

6-25-64
H.H.U.

Travis 1-603

File Travis Scrip 1779

Hays

County

SCHOOL LAND

2 1/2 miles S45°E

James Curtis

852.689

Acres

Section No.

Block

Tsp.

Cert.

See Roll Sketch No 29

Title Bk. 16, Page 41,
2-20-1835

CORRECT ON MAP FOR

852.689
ACRES

Marginal No. 101044

Obligation

Vol.

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B-138-1050-4m

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No. 4

affidavit

No.

No.

No.

No.

No.

No.

No.

No.

6-11-54
J.A. Breege
3x 304
San Marcos TX
Pat Fee 15.00 R 58503
6-11-54
Ref fee 10.00 Reg. 58502

JUN 12 1954

REFERRED TO LAW

1 THE STATE OF TEXAS, }
2 COUNTY OF HAYS. }

3 BEFORE ME, the undersigned authority in and for Hays County, Texas,
4 on this day personally appeared Gene Scrutchin, Eddie Dedeke, Otto
5 Dedeke, ~~Lela Dedeke, a feme sole,~~ Norman H. Schulle, ~~Pedro B. Garza~~
6 ~~and his wife, Cora C. Garza,~~ each of whom are credible persons to me
7 well known, who, after being by me first duly sworn, did, each on his
8 (and her) oath, depose and say:

9 "I live in Hays County, Texas, and I, together with the other
10 affiants herein, am the owner of certain lands within the limits of
11 the James Curtis Survey in Hays County, Texas, affected by an error
12 in the old Spanish Grant as hereafter described.

13 "Affiant would further state that he (and she) and those under
14 whom he (and she) holds have been in actual possession of the property
15 claimed by him (and her) for more than fifty years with a good faith
16 belief that he (and she) was the owner thereof and that such proper-
17 ty is under fence and used by affiant for agriculture and grazing
18 purposes.

19 "Affiant further states that he (and she) is cognizant of the fact
20 that certain errors in the field note description of the original
21 Spanish Grant might indicate a possibility of a claim to the effect
22 that the original Southeast line of the James Curtis Survey went North
23 rather than N. 45° E to the San Marcos River, the place of beginning;
24 and further, that the Southwest line of the Curtis Survey runs S. 45°
25 E. (or N. 45° W.) a distance of 3770.0 varas rather than S. 45° E.
26 (or N. 45° W.) a distance of 2785.2 varas; but affiant states that
27 he (and she) knows that the lines as they exist on the ground, and
28 have always been recognized, both by the County Map and the public in
29 general, and furthermore the said lines having been retraced and
30 proven according to an actual Survey, authorized by affiant, made
31 under dates of June 1-3, 1954, by T. A. Breeze, State Licensed Hays
32 County Land Surveyor, do, in fact, actually run N. 45° E. (or S. 45° W.)
33 to the San Marcos River and S. 45° E. (or N. 45° W.) a distance of
34 2785.2 varas; and this affiant here and now expresses his (and her)
35 consent and desire that the State of Texas issue a Patent so as to

WALLACE T. BARBER
ATTORNEY AT LAW
SAN MARCOS, TEXAS

1 describe the tract of land as the same is bounded on the ground and
2 as it was originally surveyed incident to the original Grant.

3 "Further affiant sayeth not.

4 Gene Scrutchin
5 Gene Scrutchin

6 Eddie Dedeker
7 Eddie Dedeker

8 Otto Dedeker
9 Otto Dedeker

10 _____
11 Lola Dedeker

12 Norman H. Schulle
13 Norman H. Schulle

14 _____
15 Pedro R. Garza

16 _____
17 Cora C. Garza"

18
19 THE STATE OF TEXAS, |

20 COUNTY OF HAYS. |

21 BEFORE ME, the undersigned authority in and for said county and
22 state, on this day personally appeared Gene Scrutchin, Eddie Dedeker,
23 Otto Dedeker, ~~Lola Dedeker, a feme sole~~, Norman H. Schulle and ~~Pedro~~
24 ~~R. Garza~~, each known to me to be the persons whose names are sub-
25 scribed to the foregoing instrument, and acknowledged ^{ged} to me that they
26 each executed the same for the purposes and consideration therein ex-
27 pressed; and the said Gene Scrutchin, Eddie Dedeker, Otto Dedeker, ~~Lola~~
28 ~~Dedeker~~, Norman H. Schulle and ~~Pedro R. Garza~~, after being by me each
29 duly sworn, did, on his (and her) oath, say that the statements of
30 facts contained in the foregoing instrument are true in substance and
31 in form.

32 GIVEN UNDER MY HAND AND SEAL OF OFFICE this 10th day of June, A. D.
33 1954.

34 W. T. Barber
35 Notary Public, Hays County, Texas.

1 THE STATE OF TEXAS,
2 COUNTY OF HAYS.

3 BEFORE ME, the undersigned authority in and for said county and
4 state, on this day personally appeared Cora C. Garza, wife of Pedro
5 R. Garza, known to me to be the person whose name is subscribed to
6 the foregoing instrument, and having been examined by me privily and
7 apart from her husband, and having the same fully explained to her,
8 she, the said Cora C. Garza, acknowledged such instrument to be her
9 act and deed, and declared that she had willingly signed the same for
10 the purposes and consideration therein expressed, and that she did
11 not wish to retract it; and the said Cora C. Garza, after being by me
12 duly sworn, did, on her oath, say that the statements of facts con-
13 tained in the foregoing instrument are true in substance and in form.

14 GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of June, A. D.
15 1954.

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17 Notary Public, Hays County, Texas.
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WALLACE T. BARBER
ATTORNEY AT LAW
SAN MARCOS, TEXAS

No Travis Sup 1779

Hays County

Affidavit

Filed June 12, 1954

WASCOM GILES, Com'r

Ora May Warren
File Clerk

RECEIVED AS STATED

504

DATE

6/11/54

INDEX NO.

58503

COUNTY CLERK'S OFFICE

ow

WALLACE T. BARBER
ATTORNEY AT LAW
SAN MARCOS, TEXAS

094

Corrected Field Notes of the James Curtis Survey, situated in Hays County, Texas, about 2½ miles S 45 E from San Marcos, Hays County Texas, according to a Survey made by T. A. Breeze, State Licensed Hays County Surveyor, under date of June 1-2-3, 1954.

Beginning at an iron pipe set for the North corner of this Survey, same being the East corner of the J. M. Veramendi Survey No. 2, also being a point on the South East bank of the San Marcos River.

Thence with the North West line of this Survey, same being the South East line of the J. M. Veramendi Survey No. 2, S 45 W 1321.2 varas to an iron pipe set for the West corner of this Survey, same being a point in the center line of the San Marcos-Staples Road, also being the North corner of the Barnett O'Kane Survey and also being a point in the South East line of the J. M. Veramendi Survey No. 2.

Thence with the center line of the San Marcos-Staples Road, same being the South West line of this Survey and the North East line of the Barnett O'Kane Survey, S 45 E 2785.2 varas to an iron pipe set in the center line intersection of said San Marcos-Staples Road with the old San Antonio-Nacogdoches Road for the South corner of this tract, same being the East corner of the Barnett O'Kane Survey and a point in the North West line of the Jesse W. Wilson Survey.

Thence with the South East line of this Survey, same being the North West line of the Jesse W. Wilson Survey along the old San Antonio-Nacogdoches Road according to evidence found on the ground, N 45 E, at 320.1 varas pass the North corner of said Wilson Survey, same being the most Western corner of the John Mc Guire Survey No. 60, and continuing with the South East line of this Survey, same being the North West line of said John Mc Guire Survey No. 60, for a total distance of 2924.0 varas to an iron pipe set for the East corner of this Survey, same being the most Northern corner of the John Mc Guire Survey No. 60, also being a point on the South East bank of the San Marcos River.

RECEIVED TO WAB
JUN 10 1954
RECEIVED

Thence up said River with its meanders as follows:

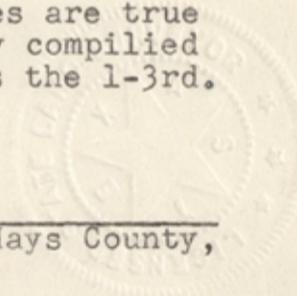
S 58 50 W	330.0 varas
S 67 40 W	165.0 varas
S 75 07 W	195.0 varas
N 45 47 W	120.0 varas
N 72 50 W	293.0 varas
N 78 25 W	415.0 varas
N 63 W	497.0 varas
N 36 35 W	115.0 varas
N 85 W	87.0 varas
S 58 20 W	230.0 varas
S 34 50 W	72.4 varas
N 68 W	74.8 varas
N 32 21 W	115.9 varas
N 9° 30 E	90.7 varas
N 50 E	70.9 varas
N 58 17 W	62.3 varas
S 11 40 W	71.4 varas
S 16 28 W	53.7 varas
S 34 01 W	79.8 varas
N 64 07 W	46.1 varas
N 26 52 W	68.3 varas
N 76 33 W	57.2 varas
S 78 16 W	91.4 varas
S 5° 52 E	49.6 varas
S 45 52 E	104.1 varas
S 7° 50 E	108.0 varas
S 68 28 W	58.4 varas
S 73 45 W	59.1 varas
N 77 24 W	31.1 varas
N 5° 58 W	74.6 varas
N 66 52 W	72.3 varas
N 36 27 W	60.1 varas
N 58 08 W	66.3 varas
N 70 42 W	49.5 varas
N 22 16 W	40.8 varas
N 47 02 E	82.1 varas

RECEIVED TO MVB
JUN 1 1881
RECEIVED

N 50 17 W 77.1 varas
 N 21 52 W 115.1 varas
 N 41 45 E 33.6 varas
 N 87 42 E 57.9 varas
 N 38 40 E 55.0 varas
 N 7° 17 E 57.2 varas
 N 9° 14 W 42.6 varas
 N 1° 57 W 49.8 varas
 N 57 39 W 14.9 varas
 S 30 20 W 68.6 varas
 S 49 28 W 40.7 varas
 N 84 08 W 62.8 varas
 S 35 35 W 23.0 varas
 S 83 20 W 76.1 varas
 N 48 10 W 36.2 varas
 N 16 04 W 44.2 varas
 N 20 31 E 57.1 varas
 N 8° 36 E 42.0 varas
 N 13 10 W 55.1 varas
 N 31 59 W 12.6 varas to the place of beginning.

Containing 852.689 acres of land.

I HEREBY CERTIFY that the foregoing Field Notes are true and correct to the best of my knowledge and ability compiled from an actual Survey made on the ground by me this the 1-3rd. days of June 1954.



T.A. Breeze
 T.A. Breeze, State Licensed Hays County,
 Land Surveyor.

Filed for record in my office, the 3rd day of June 1954,
 at 3:30 o'clock P. M., and duly recorded the 3rd day of June 1954,
Book 11 Page 248 of the field note records of Hays County, Texas.

T.A. Breeze
 County Surveyor

RECORDED TO MAP

JUN 5 1954

RECEIVED

1 THE STATE OF TEXAS,
2 COUNTY OF HAYS.

3 BEFORE ME, the undersigned authority in and for Hays County, Texas,
4 on this day personally appeared Eddie Dedeke, a credible person to me
5 well known, who, after being by me first duly sworn, did, on his oath,
6 depose and say:

7 My name is Eddie Dedeke and I live in San Marcos, Hays County,
8 Texas. I am the owner of certain lands within the limits of the James
9 Curtis Survey in Hays County, Texas, affected by an error in the old
10 Spanish Grant as hereafter described.

11 Affiant would further state that he and those under whom he holds
12 have been in actual possession of the property claimed by him for more
13 than fifty years with a good faith belief that he was the owner there-
14 of and that such property is under fence and used by affiant for agri-
15 culture and grazing purposes.

16 Affiant further states that he is cognizant of the fact that cer-
17 tain errors in the field note description of the original Spanish
18 Grant might indicate a possibility of a claim to the effect that the
19 original Southeast line of the James Curtis Survey went North rather
20 than N. 45° E. to the San Marcos River, the place of beginning; and
21 further, that the Southwest line of the Curtis Survey runs S. 45° E.
22 (or N. 45° W.) a distance of 3770.0 varas rather than S. 45° E.
23 (or N. 45° W) a distance of 2785.2 varas; but affiant states that he
24 knows that the lines as they exist on the ground, and have always been
25 recognized, both by the County Map and the public in general, and
26 furthermore the said lines having been retraced and proven according
27 to an actual Survey, authorized by affiant, made under dates of June
28 1-3, 1954, by T. A. Breeze, State Licensed Hays County Land Surveyor,
29 do, in fact, actually run N. 45° E (or S. 45° W.) to the San Marcos
30 River and S. 45° E. (or N. 45° W.) a distance of 2785.2 varas; and
31 this affiant here and now expresses his consent and his desire that
32 the State of Texas issue a Patent so as to describe the tract of land
33 as the same is bounded on the ground and as it was originally survey-
34 ed incident to original Grant.

35 Further affiant sayeth not.


Eddie Dedeke

WALLACE T. BARBER
ATTORNEY AT LAW
SAN MARCOS, TEXAS

1 THE STATE OF TEXAS, 
2 COUNTY OF HAYS. 

3 BEFORE ME, the undersigned authority in and for said county and
4 state, on this day personally appeared Eddie Dedeke, known to me to
5 be the person whose name is subscribed to the foregoing instrument,
6 and acknowledged to me that he executed the same for the purposes and
7 consideration therein expressed; and the said Eddie Dedeke, after be-
8 ing by me duly sworn, did, on his oath, say that the statements of
9 facts contained in the foregoing instrument are true in substance and
10 in form.

11 GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 5th day of June, A. D.
12 1954.



13
14 W. T. Barber, Notary Public in and
15 for Hays County, Texas.

WALLACE T. BARBER
ATTORNEY AT LAW
SAN MARCOS, TEXAS

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File No. Travis 5-1779 2

Hays. County

Sketch

Filed 6/11, 1904

BASCOM GILES, Clerk

[Handwritten signature]