

7/29/55
VES

319

File S. F. 15782
Abst. No. 1743 Harris County

SCHOOL LAND

F. H. Benfer
(GOOD FAITH CLAIMANT)
Spring, Texas

69⁵² Acres

Section No. _____

Block _____ Tsp. _____ Cert. _____
Act of June 19, 1939

REG. MK'D. PTD.

*Report and Sketch
in SF-15777*

CORRECT ON MAP FOR 69⁵² ACRES
9/2/55 VES

GFC State work approved as to title and valued by the Commissioner and the School Land Board at \$33.33 per acre. 9-7-55 or D.W.

Jean Kuesen

Pat. to Orig. with M/R 9/22/1955 Brooks
Obligation

Vol. 143 Page 394
B-138-1050-4m PATD. ABST. SUP. F

Map Mk'd. Ptd.

Patented SEP 23 1955
No. 319 Vol. 25-B

Mailed Co. Clk. **CONTENTS** SEP 28 1955
atubeum
7/18/55

- No. 1—Application and Obligation
- No. 2 Affidavit - 7-18-55 pt
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- No. _____
- No. _____

9-21-55

Pat. Fee 10⁰⁰ Reg 2878
Rec Fee 10⁰⁰ Reg 2879
F. H. Benfer
Rt. 1 - Box 176
Spring - Texas

PAID IN FULL FOR 69.52 ACRES
DATE 9-21-55

15782

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 Harris County, Texas, about 25 miles North 26⁰ West from Houston, the county seat, and is described as follows, to-wit:

69.52 acres of land originally conveyed as a part of the John Brock Survey, A-122, But now alleged to be unsurveyed land, more particularly described in field notes attached hereto and incorporated by reference, said field notes marked Exhibit "A".

3. I am a good faith claimant under the terms of said Act, as is fully shown by the attached instruments marked Exhibit "A", "B", "C", "D", "E", and "F".

4. Remarks: On April 12, 1955, Alvin A. Klein, Adam Klein, Hugo Ehmann, A. H. Roth, Theodore Benfer, F. H. Benfer, Carl Schindewolf and Fritz Benfer, filed their joint applications as good faith claimants to 223.4 acres of land in Harris County, Texas, said application being assigned File No. SF15765. Survey of said land revealed that Carl Schindewolf and Fritz Benfer owned no part of said acreage. Now in lieu of File No. SF15765, each of the remaining parties files application for his particular good faith claimed portion of said acreage, together with the following attached instruments in support of said claim, to-wit:

- Exhibit "A"---Field notes of survey by J. S. Boyles, C.E.
- Exhibit "B"---Written report of surveyor covering subject tract and tracts of other good faith claimants.
- Exhibit "C"---Plat of survey covering subject tract and tracts of other good faith claimants.
- Exhibit "D"---Affidavit proving good faith claim.
- Exhibit "E"---Certified photostatic copy of Deed or Deeds of Applicant showing conveyance of subject tract to Applicant.
- Exhibit "F"---Questionaire.

F. H. Benfer

F. H. Benfer

Good Faith Claimant

Post Office R. F. D. Spring, 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, G. J. 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 7 day of Sept., A. D. 1955, the price at which the area of land described in the above application No. 5315782, shall be sold, was fixed by the School Land Board at \$83.33 Dollars per acre, all of which is shown in Vol. 12, Page _____, of the Minutes of said Board. Given under my hand this the 7th day of September, A. D. 1955, at Austin, Texas.

G. J. Mullins

Secretary of the School Land Board

84088

GENERAL LAND OFFICE
Austin, Texas

S. F. No. 15782

APPLICATION TO PURCHASE
UNSURVEYED SCHOOL LAND
(Good Faith Claimant)

of
F. H. Benfer
Spring, Texas.

WITHOUT SETTLEMENT

acres
in Harris County, Texas.

Filed July 18, 1955

J. Earl Rudder
Commissioner

Approved Sept. 7, 1955
Rejected

J. Earl Rudder
Commissioner

RECEIVED AS STATED

\$1.00

J. Earl Rudder

DATE July 18, 1955

Reg. No. 53993

GENERAL LAND OFFICE

st

APPLICATION TO PURCHASE

GENERAL LAND OFFICE
AUSTIN, TEXAS

EXHIBIT "D"

F. H. BENFER 69.52 ACRE TRACT

THE STATE OF TEXAS |
 |
COUNTY OF HARRIS |

BEFORE ME, the undersigned authority, on this day personally appeared F. H. BENFER, who, having been by me first duly sworn upon his oath did depose and say:

My name is F. H. BENFER; I am 31 years of age and my mailing address is R. F. D., Spring, Texas. I have always been and am at present a single man. I am the good faith claimant and am in possession of a 69.52 acre tract of land always thought by me to be a portion of the John Brock Survey, Abstract 122 in Harris County, Texas. This tract of land is now thought to be unsurveyed land, lying south of the John Brock Survey, said 69.52 acre tract of land being more particularly described by metes and bounds in Exhibit "1" attached hereto and incorporated by reference.

This land is at present being used by me upon which to graze livestock and upon which to cultivate crops. I reside upon this tract of land and claim it as my homestead. It is at present under valid Oil & Gas Lease originally executed to Jack O. Elliott, but having been assigned by him to the Mid-States Oil Corporation. However, there is no production of oil, gas or other minerals from said tract of land.

This tract of land was purchased by me, from my father, Fritz Benfer, and mother, Annie Benfer, by Deed dated December 31, 1954, and recorded in Volume 2881, Page 260 of the Deed Records of Harris County, Texas. This 69.52 acre tract of land was acquired by my father, Fritz Benfer, from his father, Henry Benfer, who acquired same prior to 1900 from B. A. Shepherd. This Deed from Shepherd to my grandfather, Henry Benfer, is recorded in Volume 41, Page 590 of the Deed Records of Harris County, Texas. Said above described Deeds, refer to said land as being out of and a part of the John Brock Survey, and same has been assessed on Harris County Tax Rolls for well over fifty years as being a portion of the John Brock Survey. All of the above mentioned

persons and myself, have always thought said land to be a portion of the John Brock Survey.

This 69.52 acre tract of land has been under fence for well over fifty years, and it has definitely recognized boundaries. My grandfather lived on this tract of land, fencing same, annually using and cultivating it, and my father and mother presently reside on this tract of land with me, where they have so resided for well over fifty years, my father and mother having fenced, cultivated and grazed livestock upon same for well over fifty years. There has never been any disputes as to where the boundary lines of said land were located, it always having been thought to be a portion of the John Brock Survey.

My father has lived on this land for over fifty years, and I was born and raised on said tract of land and all of us have always had the good faith belief that we were the owners of same. I am at present in possession of said land and have been in possession of it all of my life, which is well over ten years.

I own adjoining tracts of land in the John Brock Survey, claiming same under Deeds recorded in Harris County, Texas.

The nearest production of oil, gas or other minerals is approximately $1\frac{1}{2}$ miles northwest of said tract of land. There is also some production approximately two miles southwest of said tract of land.

WITNESS my hand this 14th day of July, 1955.

F. H. Benfer

F. H. BENFER

Form 842

SINGLE ACKNOWLEDGMENT

STATE OF TEXAS,
COUNTY OF Harris

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared
F. H. Benfer

known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 14th day of July, A. D. 19 55.

HOWARD H. KLEIN

(L. S.) Notary Public in and for Harris County, Texas
My Commission Expires June 1, 1957 Notary Public in and for Harris County, Texas.

EXHIBIT "1"

F. H. BENFER 69.52 ACRE TRACT

FIELD NOTES of a survey of 69.52 acres of land made for F. H. Benfer by virtue of his application filed with the Commissioner of the General Land Office, Austin, Texas, on the 12th day of April, 1955, (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 Harris County, about 25 miles North 26° East from Houston, the County Seat, and is described by metes and bounds as follows, to-wit:

Beginning at a 4x4" concrete monument set at a re-entrant corner of the F. Strohecker Survey out of the Northwest portion of H.T.&B. R.R. Company Survey No. 2, Certificate 5/245. The said concrete monument being at a point that for nearly fifty years has been recognized as the Southeast corner of the John Brock Survey;

THENCE partially with the lower North line of the F. Strohecker Survey and partially with the North line of the Otto Eckert Survey South 89° 19' 40" West; at 183.0 varas pass the lower Northwest corner of the F. Strohecker Survey and the Northeast corner of the Otto Eckert Survey, in all 246.32 varas to the Southeast corner of Theodore Benfer's 0.52 acre;

THENCE with Theodore Benfer's line North 00° 59' 30" West 71.91 varas to his North corner, the Southerly re-entrant corner of this survey;

THENCE with the Northwesterly line of Theodore Benfer's 0.52 acre South 48° 01' 10" West 108.9 varas to his Southwest corner;

THENCE with the North line of the Otto Eckert Survey South 89° 19' 40" West 39.6 varas to the lower Southeasterly corner of A. H. Roth's 25.35 acres;

THENCE with A. H. Roth's Southeasterly line North 48° 01' East 161.51 varas;

THENCE with A. H. Roth's East line North 00° 43' 40" West 233.42 varas to a pine knot at his Northeast corner;

THENCE with A. H. Roth's North line South 88° 32' West 415.08 varas to a stone, the upper Southeast corner of Hugo Ehmann's 62.26 acres and the upper Southwest corner of this survey;

THENCE with Hugo Ehmann's upper East line North 01° 21' West 487.18 varas to his Northeast corner; the Northwest corner of this survey on the South line of the John Brock Survey located at its call distance from its Northeast or beginning corner;

THENCE with the South line of the John Brock Survey North 89° 19' 40" East 667.67 varas to a concrete monument, the Northeast corner of this survey and the Southeast corner of the John Brock Survey located at its call distance South from its Northeast corner;

THENCE with the west line of the H. Benfort Survey South 00° 41' 20" East 205.09 varas to the North east corner of Theodore Benfer's 2.89 acres;

THENCE with Theodore Benfer's Northwesterly line South 69° 28' 40" West 120.87 varas to his Northwest corner for the East re-entrant corner of this survey;

THENCE with Theodore Benfer's line South 25° 31' 20" East 270.72 varas to an iron rod at his South corner;

THENCE partially along the West line of the H. Benfort Survey and partially with the upper West line of the F. Strohecker Survey South 00° 41' 20" East; at 214.21 varas pass the Southwest corner of the H. Benfort Survey and the upper Northwest corner of the F. Strohecker Survey, in all 329.66 varas to the PLACE OF BEGINNING.

F. H. HEMMER 69.52 ACRE TRACT

FIELD NOTES of a survey of 69.52 acres of land made for F. H. Hemmer by virtue of his application filed with the Commissioner of the General Land Office, Austin, Texas, on the 12th day of April, 1955, (application to be filed with the Commissioner of the General Land Office, Austin, Texas) under the laws regulating the sale and lease of unreserved school land. Said land is situated in Harris County, about 2 1/2 miles North 25° East from Houston, the County Seat, and is described by notes and bounds as follows, to-wit:

Beginning at a "4x4" concrete monument set at a re-entrant corner of the F. Strohecker Survey out of the Northwest portion of H.T. 23. Beginning at a point that for nearly fifty years has been recognized as the Southeast corner of the John Brock Survey; THENCE partially with the lower North line of the F. Strohecker Survey and partially with the North line of the Otto Eckert Survey South 89° 19' 40" West; at 183.88 varas pass the lower Northwest corner of the F. Strohecker Survey and the Northeast corner of the Otto Eckert Survey, in all 246.32 varas to the Southeast corner of Theodore Bentler's 0.52 acre; THENCE with Theodore Bentler's line North 00° 59' 30" West 71.91 varas to his North corner, the Southerly re-entrant corner of this survey; THENCE with the Northwesterly line of Theodore Bentler's 0.52 acre South 48° 01' 10" West 108.9 varas to his Southwest corner; THENCE with the North line of the Otto Eckert Survey South 89° 19' 40" West 39.6 varas to the lower Southeast corner of A. H. Roth's 25.35 acres; THENCE with A. H. Roth's Southeasterly line North 48° 01' East 181.51 varas; THENCE with A. H. Roth's East line North 00° 43' 40" West 233.42 varas to a place on his Northeast corner; THENCE with A. H. Roth's North line South 88° 32' West 415.08 varas to a stone, the upper Southeast corner of Hugo Ehmman's 62.26 acres to a stone, the upper Southwest corner of this survey; THENCE with Hugo Ehmman's upper East line North 01° 21' West to his Northeast corner; the Northwest corner of this survey is the South line of the John Brock Survey located at the east or Northeast or beginning corner; THENCE with the South line of the John Brock Survey North 89° 19' 40" West to a concrete monument, the Northeast corner of the John Brock Survey located at the Southeast corner of the John Brock Survey located at the Northeast corner; THENCE with the West line of the H. Bentler Survey South 00° 41' 10" West to the North East corner of Theodore Bentler's 0.52 acre; THENCE with Theodore Bentler's Northwesterly line South 69° 23' 10" West 120.10 varas to his Northwest corner for the East re-entrant corner of this survey; THENCE with Theodore Bentler's line South 25° 31' 20" East 270.72 varas to an iron rod at his South corner; THENCE partially along the West line of the H. Bentler Survey and partially with the lower West line of the F. Strohecker Survey South 00° 41' 20" East; at 214.21 varas pass the Southwest corner of the H. Bentler Survey and the upper Northwest corner of the F. Strohecker Survey, in all 329.66 varas to the PLACE OF BEGINNING.

File No. P. 8. 15782
Jamie County
Applicant
Filed July 18 19 55
Earl Rudder, Com'r.
at Thompson File Clerk

1365787

The State of Texas

Know All Men by These Presents:

COUNTY OF HARRIS :

THAT We, FRITZ BENFER, joined by his wife, ANNIE BENFER, - - - - -

of the County of Harris State of Texas for and in consideration

of the sum of

Ten Dollars; Love and Affection (\$10.00) - - - - - DOLLARS

to us in hand paid by F. H. Benfer

as follows:

HOWEVER : The Grantors here-in retain [redacted] Occupancy, Management [redacted] of herein described property until their death; or the death of either of their Survival.

have Granted, Sold and Conveved, and by these presents do Grant, Sell and Convey, unto the said F. H. Benfer

of the County of Harris State of Texas all that certain

Two (2) Tracts of Land; described as follows:

TRACT # 1.

All that certain tracts of land lying and being situated on the North side of Cypress Creek, Harris County, Texas about 20 miles N.W. from the City of Houston, described as follows;

To Wit: One hundred and fifty four and sixty-three one-hundredth (154 63/100) Acres of land out of the John Brock Survey, less Six (6) acres previously deeded to Wm. Benfer off of the East side of said tract. Beginning at Stake in Prairie in the North line of 100 acres deeded to Adam Klein being also the N.E. Corner of fifty (50) acres sold to Geo. Schoor. Thence N. 613 3/10 Vrs. along the land line of said 50 Acres to the N. E. Corner thereof. Thence W 460 Vrs. along the N. Line of said 50 Acres to the N.W. Corner of same on the E. Line of John Kleins 95 37/100 Acre Tract. Thence N. 413 9/10 Vrs. along John Kleins land to his N.E. Corner stake in prairie. Thence E. 1124 Vrs. to a stake on the E. Line

of the J. Brock Survey. Thence South 1027 Vrs. along said line to the N.E. Corner of Adam Kleins 100 Acre Tract. Thence West 664 Vrs. along the North line of said 100 acres to the place of beginning. Being the same land deed by B.A. Shepard to Henry Benfer. See Harris County Record of Deeds, Vol. 41, Page 590-1.

Also: One hundred and seven and seven tenths (107 7/10) Acres of land out of a survey of one hundred and eighty (180) Acres more or less, bought of Wm. and August Reichard by Deed dated the 7th day of Sept. 1883, and recorded in Harris County record of Deeds Volume 28, page 268, to which reference is made for full description.

Less: A fifty (50) Acre Tract out of N. W. Corner of the Fritz Benfer ~~50~~ Acre Tract made for ~~FRITZ~~ SCHINDEWOLF November 1946.

148.63
TRACT # 2.00

CARL
F. B. AB

All that certa in Tract or parcel of Land Lying and being situated in Harris County Texas and being a part of the John Brock Survey in said County and State, and described as follows:

To Wit : Beginning at the S. E. Corner of said Brock Survey in Said County; Thence North in the East line of said Brock 342 1/2 Vrs. to the N. E. Corner of a Survey of a 100 Acres Conveyed by B. A. Shepherd to Adam Klein. Thence West in the North line of said 100 acres 247 Vrs. to a Stake for a Corner. Thence South 342 1/2 Vrs. to the South line of Said Brock Survey Stake for Corner. Thence East in said line 247 Vrs. to the Place of Beginning; Containing 15 Acres of Land.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said

F. H. Benfer

heirs and assigns forever and We do hereby bind Ourselves

heirs, executors and administrators, to Warrant and Forever Defend, all and singular the said premises unto the said

F. H. Benfer

heirs and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof.

WITNESS Our hands at Spring, Harris County, Texas

this 31st day of December 19 54

Witness at Request of Grantor:

Fritz Benfer
Amie Benfer

F. H. Benfer

SINGLE ACKNOWLEDGMENT

THE STATE OF TEXAS,
County of _____

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared

_____ known to me to be the person whose name _____ subscribed to the foregoing instrument, and acknowledged to me that _____ he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, A. D. 19____

(L. S.)

Notary Public in and for _____ County, Texas

WIFE'S SEPARATE ACKNOWLEDGMENT

THE STATE OF TEXAS,
County of _____

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared

_____ wife of _____, known to me to be the person whose name is subscribed to the foregoing instrument, and having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said _____ acknowledged such instrument to be her act and deed, and she 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 the _____ day of _____, A. D. 19____

(L. S.)

Notary Public in and for _____ County, Texas.

JOINT ACKNOWLEDGMENT

THE STATE OF TEXAS,
County of Harris

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared

Fritz Benfer

and
Annie Benfer

_____, his wife, both

known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they each executed the same for the purposes and consideration therein expressed, and the said _____

Annie Benfer, wife of the said Fritz Benfer

having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said _____

Annie Benfer

acknowledged such instrument to be her act and deed, and she 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 the 31st day of December, A. D. 1954

(L. S.)

Earl E. Wunsche, Jr.

Notary Public in and for Harris County, Texas.

THE STATE OF TEXAS,
County of _____

I HEREBY CERTIFY that the foregoing instrument of writing, with its certificate of authentication, was filed for record in my office on the _____ day of _____, A. D. 19____, at _____ o'clock _____ M., and was duly recorded by me on the _____ day of _____, A. D. 19____, in Vol. _____ page _____, of the Records of Deeds of said County.

WITNESS MY HAND and the Seal of the County Court of said County, at my office in _____, the day and year last above written.

(L. S.)

County Clerk _____ County, Texas.

By _____ Deputy.

F. H. Benfer

RB 1365787

100

125—WARRANTY DEED

Warranty Deed

TO

F.H. Benfer
RF 1 Box 176

FILED FOR RECORD

This *Spring* day of *Jan*, A. D. 19*55*

at o'clock m.

County Clerk.

By *[Signature]* Deputy.

FILED FOR RECORD AT
RECORDED
1042 O'clock
JAN 12 1955
W. D. MILLER,
Clerk, County Court, Harris Co. TEXAS
[Signature]
on Page

In County Records

In Book No. on Page

County Clerk.

By Deputy.

Recording Fee \$.....

This instrument should be filed immediately with the County Clerk for record.

WILSON STAFFY & PTE. CO., HOUSTON

PROOF READ

2881-260

STATE OF TEXAS
COUNTY OF HARRIS

I, W. D. MILLER, CLERK COUNTY COURT OF HARRIS COUNTY, TEXAS, do hereby certify that the above and foregoing instrument with its certificate of authentication was filed for registration in my office *Jan. 14* 19*55* at *10:45* o'clock *A.*M. and duly recorded on *Feb. 15* 19*55*, at *4:03* o'clock *P.*M. in Vol. *2881* Page *260* of record of *Books* for said county.

W. D. MILLER,
Clerk County Court, Harris County, Texas.

By *[Signature]* Deputy.

(3)

File No. 8.7.15782

Shawie County

Beckley

Filed July 18 1955

J. B. HODDGE, Com'r.

Est. Thompson
File Clerk

F. H. Benfer

EXHIBIT "F"

F. H. BENFER 69.52 ACRES

The following information is required with all applications to purchase:

1. Type of land
 - (a) Kind of soil Sandy loam
 - (b) Topography of surface Flat
 - (c) Purpose for which adapted (cultivated or grazing) 1/2 grazing, 1/2 cultivation
2. Type and value of timber, if any None
3. Assessed value. (If not rendered for taxation, give last assessed value of adjoining lands.) \$20.00
4. The assessed value in this county is 40 % of market value.
5. The actual value without improvements is \$50;00 per acre.
6. The nearest production of oil, gas or minerals is 1 1/4 miles (distance), northwest (direction).
7. The nearest drilling oil or gas well is 3 mi. (distance) N. E. (direction).
3 mi. S.W.
8. The nearest dry hole is 1 mi. (distance) W. (direction).
1 mi. N.
9. If the land is under oil and gas lease, fill in the following:
 - (a) To whom leased Jack O. Elliott, assigned to Mid-States Oil Corp.
 - (b) Date of lease February 9, 1954
 - (c) Bonus received (per acre) \$50.00
 - (d) Total amount of rental received \$347.60
10. If there is production on this tract, fill in the following:
 - (a) Number of producing wells None
 - (b) Name of the field in which the tract is located None
 - (c) Royalty payments received None
11. Do you contemplate a sale of this land in the near future? No
(Yes or No)
If so, what is the sale price per acre? _____

The above information is true and correct according to the best of my knowledge and belief.

WITNESS my hand this 14th day of July, 1955.

F. H. Benfer
F. H. Benfer

Sworn to and subscribed before me, this the 14th day of July, 1955.

Howard H. Klein
Notary Public in and for Harris County
Howard H. Klein
Notary Public in and for Harris County, Texas
My Commission Expires June 1, 1957

The following information is required with all applications to purchase:

1. Type of land _____
- (a) Kind of soil Sandy loam
- (b) Topography of surface Flat
- (c) Purpose for which adapted (cultivated or grazing) 1/2 grazing, 1/2 cultivation
2. Type and value of timber, if any, None
3. Assessed value. (If not rendered for taxation, give last assessed value of adjoining lands.) \$20.00
4. The assessed value in this county is 40 % of market value.
5. The actual value without improvements is \$50.00 per acre.
6. The nearest production of oil, gas or minerals is 1 1/2 miles (distance), Northwest (direction).
7. The nearest drilling oil or gas well is 3 mi. (distance) N.E. (direction). 3 mi. S.W.
8. The nearest dry hole is 1 mi. (distance) W. (direction). 1 mi. N.
9. If the land is under oil and gas lease, fill in the following:
 - (a) To whom leased Jack O. Elliott, assigned to Mid-States Oil Corp.
 - (b) Date of lease February 9, 1924
 - (c) Amount received (per acre) \$50.00
 - (d) Amount of rental received \$347.60

production on this tract, fill in the following:

- (a) Number of producing wells None
- (b) The field in which the tract is located None
- (c) Payments received None
11. Do you contemplate a sale of this land in the near future? No (Yes or No)
- If so, what is the sale price per acre? _____

The above information is true and correct according to the best of my knowledge and belief.

WITNESS my hand this 14th day of July, 1925.

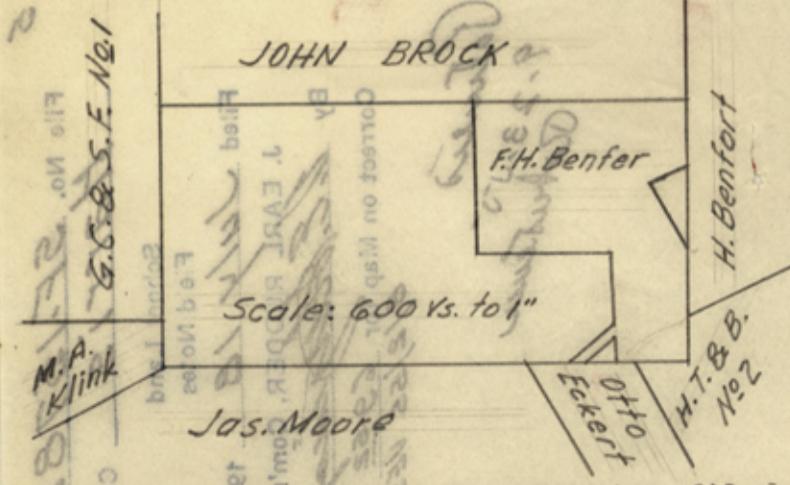
F. H. Benton
F. H. Benton

Sworn to and subscribed before me, this the 14th day of July, 1925.

Notary Public in and for Harris County
My Commission Expires June 1, 1927

File No. 87-157822
 County Harris
 Filed July 18 19 55
 J. EARL RUDDER, Com'r.
Earl Thompson
 File Clerk

(4)



THE STATE OF TEXAS) **EXHIBIT A**
 COUNTY OF Harris) SURVEY NO. _____
 (GOOD FAITH CLAIMANT)

FIELD NOTES of a survey of 69.52 acres of land made for F. H. Benfer

by virtue of his application filed with the Commissioner of the General Land Office, Austin, Texas, on the 18th day of July, 1955 (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 Harris County, about 25.22 miles North 26° East from Houston, the County Seat, and is described by metes and bounds as follows, to-wit:

Beginning at a 4x4" concrete monument set at a re-entrant corner of the F. Strohecker Survey out of the Northwest portion of H.T. & B. R.R. Company Survey No. 2, Certificate 5/245. The said concrete monument being at a point that for nearly fifty years has been recognized as the Southeast corner of the John Brock Survey;
 THENCE partially with the lower North line of the F. Strohecker Survey and partially with the North line of the Otto Eckert Survey South 89° 19' 40" West; at 183.0 varas pass the lower Northwest corner of the F. Strohecker Survey and the Northeast corner of the Otto Eckert Survey, in all 246.32 varas to the Southeast corner of Theodore Benfer's 0.52 acre;
 THENCE with Theodore Benfer's line North 00° 59' 30" West 71.91 varas to his North corner, the Southerly re-entrant corner of this survey;
 THENCE with the Northwesterly line of Theodore Benfer's 0.52 acre South 48° 01' 10" West 108.9 varas to his Southwest corner;
 THENCE with the North line of the Otto Eckert Survey South 89° 19' 40" West 39.6 varas to the lower Southeasterly corner of A. H. Roth's 25.35 acres;
 THENCE with A. H. Roth's Southeasterly line (North 48° 01' East) 161.51 varas;
 THENCE with A. H. Roth's East line North 00° 43' 40" West 233.42 varas to a pine knot at his Northeast corner;
 THENCE with A. H. Roth's North line South 88° 32' West 415.08 varas to (a) stone, the upper Southeast corner of Hugo Ehmann's 62.26 acres and the upper Southwest corner of this survey;
 THENCE with Hugo Ehmann's upper East line North 01° 21' 50" West 487.18 varas to his Northeast corner; the Northwest corner of this survey on the South line of the John Brock Survey located at its call distance from its Northeast or beginning corner;
 THENCE with the South line of the John Brock Survey North 89° 19' 40" East 667.67 varas to a concrete monument, the Northeast corner of this survey and the Southeast corner of the John Brock Survey located at its call distance South from its Northeast corner;
 THENCE with the West line of the H. Benfort Survey South 00° 41' 20" East 205.09 varas to the Northeast corner of Theodore Benfer's 2.89 acres;
 THENCE with Theodore Benfer's Northwesterly line South 69° 28' 40" West 120.87 varas to his Northwest corner for the East re-entrant corner of this survey;
 THENCE with Theodore Benfer's line South 25° 31' 20" East 270.72 varas to an iron rod at his South corner;
 THENCE partially along the West line of the H. Benfort Survey and partially with the upper West line of the F. Strohecker Survey South 00° 41' 20" East; at 214.21 varas pass the Southwest corner of the H. Benfort Survey and the upper Northwest corner of the F. Strohecker Survey, in all 329.66 varas

H. C. MEYER - Surveyor
 S. W. HUNTER
 V. H. BISHOP

to the place of beginning.
 (over)

(DASL)
Variation 7° 00' East - Gurley Transit
No. 34348

A. R. Plummer
J. W. Shook
S. M. Hunter
Chain Carriers
H. C. Wellman - Party Chief

I, J. S. Boyles, Licensed State Land-County-Surveyor of Harris 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.

J. S. Boyles
Licensed State Land Surveyor--
County Surveyor

Filed for record in my office, on the 12 day of July, 1955
at 3:30 o'clock of P. M., and duly recorded the 12
day of July, 1955, in Book M, Page 343 of the
Field Note Records of Harris County, Texas

H. C. Wellman
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.

J. S. Boyles
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) Sandy loam Timber assessed Value \$ 20.00 per acre (including timber)

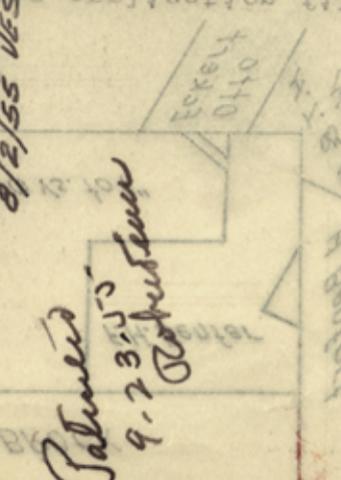
J. S. Boyles
Licensed State Land Surveyor--
County Surveyor

ed by means and points as follows: to-wit:

Willow Houston, the county seat, and is described as follows: ... (text partially obscured)

5
File No. SF-15782
Harris County

School Land
Field Notes
Filed July 18 1955
By J. EARL RUDDER, Com'r.
Correct on Map for 69.52 acres
8/2/55 WES



RECEIVED AS STATED
Date 7/18/55
Reg. No. 57882
COUNCIL OF HARRIS
THE STATE OF TEXAS

GENERAL LAND OFFICE

aug 4 1955

Mr. Robert Brooks

Dear Sir:

I am one of the good
faith claimants on
some alleged unsevered
land in Harris County
Texas, known as the
John Brock survey
together with the
following persons

Theodore Benfer, Adam Klein
August Roth, Alvin Klein
and Hugo Ehrmann.

The above persons
received a letter from
you dated July 27 1955
I sat you received
the \$1.00 and application

to purchase.

I did not receive such a letter, do my application to purchase my part of the land on file?

This has been assigned File No. S. F. 15780.

also Mr. Brooks do you need more information as I believed I have filed all I know.

Yours Truly

F. H. Benfer ✓
Rt. 1 Box 176 ✓
Spring, Texas ✓
Harris Co.

RECEIVED

MAR 5 1955
GENERAL LAND OFFICE

August 17, 1955

Mr. F. H. Benfer
Route 1, Box 176
Spring, Texas

Dear Mr. Benfer:

Your Good Faith Claimant application to purchase alleged unsurveyed land in Harris County together with filing fee in the amount of \$1.00 has been received. This application was filed of record on July 18, 1955, and assigned File No. S. F. 15782.

Under the law, 120 days are allowed for the completion of a Good Faith Claimant's application. All supporting papers appear to be in. You will be notified if additional information is required.

Very truly yours,

EARL RUDDER, COMMISSIONER

By

Robert J. Brooks
Attorney

RJB:pt
File: S. F. 15782

(6)

File No: S. J. 15782
Harris County
Carried with Applicant
Filed August 5 19 55
J. EARL RUDDER, Com'r.
Pat Thompson File Clerk

August 18, 1955

Mr. F. H. Benfer
R. F. D.
Spring, Texas

Dear Mr. Benfer:

On April 12, 1955, the Good Faith Claimant application to purchase alleged unsurveyed land in Harris County, numbered S. F. 15765, was filed in the General Land Office. Under the law, 120 days are allowed for the completion of a Good Faith Claimant's application.

Please be advised that this application has become void for failure to complete within the 120-day period and the file wrapper containing the papers relative thereto has been endorsed as follows:

"Cancelled for failure to complete
within the time allowed by law.
8-17-1955

J. Earl Rudder, Commissioner"

The application No. S. F. 15765 to which this letter makes reference has been superseded by your later application S. F. 15782 which was filed on July 18, 1955 and is still in force.

Very truly yours,

EARL RUDDER, COMMISSIONER

By

Robert J. Brooks
Attorney

RJB:pt
Files: S. F. 15765
S. F. 15782

File No. S. J. 157821

Harris County

Gen. of Cancellation to applicant

Filed August 18 19 55

J. EARL BUDDER, Com'r.

Pat Thompson
File Clerk

ACCEPTANCE OF TERMS OF SALE
OF UNSURVEYED SCHOOL LAND

(Applicant or Good Faith Claimant)

SPRING, Texas, SEPTEMBER 20 1955

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

I hereby accept the terms of sale of the tract of unsurveyed school land hereinafter described as stated in your letter dated September 15, 1955 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 Harris County, Texas, about 22 miles (give course) N, 26 W from the county seat, and is briefly described as follows:

Survey No.	S. F. No.	Acres	Classification
	15782	69.52	

I agree to pay for said land the price of \$33.33 Dollars per acre, and I hereby enclose the sum of \$2,317.10 Dollars as the full cash payment therefor.
(Insert whether "full" or "one-fortieth")

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

The reservation of minerals will be 4/8th of all oil, gas, sulphur and other minerals as a free royalty to the State.

RECEIVED

SEP 21 1955

GENERAL LAND OFFICE

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

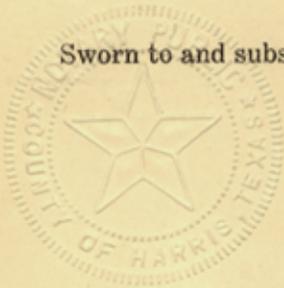
F. H. Benfor
Applicant or Good Faith Claimant

Post Office Spring, Texas

Sworn to and subscribed before me, this the 20 day of September, 1955.

Thelma Theis
Notary Public

Harris County, Texas



OBLIGATION

NONE

\$ _____

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 _____

Post Office

Applicant or Good Faith Claimant

Witness my hand this _____ day of _____, 19____

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

County, Texas.

S. F. No. _____

Grantor

situated in _____

laws relating to the sale of unsurveyed public free school lands; to-wit: All of Survey No. _____

following described tract of land purchased by me of the State of Texas, in accordance with the provisions of _____ Dollars.

For value received, I, the undersigned, do promise to pay to the State of Texas the sum of _____

School Lands.

OBLIGATION



Notary Public

Harris County, Texas

_____ day of _____, 19____

Post Office _____

Applicant or Good Faith Claimant

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

8

GENERAL LAND OFFICE
Austin, Texas

S. F. No. 15782

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

of

F. W. Benfer

Post Office Spring, Texas

WITHOUT SETTLEMENT

69.52 acres in

Harris County, Texas.

Filed Sept 21, 1955

Awarded Sept. 21, 1955

Rejected _____, 19____

J. Carl Rudder,
Commissioner

Class _____

Appr'm't _____

Obligation _____ Dollars

On Market _____ Dollars

Survey No. _____

S. F. No. _____

Filed _____

Classification _____

(Give course) N. 50 W.

The land is situated in Harris

County, Texas, about 55

miles

approved June 19, 1939, and other laws relating to the sale of unsurveyed school land without settlement. in your letter dated September 15, 1955 and apply to complete my application to purchase I hereby accept the terms of sale of the tract of unsurveyed school land hereinafter described as stated.

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

268116

Texas

SEPTEMBER 20 1955

(Applicant or Good Faith Claimant)

OF UNSURVEYED SCHOOL LAND
ACCEPTANCE OF TERMS OF SALE



J. EARL RUDDER, COMMISSIONER
DENNIS WALLACE, CHIEF CLERK

DUPLICATE RECEIPT

(To be Kept by Land Office)

2898
LEDGER 148

PAGE 394

FILE NO. 15782

Post Office Spring TX, 1955

To THE COMMISSIONER General Land Office, Austin, Texas.

I enclose OK for 2379.10
(Say whether Money Order or Draft on a Bank in Austin, or Cash.)

of which \$ 2317.10 are for principal
\$ _____ are for interest
\$ 10.00 are for _____ fees

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

Section	Block	Township	Certificate	SURVEY	Acres	County
				<u>Sec 17, T12N, R10E, S1E</u>		<u>Harris</u>

J. B. Bender
(Name of Sender.)

Received remittance as stated above 2/21/55

(Address)

Commissioner General Land Office.



J. EARL RUDGER, Commissioner
DENNIS WALLACE, Chief Clerk

DUPLICATE RECEIPT

(To be Kept by Land Office)

File No. _____

Post Office _____

To THE COMMISSIONER General Land Office, Austin, Texas.

I enclose _____

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

of which _____

\$ 10.00 are for _____
\$ _____ are for interest
\$ 2317.10 are for principal

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

Section	Block	Township	County	Acres	Order

PAYMENT

Receipted by _____

Commissioner General Land Office

Q

SE-15782

London _____
Page _____

1917

Ledger 143

LAND AWARDS AND RECEIPT

File No. SF 15782

Page 394

Date of Award September 21, 1955

GENERAL LAND OFFICE,
AUSTIN, TEXAS

WHEREAS, F. H. Benfer

of Spring, 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	CERTIFICATE	GRANTEE	ACRES	PRICE	COUNTY
			<u>S. F. 15782</u>	<u>F. H. Benfer</u>	<u>69.52</u>	<u>\$ 33.33</u>	<u>Harris</u>

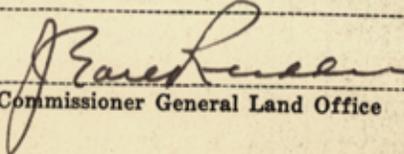
Date of Sale _____

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 \$ 2,317.10 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-eighth on oil, gas, sulphur and all other minerals to the State.


Commissioner General Land Office

*OK
RW.*

September 15, 1955

Mr. F. H. Benfer
R. F. D.
Spring, Texas

Dear Mr. Benfer:

The School Land Board of the State of Texas at a meeting held in my office September 7, 1955, fixed a price at which you may pay for the unsurveyed school land in S. F. 15782, 69.52 acres, Harris County, which you applied for, at \$33.33 per acre.

This tract of land is within five miles of an oil well producing in commercial quantities, and the reservation of minerals will be 1/8th of all oil, gas, sulphur and other minerals as a free royalty to the State.

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 \$2,317.10, 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 \$10.00. 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 Harris 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,

EARL RUDDER, COMMISSIONER

By

Chas. R. Leggott
School Land Division

CRL:ej
enc.
SF 15782

⑩

S# 15782

Letter of

evaluation

9-15-55
sq

RECEIVED
SEP 15 1955

September 22, 1955

County Clerk of Harris County
Mr. W. D. Miller
Houston, Texas

Dear Sir:

This is to inform you that I have issued a Land Award and Receipt to F. H. Benfer, Spring, Texas covering 69.52 acres, S. F. 15782 in Harris County. A copy of the Award is enclosed.

Please make a notation of the issuance of this Award on your records.

Sincerely yours,

EARL RUDDER, COMMISSIONER

By:

Chas. R. Leggott
School Land Division

CRL:ej
enc.
SF 15782

⑪ SF-15782

September 22, 1955

Mr. F. H. Benfer
Route 1, Box 176
Spring, Texas

Dear Mr. Benfer:

Enclosed is the original Land Award and Receipt issued you covering 69.52 acres, S. F. 15782, Harris County, together with a copy of the notice to the County Clerk.

Patent will be issued within a few days and mailed to the County Clerk, who, in turn will mail the patent to you.

Sincerely yours,

EARL RUDDER, COMMISSIONER

By:

Chas. R. Leggott
School Land Division

CRL:ej
SF 15782
enc.

September 23, 1952

Enclosed is the original land award and receipt
dated and recorded 07.12.1952, 12.15.1952, 12.15.1952
which contain a copy of the notice to the County

which will be taken with a few days and
sent to the County Clerk, who in turn will send the
copy to you.

Very truly yours,

Wm. S. [unclear]
Special Agent in Charge

(18) SF-15782



General Land Office

J. EARL RUDDER, COMMISSIONER
DENNIS WALLACE, CHIEF CLERK

Austin, Texas, September 28, 1955

County Clerk Harris County
Houston, Texas

Dear Sir:

The enclosed Receiver's check for \$ 3.00 is for recording the enclosed patent in

Harris 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.

No. 319 to F.H. Benfer, Rt. 1, Box 176, Spring, Texas

Nos. 320 and 321 to Howard H. Klein, Tomball, Texas paid the fees as agent or owner.

Patent No. 319-320-321

Vol. No. 25-B

File No. SF 15782-15783-15780

Sincerely,

EARL RUDDER, COMMISSIONER

By:

(Mrs) E. W. Roberdeau, Patent Clerk



General Land Office

J. EARL RUDDER, COMMISSIONER
DENNIS WALLACE, CHIEF CLERK

Austin, Texas, September 28, 1917

County Clerk _____ Harris
County _____ Harris
Texas _____ Houston

Dear Sir:

The enclosed Receiver's check for \$ 3.00 is for recording the enclosed patent in

Harris 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.
Nos. 319 to F. H. Benier, R. F. 1, Box 170, Correll, Texas
Nos. 320 and 321 to Howard H. Klein, Temple, Texas
paid the fees as agent or owner.

Sincerely,

Patent No. 119-320-321

J. EARL RUDDER, COMMISSIONER

Vol. No. 25-B

By:

File No. 87 12782-12783-12780

(Mrs) E. W. Robertson, Patent Clerk

13 SF-157P2