

SPECIAL SESSION

THE STATE OF TEXAS |
County of Titus |

BE IT REMEMBERED, that at a called meeting of the Commissioners Court held at Mt. Pleasant, Texas, on the 10th day of June 1938 the following members were present to wit:

G. T. Neugent	County Judge
G. G. Lunsford	Commissioners
T. J. Stringfellow	
W. J. Cody	

when there came on to be considered the matter of compromising the condemnation suit styled "STATE OF TEXAS vs HENRY GREEN, ET UX" and numbered 1445 on the docket of the County Court of Titus County, Texas;

It was announced that the attorney representing the Commissioner's Court had recommended a settlement of \$116.55 for the 3.33 acres of land sought to be condemned for right of way purposes for relocation of State Highway 49 in Titus County, Texas, and that the said Henry Green and wife had agreed thereto, it being understood by all parties that said sum of \$116.55 included the value of the land taken and all damages, if any.

Commissioner Cody made a motion that the above mentioned settlement be made and that the County Clerk be authorized and instructed to issue the voucher or check of the County on the Road and Bridge Fund payable to Henry Green and wife Nan Green in the sum of \$116.55 upon delivery to said County Clerk for filing and record the right of way deed of said Henry Green and wife covering said 3.33 acres of land.

Commissioner Lunsford seconded said motion.

The County Judge put the motion for vote and all commissioners voted in favor thereof, and the County Judge declared the same carried.

G. T. Neugent
County Judge

W. J. Cody
T. J. Stringfellow
G. G. Lunsford
Commissioners

STATE OF TEXAS | IN THE COMMISSIONERS COURT OF TITUS COUNTY, TEXAS,
COUNTY OF TITUS | ON THE 10 DAY OF JUNE, A. D. 1938.

WHEREAS, in cause No. 1432, State of Texas vs. Mrs. R. M. Welch, pending in the County Court on appeal from the award of Special Commissioners in condemnation proceedings to condemn right-of-way for state Highway 49 across the land of Mrs. R. M. Welch, a compromise settlement was made by the terms of which the County paid to Mrs. R. M. Welch the amount of the award in the sum of \$125.00, which payment is evidenced by warrant No. 607 dated May 27, 1938; and

WHEREAS, by the said agreement the County Commissioners Court was obligated to construct a hog wire and barb wire fence on each side of the right of way through the land so condemned the length of 468 feet and to pay the expenses therefor at the cost of the county and without cost to Mrs. R. M. Welch, the said fence to be constructed on bois d'arc posts not less than 10 feet apart and placed in the ground at least 1½'.

NOW THEREFORE, BE IT ORDAINED by the Commissioners Court of Titus County, Texas that pursuant to said agreement the Commissioners' Court of Titus County, Texas hereby binds and obligated Titus County to build said fence on each side of the right of way across defendant's

land and to pay for the cost of material and labor in so doing. The said County is obligated to make one gate on each side of said highway at such point as will not interfere with drainage of the said highway and will place the gates at some point that will be as near as practicable on level with the road surface.

IN WITNESS WHEREOF this order was passed at a called session of Commissioners Court of Titus County, Texas the day and year first above written.

G. T. Neugent
County Judge

T. J. Stringfellow
W. J. Cody
G. C. Lunsford
County Commissioners.

THE STATE OF TEXAS | IN COMMISSIONERS' COURT OF TITUS CO., TEXAS,
VS. No. 1441 | AT A CALLED SESSION DULY ASSEMBLED AT THE COURT
T. B. LANIER | HOUSE THEREOF ON THIS THE 10 DAY OF JUNE, A.D. 1938

On the above date came on to be considered by the Commissioners' Court the settlement of the case of State of Texas vs. T. B. Lanier No. 1441 on the docket of the County Court of Titus County, Texas, the same being a condemnation proceedings to condemn 4.94 acres of land belonging to defendant and it being made to appear to the said Commissioners' court that the Special Commissioners appointed to assess the value of defendant's land taken made its award and that defendant appealed therefrom to the County Court and thereafter in the County Court a compromise agreement was affected, whereby it was agreed that Titus County would pay, on behalf of the State of Texas, Twenty (\$20.00) Dollars per acre for the land taken and the sum of One Hundred Twenty-five (\$125.00) Dollars, cost of fencing the right of way on both sides across defendant's land and that the total sum to be paid by Titus County is the sum of Two Hundred Twenty-three & 80/100 (\$223.80) Dollars.

THEREFORE, BE IT ORDERED, ADJUDGED AND DECREED by the Commissioners' Court of Titus County, Texas that in settlement of the said cause said County, on behalf of the State of Texas, hereby agrees and obligates Titus County to pay to the said T. B. Lanier the sum of \$23.80 value of the land taken and \$125, the value and cost of building fences on each side of the right-of-way thereof.

It is therefore ordered by the said Court that the Clerk of the County Court of Titus County, Texas, be and he is hereby authorized and directed to issue scrip against the Road and Bridge Fund of Titus County and payable to the said T. B. Lanier, upon the execution and delivery of deed by T. B. Lanier covering the right of way as described in plaintiff's petition. And Titus County will pay all costs of said condemnation proceedings incurred.

IN TESTIMONY WHEREOF, witness the hand of the County Judge and County Commissioners of said County on this the --- day of June, A.D. 1938.

G. T. Neugent
COUNTY JUDGE

T. J. Stringfellow
W. J. Cody
G. C. Lunsford
COUNTY COMMISSIONERS

IN THE COUNTY COMMISSIONERS' COURT OF TITUS COUNTY, TEXAS, duly assembled at the court house in Mt. Pleasant on this the 10 day of June, A.D., 1938.

BE IT REMEMBERED that in the case of the State of Texas vs A. L. Hood, No. 1440, the

said cause was filed by the Commissioners' Court of Titus County, Texas on behalf of the State of Texas to condemn for highway purposes to relocate Highway No. 49 on and across the defendant's land, and Special Commissioners appointed by the County Judge to assess the value of said land and damages to defendant's remaining property made its award and from that award an appeal was taken to the County Court of Titus County, Texas and thereafter on May 3, 1936 at the May term of said court a trial was had before a jury and after the jury's findings and verdict on special issues rendered defendant filed a motion for new trial in said cause and thereafter and before said motion was acted on a compromise settlement was effected in said cause by and between Hiram G. Brown, Attorney for the Commissioners' Court and the State of Texas, plaintiff, and J. A. Ward, Attorney for A. L. Hood, Defendant, by the terms of which it was agreed that Titus County, through its Commissioners' Court would pay to the defendant, A. L. Hood, the sum of \$350.00 to cover the value of the land taken and condemned in said cause and all damages of any nature.

THEREFORE, BE IT ORDAINED AND DECREED BY THE COMMISSIONERS' COURT of Titus County, Texas that said compromise settlement be and hereby is accepted and that the Clerk of the County Court of Titus County, Texas is directed to issue scrip against the road and bridge fund of Titus County, payable to A. L. Hood in the sum of \$350.00 upon the execution and delivery by the said A. L. Hood of his easement in favor of the State of Texas.

It is further ordered that Titus County will pay all costs in said condemnation proceedings incurred.

WITNESS the hand and signatures of the County Judge and Commissioners of Titus County, Texas, the day and year first above written.

C. T. Neugent
COUNTY JUDGE.

T. J. Stringfellow
W. J. Cody
G. C. Lunsford
COUNTY COMMISSIONERS.

THE STATE OF TEXAS, X
THE COUNTY OF TITUS. |

WHEREAS, on the 31st day of March, A.D. 1936, M. J. Wallace executed his deed to the State of Texas conveying highway right-of-way 1644 feet long and 120 feet wide across land owned by M. J. Wallace in the P. Herron survey about 1½ miles north of the court house in Titus County; and,

WHEREAS, the consideration therefor was the sum of TWO HUNDRED THREE & 40/100 (\$203.40) DOLLARS, as expressed in said deed, and the further consideration that TITUS COUNTY, through its Commissioners' Court, will pay to the said M. J. Wallace, for the purpose of fencing the said land an additional sum of SEVENTY-FIVE (\$75.00) DOLLARS, or in lieu thereof, at the option of the Commissioners' Court of Titus County, TITUS COUNTY will cause to be built and paid for a fence on each side of right-of-way of posts and wire as follows: The posts to be set eight (8) feet apart and all to be split posts not less than four (4") inches in diameter and set at least one and one-half (1½') feet in the ground and the fence to be Four and one-half (4½') feet high above the ground. The wire to be used in building the fence shall be what is known as hog wire and the fence shall contain three (3) strands thereof. The said fence shall have at least one opening or gate on each side of the right-of-way at such places as may be designated by the said M. J. Wallace, so as to give access to him out of his land on

the East side of the right-of-way to that on the West side:

NOW, THEREFORE, TITUS COUNTY, acting herein by and thru its Commissioners' Court, does hereby bind and obligate itself to construct the above mentioned fence according to the plans and specifications above set out in a good and workman-like manner on each side of said Highway and to construct the gates or openings in said fence and to furnish all material and labor at its own cost; or, in lieu of constructing the said fence, the said County will pay to M. J. Wallace the sum of \$75.00 in money. The said fence is to be built as soon as the right-of-way construction work is begun on said land.

IN TESTIMONY WHEREOF, the Commissioners' Court, acting as such for TITUS COUNTY, hereby cause this instrument to be executed in the name of TITUS COUNTY on this the 10 day of June, A.D. 1938.

TITUS COUNTY

BY C. T. Neugent
County Judge

T. J. Stringfellow
W. J. Cody
G. C. Lunsford
Commissioners

THE STATE OF TEXAS | IN COMMISSIONERS' COURT OF
VS. NO. 1436 | TITUS COUNTY, TEXAS
MRS. M. A. COKER, ET AL | ON THIS THE 10 DAY OF JUNE, A.D. 1938.

WHEREAS, in the above styled and numbered cause the Special Commissioners' appointed to assess the damages of the owners of the land condemned made its award in the sum of One Hundred Twenty (\$120.00) Dollars; and

WHEREAS, the defendants in said cause appealed from said award to the County Court and thereafter at the May term 1938 of the said County Court said cause came on for trial when came the State by its attorney and the defendants in person and by attorney and thereupon it was agreed that Titus County on behalf of the State of Texas would pay the sum of \$120.00 as compensation for the land of the defendants taken for right of way purposes and in addition thereto would build for the owners of said land a wire fence on each side thereof with bois d'arc post and 24" hog wire and three strands of good grade barb wire;

Now, therefore, in order to complete said settlement the County Commissioners' Court of Titus County, Texas, a quorum thereof being present does hereby bind and obligate Titus County that upon consideration of the settlement and compromise of the said case Titus County will build fence on each side of the right of way across the land of defendants, Mrs. M. A. Coker, et al, 288 feet long with 24" hog wire at the bottom and on top thereof three strands of good grade barb wire placed on Bois d'arc post set in the ground 1½ ft., and not over ten (10') feet apart; that Titus County will furnish the material and labor and construct the said fence for and on behalf of the plaintiff without any cost to the defendants and will build one gate on each side of said right-of-way on defendants' land at such points as will not interfere with drainage of said highway and as will be as near as practicable on level with road surface. In the event the said County, acting through its Commissioners' Court, shall fail and refuse to build said fence within a reasonable time after work is begun on said right-of-way on said land that Titus County will pay the cost of material and labor for the building of said fence and the defendants will have the right or option to so build it at the cost of Titus County.

It is agreed that Titus County will pay all costs in the said condemnation proceedings

incurred.

IN TESTIMONY WHEREOF, witness the hand and signature of the County Judge and Commissioners of Titus County, Texas, the day and year first above written.

G. T. Neugant
COUNTY JUDGE

T. J. Stringfellow
W. J. Gody
G. C. Lunaford
COUNTY COMMISSIONERS.

In the Commissioners' Court of Titus County, Texas, duly and legally assembled at the court house thereof on this 10 day of June, A.D. 1938.

BE IT REMEMBERED, that in cause No. 1439, The State of Texas vs. Mrs. J. W. Cooper, suit was brought by the State of Texas to condemn for right of way purposes to construct and relocate highway No. 49 across defendant's land, and a jury of Special Commissioners was appointed to value the land and assess the damages to defendant's said property and made its award in the sum of One Hundred Fifty (\$150.00) Dollars, from which award the said Mrs. J. W. Cooper, a single woman, appealed to the County Court and thereafter at the May term of the County Court the Commissioners' Court of Titus County, acting by its duly appointed attorney to bring said condemnation proceedings, made a compromise settlement of said cause for the sum of \$150, the amount of said award, as compensation for defendant's land and damage thereto and in addition thereto agreed to build for defendant on each side of the said right of way across her land, 903 feet in length, a hog and barb wire fence on bois d'arc post and agreed to furnish all material and labor and erect said fence without any cost to defendant.

NOW, THEREFORE, it is hereby ordered, adjudged and decreed by the said Commissioner's Court that Titus County pay to the said Mrs. J. W. Cooper the said sum of \$150 and the Clerk of this court is directed to issue scrip of Titus County against the Road and Bridge Fund thereof in the sum of \$150 in favor of the said Mrs. J. W. Cooper, defendant.

It is further ordered and decreed by the said court that Titus County, at its own cost and expense build on each side of said road of 24" hog wire at the bottom and three strands of barb wire on bois d'arc post set 10' apart and 1½' in the ground with one gate on each side of said road at such location as will not interfere with drainage of Highway and that Titus County do pay all cost and expense of erecting said fence, and in the event the said County shall neglect so to do that it will pay to Mrs. J. W. Cooper the costs that she may incur in furnishing material and building said fence.

It is further ordered that Titus County will pay all costs in said condemnation proceedings incurred.

IN TESTIMONY WHEREOF, WITNESS the hand and signatures of the County Judge and Commissioners of Titus County, Texas the day and year first above written.

G. T. Neugant
COUNTY JUDGE

T. J. Stringfellow
W. J. Gody
G. C. Lunaford
COUNTY COMMISSIONERS.

The above minutes read and approved in Open Court.

ATTEST:

County Clerk

County Judge.