

458

County.

2/25/98

File 9720

E abt 2835-

Oct 2583

Bexar

PRE-EMPTION.

E. alt-2835. C. alt-2583

TINNIN

C. M. Timm

Без № 199

160 Acres

see skin 149440 for
location 9/14/60 WES ✓

Act May 26, 1873

Correct on map of
~~Col. Paso~~ ^{California} County Chgo.
25th 1898

6000000

Paint Original
6/28/55 Dulchur

Patented July 2nd 1915
No. 1,333,333 G. A. Wilkinson

Mgl. 29 7 71 abt. Vol. 21.

no. 322 - Vol 33 " " 34
M.H. Pithley. Mac Pld. " 38
map c. 1862/1
c. 1875/18

Madden, Adkins, Pippin
43 & Kepper. 11-14-35,

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Rawlins & Leine 5-20-52

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No. 2. Field Notes. *Smith*

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No. 4. *See sk. in 149440*

No. 5 Sketch

0.5 Sketch
6 Receipt

7 Letter 2-15-1915

8. Memo 9-28-87 LHA

500 6/26/15
Pander & Carter
Troyah

A. H. Parker

El Paso,

THE STATE OF TEXAS,

County of El Paso

To the

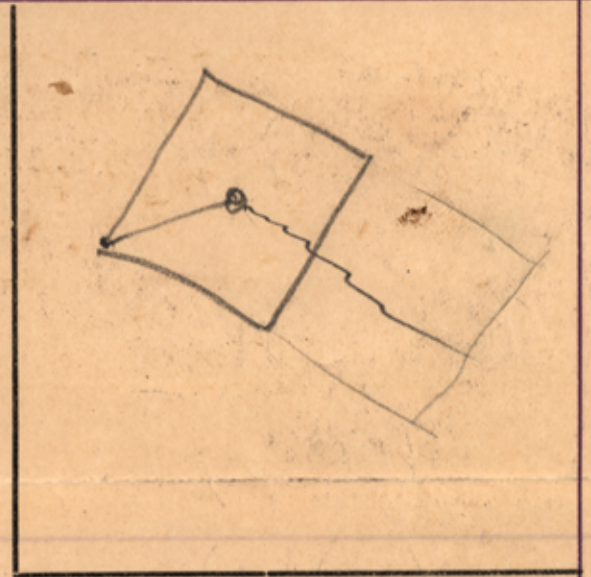
County
of El Paso County Texas

Surveyor

By virtue of the accompanying affidavit made in accordance with Art. 3939 and 3940, Revised Statutes and under provisions of "An Act for the relief of actual occupants of the public lands, approved April 20th, 1879," I, C. M. Timmer

hereby apply for a survey of the following premises One hundred and

Sixty (160) acres, to-wit:



Situated in El Paso county Texas about 2600 rods south of Section N^o 46 Twp N^o 2 Block N^o 59 as surveyed for the T. and O. Ray, Co. Beginning at a point from which a spring known as Horse shoe spring bears N 45° E 485 rods distant
 Thence N 33° E 950 rods
 Thence S 57° E 950 rods
 Thence S 30° W 950 rods
 Thence N 57° W 950 rods to the place of beginning to be surveyed so as to include my improvement, and said spring.

and I further state that I claim the same for myself, in good faith, under the laws granting Homestead donation; that I am without any Homestead of my own, and that I have actually settled upon the land which I claim. That I am the head of a family and that I believe the same to be vacant and unappropriated public domain.

[Signed.]

Chas. M. Timmer, Applicant.

THE STATE OF TEXAS,

County of El Paso

BEFORE THE UNDERSIGNED AUTHORITY personally

appeared Chas M. Timmer Applicant, who being by me duly sworn according to law, deposes and says that the above and foregoing statement is true and correct.

[Signed.]

Chas M. Timmer Applicant.

Sworn to and subscribed before me, this 2nd day of

January A. D. 1897

IN TESTIMONY WHEREOF, I hereunto affix my official seal and signature.

Carl M. Timmer County

Clerk El Paso Co Tex

E. L. Brandt Deputy

*Here state if "the head of a family,"—if single that applicant is eighteen years of age.

DUTY OF THE SURVEYOR.

ARTICLE. 3040. Said application shall be filed with the said Surveyor, and recorded by him in a well bound book kept for recording pre-emption and homestead applications; and the said surveyor shall give a receipt therefor, if desired.

ART 3941. It shall be the duty of the Surveyor of the proper District or County, to convey the land described in the application aforesaid, as soon as practicable, and within twelve months after the date of said application, and the field notes thereof shall be certified to, recorded and mapped, as required by law in other cases, the applicant paying all legal Surveyor's fees.

12/19/97
10/18/98
Application
Filed Feb. 10/1898

Baker
Bowie
J. Smith
File call.

1
2

FILE No.

THE STATE OF TEXAS.

County of *Adair*

Application and Affidavit for Homestead.

— OF —

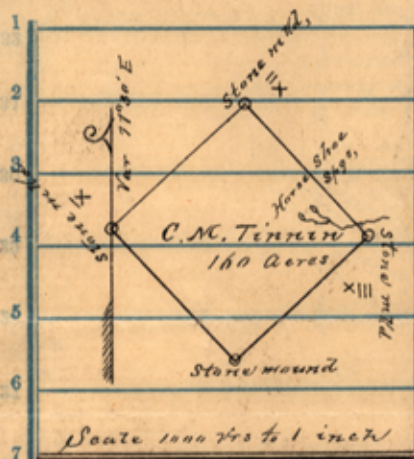
John M. Turner

Filed the 2 day January
A. D. 1897, and recorded in Book No. 1,
Page 253, of applications

A. H. Parvins
SURVEYOR.

E.G.S.

about 60 miles N 45° E from Van Horn



The State of Texas
County of El Paso

Survey No 199.
Plat
and Field notes of a Homestead
donation survey of 160 acres
of land made for C. M. Timmer
by virtue of his application made in
accordance with Acts 3939 and 3940 Revised
Statutes.

Said survey is situated in ~~El Paso~~ ^{Calhoun}
County Texas on the waters of the Pecos
river about ~~56~~ ⁸⁰ miles N ⁶³ ~~55~~° W from the town
of ~~Togah~~ ^{Sierra Blanca}.

Beginning at a stone set in the ground
marked X for the West corner of this survey
from which the N.E. cor of a survey of 160
acres in the name of G. B. Timmer bears
Bearing 4763 varas and South 10764 varas, and
a large boulder on a point of hill bears N 8° 20' W
4675 varas.

Thence N. 45° E. 950 varas to a
stone set in the ground and marked X for the
North corner of this survey.

Thence S. 45° E. at 880 varas crossing
the branch of Horse Shoe Spring 950 varas to
a stone marked X set in the ground for the
East corner of this survey from which a Hack
berry tree 8" dia marked X bears N 45° 30' W

Thence S. 45° W 950 varas to a mound
of stone for the South corner of this survey

Thence N. 45° W. 950 varas to the place

These field notes
are not properly
certified. See
Article 414 of
Sec 8, R. S.
1895.

8/9/97

Filing for Pair

8/6/47

2 p'tharrie.

Recess

BPE-9720

of beginning.

Surveyed July 3rd 1897.

A. M. Randolph 3 chain

Harry Williams 3 Carriers

I A. H. Parker County Surveyor
of El Paso County Texas do hereby
certify that the foregoing survey was
made by me according to law and
that the limits boundaries and corners
with all marks natural and artificial
are truly described in the foregoing
plat and field notes, and that the
same are recorded in my office in
Book 6, of Preemptions on page
Given under my hand at the city of
El Paso this 29th day of July 1897.

A. H. Parker

Surveyor of El Paso Co.
Texas.

SPC-9720

File 9720 (2)

Beyar Orr

C.M. Timmer

Field Notes

Filed Feb. 10/1898

Darker

Corr's

V. J. Smith

File 111

Correction map

of ~~El Paso~~ ^{Callahan} County

July 25th 1898

Collective

6/28/1915 W. H. H. H. H.

Patented July 2nd 1915

W. H. H. H. H.

W. H. H. H. H.

W. H. H. H. H.

W. H. H. H. H.

W. H. H. H. H.

W. H. H. H. H.

W. H. H. H. H.

W. H. H. H. H.

21/1/1915

State of Texas

County of Reeves,

Before me the undersigned authority this day personally appeared, C.M. Tinnin who having been duly sworn by me, upon his oath says: that on January 2nd. A.D. 1897 he filed his application for a survey, of a homestead donation, with the county surveyor of El Paso County (now Culberson) Texas, and that the said homestead application for 160 acres of land was surveyed out by the county surveyor of El Paso county (now Culberson) Texas on the 3rd. day of July A.D. 1897, and that the application for said homestead donation together with the field notes, was duly filed in the General Land office of the state of Texas on the 10th. day of February A.D. 1898.

Affiant says that he resided upon and improved his said homestead donation for three consecutive years, from the date of his application for said homestead donation, and that he was the head of a family at the time of making said application for said homestead donation, and that he is still the head of a family.

Affiant further says that his residence and improvements upon said, homestead donation, is such as contemplated by law: and having complied with the same here tenders his proof, and patent fees, and ask that patent be issued to him, according to the field notes filed in the general land office of the state of Texas, on the 10th. day of February A.D. 1898.

Affiant says that he is still the owner of the said homestead donation made to him, by virtue of the survey and application for the same herein set forth and that he has at no time disposed of the same or even offered to dispose of the same, Therefore he prays for the issuance of said patent to him and in his name.

Also at the same time personally appeared W. J. Duncan

J. M. Cooksey and B. Jackson

credible citizens of Culberson county, (formerly El Paso) each of whom having been duly sworn by me, upon oath says: that the facts above stated in regard to occupancy and improvements, are within the knowledge of each, true and correct, and that each for himself says upon oath that he is not either directly, or indirectly interested, in the land or the title thereto.

C.M. Tinnin Principal.

W. J. Duncan

J. M. Cooksey

B. Jackson

Witness

Sworn to and subscribed to before me on this 23 day of June A.D. 1915

Finney Hallum
Notary Public Reeves county Texas.

Before me the undersigned authority this day personally appeared, C.M. Timm who having been duly sworn by me, upon his oath says: that on January 2nd, A.D. 1897 he filed his application for a survey, of a homestead donation, with the county surveyor of El Paso County (now Culberson) Texas, and that the said homestead application for 160 acres of land was surveyed out by the county surveyor of El Paso County (now Culberson) Texas on the 3rd day of July A.D. 1897, and that the application for said homestead donation together with the field notes, was duly filed in the General Land Office of the State of Texas on the 10th day of February A.D. 1898.

Affiant says that he resided upon and improved his said homestead donation for three consecutive years, from the date of his application for said homestead

APC-9720

donation, and that he was the head of a family at the time of making said application for said homestead donation, and that he is still the head of a family.

Affiant further says that his residence and improvements upon said homestead donation, is such as contemplated by law: and having complied with the same here renders his proof, and patent fees, and ask that patent be issued to him, according to the field notes filed in the General Land Office of the State of Texas, on the 10th day of February A.D. 1898.

Affiant says that he is still the owner of the said homestead donation made to him, by virtue of the survey and application for the same herein set forth and that he has at no time disposed of the same or even offered to dispose of the same. Therefore he prays for the issuance of said patent to him and in his name.

Also at the same time personally appeared, W. M. Timm and W. M. Timm credible citizens of Culberson County, (formerly El Paso) each of whom having been duly sworn by me, upon oath says: that the facts above stated in regard to occupancy and improvements, are within the knowledge of each, true and correct, and that each for himself says upon oath that he is not either directly or indirectly interested, in the land or the title thereto.

W. M. Timm
W. M. Timm
 Sworn to and subscribed to before me on this 3rd day of June A.D. 1915
 Notary Public Reeves County Texas.



APC-9720

9720

C. 8

Proof Occupancy
FILED

JUN 26 1915

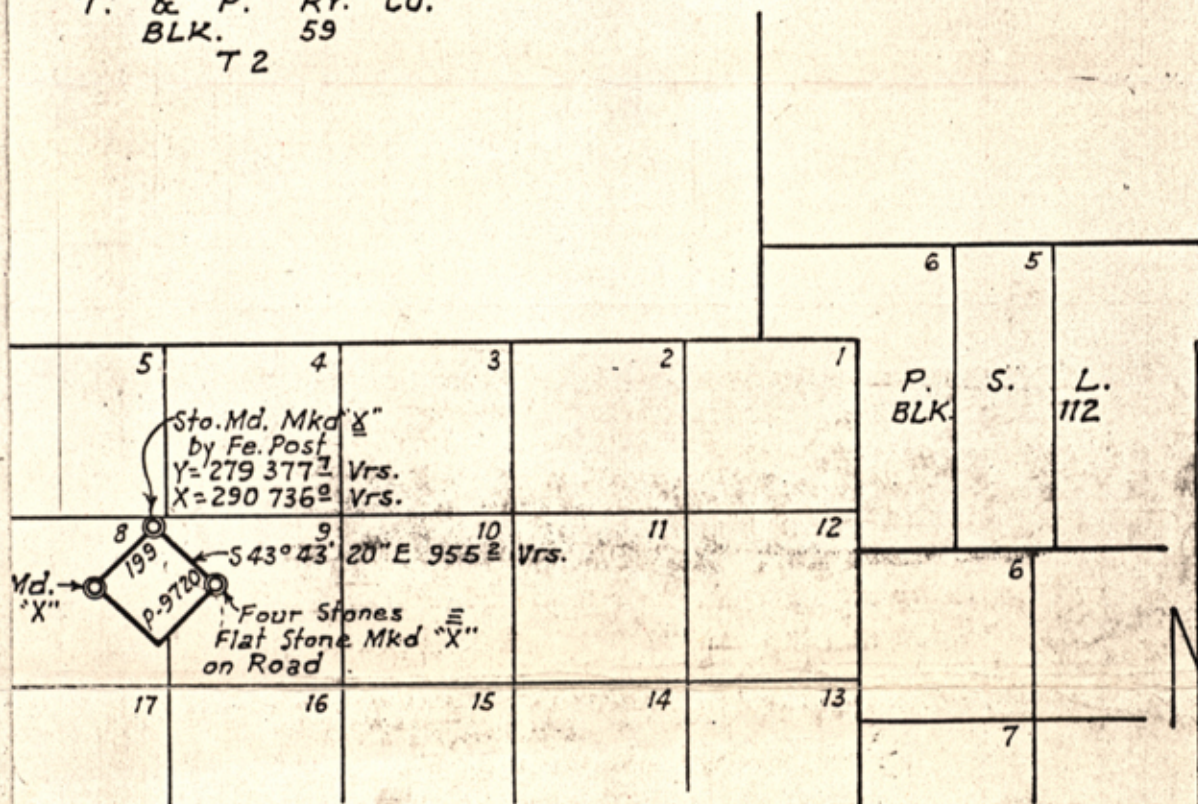
J. T. Ryan, Commissioner

W. J. Egan

D-515

RECEIVED
SEP 14 1960
General Land Office

T. & P. RY. CO.
BLK. 59
T 2



PUBLIC SCHOOL LAND
BLK. 113

P. S. L.
BLK. 45

Sec. 17
PSL. Blk 113
149440

COOL & STILLEY

SKETCH SHOWING THE LOCATION
OF W. A. SCOTT, SURVEY 199
CULBERSON COUNTY, TEXAS
Scale: 1" = 2000 VRS.

15
File No. 149440

COOK & SUTTER

SECTION 11, T20N, R10E
SUTTERSON COUNTY, TEXAS
DEPT. OF AGRICULTURE, SURVEY 1899
SKETCH SHOWING THE LOCATION

BLK 117
PUBLIC SCHOOL LAND



BLK 117
CO. B. 117

RECEIVED
SEP 14 1899

General Land Office

J. T. ROBISON, COMMISSIONER
J. M. MELSON, CHIEF CLERK

Austin, Texas,

July 5-1915.

C. M. Timmins,

Toyah,

Texas

Dear Sir:

Enclosed find patent for land in Culberson County,

issued to

yourself

Patent No. 322, Vol. 33. Class Pre-emption File No. 9720.

Yours truly,

By G. A. Atkinson.

Chf Clerk & actg Commissioner.
J. T. Robison



General Land Office.

State of Texas.

Austin.

J. T. ROBISON, COMMISSIONER.

~~J. M. WALKER, CHIEF CLERK.~~

J. M. MELSON, CHIEF CLERK

February 18, 1915.

Texas Petroleum Company,
Toyah, Texas.
Gentlemen:

Replying to yours of the 15th instant in reference to the location of the G. B. Tinnin Surveys Nos. 86 and 89 in Culberson County, beg to advise that, according to the official map of Culberson (formerly El Paso) County, compiled in 1908, said Tinnin surveys were placed on said map according to their field note connection from the south-west corner of Section No. 10, Block No. 60, Tsp. 5, T&PRRCo. surveys, which placed said surveys on the west part of No. 26 and a small part of the south-west part of No. 23, Block 110, public school land, but, inasmuch as Survey No. 87, G. B. Tinnin, was originally made to cover Rustlers Spring and calls to begin at a stake and stone mound set 1072 varas N. 45 degrees E. from the center of said spring and also tying to said spring again at its south-west corner and describing said corners by bearings, said Tinnin surveys should be located on the ground according to their own marked corners and tie to Rustlers Spring. Where such location would place said surveys; or with what surveys in Block 110 they would conflict I am unable to say, as there is no direct connection or data on file in this office by which the location of said spring can be accurately determined with reference to surveys in Block 110.

If the parties interested will furnish this Department with proper connecting lines and data made by the County Surveyor showing the true location of said Tinnin Surveys with reference to surveys in Block 110, public school lands, the accounts of the several tracts affected can be adjusted.

Yours truly,

Clark prw

Commissioner.



General Land Office

State of Texas

Austin

J. THOMSON, COMMISSIONER
L. M. NELSON, CHIEF CLERK

February 18, 1917

1900/20917
1900
1917

7
Box P-9720

Replying to yours of the 15th instant in
reference to the location of the A. B. Timm sur-
veys Nos. 88 and 89 in Chisaman County, Tex. to
advise that, according to the official map of Chi-
samson (formerly El Paso) County, compiled in 1908,
said Timm surveys were placed on said map accord-
ing to their field note connection from the north-
west corner of Section No. 10, Block No. 60, Twp. 5,
Rango, surveys, which placed said surveys on
the west part of No. 88 and a small part of the
north-west part of No. 89, Block 110, public school
land, but, inasmuch as survey No. 89, A. B. Timm,
was originally made to cover Rattlesburg and
the survey was made from the center of said
spring and also being to said spring again at its
north-west corner and describing said corner by
bearings. Said Timm surveys should be located
on the ground according to their own marked corners
and the Rattlesburg survey, where such location
would place said survey; or with what survey in
Block 110 they would conflict I am unable to say,
as there is no direct connection or data on file
in this office by which the location of said spring
can be accurately determined with reference to
surveys in Block 110.

If the parties interested will furnish this
Department with proper connecting lines and data
made by the County Surveyor showing the true loca-
tion of said Timm surveys with reference to sur-
veys in Block 110, public school lands, the accounts
of the several tracts affected can be adjusted.

Yours truly,

Commissioner.

Clark pte

GENERAL LAND OFFICE

GARRY MAURO
COMMISSIONER

MEMORANDUM

DATE: September 25, 1987

TO: Bexar-P-9720, C. M. Tinnin Survey
199, Culberson County, Texas

FROM: LaNell Aston, Surveying Division *la*

SUBJECT: SENORITY OF SURVEYS

This is to advise that according to the records of this office the C. M. Tinnin Survey, Bexar P-9720 was originally surveyed on July 3, 1897 and patented on July 2, 1915 for 160 acres.

In October 1900, Public School Land Block 113 was surveyed in Culberson County, Texas. According to an endorsement made on the field notes of Section 8 and 9, Blk. 113, PSL, these two sections conflict with Bexar-P-9720.

According to a resurvey made by Clifford C. Cool, L.S.L.S. in 1959 and the Mineral Plats for Sec. 8 and 9, PSL Blk. 113, these surveys conflict with Survey 199, Bexar-P-9720.

Section 8, PSL Blk. 113 was patented on the original field notes on July 5, 1948. Section 9 was patented on corrected field notes as the S/2 and NW/4 for 480 acres on July 5, 1948 and the NE/4 of Section 9 for 160.52 acres on November 7, 1961.

In conclusion of the above facts, Section 8 and the S/2 and NW/4 of Section 9, PSL Blk. 113 are shown to be in conflict with C. M. Tinnin Survey 199, Bexar-P-9720.

cc: School files 88731, 88732, 126081, 149440, Mineral Files
92612 and 92613

File No. Bexar - P- 9720 8
Culberson County
Memo To FILE

Filed Sept. 28 19 87

By GARRY MAURO, Com'r
L. Aston

MEMORANDUM

CLERK