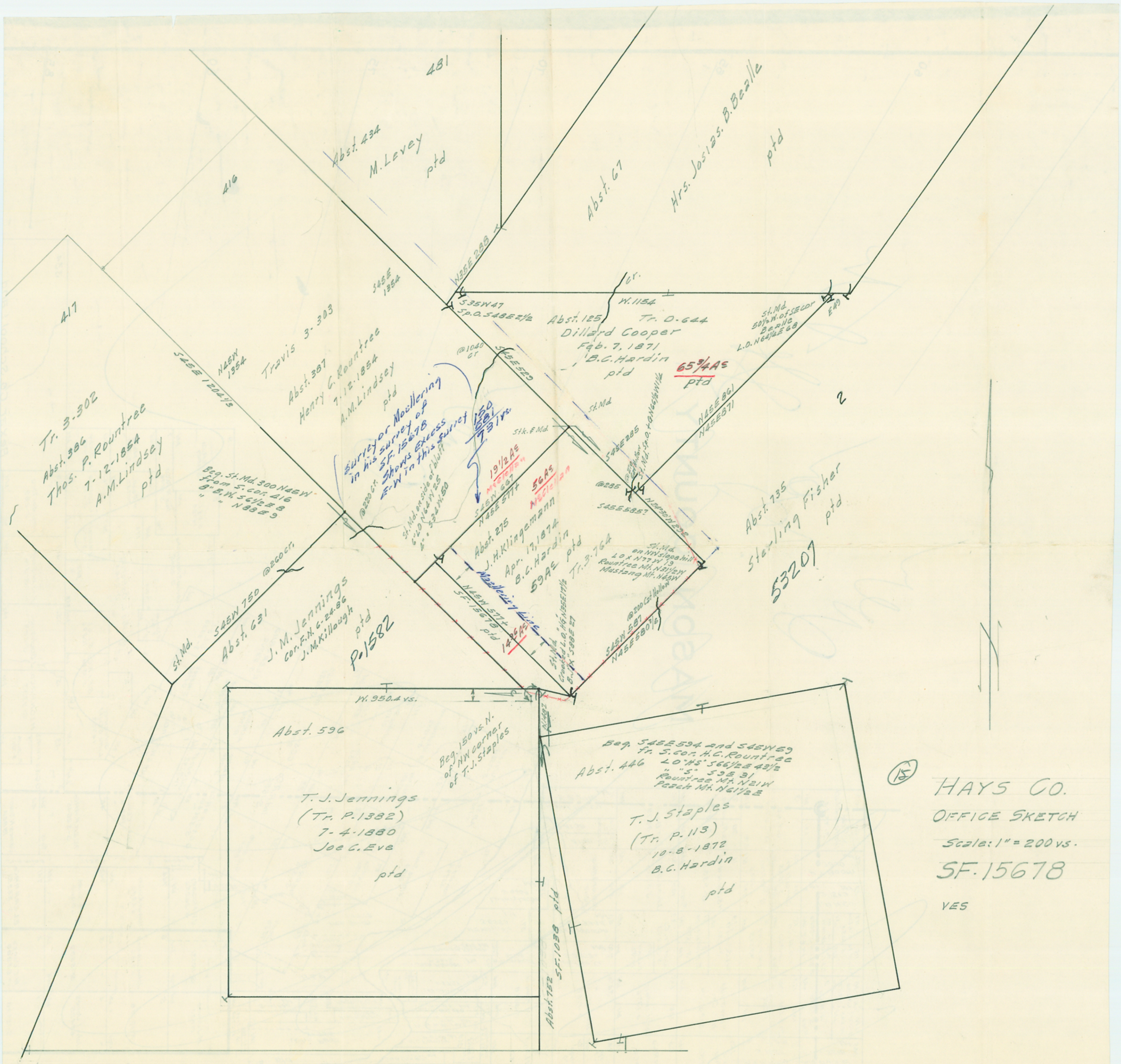
BASCOM GILES, COMMISSIONER
OF THE GENERAL LAND OFFICE

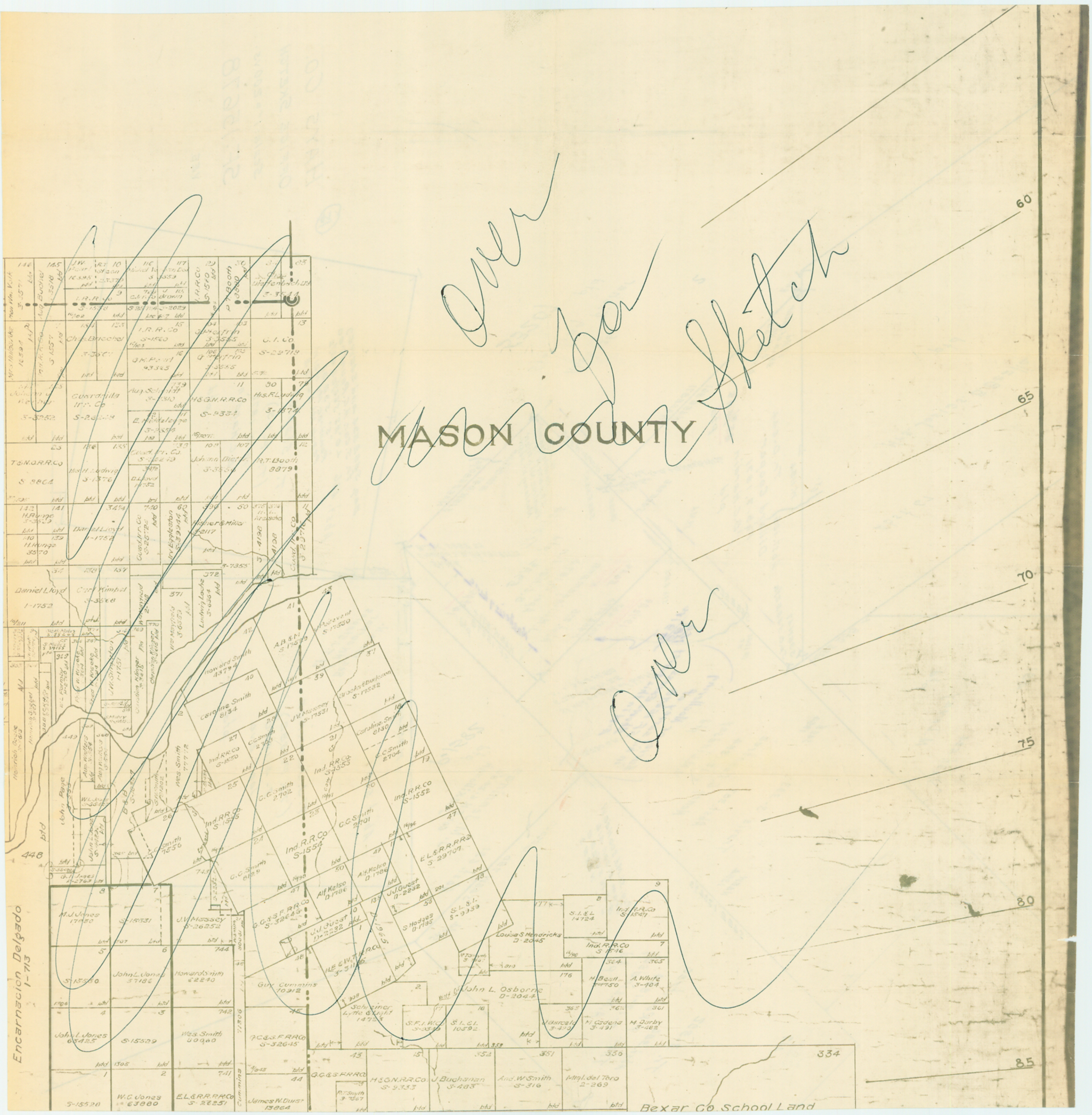
MH

(14)

S. F. 15678

Assessor-Collector
Notified 11-29-54


481
Abst. 434
M. Levey
ptd
416
Abst. 67
Hrs. Josias B. Bealle
ptd
417
Tr. 3-302
Abst. 386
Thos. P. Rountree
7-12-1854
A.M. Lindsey
ptd
Travis 3-303
Abst. 387
Henry C. Rountree
7-12-1854
A.M. Lindsey
ptd
Abst. 125
Tr. 0-644
Dillard Cooper
Feb. 7, 1871
B.C. Hardin
ptd
65¾ As
ptd
Survey or Mocllering in his survey of SF. 15678 Shows Excess E-W in this survey
Abst. 275
J.H. Klingemann
Apr. 17, 1874
B.C. Hardin
ptd
Tr. 3-764
Abst. 735
Sterling Fisher
ptd
53207
Abst. 631
J.M. Jennings
cor. F.N. 6-24-86
J.M. Killough
ptd
P. 1582
Abst. 596
T.J. Jennings
(Tr. P. 1382)
7-4-1880
Joe C. Eve
ptd
Beg. 150 vs. N. of NW corner of T.J. Staples
Abst. 446
T.J. Staples
(Tr. P. 113)
10-8-1872
B.C. Hardin
ptd
Abst. 752
SF. 1038
ptd
HAYS CO.
OFFICE SKETCH
Scale: 1" = 200 vs.
SF. 15678
VES


MASON COUNTY
Over for Sketch
Over
60
65
70
75
80
85
Encarnacion Delgado
1-713
Bexar Co. School Land
Ind. R.R. Co
S-1554
Ind. R.R. Co
S-1552
Ind. R.R. Co
S-1550
Ind. R.R. Co
S-1553
E.L.&R.R.R.R.Co
S-29707
G.C.&S.F.R.R.Co
S-32645
H.&G.N.R.R.Co
S-9333
J. Buchanan
S-483
And. W. Smith
S-316
Mig. del Toro
2-269
Louisa S. Hendricks
D-2045
John L. Osborne
D-2044
Alf. Kelso
D-1786
J.J. Guest
D-2232
S. Hodges
D-1795
S.L.&L.
14724
Ind. R.R. Co
S-15541
Ind. R.R. Co
S-15416
H. Beall
S-750
A. White
3-484
M. Darby
3-482
M. Cadena
3-491
J. Barcelo
3-490
S.F.I.W.C.
S-2339
S.L.&L.
10592
Schreiner
Lytle & Light
14724
Gus. Cummins
10312
J.V. Massey
S-26252
M.J. Jones
17930
S-15531
John L. Jones
37186
Howard Smith
62240
John L. Jones
65425
S-15529
W.&S. Smith
50040
W.C. Jones
63880
E.L.&R.R.R.R.Co
S-28251
James W. Durst
13864
Howard Smith
43794
Caroline Smith
8134
J.V. Massey
S-17531
C.C. Smith
2704
C.C. Smith
2702
C.C. Smith
2701
C.C. Smith
7556
Alf. Kelso
D-1786
J.J. Guest
D-2232
S.L.&L.
S-9339
Daniel Lloyd
1-1752
Carl Kimbel
S-3568
Ludwig Lochs
3-3364
Ind. R.R. Co
S-1550
Ind. R.R. Co
S-1560
Ind. R.R. Co
S-1560
Ind. R.R. Co
S-2029
Chas. Dreschel
3-3567
G.M. Pearl
93365
G. Griffin
3-3565
C.I. Co
S-29718
Aug. Schmidt
3-1310
E. Middleberg
3-2258
Guadalupe Irr. Co
S-28249
H.S.F. Ladwig
3-1874
T.&N.O.R.R.Co
S-9864
H.L. Davis
3-1576
D. Lloyd
1-1752
John Dietz
3-3534
R.T. Booth
3879
H. Runge
3-3565
H. Runge
3570
Barl. Lloyd
1-1752
Guad. Irr. Co
S-25729
Irv. Eggleston
S-39944
Fisher & Miller
3-2117
3-4198
3-4198
3-7355
Guad. Irr. Co
3-2376
Chas. Klinger
Christian Klinger
J.W. Smith
1-1751
Hennig Sagel
John Pape
W.L. Jones
G.H. Jones
A-2763
Wm. Walters
Amy Walters
W.&S. Smith
777.12
B.&B.
448
Cumming
Scott
Hamilton
Bexar Co.

p 302

RECEIVED
JUL 6 1970
General Land Office

Mr. Jerry Sadler
Commissioner
General Land Office

July 3, 1970

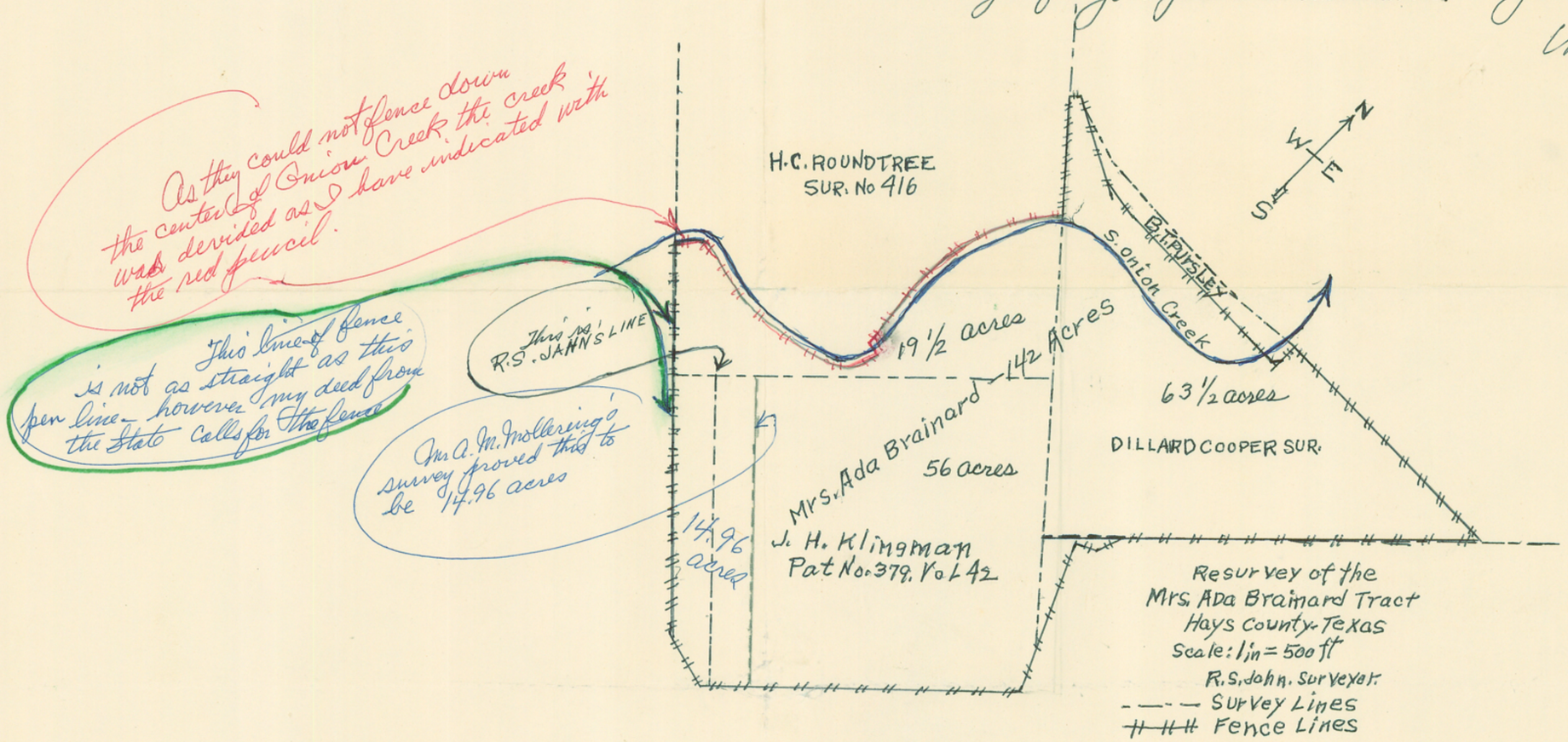
Dear Mr. Sadler:

I bought my place according to the survey made by R. S. John State licensed land surveyor. (this is a tracing) The 14.96 Acres the State sold to me in 1954 did not change my boundary lines. Down through the years I have paid my State, County, School and road tax according to this survey. I paid on 59 acres J. H. Klingman Survey prior to purchasing the 14.96 acres from the State. My boundary lines remain the same; I now pay on 56 acres, which is correct. This survey was the way I bought it, the way I pay my taxes, and the way it is to-day.

Thank you for your patience and consideration.

Yours truly,

W. McClellan



SF.15678 (X)

Sketch submitted
by W.R. McClellan

(16) SF-15678

D 302

Date _____ 19____

Hon. Jerry Sadler
Commissioner
General Land Office

Dear Sir:

Attached is $_____

Charge
Credit Acct. #_____

Cash
Check
Draft

Fees
To Cover
Rental

Interest On The Following:

8

Please Mail Receipt / Copies to / Statement Mr. W. R. McClellan

Street Rt 1

City Weimberly Tex

Attention 78676

RECEIVED
JUL 6 1970
General Land Office